

which there will be a period for the transaction of routine morning business, with statements therein limited to 3 minutes—the period therefor not to extend beyond 10 a.m.

At 10 a.m., the Senate will take up S. 35, a bill to provide for the settlement of certain land claims of Alaskan Natives, under a time limitation of 4 hours on the bill, 1 hour on each amendment in the first degree, one-half hour on any amendment in the second degree, motion,

or appeal with the exception of non-debatable motions, and it is expected that there will be one or more rollcall votes in connection with that bill.

It is also anticipated that other legislation will be cleared and ready for action on Monday afternoon, following the disposition of the Alaskan Natives land claims bill. Rollcall votes are possible on such legislation.

The Senate can expect long sessions daily next week.

ADJOURNMENT UNTIL 9:30 A.M.
MONDAY, NOVEMBER 1, 1971

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:30 a.m. on Monday next.

The motion was agreed to; and (at 7 o'clock and 52 minutes p.m.) the Senate adjourned until Monday, November 1, 1971, at 9:30 a.m.

EXTENSIONS OF REMARKS

SALVADOR DALI JEWELS IN
GREENWOOD, S.C.

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DORN. Mr. Speaker, the Salvador Dali Art-in-Jewels are on display in my hometown of Greenwood through November 7. Greenwood is one of four cities in the world where this magnificent work of art is being shown in 1971—in Rome, London, Paris, and now Greenwood. Mr. Speaker, and my colleagues, you are cordially invited to visit with us in the next few days to see this only American showing for 1971. Following is my newsletter to my constituents about this great event in my hometown:

ART-IN-JEWELS

You may view one of the most superb creations of art in modern history now on display daily at the Greenwood County Courthouse. Time has been extended, and through November 7 you will have this rare opportunity. You will be inspired by Art-in-Jewels. Your creative imagination will be stimulated. Art-in-Jewels is a great sermon, a beautiful poem, a love story, thoughts on immortality, history and prose all in one viewing.

Salvador Dali's paintings and jewel creations are viewed annually by millions in the National Art Gallery in Washington, the Metropolitan Museum of Art and the Modern Museum of Art in New York, in Glasgow, Scotland, and in private collections throughout Western Europe. Art-in-Jewels, a \$5½ million collection, was a feature attraction at the World's Fair. South Carolina and the Southeast are fortunate to have the opportunity to view this famous, imaginative creation of the most provocative art genius of modern times. The Dali jewels will be shown to the public in only four cities in 1971—Rome, Paris, London, and now in Greenwood.

Salvador Dali was born in Spain in 1904. Early in life Dali helped develop surrealism as art of revolution and embraced Dadaism and Cubism. He first became known for eerie, often bizarre paintings which reproduced the nightmare vision of an irrational and maniacal subconscious world. However, by 1941 Dali wrote that he was forsaking surrealism as an art of revolution. He wrote that revolution was bankrupt, along with the collectivist, atheist and neo-pagan utopias which he had studied in the philosophy of Karl Marx and Hitler's Nazi philosopher Rosenberg. After studying theology Dali became devoted to more traditional art forms with emphasis on the constructive and positive aspects of spiritual forces in the reconstruction of devastated Europe. This was a

Europe destroyed by revolutions and paranoiac hallucinations as manifested by the demented collectivist Stalin and the maniacal Hitler and by some today in America who preach anarchy and chaos. In 1954 at the request of Chester Dale, then President of the National Gallery of Art, Dali created "The Sacrament of the Last Supper." We viewed the Sacrament this morning at the National Gallery here in Washington. It is undoubtedly one of the masterpieces of all time, which uses traditional art methods to reach out and deeply involve the viewer. Dali's Art-In-Jewels vividly portrays the sacrifice and love of Christ, peace, and the compassion, virtue and love of womanhood.

Salvador Dali himself said of his own fantastic, unique and magnificent creation: "Without an audience, without the presence of spectators, these jewels would not fulfil the function for which they came into being. The viewer, then is the ultimate artist. His sight, heart, mind—fusing with and grasping with greater or lesser understanding the intent of the creator—gives them life."

South Carolinians have long had an appreciation of art and culture, dating back to the first theater in America at Charleston and the fabulous gardens and architecture of that charming city. Art and cultural circles in South Carolina are virtually unanimous in their opinion that the Salvador Dali jewels are perhaps the superlative works of art ever shown in the Palmetto State. It is as if the most famous art of Rembrandt, Michelangelo, Leonardo da Vinci, and Raphael were on display in South Carolina.

Now America is developing an appreciation of art and a vibrant, dynamic culture distinctively its own. In supporting the National Foundation on the Arts and Humanities and the Kennedy Center for the Performing Arts, we in the Congress believe this legislation will further the development of a unique cultural heritage in America.

Art-in-Jewels in Greenwood was made possible by the Owen Cheatham Foundation. The Owen Cheatham Foundation was established in 1934 to assist religious, cultural and educational institutions. The Foundation acquired the Salvador Dali jewels in 1958 and now makes available a display of the jewels for selected charitable, religious, and philanthropic causes.

The late Owen Cheatham was born in Virginia and founded the great Georgia Pacific Corporation. For many years he was its president and chairman of the board. Owen Cheatham, who was awarded a Doctor of Science degree by Clemson University, married Celeste Wickliffe from Walhalla (Garden of the Gods) and West Union. Celeste Wickliffe developed an early appreciation of up-country culture as manifested by the cultural circles of the Pendleton Area, High Hampton and Sapphire Valley. Mrs. Cheatham is a talented, attractive and charming lady who epitomizes the charm of Southern womanhood. Mrs. Cheatham has two lovely daughters, Mrs. Roland R. Comerford

and Mrs. Albert Kennerly. Mrs. Kennerly and her husband, who is a distinguished architect in New York City, attended the preview in Greenwood. It will be recalled that Mrs. Kennerly was born in Augusta, where Mr. Cheatham founded Georgia Pacific, and she has many friends in the beautiful Aiken-Augusta area.

Mrs. Cheatham has been most gracious in permitting a display of Art-in-Jewels in Greenwood, as the Foundation receives more than 1000 requests annually from throughout the world.

The proceeds of the Dali showing will go to restore the Old Cokesbury College. Cokesbury College was built in 1854 as a Masonic Female College and was later acquired by the South Carolina Methodist Conference. The College building and the Formal Garden are now almost completely restored and work is progressing to develop the cultural and recreational potential of the historic Cokesbury community, which once rivaled Charleston as a social and cultural center. Mrs. Sterling Graydon of Greenwood, author, lecturer, and patron of the arts, is Chairman of the Cokesbury Historical and Recreational Commission. Mrs. Graydon is providing the outstanding leadership and tireless energy necessary to accomplish this restoration. In viewing Art-In-Jewels special rates are available for students and there is a nominal charge for adults.

While in Greenwood to view the Salvador Dali jewels we recommend the Railroad Museum and the Greenwood Museum, which has one of the finest collections of Indian relics in the Southeast and a splendid rock and gem collection. Nearby in Abbeville you will find of great interest the restored Abbeville Opera House, historic Trinity Episcopal Church and the Stark House. In the Abbeville Courthouse there is a painting of John C. Calhoun which Arthur Conrad was selected to paint by the Washington Commission of Fine Arts. Among other points of historical interest in the immediate area are Edgefield, home of ten South Carolina governors, and Newberry, where the historic Old Court House now is the Newberry Community Hall.

When in Greenwood you are cordially invited to visit our home Barratt House, which was designed in 1850 by Dr. John P. Barratt, a noted scientist and artist.

TOM STEED'S GRANDDAUGHTER IS
OKLAHOMA'S TEENAGE MISS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. EDMONDSON. Mr. Speaker, the judges at the Miss Teenage Oklahoma City Contest Monday evening were obviously people of perception and wisdom.

When they announced the winner, they had chosen the lovely and talented granddaughter of one of our outstanding colleagues, the Honorable TOM STEED.

I know every Member of this body will want to read the newspaper account from the Daily Oklahoman of Tuesday morning, and I would like to have it appear in the Record. I only regret that the picture of Marguerite Steed cannot appear with the story.

Miss Steed is 16 years old, a high school junior at Shawnee, Okla., Congressman STEED's hometown.

I know all our colleagues will have home State favorites when they watch the Miss Teenage America contest from Fort Worth December 3, but I also hope that deep in their hearts they will be pulling for Marguerite Steed, of Oklahoma.

SHAWNEE DANCER WINS CITY TITLE

Marguerite Steed, a pretty, pert teenager from Shawnee, was crowned Miss Teenage Oklahoma City Monday night in a televised pageant held at the Oklahoma City University Auditorium.

Miss Steed, a 16-year-old high school junior, won out over 12 finalists. She will compete in the Miss Teenage America contest to be held in Fort Worth, Tex., Dec. 3.

She is the daughter of Mr. and Mrs. Richard Steed, Shawnee, and granddaughter of Oklahoma Rep. Tom Steed.

First runner-up for the title was Deborah Hoke, of Stillwater. Gloria Parker, of Guthrie was second runner-up. A pair of honors was bestowed on Kim Russell, of Duncan, who won both the talent award and Miss Congeniality.

Miss Steed was crowned by last year's Miss Teenage Oklahoma City, Martha Schroeder.

The contestants were judged in evening gown and talent competition and on their ability to answer questions.

Miss Steed, who has been taking dance lessons since the age of three, performed a ballet number based on music from the movie "Dr. Zhivago."

Her prizes include a \$200 scholarship to the college of her choice, a trophy, crown, cosmetic travel kit, piece of luggage and portrait.

As she was crowned, Miss Steed bubbled, "I'm so happy. This has been the most wonderful experience of my life. I wish every girl could enter so they could all have this wonderful experience."

The question she was asked in the final phase of the competition was, "What would you do if you and your date were going to a movie rated GP, and your parents objected?"

She answered, "If my parents objected, I would say they didn't have much faith in me. I would try to explain to them I'm mature enough to see this movie, and I'm sure they'd understand."

SCHOOL PRAYER IS HISTORICAL

HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. WYLIE. Mr. Speaker, on October 25, 1971, I received from Mr. George W. Archambo, of Mount Pleasant, S.C., correspondence concerning House Joint Resolution 191.

This correspondence deals with the history surrounding the adoption of the first amendment provision on freedom of

religion and I commend it to the attention of my colleagues:

MOUNT PLEASANT, S.C.,
October 25, 1971.

Representative CHALMERS P. WYLIE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I am sorry that I was not aware of your fight to put prayer back in school. As it is, I am attempting to contribute a little information, which I hope may be useful. The enclosure should speak for itself, and more in this letter.

In an old history book: Eggleston, Edward, *A History of the United States and Its People*; ca. 1890 (title page missing), p. 200:

"Before the Revolution, the Episcopal Church of England was established in the Southern Colonies, while the Congregational churches were supported by law in all the New England colonies except Rhode Island. During the Revolution, Thomas Jefferson led a movement in favor of religious freedom. Now there is no religious establishment in any part of the country, but all are free to worship in their own way. The Constitution provides that Congress shall not interfere with religious freedom. . . ."

The U.S. Supreme Court removed prayer and Bible reading from the public schools at the urgency of an atheist. Yet, this decision should not have been made, if the Supreme Court had considered the situation properly.

The above quote from Eggleston's history book shows that Jefferson led in a movement for religious freedom; and "the Constitution provides that Congress shall not interfere with religious freedom."

"Article I. Congress shall make no law respecting an establishment of religion. . . . The question is, 'Why?' Why should such a thought have occurred in the mind of Jefferson? Simple.

Religious conditions today are similar, but probably less so, than they were some two hundred years ago. In most Latin countries the national religion is Roman Catholic. In most North European countries the national religion is Lutheran. In England the national religion is Episcopal; in Scotland the national religion was Presbyterian. In other countries around the world, national religions of various lands is Moslem, Hindu, Buddhist, Shinto, etc.

Thomas Jefferson's influence was apparently illustrated in the composition of the First Amendment, and this expression was that Congress was in no position to have a hand in the establishment of a national religion. Likewise, "Congress shall make no law prohibiting the free exercise thereof."

It should be obvious to any intelligent person that prayer and Bible reading was the accepted thing in the public schools at the time that the Amendments were ratified and adopted, November 1791. Otherwise that First Amendment would have had the effect of removing prayer and Bible reading from the school system then and there. We would not have had prayer and Bible reading in the schools during the years I attended some forty years ago. But it was the accepted thing. And there were some great Justices in the Supreme Court in those days.

To refer again to the excerpt from Eggleston's history book, it relates that before the Revolution, the Episcopal Church of England was established in the Southern Colonies, and Congregational Church was supported by law in the New England colonies except Rhode Island. This seems to manifest a national recognition of particular denominations. Then Jefferson stepped into the picture and "led a movement in favor of religious freedom." "Now there is no religious establishment in any part of the country."

For any person to show some sort of allegiance to God and Christ, yet manifest an

interest in not wanting prayer and Bible reading in the school program, as it had been for some two hundred years, that person's religion is faulty, and certainly not that of a Bible-believer.

I hope this letter and enclosed excerpt of my paper relative to the history of Christian education will be of some value to your fight to have prayer returned to the school system. Without it the result is already manifest: degeneration of good morals, respect for law and order, respect of the young toward their elders and their parents and teachers.

Feel free to reproduce any or all of this material if you think it worthy.

Yours for prayer in the schools,

GEORGE W. ARCHAMBO.

(This is an extract from a paper I did in a course, Christian Education, at Bob Jones University. I hope it may be of some interest. George W. Archambo, October 23, 1971.)

The first schools in America were similar to the schools in the days of the Reformation. A knowledge of the Bible and an interpretation of its contents was felt necessary for salvation. This meant that children had to be taught to read. Schooling was conducted, but there was little difference between the secular and the religious.

The Massachusetts Bay Colony passed a law in 1642 to enforce the education of children. Children were to learn to read and understand the principles of religion and the capital laws of the country. The education was for the benefit of the state more than for the child, for as the child grew to manhood and became eligible for public office, he must be educated.

The first schools were called Dame Schools, being taught by the responsible women of the town. Generally, these women had some education, enough to prepare the pupils for the next school, called the "School of the Three R's." This was the common school, teaching reading, writing, and arithmetic. From here the student could go on to the Latin grammar school, which was preparation for college. This school was the forerunner of our high school.¹

In the year 1636 the first college was established in America. A young minister died leaving 750 pounds (\$3600) and a library of 300 volumes to help men for the Christian ministry. This man's name was John Harvard, the college becoming Harvard College in his honor. As time and conditions permitted, other Church sponsored colleges appeared, Yale in 1701; Princeton, 1747; King's College (Columbia) in 1754; Rutgers, 1766; and Charity Academy (University of Pennsylvania) in 1740.

Textbooks of this era were mainly the Catechism, the psalter, and the Bible as found in the home. In 1690, the New England Primer came into existence. This was one of the greatest of published books, contributing "perhaps more than any other book except the Bible, to the molding of those sturdy generations that gave to America its liberty and its institutions." It consisted of the alphabet, the Lord's Prayer, the Apostles Creed, the shorter Catechism, an account of the martyrdom of John Rogers, and a dialogue between Christ, youth and the Devil. Eighty-seven percent of the book was made up of selections from the Bible.²

The First Amendment of the Constitution prohibited the federal government from establishing a national religion, therefore allowing freedom of worship. The Constitution also made no allowance for education, and since the Tenth Amendment passed on to the states such powers as were not delegated to Congress, the states assumed the power for educating its people.³

As the frontier moved westward, educational facilities moved with it. Most of the

Footnotes at end of article.

public schools at the first taught the Bible, but as the need for better textbooks was felt, the Bible was gradually substituted by books with portions of Scripture, and with time, the Scripture gradually disappeared.

The *Dillsworth Guide to the English Tongue* was introduced into the Colonies in 1750. It was less religious than the *New England Primer* but provided for advanced pupils as well as for the beginners. In 1783, Noah Webster presented his *Spelling Book*, which was still more secular, but more American than the Dillsworth book, and which, by 1890, was the best seller next to the Bible.⁴ During the following years more textbooks appeared until now one can find many varieties from extremely Biblical to extremely secular.

FOOTNOTES

¹ Clarence H. Benson, *History of Christian Education*, p. 105.

² Benson, *op. cit.*, pp. 108, 109.

³ *Ibid.*, p. 110.

⁴ Benson, *op. cit.*, p. 110.

Benson, Clarence H., *History of Christian Education*. Chicago, Moody Press, 1943.

MAN'S INHUMANITY TO MAN— HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 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?

**GEORGE J. BURGER, SR., VICE
PRESIDENT OF NATIONAL FED-
ERATION OF INDEPENDENT BUSI-
NESS**

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. GROSS. Mr. Speaker, there is probably no representative of any organization better known to Members of Congress than Mr. George J. Burger, Sr., senior vice president of the National Federation of Independent Business.

For a quarter of a century or more, George Burger has been found daily in the Capitol, the congressional offices, and committee rooms representing the interests of independent business.

Through the years he has waged an unrelenting campaign, in addition to making known the views of his organization on specific legislative proposals, to obtaining permanent legislative status for the Senate and House Committees on Small Business—a campaign to which I have been glad to lend support.

In this connection I am pleased to insert in the Record at this point an article on this subject which was recently released by the National Federation of Independent Business:

GEORGE J. BURGER, SR.

WASHINGTON.—George J. Burger, Sr., senior vice president of the National Federation of Independent Business, continued today to push vigorously for enactment of S. Res. 38, which would give legislative status to the Committee on Small Business in the Senate.

Mr. Burger, who is nationally known for his untiring efforts on behalf of Independent Business, sent special delivery letters to all Members of the Senate Rules Committee, urging that they report favorably S. Res. 38 for action on the Senate floor. Such legislation has been bottled up before the Rules Committee for eight years.

Burger cautioned that failure to report the Resolution would mean that the Senate was unwilling "to give due recognition to small business in the Nation in the same capacity extended to organized labor and organized farm groups."

The National Federation of Independent Business is the largest organization representing the small businessman. Its membership consists of almost 300,000 firms in all 50 states.

Burger, in his letter, said that it appeared "history is repeating itself." He referred to Senate action in 1949, when that body failed to act favorably on legislation that would have given legislative authority to a then special committee.

"An important reason why I am bringing this to your personal attention," Burger wrote the Senators, "is to the credit of Federation members." He pointed out that Federation members in 49 of the 50 states had already contacted their Senators urging them to support immediate action on S. Res. 38.

"One member," Burger continued, "in an important letter to his Senator asked the question, 'When is the Senate Rules Committee going to lift the eight-year prison sentence and release the Resolution to the floor of the Senate for a vote?'"

Burger emphasized the writer said "prison sentence." "This certainly has the earmarks of the present inaction of the Rules Committee. It is our hope that the continual reports received from the Committee in its Executive Sessions—the usual, consistent answer of 'No Quorum',—will be no more."

He pointed out that other legislative matters were acted upon by the Committee, despite the "No Quorum" reports. "Is small business called or looked upon as second-class citizens by the Rules Committee and its members?" he asked.

Burger said it was his honest opinion that if S. Res. 38 were to be reported by the Rules Committee to the Senate floor, "communications received by Federation members from their respective Senators that such action has taken place could result in a major victory for the future of small business."

Burger enclosed with his letter a memorandum of a telephone conversation on Good Friday, April 1949, with former Senator Carl Hayden, then Chairman of the Rules Committee, in which Hayden described the Senate's attitude on the problems of small business as "lackadaisical."

There are some 5½ million small businesses in the United States today, employing some 60 per cent of the country's non-government and non-agricultural work force, and accounting for more than 37 per cent of the gross national product, Burger said.

The removal of Rules Committee recalcitrance and successful passage of S. Res. 38 would therefore be a boom not only for small business, but for the Nation as well, Burger explained. Such action would instill more confidence within the small business community throughout the U.S.

And, considering the fact that small business employs such a high percentage of the American work force, a Committee with legislative authority could be the catalyst for a nationwide small business spurt, leading

to increased employment opportunities and a reduction in unemployment, he stated.

"The action of the Rules Committee confirms what former chairman Senator Carl Hayden said 22 years ago—that there is a lack of interest in small business. In fact, I would say that the future of small business looks very dismal as far as the U.S. Senate is concerned," Burger said after today's Executive Session of the committee.

"This inaction will probably set a pattern on the House side, where similar legislation is pending," Burger pointed out. "Apparently the 'prison sentence' still holds."

"Is it possible that there is a hidden hand of power somewhere helping to keep this legislation bottled up?" he questioned.

"This places a real responsibility for action on the present sponsor of the legislation, Senator Stevens (Alaska), and the co-sponsors in the Senate—including Senator Bible (Nevada), chairman of the Small Business Committee, and Senator Jacob Javits (New York), ranking minority member—for a definite showdown with Rules. This is a time for action that will speak louder than words," Burger concluded.

Mr. Burger has been vice president and a member of the Board of the National Federation of Independent Business since 1947, and has represented small businessmen in the Nation's Capital for more than 30 years.

DETROIT'S SCHOOLBUSING PROBLEM

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. SCOTT. Mr. Speaker, a recent Roanoke Times editorial commenting on Detroit's schoolbusing problem makes the point that no one could wish any more trouble for the motor city, which has had more than its share in recent years.

I am convinced my colleagues share with me concern that any American city or locality, whatever it may be, would be crippled fiscally and spiritually by court-directed busing plans. I do believe it is time, Mr. Speaker, for Congress to take the advice of the editorial and "do its duty and establish a national policy."

The editorial from the Roanoke, Va., newspaper follows:

AND NOW IT'S DETROIT

No one in his right mind could wish any more troubles for Detroit, Michigan. Its downtown almost died, and remains badly crippled, after the racial riots of 1967. Like other large cities, it has much heroin addiction, crime in the streets, a weakening tax base—whatever a big city ought not to have, Detroit has it. Now Detroit has a federal judge's finding that it has segregation by law (de jure) and, like some Southern cities, must resort to large-scale busing to achieve racial balance in schools.

Detroit must prepare a busing plan; the State Board of Education has been directed to prepare a plan to include the suburbs of Detroit. In the words of the usually calm Associated Press, the possibility "has generated more tumult in the Detroit area in the last two weeks than any other issue in modern times."

The problem will be more acute in Detroit (as in Indianapolis) than it has been in Atlanta, Richmond and Norfolk. For all the ancient racial disabilities in the South, blacks and whites in the South have a personal rela-

tionship. It may be limited but it exists, whereas in the large Northern cities the invisible wall is harder to break through than the more visible Southern one.

If anything good is to come from Detroit's ordeal, it may be another shock to the nation to realize that the South alone is not filled with sinners; that de jure and de facto distinctions are meaningless in history and at present. It might bestir the Congress at last to do its duty and establish a national policy.

FOOD STAMPS FOR DRUG TREATMENT PROGRAMS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. BADILLO. Mr. Speaker, I am pleased to reintroduce for myself and 21 of my colleagues an amendment to the Food Stamp Act that would extend its benefits to narcotic addicts participating in drug treatment and rehabilitation programs run by private, nonprofit organizations.

On July 29, when I first introduced the measure on behalf of myself and the four sponsors, the gentleman from California (Mr. HAWKINS), the gentleman from Hawaii (Mr. MATSUNAGA), the gentleman from Massachusetts (Mr. MORSE), and the gentleman from Illinois (Mr. RAILSBACK), I stated that it was our plan to circulate the measure among our colleagues on both sides of the aisle with the hope of obtaining broad, bipartisan support.

I am very pleased that a number of Members have seen fit to join us in this effort. My mail indicates that such an approach is needed and welcomed. In addition to hearings from my own constituents on this, I am happy to say that a number of the States have also endorsed the measure and have urged their congressional delegations to give it their support.

Our society is presently paying a tremendous price for drug addiction. We need all the help we can get in this area. Significant contributions are made and an impressive percentage of successful rehabilitations are achieved by the small, community-based groups that this measure is designed to assist. These groups categorically state that to carry on their work they must have food to give their participants. Passage of this measure would give them the assistance they so desperately need.

THE GREEKS HAD A WORD FOR IT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DERWINSKI. Mr. Speaker, all of us are familiar with the expression "the Greeks had a word for it." Thirty-one years ago today the word was "No."

On October 28, 1940, Benito Mussolini sent an ultimatum to Joannes Metaxas,

demanding the use of Greek bases. Fascist Italy, of which Mussolini was dictator, had entered World War II on the side of National Socialist Germany but a few months earlier, Metaxas, himself a dictator, had been walking a tightrope, trying to get along with Germany and Italy on the one hand and Great Britain and France on the other.

Because of Greece's geographical location, with then powerful Italy not very far away and with neighboring Albania in Italian hands, it took tremendous courage for General Metaxas to defy Il Duce. His answer to the latter-day Caesar was "Ochi," the Greek word for "No."

Mussolini responded by sending troops to Greece by way of Albania, but the Greeks, led by Alexander Papagos, fought back bravely to repel the invaders. The Italians were in full retreat by November 10 and on December 3 the Greeks broke through their defenses in Albania. Several key points were captured and it was not long before one-fourth of Albania was overrun.

Greece might have won her battle with Italy, as British reinforcements had arrived in Crete and other Greek islands and 134 fighter planes had been delivered to Greece by the Soviet Union. Victory, however, was denied when Nazi Germany sent 50,000 troops to reinforce the Italians.

The Nazis invaded Greece on April 6, 1941, with the Bulgarian army right behind them. Greek resistance, faced with overwhelming enemy opposition, soon collapsed, an armistice was signed, and the king and government fled, first to Crete and later to Egypt. The Germans entered Athens on April 27 and the National Socialist swastika flew over the Acropolis. It was not hauled down until October 13, 1944, when the Allies once more occupied the capital.

Although the courageous warriors of Greece were outnumbered and doomed to defeat, their brave resistance at the outset of the struggle may have helped to pave the way for the eventual defeat of the Nazis. Had the Greeks said "Yes!" to Mussolini instead of "No!", the liberation of their homeland might have been delayed even further into the future than it was.

Greece's difficulties did not end with the collapse of National Socialism and Fascism. The Communists also had to be driven from its soil, but this was accomplished, with help first from Great Britain and then from America.

Mr. Speaker, today Greece is still beset by problems, but I believe they will be solved in due time. As she seeks workable solutions, let us hope and pray that the Greeks will always reject communism and kindred tyrannies with a deafening "No."

SIDNEY LOMAN—A GOOD SCOUT

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. VAN DEERLIN. Mr. Speaker, last week a signal tribute was paid to one of

my San Diego constituents, Sidney Loman, who is 91 but has the outlook of a man half his years.

Mr. Loman was honored for his services, extending back nearly half a century, to Boy Scouting. A plaque reading "Sidney Loman Conference Hall" was prominently affixed at the Boy Scout Service Center, in San Diego's Balboa Park, as the highlight of the tribute.

Mr. Loman's extraordinary career began with his birth in the little town of Rosebud, Tex., the 17th of 19 children. Both his parents had been slaves. During World War I service with the Army, he was first struck with concern about the handicaps of undereducated youth—and resolved to do something about it.

He organized his first Boy Scout troop shortly after moving west to Imperial County, Calif., in 1921. Other Loman-inspired troops were to follow, including the first for blacks in San Diego. A son, Army Sgt. Earl B. Loman, became, in 1945, the city's first black Eagle Scout.

In addition to the principles of Scouting, Mr. Loman always tried to imbue in his young charges certain other ideals, including the importance of education and the willingness and ability to work together.

As another way of helping youngsters, he also spent 10 years as a reserve officer with the San Diego Police Department.

Mr. Loman, who is still active as Scoutmaster of Troop 420 in San Diego, hears frequently from the young men, black and white, with whom he had worked over the years. Typical of recent communications was a letter from an Army man who noted, in gratitude, that this is one white boy you left a great mark upon.

It is my deep personal pleasure to add this tribute of my own to the accolades so well earned by this outstanding citizen.

STATE DEPARTMENT'S INCONSISTENCIES IN GRANTING VISAS TO COMMUNISTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. RARICK. Mr. Speaker, 22 Cubans from Havana who wanted to attend a sugar cane convention were given clearance to land their Russian built turbo-prop airplane at the Moisant airport in New Orleans. The State Department has refused to issue visas to attend the sugar cane meeting, perhaps for security reasons, although no one seems to worry about the admittance of the Russian airplane and the proven vulnerability of our air defense.

And while the State Department is so adamant at refusing the Cubans visas to attend their sugar convention in New Orleans, here in Washington visas were issued to a cultural exchange group which included a three-star Russian general, to speak to a student group at Georgetown University.

The American people must consider it strange that our State Department can grant Russian three-star generals visas

to appear on U.S. campuses but refuses to do so for a handful of Cubans. After all, if it is a matter of military security, most Americans are aware that it is the Russians who build and supervise the missile bases in Cuba, it is the Russians who have the nuclear marine base in Cuba, it is the Russians who supply the Mig fighters to the Cuban air force, and it is the Russians who also supplied the turbo-jet airplane which still sits at the New Orleans airport.

At the same time that we are admitting Russians but excluding their Cuban stooges, Soviet Premier Alexei N. Kosygin is being feted by Castro in Cuba.

Why are any of these Communist agitators and military brass allowed to enter the United States—visa or no visa?

I include several related newsclippings:

[From the Washington Post, Oct. 27, 1971]

CUBAN FLIGHT ENDS WITH U.S. SEIZURE

NEW ORLEANS.—Twenty-two Cubans who unexpectedly landed in a Russian-built turbo-prop airplane at the New Orleans airport were put up in a hotel after the pilot refused to fly them back to Havana as ordered by U.S. officials.

The group came to the United States early today to attend a sugarcane meeting, a spokesman said, but the U.S. government ordered them home immediately. The pilot replied that he would not fly back without instructions from his government, the State Department said in Washington.

The group—19 passengers and three crewmen—was taken from customs offices at the airport where it was locked up for more than six hours, to a hotel.

Meanwhile, a State Department spokesman in Washington said officials were in contact with the Cuban government through the Swiss Embassy in Havana "in an attempt to work out arrangements for their departure."

A State Department press officer, Charles W. Bray, did not identify the pilot, but a government official here said he was Ray Morina.

He had flown the group to New Orleans to attend a meeting of the International Association of Sugar Cane Technologists.

Their sudden arrival caught New Orleans officials off guard. The State Department said the Cubans had filed a flight plan about 8 a.m. with the Houston, Tex., Air Traffic Control for a morning flight from Havana to New Orleans. Officials said the flight was so quick that New Orleans authorities were not notified.

The State Department had denied a Sept. 24 request for visas for the group to attend the sugarcane conference.

[From the Washington Post, Oct. 27, 1971]

SHOUTS BY JEWS STOP MEETING WITH REDS

(By William Holland)

A cultural exchange program at Georgetown University featuring a group of Soviet professors and scientists was abruptly canceled last night after several members of the militant Jewish Defense League shouted down the guests before they could speak.

The meeting, sponsored by the Georgetown Foreign Service School, was halted by Dean Peter Krough shortly after it began when it became clear that neither he nor student organizers could control the loud shouting of the five or six demonstrators.

The JDL members interrupted the meeting because several of the Russians, including a three-star general who did not appear as scheduled, are Jews who, the demonstrators said, have not helped in the fight to end the persecution of Jews in Russia.

DEBATE

As soon as the Soviet panel moderator introduced the 10 men who came to the meeting and announced that the 11th guest, Colonel-General David Dragunsky, would not be present, the shouting started.

"Where is he? Where is the traitor?" a protester yelled out. "Let the Jews stand up," yelled another.

A student organizer, Rob Chaykin, 18, who was trying to get the demonstrators to come to a microphone and address the visitors in "a reasonable fashion," finally told one of the female JDL members: "Lady, quit shouting off your mouth—you'll have a chance to talk."

The woman, Charlotte Levin, continued to shout: "Let the Jews in. Where are the Jews?"

"I'm Jewish, lady," Chaykin said.

"What kind of Jew are you?" Mrs. Levin asked derisively.

"A Jew-Jew," Chaykin replied. He later said he was a third-generation Russian Jew. The audience of nearly 200 laughed at the exchange, and several of the Soviet panel onstage stifled grins.

However, the shouting continued and neither Krough nor Chaykin and other students could stop the shouts of demonstrators. Finally the dean canceled the meeting.

The Russians were invited to Krough's office, where he apologized to them. "Evenings of this kind show that reaction to our differences are often worse than the differences themselves," Krough said.

REGRETTABLE, HE SAYS

Samuel Zlvis, spokesman for the Soviet professionals, said the Russians had wanted to talk with students. "But this incident over the so-called 'Jewish problem' is regrettable," he said.

Before the auditorium was cleared, JDL area coordinator William Perl said that having the Jewish members of the Soviet tourist group speak was "like Tokyo Rose addressing an American audience."

He also said Dragunsky had turned Russian Jews over to the KGB, secret police.

The Soviet tourists later spoke to a delegation of foreign service students at a private reception.

Georgetown officials said there also had been a bomb threat at 8:15 p.m. connected with the meeting. Several D.C. policemen were present, as well as 14 campus security guards.

The only other incident occurred when the Russians arrived for the meeting and a cherry bomb, thrown from a dormitory window, exploded near them. No one was injured.

[From the New York Times,
Oct. 27, 1971]

NINETEEN CUBANS FLY IN FOR SUGAR TALKS DESPITE U.S. BAN

(By Roy Reed)

NEW ORLEANS.—Nineteen Cubans aboard a Russian-built plane flew into New Orleans without United States authorization today to attend an international meeting on sugar cane production, then rejected a State Department order that they immediately return to Havana.

They spent the day on United States soil and finally won permission to stretch their visit overnight at a motel.

Harried State Department officials in Washington had no assurance that they would be able to persuade the Cubans to go home tomorrow.

The Cubans came to attend a conference of the International Society of Sugar Cane Technologists. The State Department had told them Sept. 24 that they could not come because the conference was not sponsored by an official international body.

[The return of a Boeing 747 hijacked to Cuba Monday night was delayed Tuesday by airport restrictions imposed in connection with the arrival in Havana of Soviet Premier Alexei N. Kosygin.]

AN UNEXPECTED ARRIVAL

About 10 this morning the pilot of the Cuban plane carrying the sugar experts radioed from over the Gulf of Mexico. He said he was approaching the Louisiana coast and wanted clearance to land. The astonished air traffic controllers at the New Orleans International Airport brought the plane in.

Once on the ground, the Cubans not only declined to be sent home, the pilot also refused even to allow his plane, a twin-engine turboprop, to be refueled for a return flight without direct orders from the Cuban Government.

Late this afternoon the State Department asked the Czechoslovak Embassy in Washington to ask the Swiss Embassy in Havana to ask the Cuban Government to send word to the pilot to take the Cubans home.

The department said the visitors—three crew members and the 19 passengers—could leave the airport customs area and spend the night in a motel near the airport under the supervision of the Immigration Service.

When the Cubans first requested permission to come to the conference, they relayed the request through the Czechoslovak Embassy in Washington, which handles such matters for the Cubans in the absence of regular diplomatic channels between the United States and Cuba. The Swiss perform the same service for the United States in Havana.

After the State Department refused permission, nothing more was heard of the Cuban sugar delegation until 8 A.M. today.

At that hour, the Federal Aviation Administration in Houston received a flight plan for an inbound Cuban plane on its Telex equipment. The flight plan said the plane planned to leave Havana at 9 A.M. and arrive at New Orleans about 11 A.M.

The Houston F.A.A. office asked Havana for more details but was told the plane had already taken off.

Houston notified the State Department at 8:45 A.M., and the department asked the Swiss Embassy in Havana to find out what was going on. The Swiss checked and reported that the Cuban Foreign Ministry knew nothing about it.

About 10 A.M. the air traffic control tower at New Orleans received a radio message from the pilot saying he was over the Gulf and would arrive at the New Orleans airport in a few minutes.

"So the tower brought them in," said the airport manager, Paul Stoulig. They landed about 10:20 A.M. and were promptly ushered into the Customs office. The plane was placed under guard.

"The Government's got guards all around it," Mr. Stoulig said. "We can't get near it."

PRESIDENT OF SOUTH KOREA

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. BROOMFIELD. Mr. Speaker, at a time when our foreign policy is undergoing dramatic change, our alliance with the Republic of Korea remains a uniquely strong bond forged from mutual trust and cooperation. Those are rare qualities in international relations these days and ones which cannot be taken

lightly. Under the leadership of President Park Chung Hee, South Korea has risen from the devastation of the Korean war to a place among Asia's most self-sufficient nations economically and militarily. She has used our foreign assistance carefully and wisely in building a strong and thriving economy. And, the South Korean Government has remained ready and willing to come to our side whenever we have asked for support. For many years 50,000 of South Korea's finest fighting men have stood beside ours in Vietnam. Proportionately, it was a contribution even greater than our own. And, recently, South Korea graciously and voluntarily agreed to quotas on textiles despite serious repercussions on its own economy. In his inaugural address a few months ago, President Park set forth the past accomplishments of his administration along with his plans for the future. Among these, I was pleased to note, is a continued determination to work for a peaceful reunification of the two Koreas and improved stability throughout Northeast Asia. President Park's remarks bear reading by anyone concerned with the future of Asia and I commend them to the attention of my colleagues.

The remarks follow:

FULL TEXT OF PRESIDENT'S INAUGURATION SPEECH

My fellow countrymen here and abroad, distinguished visitors and guests:

A quarter of a century has passed since the guns of the Second World War fell silent.

We stand today on the threshold of a new era that seems to promise peace and prosperity—the goals of all mankind.

I believe this ought to be a new era for all mankind to live and prosper together, and to build together a new, peaceful world order based on respect for the moral imperative of mutual dialogue and cooperation;

A new era of mutual exchange and cooperation for the peoples of Asia, so that they may achieve regional harmony founded upon the diversity of Asia's unique traditions; and
A new era of national unity for the Korean nation, to consolidate the work of modernizing our fatherland, and to put an end to the tragedy of national territorial division.

Conscious of the grave and heavy responsibilities incumbent upon me to serve my country and the community of men as this historic new era unfolds, I pledge before history and the nation that I shall do my utmost to vindicate the trust which the people have placed in me, always putting courage before vacillation, duty before comfort.

My beloved fellow countrymen!

For the world, the 1960s were a decade of development and of struggle for growth. For us, Revolution of May 16, 1961 provided the initial thrust to strike off the shackles of past dependence upon others, arousing the country from stagnation. We have now built a solid foundation upon which to erect a new Korea, revitalized and self-sustaining.

Through the experience of this decade, we have proved to ourselves, and to others, that democracy can flourish only upon an economically fertile soil.

And we have recorded a victory for the liberal ideology by demonstrating that a democratic system is far more effective than, and superior to, a Communist one in the area of development and growth.

We can take pride in the fact that the decade just past was a period of inner growth and maturing for our country.

With this foundation, the time has come for us actively to participate in the channeling of the new international currents of the will to peace. It is within these currents

that we must seek ways to achieve our national goals.

A great change is taking place around us, as indicated by the rise of a so-called mood of thaw between East and West, and the initiation of efforts for rapprochement between the United States and Communist China.

Hopefully, these changes may dispel the dark clouds of aggression that hang over Asia. And let us take this opportunity to reiterate to the entire world our firm determination to reunify our divided fatherland through peaceful means at the earliest possible time.

But my fellow countrymen!

A cold fact which we cannot evade is that tension still exists in the Korean peninsula; and that, so far, our prayers for peace and our magnanimity of attitude have not been reciprocated.

The Communists in the northern zone of Korea are not only ignoring our peace proposals, but have gone so far as to take it upon themselves to export the so-called "people war" to countries in other regions of the world. They have not abandoned their anachronistic and fanatic revolutionary dogmatism.

It is because of this that we are forced to withhold our decisions and actions that could be based upon greater optimism and more positive hope for peace.

We must therefore remain firm in our untiring pursuit of international peace, while strengthening the ideals and practices of freedom and democracy at home. Our endeavors for security and national unification must be courageous but prudent, positive but flexible. We will advance ever forward step by step.

My fellow countrymen!

Times of great historic change are almost always times of great challenge. It was because our country at the turn of the century had not cultivated sufficient national capabilities to face up to the challenges of that time that we lost our nationhood.

We face such challenges today. We must learn anew from history the stern lesson that fundamentally our own destiny depends on our own capability.

Should we of this generation fail once more to cultivate our national potential. I can predict with certainty that not only this generation but also our posterity will be doomed forever to stray from the ranks of progressive nations of the world.

We must surmount our national trials. In our progress toward the freedom and prosperity of our fatherland, there can be no delay; we cannot afford to stop even for a moment.

I am convinced that the unification and rebirth of our nation can be achieved in our time, and I emphasize that the key to success lies in the cultivation of our national capabilities, that is to say, with our own hands.

I believe that by the mid-1970s we should have become strong enough to achieve unification, and no effort will be spared to increase our capabilities in all fields to achieve this goal.

The success of the Third Five-Year Economic Development Plan is vital to the development of our democracy, and the creation of a democratic society is in turn vital to the eventual achievement of unification.

In the years ahead, I shall usher in the age of heavy and chemical industries in Korea, reenact the "Miracle on the River Han" on our four other great rivers, send waves of Korean exports across the five oceans, and place Korea in the upper ranks of the intermediate advanced countries by modernizing the nation's agricultural and fishing communities.

Through balanced growth of urban and rural areas, the relative income gap between them will be reduced gradually but steadily. I shall see to it that our farmers, fishermen and industrial workers are adequately com-

pensated for their strenuous toil in construction and production.

And, confident as I am of the further growth of the potential of our national human resources, and always keeping in mind the heritage of civilization which we have received from our forefathers, I shall encourage the development of our national culture, the arts and the sciences. I shall give special attention and support to the cultural aspects of the great work of revitalizing Korea.

Thus, with the passage of time, our national life will certainly become richer and more dignified. In this more fertile national soil, democracy will take firmer root, and the positive traits of self-discipline and cooperation will emerge even more strongly as manifest virtues of an open society. We shall have then built a society that guarantees happiness and welfare of all the people.

In the meantime, I here clearly state my intention to correct the unsoundness still existing in parts of our society. These unhealthy phenomena have been observed before in societies in the earlier stages of democratic and industrial development, and I shall deal with these social ills not with stop-gap measures, or merely to achieve a demonstration effect. Nor will this problem be handled for the sake of expediency. The dominant objective of my measures will be to prevent and cure these social ills through a succession of broad and systematic improvements in rules and practices.

Before we point an accusing finger at others, we should rectify our own faults. We should attack waste and excess luxury just as vigorously as we accuse falsehood and injustice.

The virtues of diligence, frugality, honesty and sincerity must be made to permeate our society, and in order to bring about this social reform, those in the leading positions must initiate a quiet spiritual revolution, setting examples by deeds, not by words.

These ideals in the life of a modern citizen must become the guiding principle in our homes, in our places of work, and in our society. I give my pledge to stand at the forefront of this campaign against social ills, and I appeal to all of my countrymen for their support and participation.

My fellow countrymen!

Now is the time for us to formulate new ideas for the next stage of national development. We are called upon to forge a national consensus to set the direction of our future.

Let us not be idle bystanders. Let us actively share in the life and growth of our nation. Let us think together and share our responsibilities and duties as a sovereign people.

It is because of your overwhelming support that I have been able to devote myself wholeheartedly to the difficult task of managing the affairs of this state. I cannot reflect upon those past years without renewing my fervent hopes for my beloved country.

Born into a poor farming family and living through the tragic days of the fratricidal war, I have constantly yearned to see poverty driven out of my country, and to see the sundered families of north and south share the joy of reunion.

My most fervent hope is for our nation to be united in this land of ours in freedom, prosperity and peace. This goal is far more than merely my personal wish. No matter where they live—north or south, or far away in foreign lands—it should be the burning desire of all Koreans who love their people and their fatherland.

Let us unite and march on!

When this desire, this aspiration is transformed into the toil and sweat of our confident endeavors, I believe with all my heart that there will come a day of national celebration, when the torch of a Great Korea will be raised on high to shed light throughout the world.

EXPULSION OF NATIONALIST CHINA
FROM THE UNITED NATIONS

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. COLLIER. Mr. Speaker, the unprecedented action of the U.N. in expelling Nationalist China from the world body marks October 25 as a tragic day in the history of the organization. It should be obvious to most of us in the Congress that expulsion of Taiwan to make room for Communist China was a callous stroke of power bloc politics which is certain to backfire in obliterating the original purpose and goals of the United Nations.

Since the establishment of the U.N., the United States has borne the brunt of its financial operations. While that burden has been reduced somewhat in recent years, U.S. contributions still represent more than one-third of its operating expenses. Despite our excessive contribution to the maintenance of peacekeeping forces of the U.N., Congress saw fit to approve a \$200 million bond issue back in 1962, even though there were 134 of us who opposed the action for reasons which have now become more obvious than ever. It is encouraging to note that there are many who supported taking on this additional financial burden who are now calling for a sharp reduction in U.S. contributions to the world body.

Several nations, including the Soviet Union, are still in arrears in paying their assessments. Yet their representatives voted to rebuff an honorable founding member of the organization which kept faith with its purposes. It is time for the Congress to serve notice that we no longer intend to pursue the foolish course of the past.

INCREASE DOMESTIC PRODUCTION
OR GO DOWN THE DRAIN

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DENT. Mr. Speaker, as further evidence of the serious attention being given to the problems in the American economy and the reasons for them, I take this time to give you some opinions from one of the greatest experts of our day on the causes and effects of our international trade agreements. President Abel of the United Steelworkers of America has laid it right on the line. Either we create an atmosphere which will step up future domestic production or we will go down the drain. It is not a question of being mean to the other person, it is a question of survival.

Today, statements were made on this floor by eminent Members of Congress calling attention to the fact that we should be spending more expediently for future education. How can we tell the taxpayers we do not have the money to educate their children.

In order to produce, we must put prices and wages at a compatible level, but our working people can not hope to compete in a world filled with misinformation by self-serving import-export groups as well as the top leaders in our country. These workers must compete with other workers with other standards of living, but they are being sold down the river by their own representatives. Most Members of Congress either do not understand the problem, choose not to understand the problem, or are just plain naive. What they do not understand is that they are expected to represent the American people.

Mr. Abel's remarks which follow will show that we are not competing against nations, but against great men. We can no longer produce goods which our economy cannot afford to buy.

I am calling for a 10-year reduction of imports in every line of production in this country that has underemployment in that particular field of endeavor. We cannot take a long period of time to do what has taken a short period of time to do. We cannot afford to be charitable unless we protect industry by industry against the effects of imports. We must have an escape clause whereby importation of a product will cease when an industry realizes an impact from that import to the tune of 5 percent or more. We can do this with my legislation which I hope to bring before you next week.

President Nixon has stated that he would alleviate this country from the impact of foreign imports. This country cannot survive in a free trade world nor can it survive with the number of able-bodied people drifting to relief. There is no dignity in relief. There is no dignity in being a recipient of charity, public or private.

Management and workers, whoever provides for the needs of our people, fulfills his hopes, and such is the American dream. If every nation lowered its exports to us by the required percent, we could then increase production to meet employment needs.

The only way it can be done is to follow Henry Ford. Mass production cannot be effective without wages which will permit the worker to purchase what he produces. However, we are to be criticized for allowing our State Department to mix diplomacy with economics and allowing nations to be underproductive; thus being kept by exporting their products.

Abraham Lincoln said:

If we produce goods and sell to foreign countries, they have the goods and we have the money. If we produce goods, and sell to ourselves, we have the goods and we have the money.

Certainly there will be exchanges as there always have, but they will be for products which we need and do not have or products which they need and do not have.

I attach at this time the latest information I have on the employment lag. Following that is President Abel's statement to the House.

Next week I intend to provide further examples of the definite impact of imports on the American economy. We can no longer satisfy ourselves as Members of Congress unless we take the time to read

and understand the two following statements which so vitally effect our Nation's economic future.

EMPLOYMENT LAG IN IMPORT-STRICKEN
INDUSTRIES

The population of the United States grew from 179.3 million in 1960 to 203.1 million in April 1970. This was an increase of 13.3%. However, the civilian labor force grew from 72.1 million to 85.9 million in the same period. This was an increase of 19.1%. The discrepancy is accounted for by the "war babies" who joined the labor force in the 1960-70 decade. The growth in the work force exceeded the population growth.

During the same decade (1960-70) employment in manufacturing grew from 16.79 million to 19.39 million, or 15.4%. This was 24% less (15.4% compared with 19.1%) than the growth in the civilian labor force. In August 1971 the employment in manufacturing was 18.5 million, or 890,000 fewer than the average for 1970. Meantime the total labor force had risen to 88.4 million in August 1971, an increase of 2.8 million since January 1, 1971. Seasonal work accounted for the great expansion.

If you wish to weigh the prospects of employment in this country in the years ahead we must keep in mind the growth in the labor force and the growth or loss of employment in manufacturing. Then we can measure the trend of employment in individual industries, particularly those that are beset by important competition.

IMPORT-BESET INDUSTRIES

Textiles and apparel

Textile mill products and apparel are among the industries that suffer from import competition. Total employment (office and factory) in these industries was 2.157 million in 1960 and 2.009 million in August 1971. This was a decline of 145,000 workers.

Had employment in the textile industry kept pace with the growth of the civilian labor force from 1960 through August 1971, employment should have increased by 22.6%, i.e., the percentage increase in the labor force during that period. Such an increase would have brought employment in textiles and apparel from 2.157 million in 1960 to 2.644 million in August 1971.

Since the actual level stood at 2.295 million, the deficiency was 349,000 workers compared to the level it would have been had textile and apparel employment kept pace with the increase in the civilian labor force.

Even if employment in textiles and apparel had grown no faster than the growth in manufacturing employment, or 15.4% from 1960 to 1970, employment should have risen from 2.157 million (the 1960 level) to 2.489 million. The deficiency would then have been 194,000 workers (i.e., 2.489 million less 2.295 million).

It is true that employment in the manufacturing industries as a whole grew less rapidly than the growth in the labor force, as noted above, but employment in textiles and apparel fell well behind the level of total manufacturing employment.

While there was an actual decline of 116,000 in the employment in textiles and apparel from 1960 to August 1971, this decline is not the whole measure of the deficiency. As employment in this industry fell behind the total manufacturing employment the lag meant that other industries or service employment would have had to make up the deficiency or overall unemployment would have increased. This is, of course, what actually happened. Total unemployment did increase.

Steel

Employment in the steel industry (listed as "Blast Furnace and Basic Steel Products" in the Statistical Abstract of the United States, 1971) was 651,000 in 1960. In

1970 it had declined to 629,000. In 1971 there was a further average decline of roughly 10,000 (the 7-month average for 1971 having been 618,000). Here was an actual average decline of 33,000 workers at the end of the first seven months of 1971 compared with the average for 1960. In 1970 the decline had been only 22,000.

Had employment in steel kept pace with manufacturing employment since 1960 employment would have been 651,000 plus 15.4% in 1970 or 751,000 instead of 651,000.

In other words, here were another 100,000 jobs that were not filled. Other industries must pick up the slack or unemployment in the manufacturing industries would rise by the amount of the lag.

Leather footwear

Employment in footwear, except rubber, stood at 243,000 in 1960. It declined to 219,000 in 1970, a loss of 24,000 jobs. In 1971 the employment trend continued downward, reaching 201,000 in July. The average employment during the first seven months of 1971 was, however, 206,000.

Had employment in the shoe industry kept pace with the increase in manufacturing employment from 1960-70 the level should have reached 280,000 in 1970. Actually it reached only 219,000 in that year and went on down to 206,000 in 1971. Therefore employment in this industry fell short by 74,000 workers in 1971 of keeping pace with manufacturing on the 1970 base. Once more, other industries would have had to pick up another 74,000 jobs if greater industrial employment was to be avoided.

Stone, clay, and glass

The stone, clay and glass industry employed 604,000 workers in 1960. This level rose to 638,000 in 1970, a gain of 34,000. However, if employment had kept in step with total manufacturing employment it should have risen to 697,000 (i.e., 604,000 plus 15.4%). The deficiency was therefore 59,000 jobs, assuming, as we have, that employment in this industry had kept pace with manufacturing employment in general.

Indeed several of the component products in the stone, clay and glass group suffered an actual decline in employment during the 10-year period of 1960-70. For example flat glass suffered a decline of 9,000 workers, or 2% of the work force.

Employment in structural clay products dropped by 18,000 workers or by 23%. Employment in hydraulic cement and pottery also declined.

These reductions all contributed to the general unemployment in manufacturing.

COMMENT

The total lag of the four industries examined here was 427,000 workers who would have been hired had employment in these industries kept pace with manufacturing employment in general. Each of them is faced with strong import competition.

If we are to assess the full impact of employment lag in these industries we must keep in mind that each of them depends in varying degree on yet other industries for raw materials or components and parts.

For example, the footwear industry other than rubber looks to tanneries for leather. Fortunately we have available the employment level of the leather tanning and finishing industry. In 1960 the industry employed 34,000. By 1970 this number had dropped to 27,000, a loss of 7,000 workers, or 26%.

Had the tanning industry added 15.4% to its employment during this period, thus keeping pace with manufacturing employment in general, its employment would have reached 39,000 in 1970. Instead, the level fell to 27,000 or 12,000 less.

Other sources of material supply, including those that sell to the tanners themselves, looked to by the footwear industry, were similarly affected.

The same observation may be made with respect to the steel industry, which supplies a substantial market for the coal industry, no less than iron ore, fluospar, petroleum and industrial chemicals.

The lag in steel employment compared with total manufacturing employment is only a part of the total lag. Since for example, in the "steel industry" only 43% of the total value of shipments in 1969 was produced in the steel mills, or \$11.2 billion of a total value of \$26.3 billion in steel shipped, the supplying industries, such as ore, coal, industrial chemicals, etc., shared in varying degrees in the employment lag in the steel industry itself. It would seem safe to say that the 100,000 worker lag in the steel industry was at least matched by that of the supplying industries, thus raising the total lag to 200,000 workers.

Similar observations could be made with respect to the lag in the stone, clay and glass and the textile industries.

In the stone, clay and glass group the value added by manufacture in the industry itself in 1969 was \$10.04 billion of a total value of shipments of \$17.07 billion, or a higher percentage than in steel. Virtually 60% of the wholesale value of shipments in this group was accounted for in the industry itself. Therefore it could reasonably be concluded that the lag of 59,000 jobs in this industry reached a magnitude of about 100,000 when the supplying industries are taken into account.

The textile industry's share of the final wholesale value of the product accounted for by the textile mills themselves in 1969 was 42%. With respect to apparel the share was 48%, expended in the final manufacture in shops and plants devoted to turning cloth into wearing apparel.

Since the lag in these two industries combined was 194,000, as previously recorded, the total lag throughout all the steps from raw material, including cotton-growing, manufacture of man-made fibers, yarn, etc., and cloth weaving, could be estimated as near 400,000.

It seems safe to say then that the lag of 427,000 jobs attributed here to the four industries examined would grow to at least 850,000, if we go all the way back to raw-material production, processing and semi-manufacture that precedes the final stage known as the "industry," such as steel, textiles, etc., not to mention the cost of fuel, power and collateral supplies (chemicals, etc.) used in the processing on the way.

CONCLUSION

Unless the import-sensitive industries are assured a proper share of our domestic market, they will continue to lag in employment.

Some of them may, of course, follow the lead of scores of other industries that have gone abroad to gain the competitive advantage of low wages. This course, however, dooms prospects of full employment in this country. It leaves behind labor, not only in the final stages of manufacture but all the way back to the raw materials. It reduces the market for producers of raw materials and supplies and the many small manufacturers whose principal market consists of the domestic manufacturing industries that make finished products.

This is heavy economic balance indeed to leave behind.

SPEECH OF PRESIDENT ABEL OF UNITED STEELWORKERS OF AMERICA

My informers keep reporting on the hour that you have been having a most instructive conference here since I was in yesterday morning; that you have had many good questions and that you have been getting pretty good answers. In fact, I have even been told that you came up with some questions that nobody could answer, so that's doing all right.

It reminds me of the fellow that was getting a little senile, getting up in years, and he started to ask himself questions. He didn't mind that too much, but one day he started answering his own questions, and that disturbed him.

Maybe, Joe, what you will have to do with some of these questions, if the fellows can't handle them, is to ask the guy that asked them to answer them.

Frankly, I came over to talk to you a little bit this afternoon about a real problem that we have. Some people think that it might be an unpopular one, so I want to speak on it myself. That's what the President is for, to take care of the unpopular problems. The Vice President is to take care of the popular ones, that you just promise solutions for.

You are familiar with the problem I want to talk to you about. We cannot have been associated with the steel industry for any length of time without having some knowledge of this problem. It's a problem of the future of the industry, and it's a problem of the future of those of us who rely on the steel industry for a livelihood. There can be no two ways about it.

Many of you are aware that following our problems in 1959 there commenced quite an influx of imported steel into this country. There began the stimulation of not only expansion but overexpansion of steel facilities in other countries, notably in Japan. This accelerated and grew until in 1966 approximately eighteen million tons of finished steel came into this country. With eighteen million tons of finished steel coming in, it meant that roughly twenty percent of the American market was going to foreign producers. It meant, likewise, that twenty percent of the jobs of the steelworkers in the basic steel industry had gone down the drain.

Then in later years, of course, began the increase in the importation of finished goods and products, mainly automobiles, motorcycles, bicycles, this sort of thing. With each automobile that is imported we must realize that an additional ton of steel has been brought into this country.

This has developed into quite a problem. Your Officers several years back faced it, again assuming perhaps an unpopular posture. In fact, in the labor movement it was unpopular, because it traditionally had been the policy of the American labor movement to be great and staunch free traders. For some reason or other we prided ourselves on being able to expound that slogan. In view of that tradition and that policy, it was the decision of your Officers to join with the leaders of the steel industry to try to cope with this problem, and we jointly went to the leaders of Congress, and to the Administration (then the Johnson Administration). We went to the President himself, and to Vice President Hubert Humphrey, at that time, with our problem, and asked that the government give consideration to ways and means of alleviating this condition.

After many meetings with members of Congress, the House and the Senate, and many meetings with the President himself, we were successful in getting, through the good offices of Vice President Humphrey, action with the State Department that brought into being what has become known as the quota arrangement. The voluntary quota arrangement, with the Common Market countries and with Japan as participants, reduced the importation of steel from roughly eighteen million tons as I told you to a figure approximating fourteen million tons a year. But this agreement also had an improvement factor, agreeing to allow an improvement in that importation figure in the amount of five percent each year. This meant that if our demand for steel only grows to the point of 700,000 tons, all of the improvement would go to the importers of steel and none of the improvement would

be enjoyed by the American steel industry and the American steelworkers.

So we have lived with that kind of an arrangement. And this, for your information, exempted steel coming from Great Britain and our neighboring country of Canada, so that these imports were in addition. As an example, last year one-and-a-half million tons of steel was imported from our neighboring country of Canada.

We went, then, to the AFL-CIO convention held that year in the City of Miami, and there submitted resolutions seeking to change the policy of the AFL-CIO with regard to this problem. At first we met great opposition, but we did submit our resolution and, serving as Chairman of the Resolutions Committee, I saw to it that it went through the Resolutions Committee. When it hit the floor, Vice-President Molony spoke on it. This was the thing that triggered a complete change in the policy of the labor movement, because once our problems were aired on that convention floor by Vice-President Molony, other people who were encountering similar problems were encouraged to take the floor and convey to the delegates assembled the problems encountered by the electrical appliance industry, as an example, the problems encountered by the rubber industry, and on down the line of the many products, and goods, and equipment that are made and used by the people of this country. So we have developed quite an awareness of this problem and its impact on American industry, and American jobs, and the American economy.

You perhaps have heard many pros and cons dealing with this question. You are aware of the attitude of a great segment of our society that says, "We ought to either compete or we should quit and become a service nation." Well, now, this is a very stupid, nearsighted approach to serious problems, because you and I know full well, and they know full well, if they stop to realize it, that this country of ours can't long exist as a service nation.

When it comes to the point that we have to sell ice cream cones to each other, we are in a terrible shape. When it comes to the time that we have to serve as room clerks for each other at motels, we are in a terrible shape. This country can only survive so long as we produce products not only for the use of the people but for an improved standard of life for the people.

I want you to know that we have worked diligently at this. When we got into recent negotiations we talked more about these problems confronted by steel labor and confronted by the steel industry. I don't have to remind you, I am sure, that we of the labor movement and we who work for a living will have the standard of life that the industries for whom we work can provide. We are tied together, and we either sink or we swim together. You know as well as do I that you can't go to a well that has gone dry and get a bucket of water, nor can you go to an industry nor a company and demand and receive improvements in the way of wages and benefits unless first that industry is a stable industry and a profitable industry.

In spite of the feeling that a lot of us might have which would say, "To hell with the company," or "To hell with the industry," we have to be realists when we get down to the line where decisions have to be made concerning our own individual welfare. We reach what is commonly termed "the law of the jungle"—the law of the jungle, which dictates to all of us that we take certain actions in self-preservation. That's our first responsibility, to preserve our own well-being and that of those who depend upon us.

When we came to these negotiations I don't mind saying to you, and I have said it to you on several occasions as recently as a week or two before we were successful in achieving a settlement, that we were confronted with many problems, including the import problem, which is tremendous. Dur-

ing and preceding the negotiations we saw the importation of steel being accelerated. We saw in the remaining few weeks before the termination, as one example, pictures in the Buffalo papers and a story depicting the members of our Union employed at Republic Steel being laid off in the City of Buffalo. As they took their clothes under their arm or in their shopping bags and left the mill to begin their unemployment, across the way there were docked two Swedish ships loaded with steel from France and consigned to the Ford Motor Company right next by.

I don't know what kind of an impression that picture has on you, but I know what kind of an impression it had on me and my associates. It had a greater impact because we knew of the many other places where similar actions were taking place. We knew, too, that this was part of the problem that confronted us. If we were going to survive and expand and be able to continue to improve our conditions, we had to do something about it and do it jointly.

We came out of these negotiations with a terrific settlement. It doesn't take me to tell you that, or anybody else. You know it. As a matter of fact, as the old fellow said years ago, we got a darn sight more than we might have expected, and we got it out of a hurting industry. When industry is hurt, just as when people hurt, its resistance is stronger. So it wasn't easy. It wasn't easy to extract that from the industry. I speak not just of the steel industry, but of all the industries we have been dealing with. It wasn't easy to extract that kind of an improvement in this year 1971.

Realizing that, your officers and our associates were mindful of the need on the part of this Union, on the part of all of us, to join with the leadership of our industry in a conscientious, honorable attempt to improve as best we could our mutual condition.

You hear much talk about productivity improvement factors and the improvement in productivity of a given industry from year to year. I remind you that over the past ten years the steel industry has enjoyed approximately a two percent per year improvement factor. Two percent. I know that you don't want to settle, and I don't want to settle, for that kind of improvement in our standard of life as we go down the road.

Well, I'm taking a long time to say to you, in the way of background explanation, that in the first part of your green book you will find a new section, and that section is devoted to this problem. I know there has been some talk in the field about this and there has been some speculation and there have been some fears, so I wanted to talk to you about it today and set your minds at ease and enlist your cooperation. This is all anybody wants is to enlist the cooperation of all of us.

Let me, for the benefit of all of us who haven't had the opportunity, read the section that was inserted. In it we say:

"The parties recognize that for their joint belief, increases in wages and benefits should be consistent with the long-term prosperity and efficiency of the steel industry.

"The parties are concerned that the future for the industry in terms of employment and return on substantial capital expenditures will rest heavily upon the ability of the parties to work cooperatively to achieve significantly higher productivity trends than have occurred in the recent past. The parties are acutely aware of the impact upon the industry and its employees of the sizable penetration of the domestic steel market by foreign producers. The parties have joined their efforts in seeking relief from the problem of massive importation of foreign steel manufactured in low-wage countries. Thus, it is incumbent upon the parties to work cooperatively to meet the challenge posed by principal foreign competitors in recent years. It is also important that the parties cooperate in promoting the use of American-made steel.

"In order to implement this expression of purpose, a joint advisory Committee on Productivity shall be established at each plant. The Union representation on this Committee shall be two members of the Union in addition to the Local Union President and the Chairman of the Grievance Committee. The Union members shall be certified to plant management by the Union and a corresponding number of Company members shall be certified to the Union. The Company and Union members of the Committee shall meet at mutually agreeable times, but no less than once a month. The function of the Committee shall be to advise with plant management concerning ways and means of improving productivity, and developing recommendations for stimulating its growth so as to promote the purpose of the parties as set forth above and also promote orderly and peaceful relations with the employees, to achieve uninterrupted operations in the plants, to promote the use of domestic steel and to achieve the desired prosperity and progress of the Company and its employees."

Now, let me repeat there, the purpose is to "stimulate the growth of the industry," so as, "to promote the purposes of the parties as set forth above and also promote orderly and peaceful relations with the employees, to achieve uninterrupted operations in the plants, to promote the use of domestic steel, and to achieve the desired prosperity and progress of the Company and its employees."

"The General Superintendent or the Local Union President may from time to time suggest to the Committee areas of special concern consistent with the purposes of this Committee and the provisions of this Agreement."

Now, mark this and mark it deeply, "The functioning of this Committee shall not affect the existing rights of either party under any other provision of this Agreement."

What we are saying, quite frankly, is that we jointly recognize we have a problem, but that we as the Union are big enough to sit with our counterparts and analyze these problems and see what it is we can do together to solve our problems, and while doing that keep in mind that we are to preserve all the rights of everybody involved that has an interest in this Agreement.

So I say to you that if you have visions of our shop stewards and our committee men carrying blacksnake whips and special clubs, you can forget about it. This Union is not in existence for that purpose. For those of you that have visions of a revival of an old argument of 2(b), forget about it. 2(b) is in this Agreement. It is in full force and effect. It shall remain in this Agreement in full force and effect. These management people that might have other ideas have a few things to learn, and they will learn them.

Again I say we enlist your cooperation. I have asked that Jim Griffin and Bruce Thrasher assume the responsibility of implementing this phase of the Agreement, for the Union. Jim and Bruce have spent considerable time with your Officers discussing our respective ideas, have had some discussions with the industry leaders, and for your information their counterparts from the industry at top level will be Warren Shaver from The Corporation and Jack O'Connell from Bethlehem. It is our hope that we will be able, at the district and local plant level, to sit down with each of you over the months to come and not only develop, but implement and put into action, a program.

Jim and Bruce have set forth some guidelines. I don't want to belabor you with this, but let me just give you some of our thinking thus far with respect to administrative procedures for implementing the program, the guidelines that we are recommending to the industry. We say:

JOINT UNION-INDUSTRY COMMITTEE STRUCTURE

"1. It shall be the responsibility of the Joint Union-Industry Committee at the In-

ternational Office—Company level to install the guidelines and oversee their operation.

"2. The Joint Union-Industry Committee at the International Office—Company level shall meet at mutually agreeable times. The Joint Committee shall review matters relating to improving productivity and advise with the Plant Committees on productivity. The Joint Union-Industry Committee is authorized to call and convene industry-wide, company-wide or regional meetings of the joint plant committees on productivity for the purposes of:

"A. Assuring continuity.

"B. Administration.

"C. Disseminating information and data relating to improving productivity.

"D. Reporting outstanding plant achievements on productivity.

"The Joint Union-Industry Committee shall determine the date, time, place, and agenda of any such meetings.

THE PLANT COMMITTEE STRUCTURE

"1. The Union representation on the Plant Committee on Productivity shall be the Local Union President, Chairman of the Grievance Committee, Secretary of the Grievance Committee, and a rotating Grievance Committeeman. The recommendation for a rotating Grievance Committeeman is based on the fact that Plant Committee discussions will be confined to special areas and/or departments. For this reason it is important that the Grievance Committeeman from that area and/or department be in attendance at the monthly meeting when matters are discussed that might possibly affect their area of representation.

"2. The Company representation on the Plant Committee on Productivity shall be the Plant Superintendent, Manager of Labor Relations, Department Superintendent, and a representative of the Industrial Engineering Department.

"3. The Local Union Staff Representative shall advise and consult with the Local Union Committee on Productivity. Upon request of the Local Union Committee on Productivity the Staff Representative shall be permitted to attend the monthly meeting of the Joint Committee on Productivity as an observer, for the purpose of being informed as to particular matters discussed at such meetings.

"4. In the implementation of the provision on improving productivity, it is recognized that the Joint Plant Committees on Productivity shall meet at mutually agreeable times, but no less than once each month. It is recommended that prior to any such meetings the parties submit in advance an agenda of the matters to be discussed at such meetings.

"5. Any item on either the Company or Union proposed plant agenda which either party believes constitutes a deviation from the recommended guidelines shall be communicated to the top Joint Committee for its evaluation before the Plant Committees proceed to consider.

"6. As reflected in the Agreement, the functioning of the Plant Committees on Productivity shall not affect the existing rights of either party under any other provision of the Agreement. Thus it should be clearly understood that these Committees cannot be used by either party separately or by the parties jointly to circumvent or abrogate rights established under the Agreement. Rather the Committees are to function in concert and consistent with the established terms of the Agreement."

This, my friends, is pretty much our thinking and the outline for our procedure in this regard. I would just make a few more observations. You are aware, as I am aware, of what has been happening in recent years. People say the industry hasn't kept up-to-date. Well, I am not here, believe me, as a pleader for the industry. I am here as a pleader for the members of this Union, and

I don't think we have to apologize for the kind of pleading we have been doing. But in giving, as they say, the devil his due, you and I must acknowledge that in the past ten years the steel industry has invested over 15 billion dollars in new facilities and modernization of their old facilities. That is a tremendous amount of money. Still we haven't been able to make a go of it.

I have talked to many of you and you have told me of many of the shortcomings of the industry and the nearsightedness of some of management. You have ideas, you have knowledge of ways to improve. You know ways of reducing costs of operation, and consequently increasing production. I say to you that here is a true instrumentality that for the first time gives this Union a voice in the operations of the plants of this industry. It provides, for the Local Union President, the Chairman of the Grievance Committee, and several other Committee members, an opportunity for the first time to be able to sit down and register constructive criticisms of the methods of operation.

It affords this Union as well as management, an opportunity to sit down for the first time and agree in an honest-to-goodness fashion, on constructive criticisms from some of our fellows who may be entitled to that kind of constructive criticism. It provides us all with an opportunity to share in the responsibility of our own future. I don't think anybody in their right mind can quarrel with that.

As a matter of fact, I think we all should take a measure of pride in the fact that we have reached that stage of life, we of the United Steelworkers of America and the leaders of the giant basic steel industry, that we have developed a mutual understanding and acceptance of each other, such that we can sit down and confront this kind of a task in a mutual effort.

I happen to think that a lot of good can come of it. I think we can accomplish a lot, and we can at the same time preserve and protect our individual rights and the rights of all of us.

I would like at this meeting to suggest that you give a lot of serious thought; that you go back home and talk to your fellows about it, that you talk to your fellows about these other things—not just productivity. It's the problems of the steelworker and the steel industry—the problem of advancing our products and our jobs. I think there's been too little of our own assuming of a responsibility.

I trust that you will observe the number of foreign cars that are in your parking lots—and, when you see them point out that there isn't a pound of steel in any one of them that you have produced.

It ill behooves a Steelworker, in my judgment, to look for more wages, look for more benefits, and buy an imported car, or a motorcycle that you can't even buy an American-made tire for. It might be fun to have all these gadgets and gizmos that are imported, but it's time that we understand we make our living by producing products and developing industries that are profitable and that can give us the high standard of living we enjoy in this country.

If we want to live like those who work in Taiwan for 15 cents an hour, then all well and good, let's buy our products from Taiwan. But if we want to live like Americans, enjoy the standards we now have, and fight to improve them, then let's put some input into it. Let's not be backward about telling those who are undermining our standard of life, through this nearsightedness. I say to you that you could all pull off your shoes here this afternoon and there would be very few of you with a pair of union-made American shoes on your feet. More than 200 million pairs of shoes were imported into this country last year—200 million pairs—and no less than eight shoe factories up in New England states went out of business.

The same is true with your radios, your television sets. I could go on and on. We should do like they're doing over in Cleveland, Ohio. Our good Director and Staff and local unions over there are already on the ball. They've gotten out a bumper sticker that goes on the bumpers of American-made cars, utilizing American-made steel, that says "United Steelworkers say buy Union-made, buy American."

This Union of ours has gone to great lengths to develop a good, recognizable union label. We have been fighting with a lot of companies to use that union label; and we should be starting—it's pretty late in the day, but better late than never—to talk to our guys who are union guys about the union label and about union-made goods and products. That's the way we maintain our standards. We don't maintain them, you know, demanding and demanding and demanding from our employers, and then patronizing the employers that use scab labor and pay scab wages.

So I say to you in all sincerity, we do have serious problems. We want your cooperation, because I want, and I know every one of you—if the good Lord permits you to participate in the next negotiations—that you want to go back and secure further improvements. Nobody wants to go to the bargaining table to fight to save what he has. Nobody wants to go to the bargaining table to come back empty handed. We all want more. In order to get more, we have to produce more, you see. Here is an opportunity, in our judgment, wherein we can make a special effort. If we do we can then feel more within our right, going to the bargaining table next time and saying we have some interest coming due, and payable—that we want to improve the standards here, there and elsewhere; we want to improve them because we have made it possible. I am sure that can be done.

Now, we are not going to jump into this thing half-heartedly, or go off half-cocked. You and I know, and the industry knows, that we are operating at the present time at about 60 per cent of capacity. When you are operating at about 60 per cent of capacity there is little use of talking about some of these things. But I am hopeful, and I am sure you are, that next month and the month following there's going to be a decided change in the operating level of our mills in this country.

I am hopeful that along about the first of the year Jim and Bruce will have had the time to get around to you and perfect our program. Hopefully by the time the first of the year rolls around you will have had time to analyze and talk with your fellows and prepare to join wholeheartedly in the kind of a program I have talked to you about this afternoon. If we can do it, I think we have a tremendous opportunity. I say to you again—I give you all the assurance that I can give you—and the words are here in the book, you see—that this program will not be advanced to the detriment of our membership. This program is designed to improve the status of our membership. We will certainly, all of us, be on our toes to see that it doesn't react to the detriment of the membership but that it is directed to the improvement of all of us.

I say again it provides a tremendous opportunity, and I ask your cooperation. I hope that from time to time we can have conferences across the country, if not here in the City of Pittsburgh, to sit down and compare notes, and exchange ideas, and take some satisfaction out of our contributions.

I have taken perhaps a little more time talking about this than I should have, but I did want to come over and allay the fears that I have been hearing expressed. They emanate, you know, from a little understanding or lack of understanding of the problem. I wanted to have the opportunity to tell you

personally of the thinking behind this step and this movement, and ask personally for your understanding and your cooperation.

If we all approach it in that spirit I feel it will redound to the benefit of all of us and pay big dividends in the future.

Thanks an awful lot for this opportunity to talk to you about this important problem.

JANUARY 15 AS MARTIN LUTHER KING DAY

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. FAUNTROY. Mr. Speaker, today I have introduced a joint resolution that designates January 15 of each year as Martin Luther King Day and authorizes the President to issue a proclamation to commemorate the life and service to his country of this martyred American.

I believe that it is of the greatest importance that the profound contributions of Martin Luther King be recognized and kept before our attention. His absolute dedication to the achievement of civil rights and human dignity through non-violent means has left an imprint upon the history and the conscience of our Nation.

Martin Luther King lived but 39 years; but, in all that he did, in this short time, he never failed to recognize and realize that the goals and concerns he expressed were for the benefit of a whole people and a whole nation. When he stood at the Lincoln Memorial on August 28, 1963, the dreams he articulated in his famous speech were not just his. These dreams were the dreams of our Founding Fathers, the same men who wrote in the Declaration of Independence the resounding words:

We hold these truths to be self-evident; that all men are created equal.

They were the dreams of Franklin Delano Roosevelt who laid before this great Nation, blessed with tremendous natural resources, the challenge of feeding the hungry, educating the illiterate, housing the unsheltered, clothing the naked, and uplifting the oppressed.

In a sense, it was as though Dr. King had taken upon himself the great unfinished tasks of our society. He took the yoke upon himself just as Isaiah in response to the call from God when he asked, "Whom shall I send, and who will go for us?" In the decade of the sixties, the man who went for us was Martin Luther King.

Never did he waiver in his allegiance to nonviolence. The recipient of the 1964 Nobel Peace Prize, he spoke out against the senseless war in Southeast Asia long before it became popular to do so. He foresaw the violence that was to be wreaked upon this Nation by this torturous war.

He was never content to sit back with his recognitions and bask in the requests for conferences by heads of state; but he felt compelled to always justify the faith trusted to him by this and many other awards. His organization of the South-

ern Christian Leadership Conference, his leadership in the moving Freedom March in Washington, his appeals for unity, understanding, and equal opportunity in Chicago in 1966 and Memphis, where his life was snuffed out on an April night in 1968, testify to his genuine concern for all people and for all phases of their life.

King was a civil rights leader in the broadest and highest sense of the word. He articulated the hopes and aspirations of peoples throughout this Nation and the world. He set the stage for achieving social, political, and economic civil rights for blacks and other deprived peoples.

It remains for us to carry out and to finish the task that he set before us. And, as the Nation prepares for its bicentennial, and its reaffirmation of the dignity and freedom of all men, it seems to me that we can begin by giving positive recognition to the accomplishments of Martin Luther King.

PERSONAL EXPLANATION

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. JAMES V. STANTON. Mr. Speaker, I note that the CONGRESSIONAL RECORD of October 27, erroneously omitted my name as one of the cosponsors of House Resolution 668, which urges the sale of F-4 Phantom jet aircraft to Israel. I am a cosponsor of this resolution, and I strongly support all actions on the part of this Government necessary for Israel's protection.

WHO CAN SET A DATE FOR PEACE?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. ASHBROOK. Mr. Speaker, during the recent national convention of the American Legion in Houston, Tex., the National Americanism Commission of that organization was addressed by my colleague on the House Internal Security Committee, Congressman ROGER ZION of Indiana. The many organizations and activities of the leftists and radicals present a real problem in day-to-day coverage for the average citizen. Roger's brief but valuable rundown before the Legion members put into focus the current extent and diversity of the activities of two leading radical organizations; namely, The National Peace Action Coalition—NPAC—and the Peoples Coalition for Peace and Justice—PCPJ. His remarks were especially pertinent because both of these groups plan an agitating long into the future.

The American Legion News Service, in its press release highlighted the contents of Congressman ZION's message, and I include the release and the text of his address in the RECORD at this point.

AMERICAN LEGION NEWS SERVICE RELEASE

HOUSTON, TEX.—"The Communists in Hanoi, who run the offensive teams in Vietnam, also call the shots here," U.S. Rep. Roger H. Zion (Ind.) charged during The American Legion's 53rd National Convention here.

Speaking to the Legion's Americanism Commission, Congressman Zion said, "While they run up our casualties over there, they run down our country over here through their second frontiers."

Comparing the Communists' tactics to football offensive and defensive plays, the Indiana congressman pointed out that "the head coaches in the Kremlin and their assistants throughout the world have synchronized the defensive weapon of 'peace' for the purpose of disarming our team, psychologically, with a full complement of offensive moves in the diplomatic, economic, cultural and military sectors designed ultimately to overwhelm us."

The speaker, a member of the House Committee on Internal Security, noted that "on Feb. 27, 1971, Kuan Thuy, chief North Vietnamese negotiator in Paris, issued a strong appeal for unity in the American peace movement and called on 'the progressive American people and all anti-war organizations in the United States to unite closely' in order to create a wide and strong movement against alleged American aggression in Southeast Asia."

Describing the National Peace Action Coalition and the Peoples Coalition for Peace and Justice as "communist-infiltrated," Congressman Zion said the "Joint Treaty of Peace Between The U.S. and The Vietnamese People" was a sham treaty perpetrated by anti-American Vietnamese and pro-Viet Cong Americans for the purpose of undermining United States policy in South Vietnam and American support for that policy at home.

He called attention to one aspect of the document that declared that "The Americans agree to immediate and total withdrawal from Vietnam and to publicly set a date by which all American forces will be removed." Congressman Zion pointed out to the Legion delegates that the treaty did not call reciprocally for the withdrawal of the tens of thousands of North Vietnamese Army regulars who had crossed the internationally-recognized borders of Laos, Cambodia and Vietnam.

He added, "Noteworthy is the fact that Article I of the treaty uses the phrase 'set a date.' This has no reference to someone's wedding date and, hopefully, not to the date for some nation's funeral." He said he called attention to this factor because the term "set a date," has become a household slogan to the Communists.

"The Trotskyist and orthodox Communists and other leaders of the peace movement desire much more than merely a U.S. pull out—they seek a Communist victory throughout Southeast Asia, and anticipate that an American withdrawal will precipitate such a takeover," the Legionnaire congressman declared.

"The stock in trade for many so-called peace-loving demonstrators today is division, disruption, dissension and destruction," he warned. "We are sorely pressed at home and abroad by deceptive but disciplined antagonists; yet we search, frequently in vain, for allies whose words of assurance far outpass their performance. For this reason, we have no choice but to remain strong but only in the knowledge that that strength is sponsored by a search for a just, decent and honest peace at a price deserving of such a peace," he explained.

WHO CAN SET A DATE FOR PEACE?

If Spring is the time of year when, as the saying goes, a young man's fancy turns to a young woman, then Fall is the season when

men become passionately preoccupied with football. While I am proud of the football teams produced in Indiana, with whom some Texans last year had had some acquaintance, it is well known that Texas breeds excellent teams herself. A sound football team is one which is skilled on both offense and defense, that is, in the jargon of the student of the sport, one that has balance.

In a sense, the grave situation in which the American "eleven" finds itself today is not dissimilar. Its opponent is balanced or skilled, as no other team in history has ever been, in the art of coordinating his defensive and offensive capabilities. The head coaches in the Kremlin and their assistants throughout the world have synchronized the defensive weapon of "peace" for the purpose of disarming our team, psychologically, with a full complement of offensive moves in the diplomatic, economic, cultural and military sectors designed ultimately to overwhelm us.

Offensively the Communist movement requires us to commit men and materiel to virtually every quarter of the globe. By proxy—wars, first in Korea and then Vietnam, it has tested its "running game" against our defensive line while it buys time to improve, and hopefully to surpass, our aerial offense in missilery. In a sense, these proxy wars are, to the Kremlin, but exhibition games, in which only its reserves are committed. In fact, V. I. Lenin himself in his discourses on foreign affairs, had occasion to refer to the working class "reserves" in what is now called the "Third World."

The House Committee on Internal Security, of which I am a member, has been carefully scrutinizing the peace movement here at home during this past Spring and Summer, to determine if its credentials are genuine or false or a combination of both.

The Committee held hearings on two organizations—or rather two coalitions composed of many organizations—which form the backbone of the peace movement. These groups are:

(1) The National Peace Action Coalition known as N-PAC and

(2) The Peoples Coalition for Peace and Justice, or P-C-P-J.

It was not the Committee's purpose to determine how many individuals or organizations belonging to these two groups were not Communists or did not have Communist ties. We were aware that many if not most of the individuals who attended the major demonstrations promoted by these groups were not subversive. As you may recall, during the Spring demonstrations in Washington from April 24 to May 5, several Congressmen and Senators as well as other prominent, peace-loving personalities supported these activities.

But does not the doctor, who is concerned with the overall health of his patients, concentrate his full attention, however, on finding and isolating that portion of his patient's infirmity which is diseased or injured. And isn't the doctor alarmed if he finds that the affected area is in his patient's head.

This is precisely what the Committee found out in its hearings on NPAC and PCPJ; that is, that the brains behind the movement were not what they pretended. True, there were pacifists, dissenters, and the like, numbering into the thousands. But the leadership was another matter.

NPAC: The Committee hearings revealed that the National Peace Action Coalition was not merely subject to Communist influence, but that it was an out-and-out front for the Socialist Workers Party (SWP), a Trotskyist organization which promoted the violent overthrow of the U.S. Government. To say, as its leaders did, that there are non-Communists in the coalition and therefore that it was not under Communist influence, was a deceptive ruse.

Of course, there are non-Communists in NPAC but that is after all one of the ingredi-

ents of a front, by definition. Were it otherwise, it would be an obviously wholly-owned subsidiary of SWP instead of the wholly-controlled branch it is now.

How does one tell the difference? The historically proven test is whether the predominant influence in setting policy and programs in the group is exercised by Communists. In NPAC's case there was no question. It was formed in June, 1970, at a conference in Cleveland, Ohio. The meeting was hosted by the Cleveland Area Peace Action Council, itself controlled by the SWP through two other fronts. Policies adopted by the Cleveland conference followed the line supported by the Trotskyist Press concerning the issue of organizing mass anti-war protests and the withdrawal of all American forces from Southeast Asia.

Next, the leadership of NPAC reflected the Trotskyist domination of the coalition because, of its five coordinators, the two leading spokesmen for the coalition were Donald Gurewitz and Jerry Gordon, the former an SWP member, the latter a former member of the CPUSA, and currently an active participant in SWP affairs.

Finally, who alone was authorized to draw checks on NPAC's bank account, totaling \$160,000, and earmarked for the Spring demonstrations in Washington. Only Syd Stapleton and Patricia Grogan, both SWP members.

PCPJ: The Peoples Coalition for Peace and Justice, while not locked up to the degree that the Trotskyists controlled the NPAC front, was dominated more by the Communist Party, USA, than any other group in that coalition. PCPJ was the direct descendant of the Communist-dominated, New Mobilization Committee to End the War in Vietnam, itself the successor to several other so-called anti-war coalitions. The name changed, but the players remained the same.

Among PCPJ's leaders may be found Professor Sidney Peck, who has called for a Viet Cong victory in Vietnam. Peck was a member of the Wisconsin State Committee of the CPUSA. Other so-called, peace-loving personalities found among PCPJ's leadership are: Dave Dillenger, self-professed Communist; Gil Green, a top CPUSA leader; Terence Hallinan, CPUSA member; Sylvia Kushner, member of the Illinois State Committee CPUSA; Irving Sarnoff, leader of the Southern California District CPUSA; Jack Spiegel, CPUSA member; Jarvis Tyner, CPUSA national committeeman, and Rennie Davis, avowed supporter of the Viet Cong cause, to mention but a few.

Professor Peck, as acting chairman, was co-signer of checks drawn on PCPJ's Washington demonstration account, which totaled \$113,000 for the peace movement's Spring offensive. Of this amount about \$110,000 was expended.

Adding NPAC's expenditures to that of PCPJ's, the total was approximately \$270,000. Considering the fact that the damage inflicted to the nation's Capital was \$7,500,000 for the period April 24-May 8, one must concede that the NPAC-PCPJ outlay realized a fairly lucrative return on its investment which was only one twenty-seventh of the destruction to the city of Washington.

But let me back track for a moment to a significant development which transpired about two months before those major, so-called peace demonstrations, in Washington in April.

Since 1928, when the Trotskyist Communist Party or the SWP was formed, the two major Communist Parties have vied for the leadership of the so-called American working class movement, and now, as well, the peace movement. Prior to the acceptance by the CPUSA-influenced PCPJ to co-sponsor the Trotskyist-controlled, NPAC April demonstrations, this bitter competition was reaching a high pitch. Suddenly it ceased. Why?

On February 27, 1971, Xuan Thuy, chief

North Vietnamese negotiator in Paris, issued a strong appeal for unity in the American peace movement. His appeal called on (quote) "the progressive American people and all anti-war organizations in the United States to unite closely" (Unquote), in order to create a wide and strong movement against alleged American aggression in Southeast Asia. He concluded by wishing the peace movement in the United States every success in its Spring offensive.

Meanwhile, meeting on this same date, February 27, in Stockholm, was the executive committee of the Communist-run Stockholm Conference on Vietnam, PCPJ national coordinator, William Douthard who was present, subsequently announced that PCPJ's Spring action program would be worked out that same weekend in Washington. On February 27-28, the PCPJ continuation committee did meet in Washington and resolved that it would support the program of the NPAC. One month later, March 17, the Stockholm Conference announced that it remembered that PCPJ was a member, had "decided unanimously to conform its proposals for action to the lines of the decisions to be taken in Washington."

Clearly, this must have been hard for the CPUSA segment of PCPJ to swallow because the old line Communists had, decades ago, purged the Trotskyists from their ranks.

On March 6, the Communist newspaper Guardian conceded that Xuan Thuy's urgent plea had been instrumental in convincing the participants that "the need for unified action was paramount."

Also, on March 2, PCPJ leaders, Sidney Peck and Dave Dellinger held a press conference in the Rayburn House Office Building to announce this newly-discovered unity between PCPJ and NPAC, two age-old enemy organizations.

Present at the press conference also was David Iffshin, president of the left-leaning National Student Association, who had led a delegation of American students to Hanoi, there to participate in the co-signing of a so-called Peoples Peace Treaty with student front groups of the Communist Party of North Vietnam. This Communist-serving propaganda document had been drafted in Hanoi, where Iffshin had met with North Vietnam's government officials in preparing the project which PCPJ actively supported.

The true feelings of the youthful American treaty negotiators in North Vietnam was succinctly conveyed over Radio Hanoi by Mark Wefers when he instructed American soldiers fighting in the South that:

(Quote) "... when you think the time is right for some kind of massive sitdown or refusal to fight or turning your guns round the other way and getting ... real pigs, then you should do it." (Unquote)

This sham treaty was entitled the "Joint Treaty of Peace Between The U.S. and The Vietnamese People." It was not authorized by the American people, the South Vietnamese people, or, for that matter, the North Vietnamese people. It was merely another ruse perpetuated by anti-American Vietnamese and pro-Viet Cong Americans for the purpose of undermining United States policy in South Vietnam and American support for that policy at home.

I would call your attention to but one aspect of this document, Article I. It declared that "The Americans agree to immediate and total withdrawal from Vietnam and to publicly set a date by which all American forces will be removed." Before moving on to my point, it should be noted parenthetically that the treaty does not call reciprocally for the withdrawal of the tens of thousands of North Vietnamese Army regulars who had crossed the internationally-recognized borders of Laos, Cambodia and Vietnam.

Noteworthy is the fact that Article I of the treaty uses the phrase "set a date." This

has no reference to someone's wedding date and, hopefully, not to the date for some Nation's funeral. I specifically call your attention to this factor because the term has now become a household slogan to the Communists. Our recent hearings on the peace movement revealed that during the week of May 10, meetings were held in Paris attended by active organizers of the Washington disruptions such as Sidney Peck, Robert Greenblatt, and Jack Davis, as well as two North Vietnamese representatives and Madame Binh, the Vietcong delegate. The Americans were told by the Vietnamese officials that they wanted the slogan, "Set the Date" to be the focal point around which the American peace movement activities should rally during the next few months. Moreover, whatever date was set by the U.S. Government, it had to be before the end of 1971. The Vietnamese Communists further demanded that the pro-Vietcong supporters in the peace movement here, stop their feuding and rally around the new slogan.

The Vietnamese made additional criticisms of the way the Washington demonstrations had been handled. They were critical of one of the demonstrators' themes, (quote) "If the government does not stop the war, we will stop the government" (unquote). It was too militant for the times and, therefore, would not draw Americans to the movement, Hanoi's delegates advised.

The Vietnamese also chastized the inference contained in Mayday propaganda that the Vietnamese Communist might lose if the war did not end soon. Madame Binh said that instead, they should have demanded that the United States pull out from Vietnam because the Communists were winning.

Because of the tactics employed by the peace movement, she said, the press failed to cover the major issue of the war and stressed instead that alleged violations of the civil rights of the activists. Moreover, the demonstrators had failed to achieve their stated objective because the Government was not stopped, as had been threatened.

The Vietnamese' final criticism was that American demonstrations should be organized on short notice instead of taking six months as had been required in the Washington protests. Madame Binh also explained to the Americans in Paris that she had refused to send a letter or greetings to the Mayday group because the last one which she had sent had fallen into the hands of Senator Scott who had used it against them in the Foreign Relations Committee.

Before leaving Madame Binh, I think you might be interested in a cynical remark which she had made to American radicals in May. She told them not to worry about the fate of the American POWs in North Vietnam because most of them were "Air Force officers who come from ruling class families." Mark Wefers' broadcast over Radio Hanoi referred to the American POWs as pirates and murderers.

Following the Paris meeting, the Americans went to Budapest and attended a conference of the World Peace Council, one of Moscow's major international fronts. It was at this meeting that plans were laid to organize demonstrations at U.S. Embassies around the world on the fourth of July.

During a three-day conference of the National Committee of the CPUSA, in July, general secretary Gus Hall declared that:

"We are at an historic moment. This war can be brought to an end this year. Total, forced withdrawal is an absolute possibility."

The party's policy to press for a U.S. pull-out this year was given high precedence. On this, he said, we cannot wait until our next convention.

In a special statement, the Party's national committee endorsed the latest proposals of

the Paris representatives of North Vietnam and of the Communist-controlled Provisional Revolutionary Government of South Vietnam.

On June 19, Gil Green, chairman of the peace commission of the CPUSA and its representative in the National Coalition for Peace and Justice wrote that:

"It is clear that the main peace slogan that should unite the movement is 'set the date for total withdrawal.' This is the demand of the Indo-Chinese people and the slogan of the world peace movement."

Green then explained that the slogan was appropriate for the peace movement in the United States because it would expose the alleged hypocrisy of President Nixon by showing that his refusal to set a withdrawal date meant that he was against total withdrawal at any time. Green continued:

"It is this slogan that also helps best to organize pressure upon Congress for the setting of a Congressional cut-off date such as is called for in the McGovern-Hatfield amendment. It is also important that unity be sought in support of the People's Peace Treaty. The significance of this treaty is its educational value."

One should read "educational value" to mean propaganda value in the above context.

Naturally, the Communist Party official neglected to commit to print in his article, that Madame Binh had demanded of Green's PCPJ contacts in Paris that they should adopt this slogan, or that the so-called Peace Treaty which contained a date-setting article was drafted in Hanoi under Communist suppression.

However, on one occasion the bond between the Communist leaders in the peace movement and their foreign Communist contacts was clearly revealed. Mrs. Pauline Rosen, member of the CPUSA, and prominent activist in the former New Mobilization Committee, PCPJ's predecessor, had attended the Fifth Stockholm Conference on Vietnam in March 1970, a gathering attended by 35 so-called peace activists from the United States. The Stockholm Conferences are blatantly Communist-oriented and keyed openly to the American anti-war movement. She was interviewed after her return and her remarks were printed in the May 21st issue of the CPUSA's Daily World.

You Legionnaires should be particularly interested in the following candid comment made by Mrs. Rosen:

"There was great appreciation of the U.S. peace forces at Stockholm, especially among the Vietnamese, who call our movement the 'Second front' of the Vietnam war."

This is the "balance," the beauty if you will, of the Communist defensive and offensive teams of which I spoke before. The Communists in Hanoi, who run the military offensive in Vietnam, also call the shots here. While they run up our casualties over there, they run down our country over here through their second frontiers.

The National Peace Action Coalition, as I mentioned previously, to which the Trotskyist Communists own title, through the agency of the Socialists Workers Party, and which with the PCPJ, is a leading force in the peace movement, has had a running feud with the orthodox Communists in the latter group over, among other things, the "set the date" slogan. NPAC's own slogan has been "out now." James Lafferty, a national coordinator of NPAC wrote an article in the Guardian of August 4, which exposes the arrogance of the modern lovers of peace. Lafferty wrote:

"First, when the movement was much smaller we marched and said 'out now,' and the warmakers said, 'we'll stop bombing.' But we were not satisfied and we came back a bit larger and said, 'out now.' And the warmakers said, 'we negotiate.' Still we were not bought off and we came back again . . . and said again, 'out now.' And the warmakers said, 'we

will Vietnamize the war and withdraw some troops.'

"Were we satisfied then? No, we came back and on April 24 . . . said 'out now' and now the warmakers say, 'we'll get out by the end of the year. We'll set the date.'"

Actually, no specific date had been set as the Trotskyist faction in the peace movement is aware. Lafferty concluded by saying that even if a date was set, the peace movement would not be satisfied until all U.S. forces were withdrawn.

The Trotskyist and orthodox Communists and other leaders of the peace movement desire much more than merely a U.S. pull out—they seek a Communist victory throughout Southeast Asia, and anticipate that an American withdrawal will precipitate such a takeover. For example, the so-called pacifist, Stewart Meacham, a leading activist in the peace movement indicates where his so-called pacifism lies regarding in Vietnam. He said:

"It's quite likely, if we get out, that the government that would come into power in South Vietnam would be a Communist government of some sort."

Fred Halstead, a top national official of the SWP-dominated NPAC stated:

"Yes, frankly, I am, as a revolutionary socialist, I'm much more sympathetic . . . I've not been uncritical of the government of Hanoi or the NLF, but I certainly am sympathetic to them."

Douglas Dowd, another top leader in the peace movement from its inception in 1966, who should know how the leadership feels vis-a-vis the Viet Cong stated,

"The people who are doing the organizing for this kind of thing, almost all of them, really feel that not only the war should end but if there had to be a side in that war I think most of us feel we would be on the other side."

What do we have in Hanoi to match the demonstrations in Washington in April and May which has enticed so many well meaning Americans? There is nothing; nor, I can assure you, are there any pacifists—open pacifists in Hanoi, or Peking, or Korea or Moscow.

Many in the top echelon of the so-called peace movement consider themselves to be patriotic revolutionaries equating their role in principle, with that of the colonialists. They spout the Declaration of Independence as readily as they can hoist a clenched fist. The U.S. Government, which they call fascists, imperialist, racist, etc., is likened to Hitler's Third Reich. The term genocide frequently floats from their lips in characterizing Uncle Sam.

The stock in trade for many so-called, peace-loving demonstrators today is division, disruption, dissension and destruction; anathema to them is genuine harmony, unity, cooperation and true brotherhood.

Some radical elements in the peace movement would "off the establishment." Yet in both the private and public sectors of the "establishment," are to be found the genuine but responsible rebels. Yes, the real radicals in this great Nation are those who create, who initiate, who innovate, who educate, who administrate, who communicate, who adjudicate and yes—even those who legislate.

These are the men and women of the "establishment" who day in, day out, bear the endless frustrations and failures in order to keep America an honest and honorable community. Meanwhile, we are sorely pressed at home and abroad by deceptive but disciplined antagonists; yet we search, frequently in vain, for allies whose words of assurance far outpace their performance.

For these reasons, we have no choice but to remain strong but only in the knowledge that that strength is sponsored by a search for a just, decent and honest peace at a price deserving of such a peace.

"MOTHER EARTH"

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. ASPIN. Mr. Speaker, the plane that brought the cast of "Mother Earth" to this city descended through slate grey skies choked with man's discarded chemical crud. It passed over the proud Potomac, once renowned for its beauty and historical association, now an open depository for man's filth.

In our Nation's Capital the symptoms of diseased urban America manifested themselves in the stench and accompanying blue haze of motor vehicle emissions, the steady din of jackhammers and roar of diesel engines at construction sites, and the ever-present cleanup-defying street litter that is the trademark of throw-away America.

And that is what "Mother Earth," which is having its east coast premiere at Ford's Theatre is all about—man's unthinking, uncaring, rape of the world in which he is a guest.

I think everyone connected with bringing this superb lesson in ecology to Ford's is to be congratulated.

With book and lyrics by former social worker Ron Thronson and music by composer/actress Toni Shearer, "Mother Earth" made the long trek to the Nation's Capital from southern California, Costa Mesa, to be exact, with successful long-run stops in Los Angeles and San Francisco. The Bay Area run, under the aegis of American Conservatory Theater, is continuing with a second company. The Los Angeles and San Francisco successes followed a capacity 4-month run at "Mother Earth's" home base, the South Coast Repertory Theater.

With negotiations currently underway to take the show to New York, what began as a community enterprise in Costa Mesa is well on its way to becoming an international smash. Its steadily widening success is a turn of events never seriously considered at the outset by Thronson/Shearer, who wrote the original musical review simply "to give us the experience of collaborating on a show." Doing what comes naturally, they translated a longstanding concern for the environment into an oblique look at man's seeming propensity for turning everything he touches into trash.

The show touches the wide range of environmental pollution, air, water, noise, sight, and the peculiar mental aberration underlying man's matter-of-fact decimation of whole animal species.

Its darts are flung from sketches, vaudeville turns and one-liners, carried to the bulls-eye on a contemporary musical score incorporating gospel, rock and country and western.

"Mother Earth's" wise satire and high spirits glove a subliminal jab with a critical message—"The earth is worth saving, but it's later than we think." As Los Angeles Times theater critic Dan Sullivan put it:

"Mother Earth" manages to turn the very difficult double-trick of jabbing you in the

social conscience at the same time it is sending you off into a fit of perfectly irresponsible laughter... a remarkable show!"

Ecology theater could be somewhat heavy and dull, but "Mother Earth" has escaped those tags. Hal Walker of CBS noted:

"Mother Earth" is a fun show, wrapped around a message—treat "Mother Earth" as though it were the only planet you have—it is. The message and the medium are both rated G—and they could offend only the most hardened anti-ecologist.

Tom Donnelly of the Washington Daily News said that "Mother Earth" was not monotonous, and does not have the plodding earnestness one tends to associate with propaganda designed to promote an indisputably worthy cause.

In songs and sketches and dances and one-liners, performed by a likable, talented, and youthful cast of 10, "Mother Earth" contemplates endangered species (wild animals and the one called human), the grisly fads of an over-commercialized society, the lethal games people play, and the poisoned foods they eat.

Richard L. Coe of the Washington Post said that Ford's Theatre, controlled through the National Park Service, could not have a more appropriate tenant than this mock-humorous essay on ecology. Coe said:

Though humor is the approach to its theme of what humans have been doing to beautiful "Mother Earth," the effect is soberingly earnest.

Coe noted that prompted by an editorial page letter to the Post from John Czebowski, about beer cans and debris littering the Reflecting Pool, one might even suggest that everyone who enters the city must see "Mother Earth" before his sightseeing.

As the above indicates, one must say of "Mother Earth" that the flavor lasts. "Roses are red, violets are blue," says the Talking Lady, and adds: "Not anymore." Three billboards group up close to hide the Grand Canyon and a talking plastic tree replaces the last two California redwoods. Against screen projections of automobile graveyards, a used car salesman boasts: "We've just taken over a small South American country for a parking lot."

And I think pertinent as well the comments of our colleagues in Government, for whom the message that we bear a special responsibility for cleaning up the ecological mess in which we find ourselves is clear. Senator JACOB JAVITS commented:

It's this kind of anti-establishmentism that stimulates adults to action, and expresses the frustrations of youth.

I think "Mother Earth" demands our attention, and again would like to congratulate the cast, composer/actress Toni Shearer and lyricist Ron Thronson and director Sid Grossfeld, the Ford's Theater staff, and everyone connected with the Washington run for calling to our attention, in an entertaining yet meaningful way, the vast amount of work to be done by those within Government, the Nation's business community, and private citizens alike, if we are to save our planet for future generations.

REVOLUTIONARY ANTIMILITARISM
IN COMMUNIST THEORY AND
PRACTICE—V

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 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 V of Dr. Robert E. Beerstecher's thesis, "Revolutionary Antimilitarism in Communist Theory and Practice."

This portion of his excellent study goes into some detail on Communist antimilitary work carried out in the year 1927 against nations in Europe, Asia, and South America. It also analyzes the program of the Sixth World Congress of the Communist International held in the summer of 1928, paying particular attention to the emphasis given antimilitary work at this meeting. The Sixth Comintern Congress reaffirmed the Clausewitzian conception adopted by Lenin that war was the continuation of politics by other means and, conversely, politics, Communist style, is the continuation of war by other means. It is interesting to note in this regard that Lenin had written in his copy of Karl von Clausewitz' epic "On War" the words "shrewd and clever" next to Clausewitz's dictum that, "In general, the best key to the country lies in the enemies army."

Part V of Dr. Beerstecher's study follows:

REVOLUTIONARY ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE—V

(By Robert E. Beerstecher, Ph. D.)

VIII. THE YEAR OF STRUGGLE

An unreasoned fear of imperialist encirclement provided the impetus which sparked the renaissance of soviet antimilitarism in Europe. Analysis of communist directives issued after May, 1927, reveals an obsession on the part of the soviets with the idea that the imperialistic interests working under British direction had selected eastern Europe as one of the major centers of the armed counterrevolution against Russia. Communist propagandists pictured Poland, the Baltic states and the Balkans as important links in an armored ring which the imperialist were forging around the Soviet Union in their attempt to contain and smother the spirit of the proletarian revolution.

No country in eastern Europe offered greater resistance to the inroads of communism than Poland, but the stringent measures employed in the suppression of communist subversion resulted in driving the hard-core of the Communist Party of Poland completely underground. However, its status as an illegal, underground organization did not prevent the Polish communists from carrying on "anti" work or from making the "struggle against the war danger" the center of their action program. In addition to organizing strikes and street rallies, the Polish communists extended their agitational appeals throughout the country through the covert distribution of propaganda leaflets which popularized armed revolutionary action. Although the Polish communists could boast of successful accomplishments in the field of antiwar and revolutionary propaganda, prior to 1927 there was not a single communist faction in any of the organizations for

military training, even though such organizations presented a combined membership of over one million people.¹

In 1927, organizational work in the ranks of the organized military forces became one of the primary tasks of the Communist Party of Poland. Focal point for the work were the soldiers who belonged to the national minorities. National minorities constituted approximately thirty per cent of the Polish army, and in some units, represented the majority of assigned personnel. Little attention had been devoted previously to the problems of these minorities in service. Propaganda in the army had been directed primarily at the partial demands of immediate interest to the average soldier, e.g., pay increases, furloughs for holidays or farm work, service in garrisons close to home, etc., and to supporting the political and economic campaigns of the Polish communist movement.² However, the reorientation of effort towards the partial demands of soldiers belonging to the national minorities was motivated by the realization that such demands had to be formulated taking their special interests into consideration.³

Antimilitarist work in Denmark, Norway, Sweden and the Baltic states blossomed during 1927 under the aegis of the Federation of Scandinavian Parties. The communists considered Denmark to be the "key" to the Baltic.⁴ Although the Danish communist movement numbered less than a thousand dues-paying members throughout the 1920's, the communist party and its youth league supported an active antimilitarist program aimed at the demoralization of the naval forces of the major European powers operating in the Baltic. British, Polish, Italian and Dutch naval units which periodically visited Danish ports were flooded with propaganda leaflets and agitational appeals while local comrades carried out covert "educational" work among their crews.⁵

Norwegian communists also carried out systematic antimilitarist work. Frequent visits to Norwegian harbors by elements of the Baltic squadron of the British fleet provided Scandinavian communists with numerous opportunities to duplicate the demoralization work carried out by their Danish comrades. However, the Norwegian communists were less successful in their efforts. Publication of a joint manifesto by the Communist Party of Norway and the Young Communist League during the summer visit of the British fleet in 1927 resulted in a police raid on party headquarters, the confiscation of a large amount of propaganda and agitational material, and the arrest of a number of the leading comrades. The manifesto contained an inflammatory appeal to the British sailors to desert and go over to the side of the Soviet Union in the event of war.⁶ Antimilitarist activities of the Norwegian communists were not confined solely to agitational work against visiting naval forces. The Communist Party of Norway directed its members to penetrate into the Norwegian armed forces for the purpose of rendering them ineffective in the event of war. It also conducted a mass propaganda campaign against the League of Nations. Norwegian communists recognized that the success of a mass boycott by the workers of the armed forces, i.e., a military strike, would deny to the communist the leverage potential which a class-conscious group in the army provides. Therefore, in their antiwar propaganda, the Norwegian communists were careful to avoid discouraging the working class from joining the army, rejecting in principle the concept of a military strike which was actually considered admissible and useful in special situations by many communists.⁷

Demoralization work inside of the army and navy was also carried out by the Young Communist League of Sweden.⁸ While the work of the communist youth emphasized

the disintegration of the existing military establishment, the Communist Party of Sweden concentrated its efforts against the naval preparedness program of the Swedish Government.⁹ Swedish communists began a "Fleet Campaign" during the winter of 1926-1927.¹⁰ The campaign involved the organization of protest meetings, the mass distribution of literature and widespread use of verbal propaganda calculated to rally the Swedish workers against the Government's naval expansion program. A recurring theme in the literature which the Swedish comrades distributed was that the Swedish Government was a tool of Great Britain, which was developing armaments for use against the Soviet Union.¹¹ One of the primary weapons of Swedish communists were the special military newspapers published for the men in the armed forces. *Manskapbladet* (*The Soldiers' News*) was published for dissemination in the army, while a separate publication called the *Torpedo* was circulated among the men of the Royal Swedish Navy. Members of the Young Communist League handled the distribution of these newspapers, and used them to recruit men of the armed forces into the communist movement.¹²

In 1927, an alternate headquarters of the Balkan Communist Federation 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.¹³ Similar methods have since provided the communists with an effective weapon of disruption and disintegration wherever racial or national minorities exist. However, in few places have the communist encountered more fertile conditions for such work than in the Balkans where many small but comparatively strong nationalist movements flourished in Macedonia, Montenegro, Bessarabia, the Dobruja and in similar territories. In Serbia, the communists encouraged the Montenegrins, the Croats and the Slovaks; in Bulgaria, the Macedonians and Thracians; and in Rumania, the Bessarabians, the Transylvanians, the Dobrudjans and the Bukovinians.¹⁴ In each instance, communist support was calculated to achieve some specific end. Thus, for example, communist activities among the Bessarabians were designed to develop forces which could be used to impede the strategic deployment of the Rumanian army in case of war.¹⁵

Prior to 1927 Rumania was subdivided into seven independent communist regions. In each region, a three section committee had controlled party activities, with separate sections assigned responsibility for work in the local military units, for work among the laboring class, and for work among the peasants and farmers.¹⁶ Under the decentralized system, the Rumanian communists had made little headway in organizing or taking over control of the minority movements. After 1927, however, with the work in each of the local regions coordinated by the Constantinople center of the Balkan Communist Federation, the military sections began to achieve success in establishing cells in both the Rumanian army and in the separatist movements.¹⁷

The Greek communist party was the strongest and best organized of the Balkan parties, so it had less requirement for support from the Constantinople center. Nevertheless, under its aegis, party members carried out large scale agitation and propaganda work against the Greek armed forces. Communist youth organizations were also extremely active in promoting antimilitarism, and were responsible for the intensified program carried out in the Greek army.¹⁸ Revolutionary antimilitarism was made a continuing, systematic every day task by all Greek communists.¹⁹ In Czechoslovakia, the communists through their youth league affiliates began a propaganda campaign to convince the soldiers that they should not

let themselves be used to put down strikes or to settle internal disorders. Emphasis was placed on the Czech soldier's duty to defend the Soviet Union.²⁰

The "urgent" question

In June, 1927, a special plenary session of the Young Communist International was held in Moscow, to discuss what the communists described as the "urgent" question of the danger of war.²¹ Its real purpose, however, was to provide rubber stamp approval for a special resolution which had previously been prepared and adopted by the plenum of the Comintern.²² This resolution called for the initiation of "practical" work among the armed forces outside of Russia. It subsequently became a directive to young communist leagues throughout the world to concentrate their efforts on the struggle against militarism and imperialist war.

The plenum of the Young Communist International emphasized that although the work of the French, British, Scandinavian and Baltic youth leagues in the army and navy had brought many soldiers and sailors under the influence of communism, in many other countries the leagues had committed a "gross" error through their failure to carry out adequate "practical" work in the armed forces.²³ In this regard, the plenum cited the antimilitarist work of the Young Workers' League of America as having displayed "dangerous pacifist" tendencies.²⁴

Young communist leagues were directed to consider the initiation of "intensified" work in the army and navy as their most important task: "In every regiment and on every ship there must be a nucleus of at least one reliable comrade."²⁵ League work in other spheres or youth activity e.g., labor, education, etc., was to continue, but was to be conditioned by the central task. Work in the army and navy, the leagues were told, must be carried out systematically. Such work required the establishment of a well-organized apparatus and an illegal organization, for "one nucleus within an army section is more useful than many leaflets."²⁶ Leagues which did not already possess an apparatus and an organization for antimilitarist work were directed to set them up immediately. The plenum also decreed other immediate tasks for the leagues in their antimilitarist work. These included the defense of the Soviet Union and the Chinese revolution, and the improvement of the content of their antiwar propaganda. The first of these immediate tasks was to be accomplished through the "mobilization of the masses . . . by the application of united front tactics mainly from below."²⁷ The improvement of the antiwar propaganda, it explained, necessitated a "systematic, planned, thorough and immediate concrete exposure of the propaganda of the bourgeoisie and social democracy."²⁸

No country, regardless of size was immune to the new music of revolutionary antimilitarism. The communists even had a modest program under way in Neuchâtel, Switzerland in 1927. However, their appeal to the peaceful Swiss not to pay military taxes and to refuse to carry out military service obligations achieved little success.²⁹ Elsewhere, however, the communists recorded minor successes. In Syria, during the 1927 uprisings, the communists were active in carrying on antimilitarist work among the French troops.³⁰ In Palestine, propaganda and agitation against the war danger was made the basis for several major campaigns, including mass demonstrations among the unemployed in Haifa.³¹ In Turkey, communist trade union activity centered around agitation against the building up of the Kemalist navy.³² In the Far East, Korean communists conducted an active program among the troops aimed at securing the withdrawal of the Japanese army from Korea.³³

In August, 1927, the Communist Party of China issued a circular letter to all party members criticizing its central committee for

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having failed to submit to the instructions of the Comintern and for having "tried to deal with the generals and the officers" of the Kuomintang army instead of "engaging in agitation among the men and the junior officers." ³⁴ Nothing had been done, it stated, about the "urgent" task of arming the workers and peasants. "We must do everything possible," the party told its followers, "to get hold of arms and arm the worker and peasant masses." ³⁵ The party warned that only if the scattered armed units of workers and peasants were organized according to a single, uniform plan would they be a real supporting force for the revolution when it came. As later events in Canton were to prove, the warning went unheeded.

In the fall of 1927, the Communist Party of Germany began a major propaganda and agitation campaign against the announced plan of the German government to begin construction of armored cruisers for the navy. ³⁶ The German naval construction program became the local point for the overt antimilitarist program publicized in the pages of *Rote Fahne*, the illegal central organ. "Fight against the war policy of the new German imperialism" proclaimed widely disseminated slogans sponsored by the party. ³⁷ The German communists proposed taking the matter to the people in the form of a plebiscite. Instead of building armored cruisers, the communists said, feed the school children. ³⁸ However, their campaign failed to arouse any widespread public support, and they were unable to get the number of signatures required by the Weimar Constitution for the initiation of a referendum. ³⁹

As part of the mass antimilitarist campaign conducted by the French communists, clandestine nuclei were formed in military units at Coetquidan, Chalons, Grenoble, Nîmes, Siesonna, Brest, Cherbourg, Toulon, and elsewhere throughout France. Illegal barracks papers, like *L'éclair rouge* (*The Red Scout*) at Bourges and *La sape rouge* (*The Red Mine*) at Versailles, began to appear. ⁴⁰ Every opportunity to foster dissension among the armed forces and extend their authority in the army and navy was seized by the French communists.

In September, 1927, sailors at Toulon mutinied because of allegedly poor food. Communist reports of the events which transpired indicated that the sailors sang the *Internationale*, an act without which no military uprising could be complete. ⁴¹ The mutiny was allegedly premature, having been organized by the communists for early October. ⁴²

In addition to the continuing campaign against intervention in China, French communists also conducted several major campaigns against the preparation of new imperialist wars. Their most important mass movement was the "bolshhevik struggle against war" in Morocco. It culminated on October 12, 1927, with a general strike which the communists claimed involved more than one million Frenchmen. The most important feature of this campaign was the unrest created inside the army and navy, and the numerous instances of fraternization between the French soldiers and the insurgent Rifis. ⁴³

On November 21, 1927, the fifteenth party congress of the Communist Party of the Soviet Union convened in Moscow. Although the agenda was devoted primarily to internal problems within Russia, the antimilitarist work which had been carried out in the armies and navies of other countries was also discussed. In the discussions, the soviets singled out for praise the activity of the French and British sections of the Comintern for its "openly revolutionary and very dangerous nature." ⁴⁴

A serious outbreak occurred in the French fleet in December, 1927, when sailors in the naval detention barracks at Calvi went on a

hunger strike. *L'Humanité* and the international communist press alleged that many of the sailors involved in the strike had been transferred to Calvi from fleet units because of their pro-communist leanings. ⁴⁵ Shortly afterwards the French fleet held a naval review at Le Havre. The international communist press coverage of the event claimed that the French sailors were being "compelled to participate in a political demonstration which reeked of war." ⁴⁶ Flexing its muscles, the communist party warned that—

"French imperialism may boast of the power of its fleet, but not of its sailors. For the latter will not permit themselves to be misused in fresh adventures. They are the brothers of the rebels of Calvi and of the Black Sea Fleet. Upon them relies the French party which is working for unity against imperialism." ⁴⁷

Without sailors, the communist observed, all ships are mere scrap iron. ⁴⁸

The Harvest of Fleas

On December 11, 1927, the Chinese communists raised the banner of insurrection in Canton. ⁴⁹ The decision to establish a soviet government of workers', peasants' and soldiers' deputies had been made the previous month at a special conference of the Communist Party of China. At the conference, demands had again been raised for an agrarian revolution and a struggle to create disaffection in the armies of Chiang Kai-shek. ⁵⁰ Reaction against the communist uprising at Canton was immediate, and bloody street fighting broke out everywhere. On December 14, the Comintern issued an appeal calling on the workers, peasants and soldiers to support the Canton commune:

"Hasten to assist the revolution! Help the Chinese soviets! Prevent the transport of soldiers and sailors, of canons and rifles to crush the Chinese revolution! Refuse to load munitions! Mobilize your forces! Demand the immediate withdrawal of the imperialist troops from China! Long live the soviet power in China! Long live the world revolution!" ⁵¹

The uprising lacked organization and direction. Prior preparation in the form of providing weapons to workers' detachments or carrying on intense demoralization work among the opposing military forces was inadequate. ⁵² The Canton insurrection failed, and with it vanished any immediate hope the Comintern had for the success of the Chinese revolution. The communists later reviewed the events which occurred to identify the decisive factor in their defeat. Their answer: the Chinese navy! In the first hours of the Canton insurrection, they noted, the Chinese navy "wavered" but finally decided to support the "white" forces. Their decision decided the issue. From this the communists drew an important lesson. "This points," they stated "to the absolute necessity for regular work in the navy and armed forces of the enemy a long time prior to an uprising." ⁵³ There was also a second important lesson to be learned from the Canton uprising: "For the proletariat of every country it is not sufficient to be thoroughly acquainted with the political doctrines of the revolution; it must also have a thorough mastery of the techniques of revolt." ⁵⁴

In January, 1928, a special Antimilitarist Commission was established by the Young Communist International. The commission was to draft detailed plans for intensified organizational work in the armed forces of all countries outside of the Soviet Union. Antimilitarist experts representing communist groups throughout the world were called to Moscow to take part in the prolonged deliberations. The American representative to the Antimilitarist Commission was Paul Crouch, a former soldier who had been court-martialed at Schofield Barracks, Hawaii, in 1925 for communist activities. After his release from prison, Crouch had been drafted into the antimilitarist work of the communist party where he soon became recognized as the party's foremost expert in this type

of work. By the end of 1927, he had become head of the newly established joint antimilitarist department of the Communist Party and Young Communist League in the United States. Crouch arrived in Moscow in December, 1927, before the deliberations of the Antimilitarist Commission began. On his arrival, he was informed that the decision had already been made to infiltrate the armed forces actively, but that the tactics which were to be employed still had to be worked out. That was the task assigned to Crouch. Some of the methods formulated by the Commission during the period were described in documents sent by special couriers to the central committees of communist parties and young communist leagues throughout the world with the directive that they be destroyed immediately after reading. Other instructions were incorporated into documents which were considered so sensitive that they were never allowed outside of Russia, but were kept in Moscow for the instruction of visiting communist leaders. ⁵⁵ Guidance for the Antimilitarist Commission was provided by Marshall Tukhachevsky and other officers of the general staff of the Red Army. Tukhachevsky has been described as "perhaps the most original military thinker of communism." ⁵⁶ In his talks with Crouch, Tukhachevsky emphasized the necessity for concentrating on strategic military objectives. Rather than dissipate effort through the random scattering of forces, communist antimilitarist activities in the army and navy were to be concentrated on selected targets. ⁵⁷ The soviets were extremely interested in the Panama Canal from a military point of view, and wanted antimilitarist work in the American armed forces stationed there to be carried on simultaneously with the strengthening of the civilian communist party in Panama and the Canal Zone. The soviets also urged that on his return to the United States, Crouch initiate work in the American armed forces stationed in Hawaii. ⁵⁸

Crouch was also instructed by members of the Soviet general staff to concentrate work inside the American navy by selecting a single ship as the initial focal point. ⁵⁹ Once a communist nuclei had been formed aboard the ship selected, its members were to recruit others into their group. The pattern of agitation to be carried out aboard naval vessels was a simple one suitable for application in any military organization. Petty grievances were to be magnified into major issues. Primary target for agitation was the quality of the food served in the mess. Revolutionary slogans supporting the partial demands of the enlisted men, e.g., demands for higher wages, demands for improved working conditions, demands of any type which could be exploited to turn the enlisted men against their officers, were to be chalked on the bulkheads and in the passageway of the ship. ⁶⁰

Crouch reported that the Soviets also emphasized the necessity for communists in the armed forces to become leaders and influence the men around them. Sports clubs, study clubs, or any type of apparently harmless group or organization, no matter what it might call itself, were to be sponsored by the communists if it permitted them an opportunity to strengthen their personal influence over their comrades in arms. It was, Crouch asserted, the decision of Moscow that the schools of the young communist party should not provide any type of military training, but should be reserved for more important work. ⁶¹ Select members of the party were to be encouraged to get their military training inside of the armed forces at government expense. ⁶²

In February, 1928, the ninth plenum of the Comintern met to consider the failure of the Canton insurrection. It concluded that there had been "insufficient preliminary work among the workers and peasants, and among the enemy armed forces." ⁶³ The plenum reiterated the tasks which the Communist Party of China had to accomplish, emphasizing the necessity for carrying on work in the

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armed forces. "The communist task of disintegrating the armies of the bourgeoisie and the militarist," it reaffirmed, "must become part of the daily work of the party."⁶⁴ The failure of the Canton uprising was interpreted by the Soviets as evidence of the growing danger of war in the Far East. They concluded that they could no longer count on the Chinese revolution as a source of reserve strength. Their concern was heightened by events in Japan.

The growing influence of Japan in the Far East had not escaped the notice of the Soviets who were determined to avoid a war "at all costs."⁶⁵ Renewed Soviet support to Japanese communism resulted in the rejuvenation of the communist party. One of the first tasks undertaken by the revitalized party was the initiation of a major propaganda campaign against militarism and war. In the accomplishment of this task, the party press was assigned a major role. On February 1, 1928, the Communist Party of Japan began publication of an official newspaper, *Sekki* (Red Flag). *Sekki* appeared every fifth day, furnishing its readers with the communist interpretation of both national and international events. In addition, *Sekki* featured a special section which published letters from Japanese servicemen describing the problems and "hardships" of military life. This section educated communists and sympathizers alike in the basic fundamentals of antimilitarism.

On February 15, 1928, the Soviets extended their attack against the armed forces of the major powers into the field of international politics. Maxim Litvinoff was sent to Geneva to deliver to the League of Nations a Soviet draft proposal for an international disarmament agreement. Although Russia was not herself a member, and had made the League of Nations the "whipping boy" for all international ills, the Soviets recognized that membership in the League offered great propaganda potential. The Soviet draft provided that during the first year, half of the total officer and enlisted strength of the armed forces of all countries would be disbanded. In addition, military schools and institutions would be closed. With regard to naval forces, the draft provided for the destruction of all capital ships, cruisers and aircraft carriers. Naval artillery, mines and torpedo equipment would be dismantled and destroyed. "The armies and fleets," the Soviet proposal concluded, "will thereby be brought into a condition which will render difficult their employment by one state to attack another."⁶⁶ The draft made little headway in the council halls of the League, as few members were convinced of Soviet sincerity in offering a plan under which they had everything to gain and nothing to lose. The Soviet failure to get favorable consideration for their draft disarmament proposal at Geneva provided them with another argument for their propaganda campaign against the danger of war, i.e., that the major powers refused to disarm, thus indicating their intent to start another world war.

In April, 1928, the plenum of the Young Communist International convened in Moscow to review the report of its presidium on the work which member leagues had achieved in the army and navy. It noted that unrest among servicemen, recruits and reservists had become an "international phenomenon," but had not yet awakened sufficient response among the working classes.⁶⁷ The plenum called on the member leagues to increase their agitation against intervention in China and Nicaragua. It also directed that agitation against the attack on the Soviet Union be "concretized and enlivened," cautioning against monotony and the repetition of general phrases.⁶⁸

Special emphasis was placed by the plenum on organizational work inside the armed forces. "The movement within the army," the plenum stated—

"Must be accorded maximum attention: it must be revived and raised to a higher organizational stage. Before all, however, its active support by the working class by means of meetings, demonstrations, etc., must be secured. Wherever it is possible or where it can help to mobilize the masses of soldiers and sailors, the question of the formation of legal or semi-legal mass organizations of soldiers and sailors both in the regular as well as in the mercenary armies shall be raised. These organizations shall bear a semi-vocational character and the communist leadership of them must be secured."⁶⁹

In countries where legal forms of antimilitarist work were possible, the communist-dominated trade unions were to be used in gaining active support of the working class. The plenum also stated that it considered it "admissible and necessary" to form revolutionary soldiers' and sailors' circles under our leadership on a local scale or within individual sections of the troops. It must, however, not be forgotten that the apparatus for the illegal work in the army must be uniform.⁷⁰

The plenum declared that the chief task for all countries remained the establishment of communist nuclei and apparatus in the army. This work, it stated, had to be carried out with increased vigor in Germany, Sweden, Italy, Czechoslovakia, Rumania, Yugoslavia and in other countries where the communist party had failed to assume an active share in the antimilitarist work or provide leadership for the movement. The plenum also called for an increase in work among colonial troops ("both among the white troops in the colonies as well as among the troops consisting of the natives in the colonies"); for the continuation of international collaboration between the leagues ("agitation among the sailors of the Baltic squadron of the British fleet in the Scandinavian countries, among the sailors of the French fleet in England"); for the elaboration of the demands for recruits, reservists and demobilized soldiers; and for mobilization of the masses in the fight against the war danger.⁷¹

The April plenum issued a special resolution setting forth the immediate tasks facing the Young Communist League of China. The resolution stated that although the Chinese communist youth movement had sent hundreds of its members into the National Revolutionary Army, little organization and propaganda work had been carried out there. Instead, league members had been allowed to disperse throughout the army without being combined into groups or nuclei. This resulted, the plenum noted, from the "resistance" of the Communist Party of China to the league.⁷² The plenum reminded all communist youth leagues that they had to pay special attention to "the creation of organizations within all the reactionary armies, seeing that the disintegration of the military forces of the reaction is one of the most important tasks of the Chinese revolution."⁷³

Later in the spring of 1928, a clandestine conference was held in Kassel, Germany, to discuss implementation of the recent Comintern directive that work in the army and navy, in Germany and throughout the world, be intensified. German communists were host at this congress. Representatives from sixteen communist parties attended, including an eight-man Soviet delegation.⁷⁴ Decisions reached at this conference were later promulgated at the sixth world congress of the Comintern in Moscow.

In response to the directives of the April plenum, the young communist movement in the United States intensified its defeatist campaign against American intervention in Nicaragua. Demonstrations were organized in the Boston, New York and Philadelphia Navy Yards and in the ports of embarkation. Pamphlets, leaflets and letters disseminated to the sailors, soldiers and marines emphasized defeatist slogans. Propaganda attempted to mobilize sentiment for the victory of Sandino's forces against the American marines,

who were called upon to desert.⁷⁵ The communist party issued the following statement in connection with these demonstrations: "We urge all American workers, soldiers and sailors to organize for struggle against American imperialism, the common enemy of all exploited and oppressed within and without the borders of America."⁷⁶ To assist in the propaganda work, the communists established an antiwar department in the *Daily Worker*, the daily central organ of the American party. Through publication of a special servicemen's column in the *Daily Worker*, the communists developed a mailing list of soldiers and sailors to whom they began sending weekly news letters and propaganda leaflets.⁷⁷ The *Daily Worker* featured articles against American intervention in Nicaragua and China, and on the danger of war against the Soviet Union. As part of the intensified agitational program conducted by the American communists prior to 1928, special appeals had been directed to the unemployed workers warning them not to become "tools of the imperialists" by enlisting in either the army or the navy.⁷⁸ However, in 1928 a change of policy occurred, and the communists no longer attempted to "boycott" the armed forces.⁷⁹

An insight into communist doctrine governing antimilitarist work in the United States during this period was provided by Benjamin Gitlow in his autobiography, *I Confess*. Gitlow was the communist candidate for Vice President of the United States in 1924 and 1928 and a member of both the executive committee and the presidium of the Communist International. "We communists," Gitlow wrote:

"Always considered the antimilitarist work of the party from two distinct angles. On the one hand, we considered that it was necessary systematically to work to undermine the military structure of the capitalist class. We believed that if the military power of the capitalist governments was not undermined, it would not be possible to dislodge the capitalists from power. But we were not pacifists. We did not decri the use of force and violence. Quite the contrary. We firmly believed that without the use of force and violence it would not be possible to carry through the overthrow of capitalism and the seizure of power."⁸⁰

Communist policy governing antimilitarist work in the United States was divided into two parts, one positive, the other negative. Of the negative policy, Gitlow had this to say:

"Our negative policy consisted in criticizing all the military activities of the government, opposing expenditures for armaments, characterizing the army and navy as weapons of imperialism and in attempting to create hostility between the population and the military power of the government."⁸¹

According to Gitlow, most of the early antimilitarist work carried out in the United States was of the negative type. In contrast, however, the positive policy of the communists was somewhat more subtle. "It was our duty," Gitlow asserted, "to penetrate the armed forces and win the support of the enlisted men."⁸² Only minor success was achieved in infiltrating the armed forces of the United States before 1928. Real success did not occur until the party—

"Decided upon 'colonizing' the armed forces, in order to establish contact with the man in the service, propagandize them, learn about their conditions and grievances, and finally, learn military tactics for future use in the event of a revolution."⁸³

The decision was made early in 1928. The communist technique of "colonizing" consisted of designating specially trained party members to join the organized military forces. Gitlow revealed that in the beginning, only a small number of men were ordered to enlist in the army, but that a much larger number of the selected party members were ordered into the Citizens' Military Training Corps and the National Guard.⁸⁴ "We did

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not hesitate to send scores of selected young men into these camps," Gitlow admitted;

"Even though we had been most outspoken in branding the National Guard as the most vicious strike breaking agency. As for the Reserve Officers Training Corps, in many colleges a compulsory course, we continually fought against it as a military organization. However, we also sent all young communists in college into the R.O.T.C. to learn military tactics."⁸⁵

The National Guard proved to be a fertile field for communist propaganda. Numerous communist nuclei were formed in the Guard which worked to weaken it from within as members of the Communist Party and the Young Communist League continued to attack it from without. Propaganda pamphlets issued by the Young Communist League called on National Guardsmen to turn their guns on their officers.⁸⁶

Gitlow emphasized the conspiratorial nature of communist antimilitarist work in the armed forces:

"We realized that in carrying on this work, the greatest precautions had to be taken not to involve the party, because we were sufficiently aware that in very dangerous activity, which, if discovered, would have probably resulted in serious prosecution of the party and its leaders."⁸⁷

This work was not carried out solely on the initiative of the American communists, but, Gitlow revealed, was motivated by "direct instructions of the Communist International which insisted that that kind of work be done."⁸⁸

The spring of 1928 was a period of comparative calm on the international scene. For the Soviets in Moscow, however, it was a period of feverish preparation. Four years had passed since the Communist International had convened its last world congress. The time had come, the soviet hierarchy decided, to call a new congress, the sixth world congress of the Comintern, to align the international forces of revolution for the coming war.

IX. THE SIXTH WORLD CONGRESS

The sixth world congress of the Communist International convened in Moscow between July and September, 1928. At the congress the Soviets reaffirmed that the Comintern and its sections were committed to carrying on organized work in the army and navy as part of the systematic preparation for "the struggle against the danger of imperialist wars."⁸⁹

Antagonisms and conflicts between imperialist states, the ferment among the vast masses in the colonial countries, the action of revolutionary proletariat in the centers of imperialism—these, the Communist International stated, were all clear symptoms of the rise of a new revolutionary tide, of the development of the international revolution. Against this revolution, it noted, the forces of imperialism were being gathered; new expeditions against the colonies were being outfitted, a campaign against the Soviet Union was being planned, a new world war was in the making. War would unleash all the forces of the international revolution, leading to the inevitable destruction of the capitalist state and the achievement of the dictatorship of the proletariat.⁹⁰

"All our parties," said Vassiliev, the soviet spokesman on the executive committee of the Comintern:

"Must employ the whole of their bolshevist courage and the whole of their revolutionary energy and persistence to overcome the difficulties as regards penetrating into the big factories and the army at all costs, in order to transform the army and the factories . . . into the reliable supports of the revolution."⁹¹

Vassiliev went on to decry the weakness of the effort which had been carried out in de-

veloping the apparatus for activity in the armed forces. "If we should go on neglecting this work," he warned, "we shall be unable to carry out the instruction of the eighth plenum or of this congress, and to fulfill our bolshevist, communist duty before the international proletariat and humanity at large."⁹² Reports made by several of the other delegates to the congress confirmed that antimilitarist activities in many communist parties were still at a very low ebb. Seigen Taraka, the Japanese delegate to the sixth congress, admitted that the propaganda effort of the Japanese communist party had been weak. Taraka also recognized the inadequacy of the antimilitarist work among the youth, stating that in Japan communist "organization activities were not systematically directed to the revolutionary aim of the disintegration of the bourgeois army and the formation of a proletarian militia."⁹³

Baltic communists acknowledged that their revolutionary work in the organized military forces required greater impetus. Reorientation of their propaganda and agitational appeals to "enlighten" the soldiers about the "aims" of the coming war against the Soviet Union was also required. "We must do our utmost," they said, "for the disintegration of the bourgeois army."⁹⁴ Sirola, the Finnish delegate to the congress, stressed this fact when he said: "It is the task of the proletariat to unmask the war policies of the bourgeois and the social democrats. This must particularly be carried on in the army."⁹⁵

Although the communists recognized that England's main strength in the sphere of war was its sea power, representatives of the Communist Party of Great Britain admitted at the congress that prior to 1928, the party had failed to conduct work among British sailors on other than a limited basis. Touchstone of the navy campaign had been a somewhat modified form of the *Soldiers' Immediate Demands* called *The Sailor's and Marines' Progress*.⁹⁶ "We must intensify our work in the navy," they said:

"And do everything in our power to build up communist groups there, carrying on systematic agitation amongst the sailors to develop a real ferment so that in the event of war we can look to the navy as well for definite fighting action against the attempts of the capitalist class to plunge the British workers into another capitalist war."⁹⁷

The British communists also announced at the congress that they had a separate action program for British airmen under development.⁹⁸ However, they admitted that although emphasis had been placed on making disintegration and demoralization work in all the armed forces a routine activity to be undertaken by every member of the communist movement, this work was still generally considered to be something "outside" of the daily party and league routine. The average English communist, party officials complained, did not understand the "urgent necessity" for carrying on such work.⁹⁹

The discussions carried on throughout the congress attempted to pinpoint the cause of past failures in the Comintern's antiwar campaign. During the crisis in the Orient, it was noted, not a single ship had been prevented from sailing out of European or American ports. To the Comintern this suggested that there was a lack of attention to work in the seaport towns:

"It is a fact that at the present time, while none of our parties have big sections and exercise influence in many industrial centers, there are many harbor towns and sea port towns where party organizations do not exist or where their influence is nil or infinitesimal. It is necessary, if we are seriously going to make the revolution against the imperialists, that we pay more attention to the local organization of the party in such a way that the party's influence will be felt, not only in the industrial centers, but also in the harbor and seaport towns, where they

may be great potentialities for work among the sailors, which is an essential part of our antiwar work."¹⁰⁰

It was also suggested that the scope of antimilitarist work had been too narrow, and that the antiwar campaign should have placed greater emphasis on work in the trade unions:

"Unless we find a way to go to the workers we too may be responsible for a certain passivity which may lead the workers into the camp of the fascists. Therefore it is necessary not only to carry through antiwar propaganda inside the armies, inside the air forces, and in the navy, but also among the broad masses of the workers."¹⁰¹

The manner in which the communist parties treated partial demands also received severe criticism from the congress. Among other tasks, it was concluded, the communist parties still had to learn how to bring forward the partial demands for the men in the fighting forces and this is coincident with the failure of many sections to undertake systematic anti-war work of a mass character. It is not sufficient simply to send one or two young communists in the bourgeois armies for the purpose of spreading propaganda but we have to learn how to link up the grievances of the sailors, soldiers, recruits and those in the air forces with the demands of the industrial workers outside the forces and conduct the mass propaganda in the army.¹⁰²

Lenin once expressed the opinion that the creation of illegal organizations afforded the communists the only possible way of continuing their revolutionary work after the outbreak of war. The sixth congress enlarged on this theme, stressing that illegal organizations were particularly necessary in the antiwar struggle before war began:

"We cannot speak about bringing about the disintegration of the bourgeois armies until we know how to penetrate the bourgeois armies, how to conduct the propaganda within them in the most skillful way . . . it is fundamental for a Leninist party that we should have parallel with our legal organizations, which we must never voluntarily abandon, our *illegal apparatus*."¹⁰³

If war came, the Comintern reasoned, it would be difficult for communist parties to insure the continuation of their illegal activity:

"Unless we strengthen our illegal apparatus many of our parties will be found sadly wanting the day war is declared, and cease to function as communist organizations. During a war, outside the Soviet Union, we shall all be under conditions of illegality. It is therefore necessary that we prepare our apparatus now."¹⁰⁴

Bukharin, as spokesman for the Comintern, also emphasized the importance of building a strong foundation for underground organizations in the armed services. He noted that considerable experience in organizing clandestine military apparatus had already been gained in Italy where fascism forced the communists to work under conditions of complete illegality.¹⁰⁵ Communist determination to undermine Italian military power found its impetus not so much in the threat which fascism posed to communism internally within Italy—as in the fear that Italy, the only major force in southern Europe, had Balkan aspirations contrary to the interests of the Soviet Union. The establishment of communist nuclei for work in the armed forces thus became the chief task of the Communist Party and Young Communist League of Italy.

In Bulgaria, the antimilitarist work of the military section of the Balkan Communist Federation was carried out under the personal cognizance of Georgi Dimitrov who later became general secretary of the Comintern. Speaking at the sixth congress, Dimitrov said:

"The work in the army, particularly among the recruits, naturally acquires special significance. This work must be conducted with

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the aim of disintegrating the capitalist armies in order that in the event of war breaking out, the soldiers shall turn their weapons against the dominant class."¹⁰⁸

This theme reoccurs frequently in the agitational appeals, leaflets and pamphlets which the Balkan Communist Federation issued in the name of its participating parties. But Bulgarian communists did not depend on agitational appeals and propaganda leaflets alone to create support for their program in the armed forces.¹⁰⁷ The Bulgarian antimilitarist program received broad support from the central organ of the local communist party, *Rabotnicheski Vestnik*. In addition, a special antimilitary newspaper, the *Red Soldier*, was widely disseminated among the Bulgarian soldiers and sailors.¹⁰⁸ Communist youth leagues were also active in promoting dissension among the national minorities in the Bulgarian armed services.¹⁰⁹

Although the sixth congress recognized the growing importance of nationalist movements, the Balkan Communist Federation considered that insufficient attention had been devoted by the Comintern to defining the character of the national liberation wars in capitalist countries. Bulgarian communists interpreted mobilization as an attempt on the part of the bourgeoisie to paralyze the national revolutionary movements. Once nationalist forces had been absorbed into the armed forces, they lost their natural cohesion, and could easily be disrupted and scattered throughout the country. Mobilization, then, should be the signal for communist action. Although the general situation might not be openly revolutionary, the Balkan Communist Federation counseled its members, certain slogans addressed to the minority groups and separatist organizations should be raised whenever a general mobilization was decreed: "Do not go into the barracks, but take to the mountains! Organize yourselves and start the national guerrilla war in the rear of the army!"¹¹⁰ Thus even as early as 1928 the concept of guerrilla warfare as a basic communist technique was firmly established in the Balkans.

An obscure communist story features a revolutionary sailor who keeps insisting that "things" be carried out "on an international scale."¹¹¹ Bukharin drew laughter at the sixth congress when he referred to this story. "In this comical characteristic: 'on an international scale,'" Bukharin observed, "there is nevertheless great revolutionary pathos, the expression of which is already moving great masses of the international working class."¹¹² However, when the delegate of the Communist Party of China raised the same argument at the congress, there was no laughter. The main tasks of the international proletarian, he insisted, were to oppose the sending of gunboats and the transportation of imperialist troops to the colonies . . . to send capable party members to the imperialist armies and navies in the colonies to do organizational and propaganda work, and to send comrades to the brother parties in the colonies to help them do antimilitarist work in the armies.¹¹³

"From the experience of our work in the armies," the Chinese delegate continued, "we feel that . . . our brother parties in the west . . . should intensify their work in the armies."¹¹⁴ The five main points of antimilitarist work, he continued, were—

(a) To send systematically organized party members and proletarian groups into the army (this is easier in countries where there are voluntary and mercenary armies); we must especially enter the strategic departments of the army;

(b) If we cannot become soldiers, we should apply for canteen work or odd jobs in the army which are particularly fit for propaganda work;

(c) Party nuclei and soldiers' committees should be set up in the army;

(d) Much emphasis should be placed on creating and developing similar organizations in the navy;

(e) Propaganda and agitation in the army should be considered as continuous and every day work.¹¹⁵

The Chinese delegate also stated that the illegal party nuclei, which were essential "so as fundamentally to shake the foundations of the imperialist army," should propagate defeatism among the soldiers.¹¹⁶

Emilian Yaroslavsky, one of the soviet's foremost theorists on revolutionary antimilitarism, attended the sixth congress as the representative of the Communist Party of the Soviet Union. On August 6, 1928, at the twenty-third session of the congress, Yaroslavsky spoke at length concerning the basic communist doctrine governing work in the armed forces under both legal and illegal conditions. His over-all remarks, as well as his description of bolshevik work in the Russian army before the October revolution, paralleled the statement of antimilitarist doctrine which he had set forth in his earlier pamphlet on the same subject. However, his observations on the winning over of the soldiers, on the necessity for communist work among the colored troops, and on the situation in Germany were new.

Lenin, Yaroslavsky pointed out, had insisted on the necessity for winning over the soldiers. "To win over the army," Yaroslavsky explained, "does not merely mean to carry on propaganda and agitation but it means also that an organized force must be established in the army which will be able to win over the wavering soldiers at the necessary moment."¹¹⁷ Communist parties engaged in such work, Yaroslavsky noted, were doing it "somewhat timidly" and without sufficient "boldness to be able to create the revolutionary feeling which would stimulate the masses to come over to our side."¹¹⁸ There was, he noted, a correlation between the revolutionary spirit of the troops and the revolutionary spirit of the masses:

"The awakening of a revolutionary spirit among the troops has a very good effect upon the masses of the peasantry and particularly among the masses of the workers. There is hardly a greater revolutionary factor than a mass movement among the troops. Such movements revolutionize the masses of the workers. When the proletariat begins to realize that although it is unarmed as yet it has the sympathy of the troops, that it has the support of the army or at least a part of it, it more boldly sets out to achieve its revolutionary tasks and aims."¹¹⁹

In his writings, Yaroslavsky had previously pointed out the necessity for exploiting the national and religious differences which existed within the armed forces. At the sixth congress, he stressed the potential offered by racial differences. The idea was not original. Lenin, speaking at the second congress of the Comintern, had noted that colored soldiers from the colonies had been used by France during the war of 1914-1919.¹²⁰ The opportunities which racial differences among the troops provided for agitation had also been discussed in the theses on tactics adopted by the third congress in 1921.¹²¹ "In view of the danger of war," Yaroslavsky said:

"It seems to me that we must devote more attention to the colored troops. There is not the slightest doubt that if we have another war, even if only on the scale that commenced 14 years ago, it will affect the broad masses of the peoples inhabiting the lands oppressed by imperialism. Troops will be brought from Africa and Asia for the purpose of suppressing the proletarian masses of Europe and of the Soviet Union. We are confronted by a great task. We must develop our work in these countries to such a level that these people even now, before the decisive moment arrives, before they are called upon

to suppress the labor movement in Europe and the proletariat in the Soviet Union, shall emancipate themselves from their slavery in their own country. We must make them understand that when they will be called upon to shoot down the workers they must not only refuse to do so but that they shall use the weapons that are being given them to help the revolution against the imperialists."¹²²

Pride of authorship, even in old bolsheviks, cannot be dimmed. Yaroslavsky voiced his regret that the experience and activities of the bolsheviks before the October revolution had not been widely studied by all the communist parties. Perhaps the blame, he suggested, rested on the bolsheviks because they had not carried on sufficient propaganda to make their experience known. Yaroslavsky therefore recommended that the sixth congress direct the executive committee of the Comintern to publish the necessary literature on this subject, particularly literature that will acquaint the communist parties with the experience of the bolsheviks in their revolutionary work among the armed forces and also literature dealing with the manner in which propaganda among the troops was carried on during the imperialist war. A whole series of pamphlets for the various countries must be published in order to make this work among the armed forces a very serious matter, for without it real preparations for the fight against imperialist wars are impossible.¹²³

Throughout his speech, Yaroslavsky emphasized the necessity for systematically organized work within the armed forces. In particular, he singled out for comment the German communists for the recent organizational advances which they had made:

Notwithstanding the fact that many communist parties are today in much better circumstances than we were placed at the time, we have to admit that up till now only a few communist parties have established any kind of military organization similar to the one our party had in the period of the first revolution and particularly in the period of the second revolution. Our party certainly did not have an organization like the *German Red Front Fighters*. An organization of such dimensions and such possibilities of development has not existed hitherto and certainly could not be established in conditions of illegality.¹²⁴

"Nevertheless," Yaroslavsky cautioned, "even the German communist party must seriously take up the question of organizing its work in the regular army."¹²⁵

Ernst Schneller, the communist publisher, represented the Communist Party of Germany at the sixth world congress. In his remarks to the congress, Schneller stated that the forces of reaction were attempting to prohibit the antimilitarist work of the German communists. These same forces, he said, were working against communist activity in the police and in the Reichswehr.¹²⁶ Schneller asserted that it was much more difficult to carry on antimilitarist work in Germany than elsewhere. This was due, he explained, to the system by which the military forces in Germany were recruited. However, he continued, there absolutely exists a possibility of working even in a mercenary arm like the German Reichswehr, although this work is very difficult, if there is the proper attitude towards the army as well as towards the militarized police forces—among the party generally and among the proletariat outside of the party.¹²⁷

The importance of developing organizations which could be adapted to various situations was also stressed by Schneller: "Comrades, we must certainly take advantage of the different possibilities arising in connection with war conflicts. We cannot rely entirely upon one particular situation, we must adopt our organizations to the different possibilities."¹²⁸ Schneller noted that in previous congresses, the "fraternization of the imperialist armies with the Red Army in the shape of going over to the Red Army, was

represented as one of the most essential tasks. Let us work in this direction throughout our whole activity."¹²⁹ Communist doctrine stressed the importance of organization in carrying out both legal and illegal work against the armed forces. Schneller emphasized that both forms of work were being combined in Germany in order to arouse the revolutionary initiative of the proletariat.¹³⁰

At the sixth congress, the agitation and propaganda work of the Communist Party and Young Communist League of France in the French navy was described as a "serious struggle" carried out on a "large scale."¹³¹ This work, it was prophesied, would probably be the most important weapon of the Comintern for the disintegration of the armed forces when the "inevitable" war came.¹³² According to Henri Barbe, the French communists based their antimilitarist policy not only on work for the disintegration of the armed forces but also on a special policy and tactics of disintegration of the vast cadre military force which was being developed by France.¹³³ Their antimilitarist work carried on inside and outside of the French armed forces had been successful, he said, and basic *amicales* (i.e., organizations of sympathizers) had been created in both the army and navy.¹³⁴ Barbe also stated that among the broad masses in France there existed no activity which was not based on general agitation and propaganda in combination with what he described as "the most difficult revolutionary work in the imperialist army and navy."¹³⁵ He explained:

"In this mass work our party has not contented itself with this general agitation against the military laws of French imperialism. The most important part of the work, which has given the best results, was the propaganda of our party in the army and in the navy. This struggle is based not only upon the general discontent of the soldiers and sailors, and it is not directed merely generally against the military laws, but also above all on a combination of partial demands of the soldiers and sailors with the slogans of our party in the struggle against imperialist war."¹³⁶

In 1928, the communists organized 60 demonstrations in the barracks and aboard ships of the French navy.¹³⁷ The communists asserted that these demonstrations among the sailors were not the result of opportunism but represented carefully planned manifestations carried out by the mixed commissions of the party and league.¹³⁸

One of the more important subjects discussed at the sixth congress was the adoption of a new program for the Comintern. French communists were influential in securing a stronger formulation of the passage on antimilitarism than had appeared in the original draft of the proposed program. Stressing the fact that antimilitarism and antiwar work had been very much underestimated by all of the communist parties, the French communists moved for a definite statement in the program recognizing that antimilitarist work implied not only a question of propaganda in the armed forces but also of revolutionary organizational activity as well.¹³⁹ They also emphasized the concept that work against military organizations had to combine both political and economic demands.¹⁴⁰

The program of the Communist International

Many authorities consider that the Program adopted by the Communist International at its sixth world congress on September 1, 1928, constitutes the preamble of the *Mein Kampf* of communism.¹⁴¹ However, there was little in the Program that had not been promulgated previously in the platform, theses and resolutions adopted by earlier congresses of the Comintern. What makes the Program important is its positive reaffirma-

tion of the fundamental doctrine underlying communist strategy and tactics for the world proletarian revolution. Few documents of modern history have been so outspoken in espousing violence.¹⁴² Certainly none has greater import for the world in which we live today, for the Program has not been superseded and presumably still guides the international communist movement in its quest for power.

The fundamental thesis offered in the introduction to the Program of the Communist International was that imperialism, the "epoch of moribund capitalism," accentuated all the contradictions of capitalist society. This intensification of the struggle between capitalist states would "inevitably" give rise to international wars which in turn "inexorably" would lead to the world proletarian revolution.¹⁴³ In the communist world governed by "inevitably" and "inexorably," revolutionary antimilitarism was still the primary motivating force of the historical imperative.

The Program, in keeping with the precedent established in the original platform adopted by the first congress of the Comintern on March 4, 1919, was explicit on the point that the conquest of power required the disintegration of the organized military forces of the state:

"The conquest of power by the proletariat is the violent overthrow of bourgeois power, the destruction of the capitalist state apparatus (*bourgeois armies, police, bureaucratic hierarchy, the judiciary, parliaments, etc.*), and substituting in its place new organs of proletarian power, to serve primarily as instruments for the suppression of the exploiters."¹⁴⁴

The Program also described the new organ of proletarian power which was to replace the military pillar of the capitalist state:

"The soviet state completely disarms the bourgeoisie and concentration all arms in the hands of the proletariat; it is the *armed proletarian state*. The armed forces under the soviet state are organized on a class basis, which corresponds to the general structure of the proletarian dictatorship, and guarantees the role of leadership to the industrial proletariat. This organization, while maintaining revolutionary discipline, insures to the warriors of the Red Army and Navy close and constant contacts with the masses of the toilers, participating in the administration of the country and in the work of building up socialism."¹⁴⁵

In the event of a revolutionary upsurge, the Program stated, all branches of the communist party must concentrate their agitation and propaganda in support of a mass action. This mass action, it indicated, would begin with a combination of strikes and demonstrations, and would progressively pass through a stage of strikes and armed demonstrations into a condition of general strike and armed insurrection against the power of the state. Armed insurrection, the Program reiterated, was the supreme form of struggle, which must be conducted according to the rules of military science, it presupposes a plan of campaign, offensive fighting operations and unbound devotion and heroism on the part of the proletariat. *An absolute essential prerequisite for this form of action* is the organization of the broad masses into militant units, which by their very form, embrace and set into action the largest possible number of toilers (councils of workers' deputies, soldiers' councils, etc.) and *intensified revolutionary work in the army and the navy*.¹⁴⁶

The fundamental task of antimilitarist strategy and tactics in relation to the colonial question were summarized in precise terms:

The communist parties in imperialist countries, while supporting the struggle preceding in the colonies, must carry on a campaign in their own respective countries for the withdrawal of imperialist troops, conduct propaganda in the army and navy in defense of the

oppressed countries fighting for their liberation, mobilize the masses to refuse to transport troops and munitions and, in connection with this, to organize strikes and other forms of mass protest.¹⁴⁷

The importance of the struggle against imperialist war, itself the subject of a separate resolution adopted at the sixth congress, was also re-emphasized in the Program:

The Communist International must devote itself especially to the systematic preparation for the struggle against the danger of imperialist wars. Ruthless exposure of social-chauvinism, of phrasemongering intended to camouflage the imperialist plans of the bourgeoisie; propaganda in favor of the principal slogans of Communist International; everyday organization work in connection with this, in the course of which legal methods must unfailingly be combined with illegal methods; *organized work in the army and navy*—such must be the activity of the communist parties in this connection.¹⁴⁸

The Program also rededicated the Communist International to the support of the revolutionary struggle in colonies, semi-colonies and "dependencies." The "dependencies" was a new one which the Comintern had coined to describe countries that were financially tied to imperialist countries, but which were politically separate entities. The example cited by the Program was Latin America.¹⁴⁹

The sixth world congress was the first party congress at which Latin American countries were widely represented. A new area of conflict had been brought into the "orbit of influence" of the Comintern. At the congress, the Comintern declared that turning Latin America into a "reserve force of the proletarian revolution" was one of the most important tasks facing the communists.¹⁵⁰ Communism has existed in Latin America almost since the founding of the Third International. Communist parties and illegal communist groups began making an appearance there in 1920. However, the native communist movement developed slowly, receiving but little support from the Comintern which apparently attached only minor significance to Latin America as a potential arena for proletarian revolution. Even Lenin, whom little escaped, seemingly ignored the area in his writings on the national question, while Stalin, the Comintern's expert on national and colonial problems, made only cursory remarks about Latin America during this early period. Moreover, although Spanish-speaking communists repeatedly complained of the Comintern's failure to assist them in gaining theoretical knowledge of communism through literature printed in their own language, even the more important directives of the Comintern were not printed in Spanish until after 1928.¹⁵¹

In its theses on the revolutionary movement in the colonies and semi-colonies, the sixth world congress further declared that American imperialism was transforming Latin America into "one of the most important junction points of the antagonisms of the whole imperialist colonial system."¹⁵² Latin America had become the "hinterland" of American imperialism, and it was here that the United States was most vulnerable, for "without a 'quiet' hinterland it is impossible for the imperialists to wage war."¹⁵³

The masses of the workers in Latin America at the present are in a general stage of unrest and demand an improvement in their economic conditions. Our task is to rouse these masses for a fight for the improvement of their economic conditions and also to get them interested in the war problem. By this we shall create concrete possibilities for resisting the imperialist war against the U.S.S.R.¹⁵⁴

Therefore, all communist parties were directed to participate actively in all revolutionary mass movements against imperialism, for, the theses predicted, Latin America was on the brink of a series of proletarian wars

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and rebellions against American imperialism.¹⁰⁰ Slogans for the coming battle against imperialism in Latin America were to emphasize the following themes: confiscation of foreign enterprises; expropriation without compensation of the big plantations and ranches; repudiation of state debts; liquidation of imperialist controls; introduction of the eight hour day; the arming of the workers and peasants; the conversion of the army into a workers' and peasants' militia; and the establishment of Soviet power of the workers, peasants and soldiers in place of the class rule of the church. The fundamental prerequisite for the success of the whole revolutionary movement in Latin America, the theses added, lay in the ideological and organizational strengthening of the communist parties and in their connection with the toiling masses through the mass organizations.¹⁰¹ This meant an intensification of antimilitarist work in the armed forces of all the Latin American countries. "Our work in the army," said Peluso, the spokesman for the special secretariat which had been established in April, 1925, to coordinate the activities of the Federation of Latin American Communist Parties, "must be carried on more intensively than before and directed along antiwar lines."¹⁰²

Responsibility for the direction of the antimilitarist program was divided between the Caribbean and the South American bureaus, the two permanent organizations especially established by the Comintern to monitor all communist activities in Latin America. The Caribbean bureau exercised control over all countries of Central America, including the Panama Canal Zone and the islands of the Caribbean, while the rest of Latin America was under the cognizance of the South American bureau which had its headquarters in Buenos Aires. The Caribbean bureau received active support for its work from the Communist Party of the United States in the form of funds and equipment. Although one of the tasks assigned to the Caribbean bureau was the development of strong communist parties in the Central American countries nearest the strategically important Panama Canal, subsequent events indicate that its primary effort was actually concentrated on the raising of the revolutionary standard in Cuba.¹⁰³ The prospect of a communist victory in Cuba was doubly attractive to the Comintern. Victory there would have meant the establishment of a secure base for future operations of revolutionary activity throughout Spanish-speaking Caribbean America. It would also have been an important blow against the United States which held strategically important naval base rights at Guantanamo Bay. The South American bureau of the Comintern was also active during this same period in an attempt to achieve a victory for communism in Latin America. Its activities were carried out on a somewhat broader scale than those of the Caribbean bureau, and reflected a more thorough organizational approach to the problem. Although it subsequently carried on antimilitarist work with minor successes among the armed forces of Brazil and Colombia, its primary effort was concentrated in Argentina and Chile where some preliminary ground work had already been carried out prior to the sixth congress.

Blueprint for action

Although the sixth congress has generally been published for its codification of the Program of the Communist International, its real significance derived from its adoption of revolutionary antimilitarism as a means for achieving the conquest of power by the proletariat. How this was to be accomplished was detailed in the Comintern's resolution on *The Struggle Against Imperialist War and the Tasks of the Communists*.¹⁰⁴

The resolution provided the most authoritative and detailed statement of communist

war strategy and tactics ever promulgated by the Communist International. It was the communists' blueprint for action during and preceding the revolutionary crisis. No other single document has played such an important role in the formulation of the communist antimilitarist program.

The resolution followed Clausewitz's thesis that war is the continuation of the politics of certain classes by "other" means. Marxian analysis of war clarified the position of the revolutionary proletariat, in principle and in tactics, towards various types of wars. Three types of wars were defined: wars between imperialist states, of which the world war of 1914-1918 was a classic "example"; wars of imperialist counterrevolution against the proletarian revolution, or against countries in which socialism was being built, e.g., the wars of intervention against the Soviet Union after the October Revolution; and national revolutionary wars, especially of colonial countries against imperialism, e.g., the Chinese revolution.¹⁰⁵ The proletariat should fight against the wars of the first type using defeatism and the slogan "transform imperialist war into civil war." This same position, in principle, was also to be taken on the second type. However, the proletariat should support and conduct the third type of war, the national revolutionary war. Although the proletariat championed the "abolition" of war, it could not be against every war. War was inseparable from capitalism, but the "abolition" of capitalism was impossible "without force, without armed uprising and proletarian wars against the bourgeoisie."¹⁰⁶

The communist struggle against imperialist war was inseparable from the proletarian struggle for the overthrow of the bourgeoisie. Although the communists accepted that imperialist war was inevitable under the rule of the bourgeoisie, they were committed by the resolution to persist in their fight against it and in their attempt to prevent it. If unable to prevent the outbreak of imperialist war, the communists were to work for its transformation into civil war.

The resolution defined the first duty of the communist in his struggle against imperialist war before its outbreak as the waging of "a determined political and ideological fight against pacification." It also outlined a number of fundamental agitational and educational tasks which were to be closely linked up with the revolutionary work of the communists among the masses, e.g., antimilitarist activity and work in the army and navy. These included the consideration of labor activity in those industries which supported the war effort; the linking of the imperialist war danger to agrarian and national revolutionary movements; the conduct of special antiwar work among the peasants who constituted the bulk of the armed forces in most countries; the conduct of work among the youth, especially among the working youth, and against their militarization; the conduct of work among women in industry and among the wives of the workers.¹⁰⁷

The resolution quoted Lenin's dictum that "the only possible way of continuing revolutionary work after the outbreak of war is the creation of an illegal organization," but emphasized that an illegal organization was also necessary in the anti-war struggle before war broke out.¹⁰⁸ Preparations for transfer to underground conditions were to be made before the need arose; otherwise it would be too late. The necessity for communists to link legal with illegal work, and to establish illegal organizations before the outbreak of war had been emphasized by Bukharin in an address to the sixth congress: "It is necessary now to lay the foundation of our underground organizations, particularly in the army and navy, etc. Otherwise, events will take us by surprise and because of lack of preparations we will suffer great losses."¹⁰⁹ Bukharin warned that the question of illegal organizations, including the question of

legal and illegal connections in the army and navy, was an acute one:

This task must be brought to the forefront of our attention and dealt with thoroughly. We cannot confine ourselves to generalities. We must work out concrete instructions for our daily practical work and these instructions must be registered.¹¹⁰

"You will understand why," he concluded, "I cannot go into details, give advice and instructions here."¹¹¹

The revolution emphasized five main points in the communist political program which governed propaganda and mass action work during imperialist wars. These were rejection of the catchword expression "national defense" used by the "petty bourgeois" to justify imperialist war, work for the defeat of the home imperialist government, revolutionary defeatist work on an international scale in all belligerent countries, transformation of the imperialist war into a proletarian civil war, and the use of the slogan "proletarian revolution."¹¹² In wars staged by the proletarian state against imperialism, the proletariat was to defend its socialist fatherland just as it defended its country in national revolutionary wars; but in an imperialist war, it was to reject the expression of "national defense" because "the proletariat has no country until it has captured political power and has taken the means of production from the exploiters."¹¹³

The transformation of the imperialist war into civil war required revolutionary mass action both in the rear and at the front. Mass action in the rear included demonstrations and partial strikes; and presupposing the existence of a revolutionary crisis, it might involve transition to armed uprising through the use of the supreme form of mass strike movement, the general strike. Mass action at the front required fraternization of the soldiers in the opposite lines of trenches which would inevitably lead to class differentiation in the armies, to certain forms of soldiers' and sailors' strikes, and to armed conflicts between the officers and their men.¹¹⁴ The central slogan during an imperialist war was to be "proletarian revolution" because a "just" peace could not result from an imperialist war without the overthrow of the bourgeoisie and the seizure of power by the proletariat. It was for this same reason that the proletariat were to work for the defeat of the home imperialist government, and for the overthrow of the bourgeoisie in all belligerent countries.¹¹⁵

Systematic revolutionary work in the army was one of the most vital tasks in the struggle against imperialist war. But this work, the resolution pointed out, would be impossible if the workers refused to enter military service. Therefore, the communists were to fight against such "stupid" slogans as "boycott the war" and "strike against war," combatting them with propaganda urging the necessity for carrying on persistent revolutionary work in the bourgeois forces. Communists were not to "boycott" bourgeois armies, but were to enter them for the purpose of taking control, for in the words of Engels, "mass militarization results in the disintegration of all armies from within."¹¹⁶ In countries where strong national revolutionary movements existed, the communists were to form guerrilla forces, and on the outbreak of war, raise the slogan of rebellion against imperialist war.¹¹⁷

Proletarian uprising were to be studied by the masses for the important lessons they contained. These lessons defined the determination, the conditions, and the preparations requisite for rebellion. Rebellion presupposed the existence of a revolutionary situation. The government had to be in a state of crisis, e.g., as the result of a military defeat. In addition, the masses had to feel so oppressed that they were willing and ready to take part in revolutionary mass action for the armed overthrow of the government.

Rebellion was primarily a political problem. It required the leadership of a revolutionary party capable of subordinating its whole activity to the struggle. There had to be a "tried and tested" communist party possessing decisive influence over the masses. But rebellion was not based solely on the communist party. It also had to be based upon the active participation of the working masses, particularly in the trade unions. The workers had to create special organizations for rebellion. They had to take part in the "persistent and intensified" work carried out for the purpose of "disintegrating" the armed forces of the bourgeois state, for the rebellion, from its onset was to be a struggle for the army. *Finally there was to be no playing with rebellion.* Once launched, the rebellion was to be vigorously prosecuted until the enemy had been destroyed. The revolutionary proletariat were to exert their main force against the main forces of the enemy from the very beginning. Any hesitation or lack of determination could only result in their own utter defeat. The rebellion was also to be extended immediately over the widest possible area, but efforts should be made to insure "the superiority of the proletarian forces at the decisive moment at the decisive place."¹²³

The communists were to advance a revolutionary military policy which served the interest of the international proletarian revolution, but no hard and fast rules were to be laid down as to the position to be adopted in regard to all armies in general. The attitude towards the army was to be in accordance with the class and policy the particular army serves: "It is not the military system, or the form of organization of the army in any given state that matters so much as the political role that army plays."¹²⁴ In an imperialist state, armies, regardless of what form their organization took, were considered to be a constituent part of the bourgeois state apparatus, and were to be destroyed.

Communists were to advance the slogan "Arm the proletariat." At the same time, they were to advance and support those partial demands which stimulated the class struggle inside the armed forces and strengthened the alliance between the servicemen and the masses. Among the partial demands which had to be supported were those relating to the defense system: dissolution of mercenary forces, standing armies, police, fascist leagues and other special armed forces for repression of civil war; reduction of the length of the military service period; abolition of compulsory residence in barracks; the right to form committees; the right of labor organizations to train their members in the use of arms; the introduction of the territorial military service system; and the right of a soldier in a volunteer, mercenary army to terminate his service whenever he desired. In addition, there were many demands associated with the legal rights and economic position of the soldiers and sailors which were also supported. These included increased pay, maintenance and family allowances; abolition of compulsory saluting and disciplinary punishments; the right to get married, to wear civilian clothes while off duty, to be absent from barracks, every day, to subscribe to newspapers, to organize in trade unions, to vote, and to attend political meetings; furloughs, and extra pay while on furlough. Special demands corresponding to the particular needs and interests of racial or national minorities in the armed forces, e.g., the use of native language in drilling instructions, military service in the home district for colonial troops, etc., were also to be advanced when appropriate.¹²⁵

The resolution stated that communist parties would be making a serious mistake if they regarded war questions "from the abstract, purely propagandist and agitational point of view," and failed to devote sufficient

attention to their work in the army, for the army was the decisive factor in all wars.¹²⁶ It also noted that only a few sections of the Comintern had taken the necessary organizational measures for conducting systematic antimilitarist work. In some countries, it stated, no attempt had been made to establish an adequate organizational base among the masses of the soldiers, while work among the youth was conducted on too restricted a basis. Nowhere had systematic use been made of family influence upon the men serving in the armed forces. Work among seamen was particularly unsatisfactory: "The fact that work among sailors is not carried on with sufficient energy in imperialist countries shows that the role of the navy in a future war is underestimated."¹²⁷ In discussing the resolution, Comintern representatives emphasized the necessity for intensifying work in the navy, and directed that sailors' programs be developed in all countries possessing naval forces.¹²⁸

One of the last acts of the sixth world congress of the Comintern was to issue a manifesto addressed to the soldiers and sailors of "the capitalist armies and navies." "The Communist International," it stated: "Appeals to all toilers to arise in their own defense. Now at once, day for day, the ranks of the fighters must be set up, the masses of the toilers must be mobilized, loyal messengers of the working class sent into the armies and the fleets of capitalism to prepare the soldiers and sailors to turn their guns, in the hour when imperialism calls upon them to slaughter each other, against the imperialists themselves, the best target during the imperialist war."¹²⁹

FOOTNOTES

¹ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1076-77.

² *Ibid.*, p. 1068.

³ *Ibid.*, p. 1070.

⁴ *Ibid.*, No. 62 (September 14, 1928), 1112.

⁵ *The Communist International Between the Fifth and the Sixth World Congresses*, p. 210; *International Press Correspondence*, VII, No. 47 (August 17, 1927), 1063; *Ibid.*, No. 48 (August 18, 1927), 1081.

⁶ *Ibid.*, VIII, No. 61 (September 11, 1928), 1097.

⁷ The principle of the military strike was formally rejected at the sixth world congress of the Comintern in 1928. (*Ibid.*)

⁸ *Ibid.*, p. 1078.

⁹ *Ibid.*, VII, No. 13 (February 10, 1927), 268; *Ibid.*, No. 17 (March 3, 1927), 349.

¹⁰ *Ibid.*, No. 39 (July 7, 1927), 885.

¹¹ Even as late as 1934, Swedish communists were claiming that in the event of war against the Soviet Union, their country would be the arsenal. (*Ibid.*, XIV, No. 15 (March 5, 1934), 391.)

¹² The recruitment of espionage agents for Russia has frequently been accomplished initially through recruiting for the young communist league or the communist party. The case of Engineer Warrant Officer Ernest H. Andersson, Royal Swedish Navy, illustrates the process. Andersson was recruited into the young communist league shortly after joining the navy. In 1929, he began writing unsigned articles for publication in the *Torpedo*. He also distributed copies of the *Torpedo* among his shipmates. From this he graduated into the communist party, and eventually into espionage for the Soviet Union. (Francis Noel-Baker, *The Spy Web* (New York: The Vanguard Press, 1955), pp. 187-98.)

¹³ *La vague rouge*, No. 7 (July, 1927), 48.

¹⁴ *Ibid.*, No. 5 (May, 1927), 48.

¹⁵ *La revue antilchevistes*, No. 3 (September, 1926), 17.

¹⁶ *Ibid.*, (August, 1926), p. 16.

¹⁷ *La vague rouge*, No. 6 (June, 1927), 28.

¹⁸ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1110.

¹⁹ *Ibid.*, No. 42 (August 1, 1928), 743.

²⁰ *La vague rouge*, No. 9 (September, 1927), 30.

²¹ *International Press Correspondence*, VII, No. 48 (August 18, 1927), 1080.

²² "Y.C.I. and the Struggle Against Imperialist War," *Ibid.*, No. 45 (August 4, 1927), 1014-1017.

²³ *Ibid.*; *Ibid.*, VII, No. 48 (August 18, 1927), 1081.

²⁴ *Ibid.*, No. 45 (August 4, 1927), 1015. The plenum of the Young Communist International later issued a special resolution warning the Young Workers' League of America that they must check their pacifist tendencies "at all costs." (*Ibid.*, No. 46 (August 11, 1927), 1037-1039.)

²⁵ *Ibid.*, No. 48 (August 18, 1927), 1081.

²⁶ *Ibid.*, No. 45 (August 4, 1927), 1015.

²⁷ *Ibid.*, No. 48 (August 18, 1927), 1081.

²⁸ *Ibid.*

²⁹ *La vague rouge*, No. 12 (December, 1927), 24-26.

³⁰ *The Communist International Between the Fifth and the Sixth World Congresses*, p. 414.

³¹ *Ibid.*, p. 418.

³² *Ibid.*, p. 404.

³³ *Ibid.*, p. 461.

³⁴ Brandt, Schwartz and Fairbank, *loc. cit.*, p. 116.

³⁵ *Ibid.*, p. 123.

³⁶ *La vague rouge*, No. 11 (November, 1927), 37.

³⁷ *International Press Correspondence*, VIII, No. 57 (August 31, 1928), 993.

³⁸ The plebiscite was to be held in symbolic October, 1928. (*Ibid.*, No. 51 (August 17, 1928), 901-902.)

³⁹ *Ibid.*, No. 75 (October 26, 1928), 1372.

⁴⁰ Francois Coty, *Centre le communique* (Paris: Bernard Grasset, 1927), pp. 239-99, inc., provided a detailed listing of the communist nuclei known to exist in the French armed forces in 1927.

⁴¹ *La vague rouge*, No. 11 (November, 1927), 3-4.

⁴² *Ibid.*, No. 12 (December, 1927), 2-3.

⁴³ *The Communist International Between the Fifth and the Sixth World Congresses*, p. 148.

⁴⁴ *International Press Correspondence*, VIII, No. 1 (January 5, 1928), 16.

⁴⁵ *Ibid.*, No. 27 (May 17, 1928), 504-505.

⁴⁶ *Ibid.*, No. 38 (July 19, 1928), 698.

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ Meins Neumann, the German communist and expert on armed uprising, was reported to have been the "prime mover" in the Canton insurrection.

⁵⁰ *The Communist International Between the Fifth and the Sixth World Congresses*, p. 452.

⁵¹ Rudin and North, *loc. cit.* p. 384.

⁵² *The Communist International Between the Fifth and the Sixth World Congresses*, pp. 452-56.

⁵³ Harry Joven, "The Lessons of the Canton Uprising," *The Communist*, VII, No. 1 (January, 1928), 24.

⁵⁴ *Ibid.*

⁵⁵ U.S., Congress, House, Committee on Un-American Activities, *testimony of Paul Crouch*, 81st Cong., 1st Sess., (May 6, 1949), p. 185.

⁵⁶ Possony, *op. cit.*, p. 110. Possony provides an interesting summary of Tukhachevsky's contribution to communist doctrine.

⁵⁷ *Testimony of Paul Crouch*, p. 186.

⁵⁸ During the early 1930's, several communists who joined the army managed to be assigned to Panama and Hawaii where they engaged in the special disintegration work which the Soviets had directed. (*Ibid.*)

⁵⁹ The ship selected was the U.S.S. *Oklahoma*. The communists were successful in their attempts to get selected party members into the navy and on board the *Oklahoma* during 1929 and 1930. (*Ibid.*, p. 188.)

⁶⁰ *Ibid.*

⁶¹ A special course in antimilitarist work within the armed forces was given at the Workers' School in New York. This course, which was taught by the leading experts of the party, included instruction on how to do cipher work so that members in service could send coded communications back to communist party headquarters in New York without detection.

⁶² *Ibid.*

⁶³ Budin and North, *loc. cit.*, p. 310.

⁶⁴ John Pepper, "After the Canton's Uprising," *The Communist*, VII, No. 3 (March, 1928), 159.

⁶⁵ According to David Dallin, "at all costs" including the sacrificing of everything, including the Chinese revolution, if need be, to preserve the Soviet Union. (*The Rise of Russia in Asia*, p. 235).

⁶⁶ *International Press Correspondence*, VIII, No. 11 (March 1, 1928), 239.

⁶⁷ *Ibid.*, No. 23 (April 12, 1928), 434.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² Friction between the communist youth league and the parent communist party in various countries has been noted, but this is the first indication that it was a serious problem in the Chinese communist movement. (*Ibid.*, p. 448).

⁷³ *Ibid.*, p. 450.

⁷⁴ *La vague rouge*, No. 18 (June 1928), 35.

⁷⁵ *International Press Correspondence*, VIII, No. 57 (August 31, 1928), 1024.

⁷⁶ *Ibid.*, No. 8 (February 16, 1928), 174-75.

⁷⁷ *Ibid.*, No. 58 (September 1, 1928), 1024.

⁷⁸ *Ibid.*, No. 46 (August 8, 1928), 811.

⁷⁹ *Ibid.*, No. 58 (September 1, 1928), 1024.

⁸⁰ Benjamin Gitlow, *I Confess* (New York: E. P. Dutton & Co., Inc., 1940), p. 473.

⁸¹ *Ibid.*

⁸² *Ibid.*

⁸³ *Ibid.*, p. 474.

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*

⁸⁶ U.S. Congress, House, Special Committee on Communist Activities in the United States, *Investigation of Communist Propaganda*, 71st Cong., 3rd Sess., (January 18, 1931), p. 34.

⁸⁷ Gitlow, *op. cit.*, p. 474.

⁸⁸ *Ibid.*

⁸⁹ *Program of the Communist International* (New York: Workers' Library Publishers, 1936), p. 84.

⁹⁰ Chamberlain, *loc. cit.*, pp. 177-78.

⁹¹ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1081.

⁹² *Ibid.*

⁹³ *Ibid.*, p. 1083.

⁹⁴ *Ibid.*, p. 1092.

⁹⁵ *Ibid.*, p. 1081.

⁹⁶ Kenneth Edwards, *The Mutiny at Invergordon* (London: The Camelot Press, Ltd., 1937), pp. 87-88.

⁹⁷ *International Press Correspondence*, VIII, No. 61 (September 11, 1928), 1069.

⁹⁸ *Ibid.*

⁹⁹ *Ibid.*

¹⁰⁰ "Methods of Struggle Against the Danger of Imperialist War," *ibid.*, No. 58 (September 1, 1928), 1009.

¹⁰¹ *Ibid.*, p. 1008.

¹⁰² *Ibid.*, p. 1010.

¹⁰³ *Ibid.* Italics in original.

¹⁰⁴ *Ibid.*, p. 1011.

¹⁰⁵ *Ibid.*, No. 41 (July 30, 1928), 737.

¹⁰⁶ *Ibid.*, No. 64 (September 19, 1928), 1144.

¹⁰⁷ *Ibid.*, IX, No. 35 (July 24, 1929), 767.

¹⁰⁸ The communist press reported the existence of a Bulgarian government decree of death for military men caught with the *Red Soldier* in their possession as evidence of the success of their antimilitarist program. (*Ibid.*, XIV, No. 8 (February 9, 1934), 219).

¹⁰⁹ *Ibid.*, No. 12 (February 26, 1934), 318.

¹¹⁰ *Ibid.*, VIII, No. 61 (September 11, 1928), 1073.

¹¹¹ *Ibid.*, No. 67 (September 28, 1928), 1209.

¹¹² *Ibid.*

¹¹³ *Ibid.*, No. 64 (September 19, 1928), 1147.

¹¹⁴ *Ibid.*, p. 1149.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

¹¹⁷ *Ibid.*, p. 1152.

¹¹⁸ *Ibid.*

¹¹⁹ *Ibid.*

¹²⁰ Lenin, *Selected Works*, X, 198.

¹²¹ *Theses and Resolutions Adopted at the III World Congress of the Communist International*, p. 29.

¹²² *International Press Correspondence*, VIII, No. 64 (September 19, 1928), 1152.

¹²³ *Ibid.*

¹²⁴ *Ibid.*, p. 1151.

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*, No. 58 (September 1, 1928), 1016.

¹²⁷ *Ibid.*, p. 1019.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*, p. 1018.

¹³¹ *Ibid.*, No. 42 (August 1, 1926), 743.

¹³² *Ibid.*

¹³³ *Ibid.*, No. 58 (September 1, 1928), 1027.

¹³⁴ *Ibid.*, No. 44 (August 3, 1928), 771.

¹³⁵ *Ibid.*, No. 58 (September 1, 1928), 1027.

¹³⁶ *Ibid.*

¹³⁷ Antimilitarist work against the French naval forces in the years immediately after the sixth congress become progressively more important in the communist program. According to communist records, in 1929, 110 demonstrations were organized; in 1930, over 150 demonstrations; and in the first two months of 1931, over 34. (*Ibid.*, XI, No. 36 (July 6, 1931), 660).

¹³⁸ *Ibid.*, VIII, No. 61 (September 11, 1928), 1087.

¹³⁹ *Ibid.*, No. 66 (September 25, 1928), 1198.

¹⁴⁰ *Ibid.*, p. 1221.

¹⁴¹ Possony, *op. cit.*, p. 138.

¹⁴² "The communists disdain to conceal their views and aims. They openly declare that their aims can be attained only by the forcible overthrow of all the existing social conditions." (*Program of the Communist International*, p. 85, quoting *The Communist Manifesto*).

¹⁴³ Chamberlain, *loc. cit.*, p. 149.

¹⁴⁴ *Program of the Communist International*, p. 37. Italics added.

¹⁴⁵ *Ibid.*, p. 39. Italics in original.

¹⁴⁶ *Ibid.*, p. 81. Italics added.

¹⁴⁷ *Ibid.*, p. 84.

¹⁴⁸ *Ibid.* Italics added.

¹⁴⁹ *Ibid.*, p. 83.

¹⁵⁰ *International Press Correspondence*, VIII, No. 46 (August 8, 1928), 820.

¹⁵¹ *Ibid.*, p. 821.

¹⁵² "Theses on the Revolutionary Movement in the Colonies and Semi-Colonies," *International Press Correspondence*, VIII, No. 88 (December 12, 1928), 1675.

¹⁵³ "The Struggle Against Imperialist War and the Tasks of the Communists," *ibid.*, No. 84 (November 28, 1928), 1584.

¹⁵⁴ *Ibid.*, No. 64 (September 19, 1928), 1151.

¹⁵⁵ *Ibid.*, No. 84 (November 28, 1928), 1591.

¹⁵⁶ *Ibid.*, No. 88 (December 12, 1928), 1675.

¹⁵⁷ *Ibid.*, No. 64 (September 19, 1928), 1151.

¹⁵⁸ *El martido comunista y las problemas de la revolucion en Cuba*. (Comité Central del Partido Comunista de Cuba, n.d.), p. 7.

¹⁵⁹ *International Press Correspondence*, VIII, No. 84 (November 28, 1928), 1583-99.

¹⁶⁰ *Ibid.*, p. 1585.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*, pp. 1586-87.

¹⁶³ *Ibid.*, p. 1587.

¹⁶⁴ *Ibid.*, No. 41 (July 30, 1928), 737.

¹⁶⁵ *Ibid.*

¹⁶⁶ *Ibid.*

¹⁶⁷ "The Struggle Against Imperialist War and the Tasks of the Communists," *ibid.*, VIII, No. 84 (November 28, 1928), 1588.

¹⁶⁸ *Ibid.*, pp. 1585-86.

¹⁶⁹ *Ibid.*, p. 1588-89.

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*, p. 1592.

¹⁷² *Ibid.*, pp. 1588-89.

¹⁷³ *Ibid.*, p. 1589.

¹⁷⁴ *Ibid.*, p. 1582.

¹⁷⁵ *Ibid.*, p. 1593.

¹⁷⁶ *Ibid.*, p. 1592.

¹⁷⁷ *Ibid.*, p. 1597. Italics in original.

¹⁷⁸ *Ibid.*, No. 64 (September 19, 1928), 1156.

¹⁷⁹ *Ibid.*, No. 60 (September 6, 1928), 1047-1049.

FREEDOM OF RELIGION

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DRINAN. Mr. Speaker, under the leave to extend my remarks in the Record, I include the following:

FREEDOM OF RELIGION

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; . . ."—First Amendment, The Constitution of the United States of America.

" . . . it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried out by government."—Justice Hugo Black, U.S. Supreme Court.

DEAR FRIEND: In 1976 our nation will be celebrating her 200th birthday. For all of the 195 years since the founding of this country, freedom of religion has stood as an unchallenged birthright of every American.

Now a serious challenge to this freedom has arisen. On November 8 the Congress will be asked to tamper with the fundamental freedoms in our Bill of Rights. I will oppose this effort.

"Now a serious challenge to this freedom (of religion) has arisen."

The pretext for this unprecedented attack on religious freedom is the so-called "school prayer amendment." Sponsors of the amendment claim that it would "restore" the right to pray in our public schools. If this were the case, I would support the amendment. I support voluntary school prayer. But I oppose compulsory school prayer.

The fact is that the right to pray in our schools does not need "restoration" because it has never been taken away. As of today, any child may pray to his God at any time in any public school in the United States. This is as it should be.

What is now prohibited, and what should remain prohibited, is for public officials to establish a state-sponsored prayer and ask teachers in tax-supported schools to lead your children in reciting that prayer. This is what the so-called "school prayer amendment" would do.

I feel very deeply that the only real prayer is voluntary prayer. Whether it is in school, or anywhere else, the real prayer is the one that is offered freely, with conviction. When prayer is simply mouthed, at the teacher's direction, it becomes nothing more than a pious duty which degrades religion in the eyes of the child, and is soon forgotten.

"I support voluntary school prayer."

Even more important than the unfortunate effect of unmeant state-sponsored prayer on children is the extremely dangerous precedent that would be set if Congress approves the first abridgment of our Bill of Rights in the nation's history. To tamper with the First Amendment's guarantee of Religious Freedom is inevitably to call into question the inviolability of the entire Bill of Rights. If the First Amendment can be so lightly discarded, what about the Second, which we have counted on to protect our right to bear arms . . . or the Fourth, which has always protected us from unreasonable search and seizure . . . or the Seventh, which we had thought secured our right to trial by jury.

These Amendments, which together make up the Bill of Rights, lie at the very heart of our democratic system. To gut one of them is to jeopardize them all. And to jeopardize

them all is to remove the thing which distinguishes our great nation from the scores of hapless countries around the world where freedom is but a prayer in the minds of oppressed citizens.

"When prayer is simply mouthed, at the teacher's direction, it becomes nothing more than a pious duty . . . and is soon forgotten."

I believe that the so-called "School Prayer Amendment" is one of the worst pieces of legislation to be proposed in Congress in my memory. I join with religious leaders and educators from South Dakota and across the nation in pledging to oppose it with all the energy at my command. I hope that you will add your voice to mine by sending me a note indicating your opposition to any change in the First Amendment which has guaranteed our religious freedom for nearly 200 years.

You have my thanks for your support.

Sincerely,

JAMES ABOUREZK.

The following is a partial list of clergymen and educators who have stated their independent opposition to the so-called "school prayer amendment."

SOUTH DAKOTA RELIGIOUS LEADERS

Rev. E. O. Gilbertson, District President, American Lutheran Churches.

Bishop James Armstrong, Dakota Areas, The United Methodist Church.

Bishop Harold J. Dimmerling, Rapid City Diocese of the Roman Catholic Church.

Bishop Walter H. Jones, Episcopal District of South Dakota.

Rev. Curtis P. Winkle, President, United Presbyterian Synod of South Dakota.

Rev. Roger Fredrikson, Pastor, First Baptist Church of Sioux Falls.

Reverend Ed Novak, First American Lutheran Church of Sioux Falls.

Dr. Ralph J. Hoffman, South Dakota Conference Superintendent, United Church of Christ.

Reverend John J. McEneaney, St. Joseph's Cathedral.

Rev. Wesley Hunter, Exec. Dir., South Dakota Council of Churches.

NATIONAL RELIGIOUS LEADERS

Reverend Richard J. Niebanck, Lutheran Church of America.

Mrs. Marcus Rohlf, Pres., American Baptist Convention.

General Board of Christian Social Concerns, The United Methodist Church.

Executive Council of the Episcopal Church.

National Council of the Churches of Christ in the U.S.A.

Joint Advisory Committee of the Synagogue Council of America and the National Jewish Community Relations Advisory Council.

Dr. William P. Thompson, Stated Clerk, United Presbyterian Church in the U.S.A.

SOUTH DAKOTA EDUCATORS

Dean James Adams, School of Law, University of South Dakota.

Mr. Robert D. Williams, Educator, Rapid City.

Mr. David Smith, Past Pres., SDEA, Educator, Aberdeen.

A SALUTE TO NIGERIAN INDEPENDENCE

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. CONYERS. Mr. Speaker, on October 1, and throughout this month, the Federal Republic of Nigeria is proudly

celebrating the 11th anniversary of its independence from British colonial rule. The Nigerian people have a great deal in which to take pride. Their Republic has shown great resilience and fortitude in its quest to build a nation from profound regional disparities in tradition, culture, and tribal experience. It is with great pleasure that I heartily congratulate the Federal Republic on the anniversary of her independence. I wish Nigeria and her wonderful people continued success in the preservation of that independence.

Of the many African states, Nigeria is the one I know best. I had the pleasure of visiting there in March. I was impressed and delighted to see the tremendous progress which our Nigerian brothers have made in nation-building. My conversations with their great leaders gave me a new understanding of the realities which an African nation faces. It is sometimes caught between the devil and the deep blue sea of international politics. That the Nigerian ship of state still plies these waters is testimony to its strength and perseverance.

Having achieved political independence, Nigeria is now pursuing economic independence and long-term economic diversification. As one of the world's top 10 oil-producers, her bright economic future is greatly boosted by rapidly growing oil revenues. The low sulphur content and light gravity of Nigerian oil, as well as its proximity to European and American oil markets make it a very desirable product. Nigeria's economy is also assisted by her rank as the world's sixth largest tin producer, the largest in Africa, and as the most important producer of colombo, supplying approximately 95 percent of the world's industrial requirements.

Nigeria's foreign trade has risen steadily since 1945. The external trade balance has consistently registered a surplus. More recently, the export volume has increased, the value of merchandized exports has gone up, and the quantity of imported consumer goods has diminished. These signs indicate that Nigeria's manufacturing industries are rapidly expanding. While it is true that industrial activity is still relatively small, it will provide the dynamism necessary to economic growth because of its potential impact on the character and quality of business expansion and labor skills.

Independence has also brought growth to the field of higher education. Five new universities have been founded with a total enrollment of nearly 11,000 students since 1960. Scholarships for higher education are provided for the majority of university students. These new universities are Ahmadu Bello University, the University of Ibadan, the University of Ife, the University of Lagos, and the University of Nigeria.

Steadfastly, the Nigerian star continues to rise, burning throughout Africa as a beacon of leadership and nationalism. Some in the world would see that star fade, just as others of ill-will would see the sun set on equal opportunity and justice for blacks and other minorities in America. Though the experience of black Americans and Nigerians is diverse, we nonetheless share a common African heritage. With our brothers, we share a

common struggle for freedom and justice. We will pursue that struggle as people of two great but different nations. And we will persist until we achieve the political and economic emancipation of all our citizens from neocolonialist oppression and racism.

Africa's new nations have awakened black hopes everywhere. African-Americans in particular have been encouraged and inspired by Nigeria's achievements in nation building. It is our sincere desire that Nigeria continue to remain strong and free. It is our firm wish that in the future the international political community would assure the rights of this nation to pursue its own course.

Nigerian achievements have appropriately become a subject of study and emulation throughout the free world. Courage, dignity, perseverance, the appreciation of an indigenous culture—these have been the hallmarks of Nigerian independence. We see through your example the potential for a better life for all men in a world of peace. I am certain that my black colleagues in the Congress and your African-American friends and admirers everywhere share these sentiments. We salute you and wish you continued success.

THE SLUM PREVENTION ACT OF 1971

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. MIKVA. Mr. Speaker, in my district, there is a neighborhood just a few miles south of Chicago's Loop known as Woodlawn. Like most neighborhoods in modern urban America, Woodlawn has a set of statistics attached to it. The statistics about Woodlawn, compiled in a series of investigative reports on the community by the Chicago Daily News, are dramatic and compelling. Since January 1970, almost 400 buildings have been abandoned, burned, or demolished in Woodlawn. Last year alone, there were 1,600 separate fires in the community. Six people died in those fires. In the last 4 years, 30,000 people have left Woodlawn—or been driven out by fires, fears, or frustration—and now, with the critical housing shortage in the country, 2,000 living units stand empty in Woodlawn. Only 35,000 residents remain.

All of this physical destruction and social devastation has happened in a relatively short period of time to one relatively small community—Woodlawn is just 1 square mile out of the whole city of Chicago. It is the final result of an unchecked cycle of urban decay that began in the mid-1950's with overcrowding. The process usually starts with an absentee landlord who has bought an apartment building to make a quick profit. He cuts maintenance costs and increases the number of apartment units to make money as quickly as possible. With tenant services and maintenance reduced, the building begins to deteriorate, and it can decay from shoddy to uninhabitable in a short time.

Building codes are supposed to prevent this kind of negligence, but codes and most other regulations rarely work according to theory. By the time the code violations are caught, by the time the landlord or apartment owner is taken to housing court, the building is a shambles. Tenants begin moving out or stop paying their rent. By then, the landlord cannot afford the necessary repairs, so he abandons the building. Mysteriously, some of the buildings catch fire.

Two weeks ago, a number of public officials, community representatives, and residents joined me for a walk through Woodlawn. The senior Senator from Illinois, Senator Percy, and the Assistant Secretary for Housing and Urban Development, Mr. Floyd Hyde, were two of the people with me who saw the tragic evidence of what can happen to part of an American city in 1971. If anything, the newspaper's statistics do not come close to conveying the devastation and the sense of despair that permeate Woodlawn.

Mr. Speaker, the real tragedy is that Woodlawn is not unique. There are neighborhoods like it in every major city in this country, and it is incredible that we allowed it to happen. On every block, there is evidence that society and the government—local, State and Federal—have failed the cities for the last 10 or 15 years. In too many instances, government programs and policies not only have failed to prevent tragedies like Woodlawn, they unwittingly have contributed to them.

The most glaring example of Federal malfeasance is the manner in which the tax law has actually encouraged speculative investment by slumlords, granting substantial tax incentives to slumlords and encouraging them to purchase rental housing, reap the tax benefits of accelerated depreciation, and then sell the property after permitting it to deteriorate, taking capital loss benefits in the process. The result has been to discourage long-term investment in housing, undercutting an important stabilizing influence in the community. Even worse, if the owner completely milks the property and then abandons it, he gets a bonus under present law by getting a tax writeoff for his efforts.

With the hope of discouraging this and ending the Federal Government's complicity in the deterioration of urban housing, I have introduced legislation which would take the tax incentive out of slumlord speculation. I introduced similar legislation in 1969—in connection with the Tax Reform Act—and again in 1970. Regrettably, the need for such tax reform is even greater now than it was in 1969 and 1970.

The Slum Prevention Act which I have introduced today, and which will be introduced next week in the other body by Senator Percy, could become a major tool in the battle against slums in our large cities. The proposal would cost the taxpayers no money—unless they were slumowners—and might even bring in some revenue to the Treasury—a feature which may make it unique among those that seek to remedy our urban ills. The proposal is to withdraw tax depreciation

allowed under existing law from real property which fails to comply with the health and safety provisions of local housing and building codes. A complementary provision would disallow a capital loss writeoff for abandonment of property which is in violation of such codes at the time it is abandoned. These two provisions could put the Federal income tax laws on the side of slum prevention instead of on the side of slum promotion.

Mr. Speaker, we do not allow a criminal depreciation on the gun he uses to break the law; to my mind there is no reason to allow depreciation to a slum landlord on his noncomplying slum property. The slumlord causes far more social harm than the common thief; but he has the law on his side when he files his income tax return. The owner of urban property which is in violation of local housing and building codes endangers the health and safety of not only the residents of that building, but of hundreds, perhaps thousands, of residents in neighboring buildings.

For this reason it seems to me that we can no longer afford to do without the powerful stimulus which depreciation withdrawal would provide to maintenance of urban property in compliance with local law.

The need for an approach to real estate depreciation allowances such as I propose, Mr. Speaker, can no longer be seriously questioned. In speaking of a special report to the National Commission on Urban Problems, of which he was chairman, former Senator Paul Douglas noted:

Tax provisions not only provide little encouragement for repair but actually may tend to discourage improvements by investors. . . . As the Federal income tax is now constituted, the profitable course for real estate investors is to take accelerated depreciation after purchase, avoid repairs, and sell off their properties within a decade before their tax shelter fades. Continuity of ownership and sound maintenance are inhibited by opportunities for fast gains in this cycle of constant trading.

The conclusion is buttressed by the statements of many noted experts in the field of Federal treatment of real estate taxation. As one expert, cited in the report to the Commission on Urban Problems, put it:

Uncle Sam is a principal cause of the phenomenon known as the slumlord . . . no matter how many violations have been lodged the slumlord may file his depreciation . . . even in an old-law tenement he may take it on an accelerated basis.

Certainly no one would argue that the Federal tax structure is designed to encourage speculation in slum property, but nevertheless that is its result. We must face up to the fact that the income tax laws are to a large extent responsible for the enormous profitability of speculation in substandard urban real estate. Thus, it is tax benefits which are already available to owners of substandard urban property which make it so highly profitable for them to continue to speculate—and to avoid maintaining their properties in accordance with even the minimum health safety standards of local law. We must do something to put the tax laws on the side of urban residents

and city governments rather than on the side of the slumlords.

This brings me to another important point about my proposal—it creates no special exemptions, gives no tax breaks, contributes to no tax shelter. Former Assistant Secretary of the Treasury Stanley Surrey often argued that it was not sound, as a matter of tax policy, to use the Federal income tax laws to accomplish other social or humanitarian goals—however worthy they may be. Such practice, he felt, often resulted in dislocations and inequities in the tax laws which far surpassed in seriousness the original problems sought to be solved. But Mr. Surrey never argued, Mr. Speaker, that the tax laws should create social problems. That is, in fact, what has happened with the depreciation allowances now available on substandard urban property. My bill would not create special tax categories to accomplish slum prevention, but would deny to owners of slum property a tax break which would otherwise be theirs. When the Federal Government is bending every resource to solve the problems of decaying cities, I think we can do no less. It is time to write tax laws which help prevent slums rather than help promote them.

Some proposals have been made to withdraw only accelerated depreciation from urban property. The sponsors of such proposals say that this would slow down the turnover rate—a factor which contributes mightily to slum conditions. But this would still leave the Federal Government in the position of subsidizing slum property owners. I maintain that we should withdraw all depreciation allowances from property which does not meet the minimum health and safety requirements of local law. It has been said that such a rule would put a powerful weapon in the hands of local code enforcement authorities. I say this is a weapon they should have had years ago. It might have helped them enforce health and safety provisions of their codes which under present circumstances are frequently completely ignored. Under most local building codes, violators can even go to jail for their serious violations. They ought not be able to take a depreciation allowance with them.

Mr. Speaker, I should emphasize that I am not advancing the slum prevention act as a panacea which will solve all the problems of slum housing and substandard urban property. As Senator Douglas observed:

Slum housing problems are too complex to be resolved solely or primarily by income tax changes.

The point is that my proposal can help arrest the growth of the slum cancer. At that moment of truth when a property owner can still opt for property maintenance rather than property milking, he ought to know that the risks of milking include loss of a meaningful tax deduction. The decay of our inner city areas is the most pressing domestic problem facing this Nation. In my opinion we cannot afford not to effect this realignment of Federal tax law. It may well be the strongest possible action the Congress could take to show the cities that we do care. At the very least it will put

the tax laws where they should be, on the side of slum prevention instead of slum promotion.

The analysis follows:

ANALYSIS OF SLUM PREVENTION ACT

Section 2 of the bill provides that "No deduction shall be allowed (for depreciation) for a taxable year with respect to non-complying residential property if any part of the violation period for such property falls within the taxable year." The bill then defines "noncomplying residual property" as any residential property which has been determined to be in violation of state or local laws relating to health or safety.

Section 4 disallows any tax deduction for a capital loss "recognized upon the disposition (whether by sale, abandonment or otherwise) during a violation period." This would prevent recapture as a capital loss write-off of depreciation which was not taken before abandonment.

Section 5 of the bill would deny a charitable deduction for gifts of property "donated" to state or local governments if the property was in violation of housing or building codes at the time of the transfer.

The depreciation withdrawal provision applies only to residential property, and only to residential property which is at least ten years old. This latter requirement was inserted in order to exempt buildings which contained structural defects at the time they were built. It was felt that it would not be fair to hold a new owner responsible for these to the extent of forfeiting his depreciation deduction, although of course he would be responsible for repairing them under most local building codes. By the time a building is ten years old, most of the original structural defects will have been found and corrected.

The type of code, the violation of which will result in loss of depreciation allowance, is not limited—building codes, housing codes, electrical codes, plumbing codes, etc., are all included. Only those provisions, however, which affect health and safety will count for purposes of the Act. The taxpayer's determination that a violation for which he has been cited is not a "health and safety" violation will, of course, be reviewed by the IRS and will have to be acceptable to it. Ultimately it is foreseeable that local code enforcement authorities will probably begin to specify which provisions of their codes they feel affect health and safety. Thus it might happen that when a property owner receives notice of a violation from a local housing or building code enforcement agency, the notice would contain the statement "This violation affects health and safety within the meaning of the Internal Revenue Code." Such a determination by the local enforcement authority should carry great weight with the IRS when auditing the taxpayer's return.

If a property owner lost depreciation on one piece of property, he would not necessarily lose his depreciation on all other property owned in the same city, or even the same block. Other property, even if next door, which has regularly been reported as separate property for the purposes of the depreciation allowance would be considered separate property for the purposes of depreciation withdrawal.

Finally, in order to make the depreciation denial sanction meaningful, the Act would require an adjustment to the property's "basis" as if all the depreciation otherwise allowable on the noncomplying property had been taken. Thus the basis of the noncomplying property would be adjusted just as if all the allowable depreciation had been taken, even though it was not taken because of the property's noncompliance. This

safeguard is necessary in order to keep an owner whose property is perennially in non-compliance from gaining the advantage of depreciation by putting his property in compliance immediately before sale, and taking the unused depreciation in the form of a capital loss on sale.

GOOD RELATIONSHIP IN OKLAHOMA

HON. JOHN N. HAPPY CAMP

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. CAMP. Mr. Speaker, I want to share with all of my colleagues an article written by Mrs. Phyllis Hunter which appeared in the October 21 edition of the Oklahoma Hornet located in Waukomis, Okla.

Mrs. Hunter, a constituent of mine, in writing of a personal experience has brought home a point which I think each American should reflect on more often and that is the debt we owe each man in the service of our country.

The article follows:

ARTICLE BY MRS. PHYLLIS HUNTER

It flew low o'er the house, I heard the chop! chop! of its motor, I went on with my work, I'd heard it so often before! Then it returned, and this time it seemed to grow louder! I ceased with my labors and went to look out my front door!

Close to our road, in the pasture, had landed a chopper! Its red light was flashing and the blades were rotating quite slow! There must have been some urgent warning in their helicopter! A green-suited man walked my way and soon I would know!

He knocked on my door, and said, "Pardon me, Ma'am, we're in trouble! May I please use your phone to call in to Vance, my home base?" He relayed where he was to Headquarters—help came on the double! Soon a second chopper had landed near the other ones place!

They stayed for an hour until they had righted the trouble, Revved up the motor to see if again it would fly! Put on their white helmets and seated themselves in the bubble—The blades whirled much faster and they shot up into the sky!

I stood there and watched as the chopper grew fainter and smaller! It had almost returned to its base; I could see it no more. Since their lives had touched mine, I seemed a bit taller! I went back inside, my mood thoughtful as I closed the door!

I pictured the same situation in another far setting, Where in green Asian jungles, they're fighting a terrible war! Where this is a daily occurrence; let's not be forgetting—to rescue those down in the jungle, is a job they're trained for!

For our lives and our very existence, to them we are thankful! The sound of their planes should remind us while they're up above. No nation on earth can invade us and we should be grateful to those who defend, even die for the country they love!

When you meet these brave men on the highways, in homes of this nation, give them a salute and a smile; stop and visit a while. Some day your son may be there in the same situation! Far from his loved ones and someone will give him a smile!

This incident took place on Wednesday afternoon, on the 22nd shortly after 3:00. On Thursday, Sept. 30th, I received the following letter from the Commander of Vance, Colonel Charles E. Woods:

DEAR MRS. HUNTER: The hospitality and generosity you extended to the crew members when one of our helicopters was forced to land in your pasture is genuinely appreciated.

It is the cooperation we receive from "Oklahomans" such as yourself that is the foundation of the friendship and compatibility between local citizens and the people at Vance Air Force Base.

I have not seen a better relationship between military installation and nearby communities than the one we enjoy here. This relationship is more than exemplified by your kind acceptance of an unavoidable situation. You have our most sincere "Thanks."

Sincerely,

CHARLES E. WOODS,
Colonel, USAF, Commander.

INDEPENDENCE FOR CZECHOSLOVAKIA

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DERWINSKI. Mr. Speaker, today is the anniversary of the declaration of independence for Czechoslovakia on October 28, 1918, the first law passed by the Czechoslovak National Council. The council had been established somewhat earlier, with Tomas Masaryk, Josef Durich, and Eduard Benes, Czechs, as president, vice president, and general secretary, respectively. Gen. Milan Stefanik, a Slovak aviator who had fought for France during World War I, also served on the council.

Prior to the declaration of independence, Czechoslovakia had been part of the huge Austro-Hungarian empire. Its collapse began when it became obvious that the central powers were doomed to defeat as the first global conflict hastened toward its end.

Austria fell during the night of October 27 and 28 and several new countries came into being as the conglomeration of territories that had been ruled for centuries by the Habsburgs disintegrated. One of the new nations was Czechoslovakia.

On October 30 a manifesto of the Slovak National Council declared that Slovakia would unite with the Czechs. Masaryk, Benes, and Stefanik proclaimed the republic of Czechoslovakia the same day.

From 1918 to 1935, Masaryk served as president and Benes as foreign minister of the infant republic, the latter becoming president in 1935. National socialism, a satanic force that had gained power in neighboring Germany 2 years earlier, soon took over Czechoslovakia, along with other nations that had emerged from the ashes of World War I. While allied success in the Second World War brought about the annihilation of nazism, a brief interval of freedom ended with the communization of Czechoslovakia.

The oppression and the monumental failure of the Soviet imposed Communist government was so great that a pragmatic group of Communists attempted

to readjust the economy and government structure of Czechoslovakia from within, recognizing that only by disposing of the dogmatic marxist structures and returning to a Western-oriented economy could they improve the living standards of the people. This limited attempt to institute non-Communist reforms was unacceptable to the Soviet Union, and on August 20, 1968, the Russians and the troops of the German, Polish, Hungarian, and Bulgarian puppet regimes forcibly occupied Czechoslovakia and reinstalled Moscow Communist loyalists in the government and the Communist party in Czechoslovakia.

Mr. Speaker, the spirit of Masaryk, Benes, Stefanik, and other lovers of liberty lives on in Czechoslovakia, even though the nation that they established has become one of the numerous colonies of the imperialists in Moscow. The forces that labor in the cause of human freedom will not be denied forever. Let us hope and pray that on some October 28 in the near future the people of Czechoslovakia will be able to look, not backward to the nightfall that marked the destruction of their freedom by Godless communism, but forward to the inevitable sunrise that will herald the return of freedom and independence to their country.

PHASE II AND NEW YORK'S ECONOMY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. HORTON. Mr. Speaker, I applaud the steps taken by President Nixon to curb inflation in our Nation and to set straight the balance between the American economy and that of our trading partners abroad. At the same time, I am concerned that the special problems besetting New York State might require special attention and solutions. I dealt with the economy of New York State and, particularly, of my 36th Congressional District, in a speech I presented earlier this month to a group of businessmen in Rochester, N.Y., and I insert the text of my remarks at this point:

TEXT OF CONGRESSMAN HORTON'S REMARKS AT MEETING OF THE HELMSMEN'S CLUB, VALLE'S RESTAURANT, ROCHESTER N.Y., OCTOBER 8, 1971

With the hectic Washington schedule of Congress these days, I don't get the chance often enough to speak to groups of businessmen in the 36th District. The last time I made a formal address to business executives was in late August when I addressed a meeting of the Newark Chamber of Commerce in Wayne County.

I spoke there about the history of the world economy since World War II, and about the President's new economic policies which were announced on August 15th.

Tonight, I would like to speak primarily about the industrial economy of the Rochester area and New York State, and to touch briefly on the announcements that have been made so far about Phase II of the Nixon economic program. I said in my Newark speech that while the national economic policies were directed at setting straight the

balance between the American economy and that of our trading partners abroad, we in New York State have a special, and more serious problem. For we not only have difficulty competing with imported goods, which have had a devastating impact on local area industries, we also are rapidly losing any competitive advantage over other states and regions of the United States.

This week, I attended a meeting in Washington which was called by representatives of the International Union of Electrical Workers, the Amalgamated Clothing Workers, the Optical Workers and other unions in the New York-New Jersey area whose memberships are dwindling because competition from imports has drastically affected their employers' ability to compete.

The representative of the Electrical and Machine Workers made the point that typewriter plants in the northeast are either closing or laying off substantial portions of their work force due to foreign competition. This added another dimension to the already serious problems of those workers who have already taken the brunt of heavy import competition in the electronic and electrical industries. These, of course, include many product lines in your own company (Singer-Friden).

The clothing workers and optical workers said they too were hard-hit by imports. Their common message was, and I quote: "We don't want unemployment checks, and we don't want welfare checks, we want jobs." And as they spoke, many thousands of their members who have lost jobs after decades of service to their employers could be counted among welfare and unemployment rolls.

Rochester, of course, has been a major producer of clothing, optical goods, electrical and electronic products and others which are feeling this serious pinch from abroad. Names like Fashion Park, General Dynamics and others have already passed from the Rochester scene. Civic-minded investors are now engaged in trying to save 300 of the clothing jobs here that were almost lost when Timely Clothes nearly closed its doors several months ago. Beech-Nut, Mixing Equipment, Sage Electronics are closing plants here, with at least one of these, Sage, moving to the Carolinas. R. T. French just announced it would cease its production operations in Rochester and is building a new facility in Springfield, Missouri. The status of Hickok is still in question, although the firm's new owner has already closed the company's plant in Lyons in Wayne County.

Since 1969 14 companies of major size have closed in the Greater Rochester area. At one point this year, we had a net loss of over 17,000 manufacturing jobs in the Rochester area. As of August of this year, there were 124,300 persons employed in manufacturing in our area, compared with 137,200 in August of 1969. Since the low point in November, 1970, the area has regained only 2,000 industrial jobs.

While the Rochester area unemployment rate does not rank with those of San Diego, Seattle, Buffalo and other hard-hit cities, I feel that the long-term problem we face here is an extremely serious one. Rochester has a history of being almost immune to fluctuations in the national economy and national unemployment. In 1969, we boasted an unemployment rate of under 2%. And at that time, thousands of Rochester workers were earning substantial overtime pay, and many had more than one job. Thus, in effect, the increase in our unemployment rate to close to 5% means a tripling in the unemployment picture in our area.

The problem here is that the kind of unemployment we have experienced is not the kind which will easily bounce back when the national economy heats up again. Lay-offs will, hopefully, be called back to work, but those who lost their jobs due to plant

closings must depend on attracting new firms to Rochester, and on the expansion in Rochester of existing firms. This, then, is the serious question.

Even if the new Nixon policies are successful in improving the competitive position of American industry in world-trade—and I firmly believe we will be successful—will conditions in New York State and in the Rochester area be such that we can expect to share in the benefits of this new international economic balance? Or will U.S. industries, including some that are now located here, be drawn to the south, the mid-west and the far-western region of our country?

You gentlemen can perhaps answer this question better than I can. As businessmen, you know what objective and subjective factors other business executives will weigh in making decisions about the location and expansion of facilities. If the criteria of low-tax rates and lower wage rates are given substantial weight in these decisions, then we in New York, and in other northeastern industrial States, may be in for a long, long economic winter.

Let us, for a few moments, examine the economic, social and political conditions in New York which must be understood before we can tackle this problem. New York has a history of tremendous industrial success. As a State we have given birth to some of the great industrial giants of America: Kodak, Xerox, General Electric, IBM, General Foods, and countless other giants have made our State their major home. The State has a long history of inventiveness, of productivity and of overall prosperity. Just as America today has become a victim of the fact that she fed and nursed, for 25 years, the war-torn and underdeveloped countries of the world since World War II, countries like Japan, Germany, Italy and France which have now become serious and major industrial competitors, so has New York become the victim of national policies since the Great Depression, which have been designed to encourage industrial development, education, transportation and prosperity in the States of our own country which, compared to New York, were poorer States.

While we from New York have been striving to bring national policies around to the fact that States like our own are now in need of help, and have been striving to bring back to our own State a fairer share of the Federal tax dollars we send to Washington. Many Federal programs are still tied to formulas which distribute the tax dollars of New York and other wealthy States, to areas of the country that are still catching up with us.

As you know, there are other side-effects of this problem that are more serious than the mere destination of federal tax dollars. Because we have been a prosperous State, and a State with a social conscience, concerned about good education and about help for the poor, tens of thousands of poor families from the south and from Puerto Rico have flocked here to take advantage of better job opportunities, higher wages and more humane welfare and social policies. Prosperity and high-productivity have also brought New Yorkers a higher standard of living, and with it, a higher cost of living—thus feeding demands for wage rates that will enable New York workers to keep up with these costs.

The fact that New Yorkers are better educated, and are living at a higher standard, together with the migration of poor and unskilled persons to our borders has meant that the demand for services from our State and local governments has also run very high, compared even with neighboring States. Thus, wages rise, taxes rise, government services increase, and the demand for more of everything gets even greater.

We in New York have our own spiral of inflation, and it is a very serious one which may not be licked at the same time that national inflation is licked. This inflation is making it very attractive for companies whose profits are down because of the economic slowdown, of whose profits have completely evaporated. To consider relocation to areas of our country which have not yet caught up with the living standards, the wages and the taxes of New York State.

This situation sounds pretty bleak, but there is one added factor which, in the short-run, makes it even bleaker than it sounds. In a State like New York, a recession places extremely heavy demands on State and local government. When formerly productive workers are on unemployment and welfare rolls, the cost of those programs is added on to the already high costs of state and local government. In the welfare program particularly, the burden on state and county governments is unbearable. For Monroe County alone this year, the welfare budget is expected to equal or exceed \$100,000,000—and the county government pays only 25% of overall welfare costs, with 25% coming from the state and 50% coming from the federal government.

During a recession, when companies profits are down and when they are likely to be looking around for better and more economical facilities and locations, the last thing that will persuade them to stay in New York State is higher tax rates. But, under our State constitution, the Governor really has no alternative. At least his options are so limited as to make higher taxes inevitable. This is because the State Constitution requires, absolutely requires that each year's state budget be in balance. Thus, during a year when tax receipts are down, because of lower profits and higher unemployment in the state, the demand for tax dollars skyrockets because of the costs of added welfare, unemployment, medical assistance and manpower training programs brought on by the slower economy.

Since the Depression on America, the principle has been well established that when the economy slows so that the private sector cannot provide adequate income to large numbers of people, this burden is temporarily shifted to the public sector—to government and to tax dollars. With this added burden, even a state government which cuts non-essential expenses to the bone—can hardly avoid an increase in tax rates, or levying of new taxes and revenue sources—on order to keep up with added demands for tax dollars, and to meet the constitutional requirement of a balanced budget. Of course, once backed into this corner, and once taxes are increased, the state, almost without alternatives, has made the economic and business climate and the prospect for attracting more companies and more jobs even worse.

I say there must be a better way to finance state government—not only in New York but elsewhere. In the Federal government, as you know, economists have long urged and have succeeded in getting Presidents, Senators and Congressmen to realize that government stimulation is needed for periods of sagging economy.

President Nixon, after his first year in office in which he sought a balanced Federal budget, announced last January that he would adopt the concept of a full-employment budget. During recession periods, this means that the Treasury will borrow enough money to bring Federal receipts up to the level they would reach if we had a full employment situation. By another name, this is deficit spending. Hard as this may be to swallow, deficit spending during periods when the private sector is unable to carry the full weight of supporting our population is a virtual necessity in today's complex economy. Of course, during periods of prosperity, deficit spending can be devas-

tating in its inflationary effects, as was shown during the hardest years of the Vietnam War in the late 1960's.

My point is this. If state governments and, in some cases, county governments are forced to pick up some of the burden of welfare and other programs during a recession, why should they be forced to adopt policies that will make the recession conditions in their area even worse. Why should they be forced, while marching to the tune of balanced budgets, to raise taxes at the very time when people and businesses are least able and least willing to pay them—when, in fact, higher taxes for the short run will drive out jobs and job opportunities in the long run?

There are other ways of solving this problem. I have thought of three which should be considered.

First, and this has already been proposed, is the short-run solution of federal revenue-sharing. The Federal government has more and better revenue sources than states and localities. The only problem with revenue-sharing as an overall solution to this problem is that it will provide the states with more money in prosperous years than in recession years. The other problem with revenue sharing is that despite very strong support from the Administration, by state and local government leaders, by myself and hundreds of other Congressmen and Senators, it has yet to be reported out of Committee to the House of Representatives. It looks like the delay in passing revenue sharing will stretch well into next year, so that immediate help for near-bankrupt states and localities seems very dim from this source.

Second, is a solution which only the states themselves can accomplish. That is to remove prohibitions on deficit spending from State Constitutions so that in lean years the states will be able to assist themselves without raising taxes at the worst possible time. Funds borrowed during lean years should of course be paid back to the maximum possible extent during years of higher tax revenues. As it stands now, the only way New York State can borrow major amounts of money is to go to a voter referendum. I commend Governor Rockefeller on the fact that he has been able to convert major transportation and anti-pollution programs to bond-financed programs. This is the only way the State can continue to afford progress and leadership in these important areas without launching into even higher and more unbearable increases in state taxes. While taxes must eventually pay back the bonds, the burden is spread far more evenly and equitably over a period of several years under these bonding programs—particularly during recession years.

Third is a proposal for what I would call an Intergovernmental Reserve Bank, established by the Federal Government. This bank could receive support from Federal appropriations, and from state governments themselves during prosperous years, and could be a source of emergency slow-interest loan funds to state and local governments during lean years. This would be a kind of revenue sharing which could have tremendous impact on state and local budget problems when additional funds are needed most, and it could, if established on a large enough scale, eliminate most of the need for increases caused by increased demands for government services which are related to slow-downs in the economy. It may not, of course, eliminate increases in certain tax rates due to inflation.

As a Federal legislator, I support a program of revenue sharing even larger than sought by the President. I also support the longer-term solution of an Intergovernmental Reserve Bank. I leave it to state officials and to state voters to determine whether or not they want to permit state government borrowing as an alternative to tax increases in years when they are most unbearable and destructive, for this decision is not strictly within my purview as a Congressman.

We must take a serious look at the longer term implications of our economic situation here in New York State. We must move now to make the climate here, for industry, to the extent that government can influence this climate, a healthy and an attractive one.

The march of manufacturing firms out of this state has already gone too far, and Rochester, Monroe County and New York State are already suffering from this exodus. At the beginning of my talk, I said that the real and serious question we must face is whether our state will be in any position to benefit from the rebalancing of the international economy that the President is seeking to bring about through his new economic program. Right now, the answer to that question is a doubtful one for New York State. Businessmen, workers and government leaders have much to lose, and much to gain, depending on how this question is answered in the long run.

As we enter Phase II of the President's program, it is none too early to examine these questions, and to begin to make some hard decisions concerning them. Having reviewed what has been announced so far about Phase II, I think it will be marked by public participation in decision-making, and by fairness, I welcome this. The price, wage and other commissions and councils the President is setting up provide the necessary opportunity for an ongoing input from different sectors of the economy and the public as to what future economic policies should be. It is my hope that all of the inequities that are inevitable in a wage price freeze can be smoothed out and eliminated in the coming period of wage-price restraints, since the very definition of restraint allows for more flexibility than a freeze. I hope particularly that small businessmen, labor and the consumers as well as large firms will be given a fair voice in the decisions that will be made during Phase II. I think the President has been responsive to his critics, and that the structure of Phase II is such that he deserves support from every sector of the economy and the political spectrum.

I, for one, will try to see to it that there is at least some attention directed, during Phase II, to the problems I have spoken of here tonight. For in the long run, while it is the job of the President and Congress to worry about the National economy and the National picture. No policy can be called successful if it does not foster economic improvement in the north as well as the south, and in New York as well as the rest of the country. In addition to policies that will control the rate of inflation, and permit fairer competition with countries abroad, the federal government must be concerned that the slow process of evening out the levels of prosperity among the states does not deal a devastating blow to states like New York, which have a history of industrial productivity, and which have become the victims of their own prosperity and success.

The problems we face economically are so serious that government alone cannot solve them. However, these are problems which cannot be solved without the help of government.

This is the message I wanted to leave with you tonight, and this is the message I am bringing to Administration and Congressional policymakers in Washington. I hope I can count on your support and your own efforts to breathe new life into the economy of the Rochester area and of New York State.

Thank you.

Mr. Speaker, I pledge to do all I can to make sure that attention is directed to the problems detailed in the foregoing speech, for no economic policy can be termed successful if it does not deal with economic problems in all areas of the country. I hope that my colleagues in Congress will join me in this effort.

COMMANDER IN CHIEF JOSEPH L. VICITES APPROVES VETERANS OF FOREIGN WARS PRIORITY LEGISLATIVE PROGRAM FOR 1971-72

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. TEAGUE of Texas. Mr. Speaker, last month the National Legislative Committee of the Veterans of Foreign Wars of the United States met here in Washington. This key committee of the 1,700,000 member veterans organization drew veteran leaders from throughout the Nation to review scores of resolutions approved by delegates to the Dallas, Tex., national convention last August. It was during the convention that the more than 12,000 delegates elected Joseph L. Vicites of Uniontown, Pa., as their national commander in chief.

This young, energetic VFW leader, known to his friends and comrades as "G.I. Joe," has a long and enviable record of service to our country, his community, and to those who have taken up arms in our defense. In his acceptance speech at Dallas, the newly elected VFW commander in chief said veterans benefits will be the battle cry of his organization during the coming year. Surely, this is a crusade worthy of the VFW's ever-increasing membership. There can be little doubt in anyone's mind that the now vibrant VFW will be an even better organization under his dynamic leadership during the coming year.

The main purpose of the meeting of the national legislative committee was to recommend a priority legislative program for this year. The distinguished committee members during the 2-day session greeted such notables as Donald E. Johnson, Veterans Administrator; Dr. Marc J. Musser, VA Chief Medical Director; Ralph T. Casteel, VA Executive Assistant; Olney B. Owen, VA Chief Benefits Director; John J. Corcoran, VA General Counsel; Gus Wallace, VA confidential assistant; Oliver E. Meadows, staff director of the House Veterans Affairs Committee, and Frank J. Brizzi, staff director of the Senate Committee on Veterans Affairs.

Members of the VFW National Legislative Committee are all prominent Americans from various parts of the country. They include: James E. Van Zandt, chairman; Ted C. Connell, Robert E. Hansen, Charles C. Ralls, Heyman Rothbart, vice chairman; Ray R. Allen, Vern Anderson, William P. Beane, Robert J. Bowers, Ray H. Brannaman, Mark D. Buchheit, Dr. John C. Cavender, Cleo G. Clayton, Jr., Jerry Cooper, Arthur J. Fellwock, Ernest D. Ferguson, Leonard E. Friedlander, Morton Fromm, Edgar L. George, Frank G. Hahn, Olen E. Holmes, Joseph Kovac, W. Leroy Maddox, John W. Mahan, Allen J. Martin, Telfair J. Mashburn, Franklin W. Morton, Jr., Timothy J. Murphy, John Redick, Richard E. Ress, Frank H. Rice, Richard L. Roudebush, Robert Secrest, Jay Stewart, Ernest Stratychuk, Gene

Walker, Joseph R. Walsh, E. Spencer Walton, Charles A. Whiteacre, and Joe T. Wood, members.

The leadership and support of the Veterans of Foreign Wars has been crucial in helping to obtain congressional approval of a large number of veterans measures, and especially additional funds and personnel for VA hospitals.

Mr. Speaker, the Veterans of Foreign Wars priority legislative program for 1971-72 recommended by its national legislative committee and approved by Commander in Chief Vicites include a representative list of the concerns and goals of this great organization, as approved by the delegates to its recently concluded national convention in Dallas, Tex., and I commend my colleagues' attention to this program.

The VFW legislation program follows:

VFW PRIORITY LEGISLATIVE PROGRAM FOR 1971-1972

TO INSURE BEST HOSPITAL AND MEDICAL CARE

A. No reduction in average daily patient load in VA hospitals.

B. Eliminate pauper's oath requirement for admission to a VA hospital.

C. Immediate full resumption of long-range construction and modernization program to keep VA hospitals second to none.

D. Drug treatment and medical and employment rehabilitation by VA for all drug dependent veterans.

TO PREVENT VA HOSPITALS FROM BECOMING SECOND RATE OR BEING CLOSED

A. Oppose any merging of VA hospitals or facilities in proposed National Health Insurance Plan.

B. Operate Congressionally authorized 125,000 hospital beds.

C. Repeal existing law which requires the Veterans Administration to gain prior approval of the Office of Management and Budget before proceeding with any VA hospital or construction project.

D. Support legislation to provide that the establishment of new VA hospitals and medical facilities or substantial renovation, alteration or modernization of VA medical facilities may proceed when approved by House Committee on Veterans Affairs.

FOR DIGNITY AND SECURITY OF WORLD WAR I AND OLDER VETERANS

A. Minimum pension payment of at least \$125 a month for a veteran alone and \$150 a month for a married World War I veteran.

B. Both hospital and outpatient medical care for all medical needs of veterans 70 or older.

C. Presumption that older veterans are service connected for entitlement to drugs and medicines by VA.

D. Greatly expanded hometown nursing care for older veterans to prevent separation from their families and loved ones.

REVISIONS OF PENSION AND COMPENSATION PROGRAMS

A. Increased pension rates and income limitations to assure no veteran suffers loss of VA pension because of social security and equivalent increases in retirement income.

B. Cost of living increases for the millions of veterans and their families who receive disability compensation, pension and dependency and indemnity compensation payments from the Veterans Administration.

C. Dependency and indemnity compensation payments to widows of veterans who were 100% service connected disabled at the time of their death.

D. Continue the statutory award for veterans suffering from arrested tuberculosis.

E. Disregard income of wife in determining VA pension entitlement and adequate pensions for widows of veterans.

EXPANDED GI EDUCATION AND TRAINING BILL

A. Increased GI Bill assistance to include the cost of books, tuition, and fees.

B. More funds for stepping up on-the-job training for the hundreds of thousands of unemployed veterans who do not want to go to college or desire institutional training.

C. Cost of living increase in GI Bill training rates.

D. Advance educational payment and increase entitlement to 48 months.

MORE MEANINGFUL ASSISTANCE FOR RETURNING VIETNAM VETERANS

A. Expanded contact and outreach program to insure that every Vietnam veteran knows of his veterans rights and benefits.

B. Complete support of a cash program to provide jobs for the hundreds of thousands of unemployed veterans.

C. More job training programs with extra emphasis on veterans with no civilian employment skills or experience.

D. Establish low cost life insurance program for Vietnam veterans similar to NSLI program for World War II and Korean veterans.

JOBS AND JOB SECURITY

A. Total support of President Nixon's Jobs for Veterans program and related programs which carry out the President's six-point program to obtain employment for veterans.

B. Urging the Department of Labor to provide preference for veterans in all employment programs, especially veterans without employment skills or job experience.

C. Adequate staff and funds for Veterans Employment Service of the Department of Labor.

NATIONAL CEMETERIES AND BURIAL ALLOWANCES

A. Transfer jurisdiction of national cemeteries to the Veterans Administration.

B. Increase veterans burial allowance to at least \$750.

C. Oppose annual recommendation of Office of Management and Budget to eliminate veterans burial allowance where veterans are also entitled to lump sum social security death benefits.

VETERANS PREFERENCE FOR VETERANS EMPLOYED BY ALL GOVERNMENT AGENCIES AND U.S. POSTAL SERVICE

A. Preserve and continue Veterans Preference for all veterans employed by the Federal Government.

B. Call upon the U.S. Postal Service to provide Veterans Preference to all veterans in the Postal Service, as provided in the Postal Reform Act of 1970.

FOR IMPROVED PROGRAMS FOR MILITARY RETIREES AND THEIR FAMILIES

A. Eliminate present requirement that a military retiree must forfeit VA compensation payment to which he may be entitled if his military retired pay is a greater amount.

B. Support legislation to provide equitable survivor benefits for the military retiree who dies after he has retired from military service.

Restore Veterans Day to November 11.

WALTER TROHAN SETS RECORD STRAIGHT ON GREECE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. PUCINSKI. Mr. Speaker, Walter Trohan, one of America's most highly respected journalists and dean of the Washington press corps, has written an excellent article about his personal observations in Greece which I recommend to my colleagues.

Mr. Trohan properly points out some of the pseudoliberal press maintains a double standard in reporting about Greece. He also puts into proper perspective the true situation in Greece.

I am pleased to read Mr. Trohan's excellent article because Greece is America's most trusted and reliable ally in NATO.

It is my hope Mr. Trohan's observation will convince our colleagues of the importance of this brave nation and slow down those who are determined to drive Greece out of NATO.

Mr. Trohan's article follows:

GREECE GIVEN UNDESERVED IMAGE
(By Walter Trohan)

ATHENS.—"Police state" is a horrid and even a frightening phrase in America. It conjures up visions of concentration camps, salt mines, wholesale arrests, and police brutality.

Yet things are seldom what they seem to be and quite often aren't what they are said to be. So it is with the military regime in Greece.

The morning after the arrival of Vice President Agnew on his good will mission to Greece, the Athens News, one of the city's two English language newspapers, carried a headline which read: "Noticeable Lack of the Comman Man, Bombs, Recruited School Children Greet Agnew." The paper was not closed down. In fact, there was no government action whatsoever, altho the story was obviously out of focus, if not downright untrue.

For example, the story itself didn't mention school children altho the headline did. School children were given the day off and urged to do what they obviously wanted to do: take a look at a son of Hellas who made it big in America. But school children had been given the same sort of holiday to greet President Eisenhower, the late French leader Charles de Gaulle and even the Yugoslav Marxist leader Marshal Tito without any mention of recruitment in the newspapers.

Two mysterious explosions damaged two American cars near the airport, before the Vice President's arrival, but there was no evidence that these incidents had any connection with the Agnew visit. Finally, crowd pictures showed many common men and women along the parade route, altho some of the reporters dismissed the throngs as "sparse" or "thousands" when the number was clearly in the hundreds of thousands.

Another Athens English newspaper reported that unusual protective precautions were taken because police feared an outbreak. Yet Byron Stamapopoulos, undersecretary of information for the prime minister, assured this commentator that the protection was no more extensive than that used during other visits of important persons.

At the Athens Hilton, where the Vice President was lodged, a group of young people passed many police on their way into the hotel to present a petition against the regime of the colonels. They were stopped on their way to the Agnew suite by a Greek policeman, who asked what they wanted.

They explained they wanted to deliver a protest. He said they would not be permitted to deliver any message, even one of support, and they left satisfied. The policeman didn't even take their names, explaining he didn't want to spoil their Sunday.

Yet many American writers indicate that life here is one long spasm of fear of brutality and arrest. Many of the same writers have long been saying the same thing about Spain, but curiously enough they say nothing about Russia, where such an effort of protest would have brought prompt imprisonment.

In Iran a wire service reporter solemnly swore he knew from actual experience that one of his service's men was arrested and thrown into jail because he described the

Agnew visit to the country's 2,500th anniversary as a journey into Arabian nights instead of Persian nights. He refused to accept evidence that this same commentator used the same phrase the same night [because Arabian nights is the more familiar figure] without the slightest reproof.

Evidently the police state you don't like is a menace to all mankind while the police state that actually exists and operates in terror is to be accepted if you are a pseudoliberal.

TITO

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. SCHMITZ. Mr. Speaker, we have the distinct dishonor of having Josip Broz Tito visiting our Nation this week. To attempt to offset the disinformation which is being circulated in some quarters to the effect that Mr. Tito is some type of outstanding world statesman, as opposed to an old Stalin henchman, I would like to make the following comments and insert a short biography of Mr. Tito into the CONGRESSIONAL RECORD.

Yugoslavia is still well within the Communist orbit. Tito is still a devoted Communist. Some people seem to think that if the various Communist leaders disagree on little things this is a big thing and that if they agree on a big thing, namely the destruction of the free world, this is a little thing. Many of us who are interested in the survival of the Nation are more concerned with the common end these fellows have of replacing all non-Communist governments with Communist dictatorships than with factional disputes concerning the exact means by which the well struck blow can be brought about.

It is not that we fail to recognize differences, and indeed no two things in the world are exactly identical in all respects, but it would not seem wise to make a fetish of characterizing our enemies according to the degree with which they differ from one another and ignore that great object, fatal to ourselves, upon which they all agree. Neither is it helpful to our national security to develop amnesia about the past activities of the various Communist tyrants.

For these reasons I would like to insert into the RECORD at this point a short biography of Tito which was prepared by the House Committee on Un-American Activities in 1957 as a portion of a committee document entitled, "Who Are They?"

Congressman Francis E. Walters, Chairman of the House Committee on Un-American Activities at the time this study was published, prefaced the biography of Tito with a short quote from Ralph Waldo Emerson which is appropriate today:

"Don't Say Things. What You are Stands Over You the While, and Thunders So That I Cannot Hear What You Say to the Contrary."—Ralph Waldo Emerson, Essay on Social Aims.

The biography of Tito follows:

JOSIP BROZ TITO: PRESIDENT OF THE FEDERAL PEOPLE'S REPUBLIC OF YUGOSLAVIA

"I am a Communist, and nothing but a Communist"—thus Josip Broz Tito sums up his philosophy of life. A professional revolutionary, a dedicated Communist whose thoughts and actions—indeed his entire life—have always been devoted to the cause of world communism, Tito has never altered his steadfast conviction that communism will ultimately rule the world.

Tito does not fit the image one usually draws of a hardened Bolshevik. Even his severest critics have observed that he is an affable man, with "devastating" personal charm, magnetism, and a ready wit. His hair is gray-blond; his face has strong regular features and is bronzed from the sun; his eyes are light blue, alert, always in motion and alive with curiosity; his hands, stubby and square, the hands of a worker, are ever active. Tito, who is fond of splendid uniforms replete with medals and braid, resembles the late Nazi leader Hermann Goering in what one writer termed "an altogether astounding fashion." An athletic type, proud of his personal physical power—he once boasted that "no one in my army can outwalk me, young or old!"—Tito does not look his sixty-five years.

Born into a poor, peasant family, the seventh of fifteen children, the Yugoslav dictator is largely a self-educated man. When a prisoner of war in Russia during World War I, he learned Russian; and, in addition, he speaks Serbo-Croatian, German, Czech, Kirghizian, some French and Italian, and has an understanding of English. He knows a great deal about art and possesses some Rembrandts formerly owned by the Yugoslav royal family.

Tito is a proletarian with the tastes of a bourgeois. A worldly man, who thoroughly enjoys worldly pleasures, he lives in splendor and elegance reminiscent of the court of a potentate. At his palatial country residence, Tito lives, as one writer put it, like a "wealthy sportsman." He enjoys good, rich food, and is partial to rakija, the 120-proof native brandy.

Tito is a man consumed by personal ambition, a man driven on by a singleness of purpose, a man who by brutal force reached the height of Chief of State. As a partisan leader in World War II, Tito was tireless, crafty, and effective; as the Communist dictator of Yugoslavia, he is ruthless and uncompromising; and, as an international statesman, he is shrewd, glib, and brazenly opportunistic.

Years of partial reconciliation with the West, following the break with Stalin in 1948, have tended to blur the harsh lines of Tito's character and the cruelty of the Communist regime which he has imposed upon Yugoslavia. Tito's life has been steeped in subversion and deceit. He fought in the ranks of the Red Guard in the Russian Civil War; in the twenties he attended the secret Lenin School in Moscow for training in subversion and sabotage, and later was engaged in underground work in Yugoslavia; he was appointed to the Politburo of the Yugoslav Communist Party in 1934, and worked in the Balkan Secretariat of the Comintern at Moscow; he returned to Yugoslavia at the end of 1936 and organized Yugoslav volunteers to fight in the International Brigade during the Spanish Civil War; in 1937, he became Secretary General of the Yugoslav Communist Party at its headquarters in Paris. When the Nazis invaded Yugoslavia in April 1941, Tito and the Yugoslav Communists, following the Moscow line during the period of Nazi-Soviet cooperation, did not even cock a gun in the defense of their native land. Only when Hitler attacked the Communist Motherland, the U.S.S.R., in June 1941, did Tito react against the Germans.

The German invasion of Yugoslavia did not arouse the Communists, because to Tito

and his force, the Soviet Union was the Motherland. This essential point was openly proclaimed again and again by Djilas, Karelj, and by Tito himself. Even when the partisans entered the war against Germany, their participation was guided by political considerations. The Communist partisans fought mostly in areas where invader strength was not great. Also in line with Communist disregard for human life, they were not adverse to bringing about Nazi reprisals which would arouse the population and swell the Communist ranks. It was not Tito but Col. Draza Mihailovich who fought the Germans for patriotic reasons.

The first clash between the Chetniks of Mihailovich and the Nazi troops occurred on May 18, 1941. By November of that year, Mihailovich knew that coordinated effort between the Chetniks and the partisans of Tito was not possible, since Tito fought primarily for Communist dictatorship and furtherance of Soviet political ambitions. Mihailovich therefore issued a proclamation to this effect, and the split of Yugoslav resistance was brought into the open.

In the next 2½ years, it was Mihailovich who was repeatedly commended by the Western Powers for Yugoslav resistance. General Eisenhower, the allied Supreme Commander, sent Mihailovich a message from North Africa in 1943, which commended "these brave men . . . fighting with complete devotion and sacrifice for the mutual cause of the United Nations. May this struggle bring them complete success."

General de Gaulle, the French Commander, and senior British military leaders in the Middle East, sent equally inspiring messages at various times. Even more important tribute was paid by German General Jodl and Adolf Hitler himself, who credited the Chetniks with tying down major German forces in Yugoslavia. During this period (1941-44) the Chetniks received practically no military assistance from the Allies, although Tito and his partisans received more than 100,000 rifles, 50,000 light machine guns, 700 radio-wireless sets, 260,000 pairs of boots, and nearly 100,000,000 rounds of small arms ammunition.

The Teheran Conference between the Allied Powers decided, at Russian insistence, that Tito would be given full support and on October 20, 1944, when Soviet troops entered Belgrade, Tito became the absolute ruler of Yugoslavia. Stalin's protege had fought a political war and his reward was power.

With the full support of Stalin and the Red Army, Tito established in Yugoslavia a Communist dictatorship accompanied by a reign of terror. He ruthlessly wiped out his opponents, including his chief rival, Draza Mihailovich. Following the tenets of Marxism-Leninism to the letter, Tito transformed Yugoslavia into what was essentially a miniature model of the Soviet Union, characterized by a one-party system, socialization of industry, suppression of religious liberties, and general deprivation of freedom.

Communism in action is searchingly analyzed in a new book by Milovan Djilas, formerly a close associate of Tito and now in prison. His remarks, directed toward the entire Communist system, have special applicability to Tito's Yugoslavia. There, a new exploiting class has foisted a self-perpetuating rule upon the majority of the people, using methods of control which represent "one of the most shameful pages in human history." This class has arrogated a monopoly over all phases of economic, social, and cultural life. Its record is such, Djilas says, that "there will be less sorrow over its passing than there was for any other class before it."

Tito is a part of the world Communist movement. The clash with Stalin in 1948, it is true, forced Tito's reorientation in foreign affairs (reconciliation with Greece, acceptance of military and economic aid from the

Western Powers, etc.), but in no fundamental way did it alter his political faith. This dispute with Stalin was primarily a personal affair, a power struggle between two dictators, and not a disagreement on the general tenets of Marxism-Leninism. Tito never denied the "validity" and "truth" of Communist doctrine, but he contested Stalin's right to impinge upon his own domain and Stalin's refusal to tolerate "little Stalins."

Tito's steadfastness to communism is clearly shown in his reactions to the moves made by Nikita S. Khrushchev, the new Soviet dictator, in his efforts to reestablish "unity in the socialist camp." Recognizing Stalin's mistake, Khrushchev accepted Tito's claims to be commissar in his own house. Conferences between Tito and Khrushchev in 1955, 1956, and 1957, established the basis for reconciliation, even though the Hungarian revolution threw a pall over the negotiations for a while. The latest conference, held in Rumania, went a long way toward reestablishing harmony between Moscow and Belgrade. As a result of this conference, agreement was reached on "concrete forms of cooperation" between the Soviet Union and Yugoslavia, as well as on "basic problems of the present international situation." Tito also agreed that there was "special significance" to the "general strengthening of the unity and brotherly cooperation" of all Communist parties and Communist-dominated states.

While Tito acknowledged, in a recent interview, that there was "some difference" between communism in Yugoslavia and the U.S.S.R., he has hastened to add that "there are not big, ideological differences," not "too big," and that "we have the same aim—that is to say—the building of socialism and communism."

Nor are the differences "too big" in the realm of foreign policy. Recent Yugoslav statements in this field have conformed to the broad outlines of world Communist policy. Tito's neutralism has always been a qualified one. But more recently, he has come closer to the Moscow line, as shown by his pledge at the Rumanian conference with Khrushchev to cooperate with the Soviet Union in "basic problems of the present situation," as well as by his attacks on the Baghdad Pact and the Eisenhower doctrine, and Tito's claims that it was "absurd" to speak of a Communist danger in the Middle East.

At the end of his recent conferences with Premier Gomulka of Poland, Tito and the Polish dictator again reaffirmed their ties to Moscow without reservation. When the United Nations General Assembly voted overwhelmingly to condemn Russia for the bloody reprisals against the Hungarian patriots, both Poland and Yugoslavia dutifully voted against such condemnation. The Moscow-Belgrade axis is once more firmly intact.

Before, during and after World War II, Tito has invariably shown himself to be a dedicated Communist. A powerful ideological affinity binds him firmly to his Communist brethren. During the last few years, in fact, he has clearly moved closer to a political alignment with Moscow. Tito's general philosophy of life, the nature of his own regime, and his inflexible commitment to communism all militate against a lasting rift with the Kremlin.

VIETNAM ON ITS OWN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. HAMILTON. Mr. Speaker, Daniel Southerland of the Christian Science

Monitor has just written a comprehensive, three-part report on the future of South Vietnam. In the series, which ended today, he notes that "despite all the years of effort that have gone into computerized techniques of measuring 'progress,' South Vietnam's future remains highly uncertain."

I recommend this series to my colleagues.

The series follow:

AS THE UNITED STATES WITHDRAWS FROM VIETNAM, WHAT ABOUT . . . PACIFICATION

SAIGON.—The withdrawal of United States combat troops from South Vietnam is far advanced now, but the so-called Vietnamization program has yet to be severely tested and may not be for some time to come.

Despite all the years of effort that have gone into computerized techniques of measuring "progress," South Vietnam's future remains highly uncertain.

These are the conclusions one comes to after trips to several of the key provinces of South Vietnam and interviews with a number of the most experienced observers of the Vietnam scene.

There now is considerable confidence here that President Nixon can withdraw down to a "residual" force of less than 50,000 men by the middle of next year—as he appears to be aiming to do—without risking serious setbacks in South Vietnam.

In fact, many U.S. officials now believe the President should greatly step up the pace of withdrawals in the next phase. They contend that inactive, and therefore increasingly undisciplined, American troops are becoming "more of a liability than an asset" in some areas of South Vietnam.

A POLITICAL NONISSUE

If there is anything approaching a consensus here, it is that President Nixon can probably succeed in maintaining a low level of U.S. casualties throughout the withdrawal, thus making Vietnam a nonissue in the politically sensitive period leading up to next year's presidential election in the United States.

For one thing, many sources believe the North Vietnamese do not want to do anything to disrupt the U.S. withdrawals, which have been proceeding steadily.

Although the Communists can be expected to make some attacks in order to encourage antiwar pressure in the United States, Hanoi's main emphasis seems to be on preserving its forces. There is a growing feeling here that the real showdown for the Saigon government may not come until long after most of the Americans are gone—perhaps in 1973, perhaps even later.

But while there is confidence in the possibility of continuing a steady and relatively unmolested U.S. withdrawal down to the small technical and advisory force level, there is much less confidence as to the future after that level is reached.

Although the war may be "winding down" for the Americans, the recent casualty figures show, as one American general put it, that "there is still a very significant war going on in this country."

In one recent week, five Americans were reported killed in combat—the lowest toll in six years. But in the same week, the South Vietnamese command reported 391 Vietnamese soldiers killed and 991 wounded. While the end of the war may be in sight for the American foot soldier, many Vietnamese wonder if there will ever be an end of it for them.

OUTLOOK IMPROVES

Currently though, things look far better for the Saigon government at this advanced stage of the American withdrawal than most observers expected. It had been generally accepted that some setbacks were in store for the South Vietnamese Government

once American troop strength dropped radically.

The American troop strength in Vietnam has dropped from a peak of more than 540,000 to 200,000 men. And while there apparently has been some "slippage" in security in a few provinces where American troops have withdrawn, the Saigon government appears to be tightening its hold in most.

The American-backed government still may not have won the loyalty of the people in most areas, but it has advanced to the point of attaining a military occupation of the countryside.

This occupation has brought some benefits to the countryside—particularly in the Mekong Delta south of Saigon, where one-third of South Vietnam's people live. The government has opened up new areas to trade and cultivation. Rice farmers have been getting a good price for their rice for some time now. Next year, for the first time in five years, South Vietnam is expected to produce enough rice to start meeting its own needs again.

In the delta, as well as in some of the provinces surrounding Saigon, one now can get a tantalizing glimpse of what peacetime might be like in Vietnam. Roads and canals that had been cut off for years in the delta have been busy with traffic for more than two years now without any significant interruptions. The war is still there, but the level of fighting has been comparatively low in the southern half of the country since 1969. Some of the heaviest fighting has been occurring outside South Vietnam's borders—in Cambodia.

The real turning point came with the Tet offensive in 1968 when the Viet Cong lost a staggering number of their finest troops and small-unit leaders.

After an initial period of shock, retrenchment, and indecision, the Saigon government, under American prodding, pushed back into the countryside. The government drive went virtually unchallenged by the Viet Cong. Viet Cong plans for a comeback in the southern half of the country were severely disrupted by the loss of Sihanoukville supply route, which followed the overthrow of Cambodia's Prince Sihanouk in the spring of last year.

American sources now estimate that the port of Sihanoukville was providing as much as 90 percent of the supplies and ammunition reaching the Viet Cong in the southern half of South Vietnam. Cut off from their traditional supply routes and bases during the Cambodian invasion of 1970, many main-force North Vietnamese and Viet Cong units moved across the border into Cambodia, where they have been largely occupied with rebuilding their supply system.

CONTROL DEMONSTRATED

While most observers considered South Vietnam's recent one-man presidential election a debacle in the political sense, it did serve to demonstrate that the Saigon government now has a military and administrative presence in place throughout the populated areas of South Vietnam.

While the election turnout figures were undoubtedly padded—particularly in the cities—there was, according to most witnesses, a huge turnout in the countryside, even in many villages formerly under firm Viet Cong control.

The turn out had nothing to do with "voter confidence" in President Thieu. Most people voted because they wanted to stay out of trouble with the authorities. But the election did amount to an impressive demonstration of administrative control over large numbers of people.

The absence of these main-force units has given the Saigon government forces a relatively quiet period in which to train and expand in places such as Hau Nghia Province

to the west of Saigon, home of nearly a quarter of a million people.

When the U.S. 25th Infantry Division set up its headquarters in Hau Nghia six years ago, it had to fight its way in. When the division left at the end of last year, there was widespread apprehension among those committed to the anti-Communist side that all the gains in security would be lost.

An old carpenter in one of the district towns of Hau Nghia said he was certain that the Viet Cong would start coming back into the town again to propagandize and collect taxes. He had little confidence in the South Vietnamese Army and even less confidence in the militia, called the People's Self-Defense Force, to which he himself belonged.

VIET CONG FADING?

"The Viet Cong have passed the word that they'll eat the marrow of our bones if they ever get ahold of us," he said when asked his opinion of the strength of the People's Self-Defense Force.

But the Viet Cong did not come back to his town, at least not in strength; and Hau Nghia, always considered "one of the worst provinces" in South Vietnam, is showing signs of increasing prosperity—despite the fact that the Viet Cong continue to collect taxes from most farmers. Farmers are starting to cultivate some long-abandoned and devastated areas. Some are doing well enough to build new stucco houses. There is even talk of reopening a sugar mill that was shut down several years ago because of the fighting.

An American Army officer recalled that if one visited the provincial capital of Hau Nghia four or five years ago and spent more than 48 hours, "you were pretty likely to come under a mortar attack."

"You flew around the province," he said. "You didn't drive."

"If you wanted to go from the province capital to the airfield in those days, you had to take two companies of troops along with you."

Now American advisers find themselves driving all over that same province unarmed.

Fewer attacks and ambushes, roads open, trade increasing, and greatly expanded numbers of government troops and militiamen—this is the sort of thing you can see with your own eyes, and these are factors that are reflected in the computerized statistics which are supposed to tell how the war is going. The statistics say that most of the country is under government control.

The trouble with the statistics is that they do not measure the political and psychological factors which are so important in Vietnam. How much weight does one give, for instance, to the widespread corruption and injustice which many Vietnamese feel characterize the Saigon government?

And what is going on under the surface in those areas which are seemingly calm?

This appears to be a "lie low" period for the Viet Cong. They seem to be concentrating on rebuilding their weakened political infrastructure and infiltrating cadres into "legal" positions in government controlled areas.

Allied intelligence officers are often frank to admit that they have no idea how much success the Viet Cong are having in this quiet, underground task of indoctrination and infiltration.

Where the Viet Cong are still collecting taxes—as in Hau Nghia—the collections at least are more irregular than they used to be because of tightened government control. But in most areas the Viet Cong still are collecting much greater sums than the government is.

All this raises an even more difficult question: How much latent support remains for the National Liberation Front in those once "insecure" areas that now are ostensibly under firm government control?

Vietnamese farmers, even in some of the most "secure" provinces of the country, still talk of being caught in the middle or "being squeezed from two sides."

SUPPORT ASSESSED

The peasant gives the impression of wanting to be left alone by both sides so that he can get on with his farming. He appears to recognize neither the Viet Cong claim nor the government claim to legitimacy. But in former Viet Minh stronghold areas, some experts feel that there is a lot of latent support for the National Liberation Front.

Students of recent Vietnamese history note that the Viet Cong already have made a number of comebacks. They were set back at first by the strategic-hamlet program and by the newly introduced helicopter tactics of the early 1960's. But they managed to learn how to cope with these.

They were dealt a severe setback by the introduction of American combat troops in the mid-1960's but managed to bounce back for the big Tet offensive of 1968.

It also is probably worth recalling that the French had the Mekong Delta "pacified" by 1952 during the Indo-China War. The Viet Minh, predecessors of the Viet Cong, were the first to admit this. But by 1954, the Viet Minh had made such a comeback in the delta that French officers were admitting that they would have to start all over again with their efforts there if they hoped to regain control.

COLLAPSE DOUBTED

But the majority opinion here is that the Army is by no means destined simply to fall apart, even after the complete pullout of American combat troops, apparently planned for mid-1972.

The prevailing feeling is that if the United States continues to give the Saigon government heavy economic and logistical aid, as well as considerable air support, the war may drag on for several more years before the North Vietnamese reach the stage where they can pose a serious threat again to the entire Saigon government structure.

Even then, Hanoi will probably have to rely on economic and political turmoil, combined with military pressure, to achieve its aims rather than relying solely on an attempt at a conventional military victory.

All the evidence is that Hanoi is still following the "economy of force" strategy it adopted more than two years ago after evaluating the losses suffered in the Tet offensive. The North Vietnamese are still putting a tremendous effort into developing new supply bases in Cambodia to offset the losses caused by the cutting of the Sihanoukville supply route.

GOAL UNCHANGED

But there is no evidence that they have given up their aim of eventually winning the war "step by step," as one Communist directive advises. The Communist timetable has been set back several times, but the goal apparently remains the establishment of a coalition government to replace the Thieu regime.

Meanwhile, by the time the showdown stage comes—and most observers believe it will have to come—economic and political problems may grow into as big a threat to Saigon's survival as the North Vietnamese and Viet Cong Army battalions.

SAIGON LOOKS STRONG

Right now, the government position in the rich and populous delta in most of the provinces surrounding Saigon looks stronger than it has in several years. But while obviously weakened, the Viet Cong have not been eliminated. Very tough and very dedicated political cadres are still going about their work, trying to lay the foundation for a comeback.

"In most areas of the delta, the Viet Cong political apparatus is larger than the mili-

tary apparatus," said one experienced U.S. official.

"These political cadres are so well hidden that nobody knows who they are," he said. "These legal cadres run IV Corps [the delta] now."

"We're not going to kill them, and we're not going to get them to surrender," he said. "And it doesn't take many people to start a revolution all over again."

In the northern half of South Vietnam, the North Vietnamese and Viet Cong threat is much more apparent. In fact, one sometimes has the impression that there are two distinct wars going on in South Vietnam—one in the south, the other in the northern provinces. Binh Dinh Province on the central coast, for instance, is described by some officials as being "more than two years" behind some of the delta provinces in terms of security.

If the five northernmost provinces of the country, where the North Vietnamese have the advantage of shorter supply lines, they are capable of launching bigger attacks than elsewhere. The controversial Laos invasion last spring was supposed to reduce the North Vietnamese threat in the northern provinces. Some American generals insist that it did prevent an offensive.

MERIT UNRECOGNIZED

This would be difficult to prove. At any rate, the South Vietnamese Army got through the dry season just ending in the northern provinces in fairly good shape. But the South Vietnamese forces are going to be spread thin with the departure of the rest of the U.S. Americal Division this year and the U.S. 101st Airborne Division next year.

Some experts believe that the South Vietnamese Army will begin to collapse under increased North Vietnamese pressure by the end of next year. The Army is still beset by desertions and corruption. There has been some gradual improvement in the Army's leadership, but this is still probably its weakest point. In the view of U.S. officers, the number of men being promoted from the ranks in the Vietnamese armed forces on the basis of merit rather than connections and formal education is far too small.

AFTER THIEU'S ELECTION: APATHY—AND NONCREDIBILITY

SAIGON.—As President Nguyen Van Thieu prepares to begin a new four-year term, he seems firmly in control. The period of political turmoil that erupted before his reelection on Oct. 3 now appears to be over.

Most of the Saigon politicians who cried the loudest in protest over the one-man election now are silent. Tenuous alliances that had formed to oppose the election are already falling apart only weeks after their formation. One of these is the People's Committee to Fight Dictatorship, sponsored by Vice-President Nguyen Cao Ky.

The opposition politicians are squabbling among themselves again. Some of them are accusing one of the most influential groups of having been "too moderate" in its opposition to the one-man election. Hopes that the opposition groups would somehow unite over the election issue have proven illusory.

Although the opposition politicians, religious leaders, and retired generals agree that they don't like President Thieu, they have failed signally to agree on an alternative.

One of President Thieu's biggest problems is that most South Vietnamese believe 'it's Nixon who decides'—not Thieu. Thus, many of the nation's most talented people—who could serve as a loyal opposition—refuse to get involved with the problems of governing that war-torn land.

AGREEMENT DIFFICULT

Everybody wants to be a leader. Yet, the potential leaders, prime ministers, and presidents don't trust each other. When it comes

to trying to agree on what sort of action to take against Mr. Thieu, they simply don't agree.

A handful of militant student activists claim to be carrying on the fight, and every other day or so they burn an American vehicle. (Occasionally they make a mistake: They firebombed a two-wheeled minibus used by the United Nations Children's Emergency Fund recently.)

But the students admit privately they don't hope to have any direct influence on President Thieu. Their main target is the United States. They hope to have an effect on U.S. policies in South Vietnam by gaining the attention of American newsmen in Saigon.

But aside from the occasional firebombings, Saigon seems to have slipped into a new period of political apathy and exhaustion. The intensity of feeling against President Thieu over his pre-election maneuvering has died down.

Even the Americans seem to share in the apathy. American diplomats who saw some of their last illusions shattered by the one-man election would rather talk about anything but Vietnamese politics for a change.

CORRUPTION PROBLEM

Four years ago, at the time of President Thieu's first inauguration, the Americans spoke hopefully of possible moves by the new South Vietnamese President to create a political and social revolution and to "civilianize" and broaden the base of the government's support. Now there is renewed talk about bringing more civilians into important positions and broadening the base, but there is less hope in the voices this time.

There is also renewed talk about how President Thieu "must tackle" the corruption problem in his new four-year term if he hopes to survive. But the Americans add that they really don't have the leverage to do anything about this now that most of the U.S. combat troops are pulling out.

"The time for major American-sponsored reforms is past," said a Rand Corporation analyst in a report on Vietnam.

But while the Americans claim to be lacking in leverage these days, most Vietnamese see it another way. Like the students who are trying to get on American television in order to make their point, they are inclined to believe that the Americans decide everything that happens in Vietnam. This is one of President Thieu's biggest problems. While he claimed to have gotten a huge "vote of confidence" in an "election"—which actually amounted to an administrative exercise—real confidence in him is sorely lacking.

Time and time again, one hears from Vietnamese: "It's Nixon who decides."

U.S. ROLE ASSUMED

The Vietnamese expect the Americans to have all the answers at precisely the time when the Americans are starting to say: "We've done all we can. It's up to the Vietnamese now."

The Vietnamese detect what the Saigon newspapers like to call the "hairy hands" of the Americans in everything. This is an understandable attitude for a small country which was overwhelmed by the American presence, American ideas and American armed force. Withdrawals or no withdrawals, the thing that is apparent to most Vietnamese is that their country is terribly dependent on the United States.

A poll taken by American-trained poll takers in five areas of South Vietnam earlier this year indicated that a large majority of the Vietnamese believe that the U.S. has complete control over the Saigon government. Most also apparently believe that it will be the big powers, including the U.S., who decide the outcome of the war, and that President Thieu will have little to do with it.

All of this is a terrible handicap for the Saigon regime. Many of the most talented people in Vietnam sit on the sidelines, refus-

ing to get involved. One reason for this is that they feel they have little to do with the fate of their own country:

The big powers will decide, they insist. Why cooperate with President Thieu? Or why even cooperate with each other?

OPPOSITION HAMPERED

This often infuriates Americans, who throw up their hands at the fragmentation of the non-Communist political and religious groups in Vietnam. The Americans had hoped that the U.S. troop withdrawals might force a "sense of urgency" on these groups, convincing them that they must pull together to survive against the Communists. But the squabbling, the intrigue, and the maneuvering go on as though nothing had ever really happened. Politicians sometimes end up dissipating their energies simply trying to figure out what the Americans are up to—after all, the Americans will decide.

American hopes that a "loyal opposition" would somehow develop are also hampered by this attitude. Quite a few of President Thieu's opponents are saying that whatever they do at the moment will not make much difference anyway, because President Nixon is probably going to settle the war through his forthcoming trips to Moscow and Peking. President Thieu will be dumped anyway as a result of the settlement, they say.

In the view of most diplomats here, this is purely wishful thinking. But it is an indication of the difficulty President Thieu faces in establishing his credibility with his own people.

Mr. Thieu's one-man "election" didn't help matters for him.

When election officials announced that more than 87 percent of the registered voters participated in the election and that more than 95 percent cast "votes of confidence" for Mr. Thieu, the announcement was greeted with derision by many Saigonese.

Actually, all the evidence indicates that there actually was a huge turnout in the rural areas. And because of the pressures involved, most people there unquestionably cast valid ballots—meaning "votes of confidence" for Mr. Thieu.

STUFFED BALLOT BOXES

But overzealous officials probably stuffed the ballot boxes in the cities, where people are less easily intimidated and more likely to refrain from voting or to cast protest votes. Some diplomats now estimate that officials may have boosted figures in the cities of Saigon, Danang, and Hue by as much as 30 to 40 percent.

At any rate, the election did little to boost Mr. Thieu's credibility among the city people or the relatively small number of Vietnamese who think much about politics.

"Better even than the Communists," said one opposition newspaper after the election figures were announced.

The prevailing feeling is that if election officials had settled for a lower set of figures the whole exercise would have been a bit more credible.

Mr. Thieu argues that his credibility problem is mainly in the cities, where most Vietnamese newspapers are quite clearly against him. In fact, he long ago seemed to write off Saigon and all its squabbling as a political loss to him. In his first four years in power he concentrated on trying to build support in the rural areas through the "pacification" program, land reform, and economic benefits to the farmers.

ACCEPTANCE SEEN

Some diplomats now feel that although President Thieu is not a popular figure—and probably never will be—he has gained a measure of acceptance among many of the country's farmers because of an obvious increase in prosperity in many rural areas.

But this is a highly debatable point. Most observers detect nothing more than indiffer-

ence to Saigon politics among the peasants, along with a very definite penchant on their part to stay neutral in order to survive. Taking sides, they have learned, can only get them into trouble. They would like to be left alone, and they would like to have peace.

Even where there have been undeniable economic improvements, many Vietnamese still seem to consider their government to be corrupt. Whether they are right in some cases may be less important than the fact that they believe this to be true.

While the world denounces the Saigon government for its failure to be "democratic," many Vietnamese are more concerned about questions of social justice and corruption. "Democracy" and elections still have little meaning for many of them.

When one Vietnamese farmer was asked during the recent election whether any of the elections he participated in had been of any use or help to the people, he replied:

"Well, they must be of some use, because the government keeps holding them."

Another farmer remarked with relief that the one-man election was "much easier" to go through than some previous multicandidate elections.

It was simply a matter of dropping the Thieu ballot in an envelope this time, he said.

The American concern is that as long as a majority of the South Vietnamese are unwilling to commit themselves, the efforts of small but dedicated groups of Communist political cadre may prove more decisive in the long run than the efforts of the much more loosely organized government cadre.

BATTLEFIELD VICTORY

At the moment, President Thieu seems firmly in control. His non-Communist opposition is divided. But what if it ever came to a real political struggle with the National Liberation Front as part of a settlement of the war? Many sources feel that without an organized base of mass support, Mr. Thieu's government will be in real trouble in any political contest with the highly motivated Communists.

But President Thieu seems convinced that the war will be decided on the battlefield, not at the negotiating table or in a political contest. He has predicted that there will be a "major confrontation" between North and South Vietnam in one "last bloody battle" in 1973, that the north will lose, and that the war will then fade away.

Yet there is one other thing that worries him greatly: the economic situation. The soldiers who are supposed to win that battlefield victory have been squeezed by relentless inflation. Not to have them turn against him, Mr. Thieu must do something to improve their lot as well as that of others who have been hit hard by war-induced inflation. With the election behind him, President Thieu is turning more and more of his attention to proposals for major economic reforms.

TARGET FOR HANOI: DESPITE SAIGON REFORMS AND STABLE PRICES, A U.S. ECONOMIC SHIELD REMAINS A NECESSITY

SAIGON.—The military and political struggles in Vietnam usually dominate the headlines. But another critical battle is being fought on the economic and financial front.

If this battle is lost, it could undermine Washington's Vietnamization program and everything that has been fought for.

More than a year ago, with the political situation apparently "stabilized" and government gains in the country side apparently sticking, officials here started talking about the war-shaken economy as the "single most critical problem" confronting South Vietnam.

The recent political crisis in Saigon altered that judgment somewhat. But once President Thieu pushed through his one-man "election" with less trouble than expected, atten-

tion started switching once again to the country's formidable economic and financial problems.

All this should be of interest to American taxpayers, because U.S. and South Vietnamese economic officials are saying that they are going to need a high level of U.S. economic aid for a few more years if South Vietnam is to win its battles on this front.

AID REDUCTION ESTIMATED

At the same time, they contend that if major reforms now under consideration are successful, it should be possible within two years or so to start reducing the flow of economic aid to South Vietnam.

This has been the largest American economic aid program since the Marshall Plan of more than 20 years ago.

American assistance currently provides for about half of South Vietnam's war-swollen budget. An aid-appropriation request for Vietnam valued at nearly \$550 million now is before the U.S. Congress, and economists here are worried about possible congressional cuts.

This is a particularly critical time. With the U.S. troops pulling out, American military spending in Vietnam is dropping off, and the Saigon government is suffering losses in foreign exchange. This is happening at a time when the government's expenditures are rising to help pay the costs of a greatly expanded Army. South Vietnam is a small country of only 18.5 million people, but it is maintaining one of the largest armies in Asia.

INFLATION A MAJOR PERIL

Inflation is always the biggest worry. Economists here consider it to be an enemy only slightly less dangerous than the Viet Cong. Following the big American troop buildup here in 1965, prices in one year skyrocketed more than 100 percent. In 1969-70 retail prices climbed more than 50 percent.

Inflation has taken a terrible toll among the more than 1.5 million underpaid soldiers and civil servants. These are people whom the Saigon government can ill afford to alienate if it wants to keep fighting.

Last October, the government instituted a series of reforms which appear to have been quite successful. In fact, they were a dramatic success when one considers the inflation speculation and hoarding of previous years. The U.S. aid retail price index shows that the reforms held prices down to an overall increase of less than 10 percent over the past year.

OTHER INDICATORS CITED

There are some other happy indicators that mean a lot to economists:

Interest rates are higher, savings and time deposits have tripled, windfall gains have been substantially narrowed, and the flight of capital has been cut back to near zero.

The currency black market has remained quite stable and appears to be much less of a factor than it used to be.

On the production side, the country now appears to be self-sufficient in rice for the first time in years. Thanks to the introduction of new "miracle rice" strains and an expansion of the land under cultivation, rice imports have ceased.

In the words of one American economist, quite a few farmers in the Mekong Delta are now "making out like bandits"—which means growing increasingly prosperous. They have been getting a good price for their rice for several years now.

The trouble with all this is that most of it doesn't make too much sense to the average Vietnamese city dweller, who knows only that he is still being squeezed by inflation and sees no end to it.

MORE REFORMS WEIGHED

For the economists, considering some of the economic and financial nightmares of the past, it has been a good year.

Now the economists are considering an-

other set of reforms, which the South Vietnamese Economics Minister, Pham Kim Ngoc, says will "reach for the stars."

"So far we have only tackled the stabilization of the economy," he said. "Now we are going to try to overhaul the whole system."

"Vietnam must begin to take measures to face up to the possibility of reduced American aid," he said.

The economists are, of course, wary about going into details of the new reform package before working it all out. But there are plenty of hints to indicate that it will be quite sweeping.

While he is reluctant at the moment to get into details about future reforms, Mr. Ngoc is quite candid about the problems that confront his country, including that of corruption.

He outlined the situation this way to a group of American businessmen earlier this year:

"More than a million men are in the armed forces from a population of 18 million. In the U.S., you would have to have forces of more than 11 million to be in this proportion."

"Among other things, this means that I, as a Cabinet minister have to get along with the staff that I have. You tell me that Mr. So-and-So is too old, or not well enough educated, or dishonest, or that I should fire him."

"You will want me to replace him with a fine, intelligent young man, right? Well, that young man is abroad or he is a captain on the Army general staff, or he is in Laos, or, too often, he is dead."

"So Mr. So-and-So will have to do. That is the way it is in every ministry and in every agency of this government."

"The income of Vietnamese government employees has fallen in real purchasing power by something like 75 percent during the last five years."

"This means that the typical official of a government agency cannot live and support his family on his government salary."

"In many cases he is able to survive because he works in a second job, or because other members of his family work."

"In other cases, he survives by taking bribes."

"We cannot handle the problem of corruption by picking out those who are corrupt and punishing them. Police methods are of no use in this situation, because the problem is widespread and because the small fry—who are the most apt to be caught—literally cannot help being corrupt."

"The inevitable element of political uncertainty created by the war probably makes people more venal, more determined to hang onto their slice of the pie, than would be the case in peacetime."

After all these years of war, "uncertainty" still seems the word which best sums up the situation as one looks at the military, political, and economic aspects of the war, and then tries to answer the question: "Whither Vietnam?"

There is a feeling among some sources that the economic aspect will be more critical than any other in the year ahead. But no one pretends to know for sure. Much still depends on the North Vietnamese and the Viet Cong. For them, this is a total war in which the economy is a prime target—along with everything else.

And the Communists are expected to concentrate more and more on stirring up unrest in South Vietnam's neglected cities, where the economic squeeze is most acute.

As American officials see it, a little luck would be helpful at this point.

"The two critical years for the economy are going to be 1972 and 1973," said a senior U.S. official.

"With a little luck on the political side and a little on the military side, we could really see some dramatic improvement in the economy."

"Then at the end of two years, we could talk about reducing economic assistance." Maybe.

ONE MORE STRAW FOR SAIGON

Last weekend's Typhoon Hester is the type of unexpected financial burden the Saigon government can do without.

Yet President Thieu, meeting in emergency session with his Cabinet, ordered \$725,000 made available for disaster relief in the country's five northern provinces.

Government figures indicated several hundred thousand of the northern region's three million people were at least temporarily homeless after the typhoon struck. A spokesman for the Social Welfare Ministry said at least \$1.5 million would be needed for civilian relief.

Officials said at least 40,000 persons were homeless in Quang Ngai Province alone, and that refugee camps and schools were wiped out.

FEDERAL RULES OF EVIDENCE FOR U.S. COURTS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. HOGAN. Mr. Speaker, in March of this year the Committee on Rules of Practice and Procedure of the Judicial Conference of the Supreme Court of the United States released the revised draft of the proposed Federal rules of evidence for the U.S. courts and magistrates. The Judicial Conference returned the revised draft to the Committee on Rules of Practice and Procedure for further consideration of all suggestions referred to it. This consideration by the committee is presently going on.

The proposed rules are comprehensive and codify much of the law of evidence. Many of its sections will alleviate complex problems now the subject of conflict among the courts. It includes provisions on presumptions, their scope and use; privileges and limitations thereon; handling of witnesses and codification of the use of prior inconsistent statements made by witnesses. The revised draft is set forth at volume 51 FRD 315-473.

Mr. Speaker, the provisions included in this revised draft have caused much discussion and disagreement within the legal community. As the author of H.R. 15340, the bill relating to the competency of witnesses which was included as a provision of the District of Columbia Court Reform and Criminal Procedures Act of 1970, I am particularly concerned about rule 609(a) concerning impeachment by evidence of commission of crime. Because this provision of the District of Columbia Crime Act is based in large part on the version of rule 609 originally tendered by the Advisory Committee on Rules of Evidence, I find the amendment to rule 609(a) of the revised draft particularly objectionable. I have addressed my objections to this rule to the chairman of the Committee on Rules of Practice and Procedure in the hope that the committee would consider my recommendations before reporting another draft.

Similarly, the Department of Justice

and the U.S. attorney for the District of Columbia addressed their objections to several provisions of the revised draft to the chairman of the committee, Judge Albert B. Maris.

Mr. Speaker, I include the following documents in the RECORD at this point: First, my letter of July 29, 1971, to Judge Maris;

Second, a letter from Deputy Attorney General Richard G. Kleindienst to Judge Maris, dated August 9, 1971. The Department of Justice's lengthy comments which accompanied this letter are not here included but can be found on pages 33649-33657 of the September 28, 1971, CONGRESSIONAL RECORD.

Third, a letter from Thomas A. Flannery, U.S. attorney for the District of Columbia, dated August 6, 1971, to Judge Maris.

The documents follow:

JULY 29, 1971.

HON. ALBERT B. MARIS,
Chairman, Committee on Rules of Practice and Procedure, Judicial Conference of the United States, Supreme Court Building, Washington, D.C.

DEAR JUDGE MARIS: I am writing to urge that the Committee on Rules of Practice and Procedure amend Rule 609(a) of the proposed Federal Rules of Evidence, which concerns Impeachment By Evidence of Commission of Crime, so that it conforms to the recently enacted § 14-305 of the District of Columbia Code. I am urging this action by the Committee because the proposed rule is sharply at odds with the legislation passed by Congress last week—legislation based in large part on the version of Rule 609 originally tendered by your Advisory Committee on Rules of Evidence—and because there is good reason to believe that the proposed rule will have an undesirable and burdensome impact on federal criminal proceedings.

As now formulated, Rule 609(a) embodies the requirement that evidence of a prior conviction for attacking the credibility of a witness be excluded if the judge determines that its probative value is substantially outweighed by the danger of unfair prejudice. The Committee's note to this section correctly states that "The provision finds its genesis in *Luck v. United States*, 121 U.S. App. D.C. 151, 348 F.2d 763 (1965)."

A few words of background are in order with respect to the *Luck* case. In *Luck*, the U.S. Court of Appeals construed 14 D.C. Code § 305 (1961). That provision read in part as follows:

"No person shall be incompetent to testify, in either civil or criminal proceedings, by reason of his having been convicted of crime, but such fact may be given in evidence to affect his credit as a witness, either upon cross-examination of the witness or by evidence aliunde; and the party cross-examining him shall not be concluded by his answers as to such matters . . . (Emphasis added)."

The court, over the strong dissent of Judge Danaher, construed the underlined language of the statute to mean that evidence of a prior conviction "may" be admitted to impeach the credibility of a witness in the discretion of the trial court. The Court of Appeals declared that:

"Section 305 is not written in mandatory terms. . . W(e) think the choice of words in this instance is significant. The trial court is not required to allow impeachment by prior conviction every time a defendant takes the stand in his own defense." 348 F.2d at 767-768.

Judge Danaher answered this contention as follows:

"When our statute says that the 'fact' of

previous conviction 'may be given in evidence,' to me it is speaking of an option open to 'the party cross examining' the witness. I think my colleague has misconstrued the language and its objective. The language tells the trier the fact of conviction is evidence, and it is to be received. Of course, a party is not bound thus to impeach a witness. That is why the word 'shall' is not used." (Emphasis added.) 348 F.2d at 771.

Although the question of interpretation is now moot, I am persuaded by Judge Danaher's dissent that, apart from the merits of the *Luck* rule, the *Luck* decision plainly misconstrued the stated objective of Congress in the old Section 305. I recite this history as background, because it is manifest that the currently proposed Rule 609(a) would again contravene the will of the Congress, as evidenced in the DC Code provision adopted last year. That new section was specifically designed to overturn the *Luck* decision. (This provision of the original legislation was passed by the House of Representatives by a 2-1 vote margin.)

I believe this unequivocal expression of public policy by the Congress, which came after thorough study and consideration, is entitled to great weight in the deliberations of your Committee. And I must say, with all due respect, that I find somewhat disingenuous the Committee's failure to advise the Bench and Bar in the comments to proposed Rule 609(a), that Congressional policy is contrary to the rule and that the *Luck* case was specifically repudiated by the Congress a year ago.

Congress rejected the *Luck* rule for several reasons. First we agree with the statement accompanying the original rule proposed by the Advisory Committee on Rules of Evidence that:

"Disallowing the conviction evidence enables an accused to appear as a person whose character entitles him to credence, when the fact is to the contrary. . . ."

The very reason for permitting impeachment evidence in these instances is to aid the fact-finder in assessing the credibility of witnesses in the search for truth. As one court has wisely put it:

"No sufficient reason appears why the jury should not be informed what sort of person is asking them to take his word. In transactions of everyday life this is probably the first thing that they would wish to know."

The Committee notes in connection with the proposed rule that, "There is little dissent from the general proposition that at least some crimes are relevant to credibility." These relevant crimes include not only *crimen falsi* but also those felonies which demonstrate a conscious, deliberate willingness to engage in conduct which entails substantial injury to and disregard of other persons or the public at large. In my view, criminal, antisocial behavior per se reflects on credibility. A Superior Court judge in the District of Columbia recently observed that evidence of this kind

"... is material and relevant because prior convictions can be illustrative of one's attitude toward society and its rules, including the oath to speak truthfully from the witness stand."

Unfortunately, the rule proposed by the Committee will have the effect of aiding a deceitful defendant in misleading the jury, and I cannot view that as sound public policy.

Second, Congress rejected the *Luck* rule last year because it had proved unworkable and burdensome in practice in the District of Columbia. According to evidence gathered by the House District Committee early in 1970, the *Luck* rule had spawned vast amounts of litigation. The House report on the District of Columbia crime legislation stated:

"Since the *Luck* decision in 1965, there

have been over thirty appellate opinions discussing the application, plus innumerable other cases in which the issue was raised on appeal but the case was decided without opinion." H. Rep. No. 907, 91st Cong., 2d Sess. 63 (1970).

Both the House and Senate District Committees found that appellate courts in the District of Columbia, though they tried, were unable to establish meaningful and workable criteria to guide trial judges in the exercise of their discretion. The Committees found that neither trial nor appellate judges could agree among themselves about the application of the rule in similar circumstances. New interpretations of the rule seemed to lead to an even greater encroachment on the prerogative of the prosecutor to employ probative impeachment evidence; indeed, some trial judges, fearing reversal by an appellate panel, allowed no impeachment evidence at all. Thus, in cases where impeachment evidence was permitted, an appeal often followed, adding to the workload in the appellate courts.

One legal writer declares that cases like *Luck* "evidence a trend, that may have far-reaching implications, by which the admissibility of all prior convictions evidence may be prohibited when the defendant testifies in his own behalf." This "trend" should not be encouraged in federal courts. A rule excluding all convictions evidence when the accused testifies was considered by the Advisory Committee in 1969 and vigorously rejected. Although such a rule would answer the problem of the vague and confusing standards inherent in *Luck*—the problem which inspires so many pretrial hearings and post-trial appeals—the problem can be solved better, without damaging our system of justice, by making convictions evidence admissible unless it fails to satisfy the clear limitations set out in the other subsections of the proposed rule.

During the debate on the District of Columbia crime bill last year, I alerted the House to a murder case in which the trial judge excluded all prior convictions of the defendant but told the defense counsel he could use prior convictions on the part of the prosecution witnesses to impeach their credibility. This case is symbolic. I believe a defendant ought to have the opportunity to challenge the credibility of those who testify against him. But I also believe that a defendant should not be able to attack the credibility of others while misrepresenting his own credibility.

This murder case illustrates what I fear will become commonplace if the *Luck* rule is adopted, namely, that the rule will be construed so liberally in favor of the defendant that it will unbalance and taint the process of justice. The substantiation of this fear may be found not only in the actual experience in the District of Columbia, but also in the Committee's latest note accompanying the rule: While Rule 9(a) itself speaks of admitting convictions evidence unless "the probative value of the evidence of the crime is substantially outweighed by the danger of unfair prejudice," the Committee's note drops the key adverb "substantially" from its explanation of the rule and refers to "balancing probative value against prejudice," dropping the adjective "unfair."

Proposed Rule 609(a) is clearly at odds with the present law in most jurisdictions throughout the country. Inasmuch as the new Federal Rules of Evidence will serve as a model for many states in their efforts to reshape local evidentiary rules, your Committee has a special responsibility to provide wise guidance for them as well as for our federal judicial system.

I earnestly hope, for the reasons set out here, that Rule 609(a) will be made to conform to the policy of Congress.

Sincerely,

LAWRENCE J. HOGAN.

OFFICE OF THE DEPUTY
ATTORNEY GENERAL,
Washington, D.C., August 9, 1971.

HON. ALBERT B. MARIS,
Chairman, Committee on Rules of Practice
and Procedure, Judicial Conference of
the United States, Supreme Court Building
Washington, D.C.

DEAR JUDGE MARIS: Attached are the Department's comments on the Revised Draft of the Proposed Rules of Evidence for the United States Courts and Magistrates. These comments detail the Department's serious reservations concerning certain of the rules contained in the Revised Draft.

As you know, a Committee appointed by the Attorney General submitted comments to the Preliminary Draft. The Revised Draft indicates that many of the Departmental Committee's recommendations were rejected by the Advisory Committee. Moreover, the Revised Draft contains many important provisions which were not included in the Preliminary Draft and upon which the Department had no opportunity to comment. In these circumstances, we deem it imperative to place the Department's views before the Advisory Committee.

Several of the problems detailed in the attached report are of such overriding importance that they should be stated at the very outset.

1. RULE 509 MILITARY AND STATE SECRETS

This rule fails to recognize that the Government has a privilege not to disclose official information if such disclosure would be contrary to the public interest. See *Davis v. Braswell Motor Freight Lines*, 363 F.2d 600 (5th Cir. 1966); *Kaiser Aluminum & Chemical Corp. v. United States*, 141 Ct. Cl. 38, 157 F. Supp. 939 (1958).

By requiring that the Government must substantiate its claim of state secrets privilege by showing the likelihood of a danger that disclosure will result in detriment or injury to the national defense or international relations, the Rule fails to reflect the present state of the law as enunciated in *United States v. Reynolds*, 345 U.S. 1 (1953). A Governmental showing of a reasonable possibility that military or state secrets are involved would be consistent with *Reynolds*. Instead, the Revised Rule raises the possibility that in order to sustain its claim, the Government may be required to disclose the very information claimed as privileged.

The Revised Rule is also deficient in that it fails to authorize a procedure whereby the Government can make an *in camera* submission of information to the trial judge to enable him to make an informed judgment as to whether or not the claim should be sustained.

2. RULE 510 IDENTITY OF INFORMER

Rule 510(a) limits the Government's identity of informer privilege to the identity of persons furnishing "information purporting to reveal a violation of law." Because informers provide intelligence information on a continuing basis, their value extends far beyond providing information purporting to reveal a violation of law. The privilege should be extended accordingly.

Under Proposed Rule 510(c) (1), the Government's privilege would be lost even if the informer was called as a witness by the defendant, thereby motivating a defendant to call witnesses primarily to ascertain those who may have been government informers.

In an attempt to accommodate the Rule to civil cases, the drafters, in subsection (c) (2) changed the test of dismissal for failure to reveal an informant's identity from the Preliminary Draft's "the issue of guilt or innocence" to a "material issue in the case." Yet, this accommodation requires a departure from the test outlined in *Roviaro v. United States*, 353 U.S. 53 (1957).

Subsection (c) (2) is also defective in that

it fails to provide an adequate procedure for handling defense requests to learn the identity of informers. There is no reason why the Government cannot submit to the trial judge *in camera* the information needed to determine whether fairness requires that the Government be ordered to reveal the identity of the informer.

Subsection (c) (3) of the Rule, concerning the legality of evidence obtained on the basis of information received from an informer, narrows the test to one of the reliability of the informer. The correct test is one of credibility or reliability. *Aguilar v. Texas*, 378 U.S. 108, 114 (1964); *United States v. Harris*, 91 S.Ct. 2075 (1971).

3. RULE 609 IMPEACHMENT BY EVIDENCE OF CONVICTION OF A CRIME

By giving the trial judge discretion to permit defendants in criminal cases to testify without being impeached with prior convictions, the revised draft adopts the rule derived from *Luck v. United States*, 121 U.S. App. D.C. 151, 348 F.2d 763 (1965). The *Luck* rule is not only inconsistent with the law in almost 90 percent of the states, but was overturned by the Congress in the District of Columbia, the only federal jurisdiction in which it existed. See District of Columbia Court Reform and Criminal Procedure Act of 1970, Pub. L. No. 91-358, § 133. In rejecting the *Luck* rule, the Congress found persuasive the fact that it had proved completely unworkable in the District of Columbia, as evidenced by the fact that the Bar Association of the District of Columbia in a 1970 membership-wide referendum supported the elimination of the rule.

4. The other rules commented upon raise, in total impact, significant problems in the fair and orderly procedures at trial and at pretrial hearings. In our view their adoption, without significant amendment, would impede the effective administration of justice.

We trust that our comments will prove helpful to the Committee.

Sincerely,

RICHARD G. KLEINDIENST,
Deputy Attorney General.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE U.S. ATTORNEY,
Washington, D.C., August 6, 1971.

HON. ALBERT B. MARIS,
Chairman, Committee on Rules of Practice
and Procedure, Judicial Conference of
the United States, Supreme Court Building,
Washington, D.C.

DEAR JUDGE MARIS: I am writing to register my objections to a number of the Proposed Rules of Evidence for the United States Courts and Magistrates contained in the Revised Draft released in March of this year. My objections are based not only on my experience as United States Attorney for the District of Columbia, but also on my experience for many years as an Assistant United States Attorney and a trial attorney in private practice.

I have been advised that the Department of Justice is preparing a more comprehensive report setting forth the most serious objections it has to the proposed rules. My failure to comment on all the rules discussed by the Department should not be construed, however, as indicating any disagreement on my part with its objections.

I shall discuss those rules to which I object as they appear in sequence in the Revised Draft.

1. PROPOSED RULE 104 (D). PRELIMINARY QUESTIONS

The second sentence of Rule 104(d) provides:

Testimony given by him [an accused] at a hearing in which he is asserting any constitutional right, or any right to have evidence suppressed or excluded, is not admissible against him as substantive evidence but may be used for impeachment if clearly con-

tradictory of testimony given by him at the trial.

I recommend that this sentence be deleted. This rule excludes as substantive evidence testimony given by an accused in open court while represented by counsel. Such an exclusion is clearly inconsistent with the function of a trial as a truth-seeking process.

The Advisory Committee's Note to this rule indicates that this exclusion is based on *Simmons v. United States*, 390 U.S. 377 (1968). In my view, however, the proposed rule goes far beyond *Simmons*. First, it extends the *Simmons* exclusion to testimony to assert nonconstitutional rights whereas *Simmons* involved only constitutional rights. Second, although the formulation of the rule in the Preliminary Draft of March, 1969, excluded such testimony only "on the issue of guilt at the trial," the language of *Simmons*—the Revised Draft extends the exclusion to use "as substantive evidence." This would apparently prohibit the use of such evidence in prosecutions for perjury and other similar offenses, a clearly objectionable result. Third, the proposed rule limits the use of the testimony as impeachment only if it is "clearly contradictory" of the accused's testimony at trial. I am aware of no rule which limits impeachment by use of prior statements or testimony to material that is "clearly contradictory." The standard test is whether or not the prior statement or testimony is inconsistent. *E.g.*, McCormick, *Law of Evidence*, § 34. I see no reason to depart from this standard test.

The above paragraph contains my objections to the rule as presently drafted. I also wish to bring to your attention a more fundamental objection, an objection which warrants deletion of the rule in its entirety. In May of this year, in *McGautha v. California*, the Supreme Court questioned the validity of the rationale of the *Simmons* case—that is, the concept that a "tension" between constitutional rights may justify on Fifth Amendment grounds exclusion of an accused's testimony to assert a constitutional right. Since this rationale, basic to the proposed rule, is now considered by the Supreme Court as open to question as a matter of constitutional law, it is, in my view, an inopportune time to try to codify the *Simmons* rationale. I therefore recommend deletion of the second sentence.

2. RULE 404. CHARACTER EVIDENCE NOT ADMISSIBLE TO PROVE CONDUCT; EXCEPTIONS, OTHER CRIMES

Rule 404(b) provides that while evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person to show that he acted in conformity therewith, it "may" be admissible for other purposes such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

The use of the word "may" indicates that the admissibility of such evidence is purely discretionary with the court and no guidance is provided to trial judges for the exercise of their discretion. As both 1 Wigmore, *Evidence*, § 216, and McCormick, § 157, make clear, however, if relevant to proof of motive, intent, knowledge, etc., evidence of other crimes is admissible. The only limitation placed upon the admissibility is that the person against whom the evidence is introduced is entitled to an instruction explaining the limited purpose for which the evidence is admitted.

A rule which makes evidence admissible only in the discretion of the court, with no guidelines for the exercise of discretion, can be expected to operate in such a way as to deprive a party to litigation of evidence which is highly probative of such critical issues as motive, intent, knowledge, etc. This is particularly so because judges, for obvious reasons wishing to avoid appellate reversal, will understandably be inclined to exercise their discretion to exclude the evidence, par-

ticularly in criminal cases in which the Government has no right of appeal. I recommend that the second sentence of proposed Rule 404(b) be redrafted to read as follows:

It [proof of other crimes, wrongs, or acts] is admissible, however, if relevant to prove such matters as motive, opportunity, intent, preparations, plan, knowledge, identity, or absence of mistake or accident.

There is no need to add the right to a limiting instruction since that is provided for in Rule 106.

3. RULE 405. METHODS OF PROVING CHARACTER

Proposed Rule 405(a) and also Rule 608 (a) permit proof of character, where relevant, to be by personal opinion in addition to reputation. Use of personal opinion to prove character is not permitted in the federal courts. *Michelson v. United States*, 355 U.S. 469 (1948). As McCormick observes (p. 334-35):

Reputation evidence, though muted and colorless, is thought to have the advantage of avoiding side-issues as to particular acts and incidents in the past life of the accused.

Opinion testimony, however, would inevitably lead to the introduction into a case of collateral issues which can only result in confusion and distraction of the jury from the main issues in dispute. Moreover, particularly as to moral traits of character, individual opinion is easily fabricated and difficult to cross-examine.

It can be persuasively argued that proof of character is both uncertain and distracting and, consequently, should not be allowed at all. If, however, character evidence is to be permitted, I oppose expanding the methods of proof and departing from the procedure set forth by the Supreme Court in *Michelson*.

4. RULE 505. HUSBAND-WIFE PRIVILEGE

Rule 505 authorizes a person to prevent his spouse from testifying against him in a criminal proceeding even if that spouse is willing to testify. I agree with the following comment about this privilege by McCormick (p. 145):

The privilege has sometimes been defended, after the manner in which we find reasons for inherited customs generally, as protecting family harmony. But family harmony is nearly always past saving when the spouse is willing to aid the prosecution. The privilege, in truth, is an archaic survival of a mystical religious dogma and of a way of thinking about the marital relation, which are today outmoded.

Congress has previously provided by statute that in the District of Columbia a person has a privilege to refuse to testify against his spouse but that spouse cannot claim the privilege; only the spouse called to testify can. D.C. Code, § 14-306(a). This rule has operated fairly and effectively in the District of Columbia for over fifty years. I agree with this resolution by the Congress and recommend its adoption as the rule for the federal courts.

5. RULE 510. IDENTITY OF INFORMER

With the widespread growth of organized crime, the need for law enforcement authorities to have access to inside information and to preserve these sources of information makes it more imperative than ever that the law provide adequate procedures for protecting the identity of these sources. Disclosure of identity should be required, particularly in criminal cases, only when the strong public interest in the flow of information is substantially outweighed by the right of an accused to present his defense as to guilt or innocence.

While the case law as developed by the Supreme Court and the federal courts of appeal provides adequate safeguards for protecting the identity of informers, proposed Rule 510, in my view, would place some of these safeguards in jeopardy.

A. Rule 510(a) extends the informers' privilege only to informers who furnish informa-

tion purporting to reveal a violation of law. There are other informers, however, who provide information concerning organized crime which does not specifically relate to a crime or violation of law. The information may relate only to investigation involving a suspected violation of law. Such an informant's identity should not be disclosed. Section 510(a) should be redrafted, accordingly, to extend the privilege to informers who provide this kind of information.

B. Furthermore, proposed Section 510(c) (2) provides that if "circumstances indicate a reasonable probability that the informer can give testimony or information necessary to a fair determination of a material issue in the case," the informer's identity must be revealed upon pain of dismissal of criminal proceedings. The language used in *Roviano v. United States*, 353 U.S. 53, 60-1 (1953) pertaining to disclosure of an informant's identity in criminal cases is whether disclosure "is relevant and helpful to the defense of an accused." This has been consistently construed by the federal appellate courts to limit disclosure to those situations, relating only to guilt or innocence of an accused, in which the informant has been an actual participant in or a witness to the offense charged, the factual situation in *Roviano*. See *e.g.*, *Rocha v. United States*, 401 F.2d 529 (5th Cir. 1968), cert. denied, 393 U.S. 1103 (1969); *Churder v. United States*, 387 F.2d 825, 831-32 (8th Cir. 1968); *Lannom v. United States*, 381 F.2d 858, 861-2 (9th Cir. 1967), cert. denied, 389 U.S. 1041 (1968); *Garcia v. United States*, 373 F.2d 806, 808 (10th Cir. 1967); *United States v. Pitt*, 382 F.2d 322 (4th Cir. 1967).

The proposed rule, in covering both civil and criminal cases, is too broad. In line with the above-cited cases, I therefore recommend that as to criminal cases disclosure be required only when relevant and helpful to the defense as to guilt or innocence, that is, when the informant is an actual participant in or a witness to the offense charged.

Section 510(c) (2) also fails to set forth an adequate procedure by which a trial judge can determine whether the test requiring disclosure has been met. A procedure must be set forth by which the judge can determine whether there is a reasonable probability that the informer can give the necessary testimony. This should be by an *in camera* proceeding in which the information is submitted to the court in written form. No counsel should be present unless all counsel are present. Moreover, disclosure must be based on facts, not speculation. *Lannom v. United States*, supra, at 861. As the Court of Appeals for the Fifth Circuit observed in *Miller v. United States*, 273 F.2d 279, 281 (5th Cir. 1959), cert. denied, 362 U.S. 928 (1960):

"If the informer's relation to the acts leading directly to or constituting the crime may be assumed from a fertile imagination of counsel, the Government in practically every case would have to prove affirmatively that the informant had not done any such likely acts. Having done that, all would be revealed and the informer privilege, deemed essential for the public interest, for all practical purposes would be no more." 273 F.2d at 281.

Finally, the proposed rule is subject to the interpretation that if the Government refuses to disclose an informant's identity in a multiple-defendant case, the proceedings to be dismissed as to all defendants even if the anticipated testimony of the informant is not necessary to the defense of all the defendants. The rule should be redrafted to avoid this result.

C. Rule 510(c) (3) sets forth those circumstances in which the informer's identity must be revealed when the issue is not guilt or innocence, but the legality of the means by which evidence was obtained. The cases I have cited above indicate that disclosure is not required when an informer's information relates only to establishing probable

cause, a holding consistent with prior decisions of the Supreme Court. *Rugendorf v. United States*, 376 U.S. 528 (1964); *McCray v. Illinois*, 386 U.S. 300 (1967). As the Supreme Court observed in *McCray*, 386 U.S. at 309 at 311-12:

What *Roviaro* thus makes clear is that this Court was unwilling to impose any absolute rule requiring disclosure of an informer's identity even in formulating evidentiary rules for federal criminal trials. Much less has the court ever approached the formulation of a federal evidentiary rule of compulsory disclosure where the issue is the preliminary one of probable cause, and guilt or innocence is not at stake . . .

In sum, the court in the exercise of its power to formulate evidentiary rules for federal criminal cases has consistently declined to hold that an informer's identity need always be disclosed in a federal criminal trial, let alone in a preliminary hearing to determine probable cause for an arrest or search.

I therefore question the desirability of any rule permitting disclosure of an informer's identity when his information is unrelated to guilt or innocence. This is particularly so when the challenged evidence was obtained pursuant to a warrant.

If there is to be such a rule, I have the following comments. Under the proposed rule, if the Court is not satisfied as to the reliability of an informer whose information is used to establish probable cause, he may require disclosure of the informer's identity. The rule states only that disclosure "may" be *in camera*. I recommend that disclosure, if required, should only be *in camera*, with additional information establishing reliability or credibility provided in writing. The purpose is to satisfy the judge. When disclosure is unrelated to guilt or innocence, there is no justification for disclosure of identity to an accused.

This section as drafted also appears to permit the court to require disclosure without an alternative to the Government to decline and face dismissal. The availability of this alternative should be made clear, as it is in the preceding section.

Finally, Rule 510(c) (3) should be amended to make clear that information from an informer to establish probable cause is sufficient if the informer is reliable or credible. *Aguilar v. Texas*, 378 U.S. 108 (1964); *McCray v. Illinois*, *supra* at 311; *United States v. Harris*, — U.S. —, decided June 28, 1971.

6. RULE 608. EVIDENCE OF CHARACTER AND CONDUCT OF WITNESS

Although proposed Rule 608(a) makes inadmissible evidence of the truthful character of a witness unless the character of the witness for truthfulness has been attacked, it provides an exception with respect to an accused in a criminal case who testifies in his own behalf. To my knowledge, this exception is without precedent. It was not included in the Preliminary Draft of March, 1969.

The only explanation provided for this addition is that merely being the accused in a criminal case "is an attack on character." I respectfully disagree with this explanation. A mere indictment is simply not an attack on the truthfulness of the accused as a witness. It may constitute an attack as to a particular character trait based on the nature of the offense charged, i.e., peacefulness in a charge of homicide honesty in a charge of fraud. And in those situations, the defendant may, of course, defend with character evidence under Rule 405. But, except for a charge such as perjury, an indictment is unrelated to the accused's truthfulness.

I see no justification, therefore, for departing from the accepted rule that until the truthfulness of a witness is attacked, evidence of truthful character is inadmissible.

For the same reasons set forth in my com-

ments on proposed Rule 405, I consider it unwise to depart from the federal practice of limiting proof of character to reputation. I oppose use of opinion testimony, particularly to establish a moral trait such as truthfulness.

7. RULE 609. IMPEACHMENT BY EVIDENCE OF CONVICTION OF CRIME

Rule 609(a) provides that a court may prohibit impeachment of a witness by proof of conviction of a crime if it finds that the probative value of the evidence is substantially outweighed by the danger of unfair prejudice. As the Advisory Committee's Note makes clear, this "provision finds its genesis in *Luck v. United States*, 121 U.S. App. D.C. 151, 348 F.2d 763 (1965)" a case which has given rise to a rule known as the *Luck* rule.

The operation of the *Luck* rule in the District of Columbia—the only District in which it has been in full force and effect for a substantial period of time—was intensively studied by the Congress in 1969 and 1970. Both the Senate District Committee and the House District Committee independently concluded that the *Luck* rule should be abolished. The recommendations of each of these committees that a judge should not have discretion to limit or exclude impeachment by proof of prior convictions was not challenged on the floor of either House of Congress and became law on July 29, 1970, and effective February 1, 1971. Public Law 91-358, Sec. 133.

Proposed Rule 609(a), therefore, is wholly inconsistent with recent legislation of the Congress which was enacted for the specific reason of overturning a decision which the rule attempts to reinstate. The proposed rule included in the Revised Draft is also wholly inconsistent with the conclusion arrived at by the Advisory Committee in the Preliminary Draft. As the Note to the Preliminary Draft makes clear, the Advisory Committee thoroughly considered and specifically declined to follow the *Luck* rule. It is also, in my view, highly significant, that the Bar Association of the District of Columbia, in a referendum participated in by nearly 1,400 lawyers, in February, 1970, voted to overrule the *Luck* decision. The Department of Justice recommended abolition of the *Luck* rule and I testified in favor of eliminating it before the Senate District Committee.

Since it became law in the District of Columbia, my office has found the rule to be wholly impractical and unworkable. This is so despite the attempt in *Gordon v. United States*, 383 F.2d 936 (1967) two years after *Luck* of then Circuit Judge Burger to set some guidelines for the exercise of the discretion given trial judges by the *Luck* rule and thereby bring some order out of the confusion that existed. Not only do judges vary tremendously in their application of *Luck*, but also the hearings required by *Luck* are time-consuming and increase the excessive congestion of the Courts. Furthermore, because the judges are aware of the close scrutiny their exercise of discretion receives on appeal whenever they permit impeachment, they tend to avoid the problem by excluding impeachment altogether. This result, as observed by the Advisory Committee in its Note to the Preliminary Draft, "enables an accused to appear as a person whose character entitles him to credence, when the fact is to the contrary." The *Luck* rule, as I testified before the Senate District Committee, impedes the pursuit of truth.

As was noted in the Report of the House District Committee, the rule is so unworkable that even appellate judges cannot agree among themselves. A rule which in five years has resulted in over thirty written appellate opinions, a significant number of them being split decisions, hardly merits the label of a rule.

For these reasons I recommend that with respect to impeachment by proof of prior

convictions, the committee adopt the legislation enacted by the Congress in 1970 in the Court Reform and Criminal Procedure Act for the District of Columbia now found in D.C. Code, §14-305 (Supp. IV, 1971).

8. RULE 611. MODE AND ORDER OF INTERROGATION AND PRESENTATION

Proposed Rule 611(b) departs from the rule in the Federal courts and the majority of the states which limits the scope of cross-examination of a witness to matters reasonably related to those testified to on direct examination. McCormick, *Law of Evidence*, §21. The proposed rule is also inconsistent with the proposal contained in the Preliminary Draft which limits cross-examination "to the subject matter of the direct examination and matters affecting the credibility of the witness."

The Preliminary Draft proposal and the Federal Rule permit an orderly, logical presentation of evidence, first by the plaintiff or prosecution, then by the defendant. There are many situations, particularly with the expansion of immunity provisions (Title II of the Organized Crime Control Act of 1970, Public Law 91-452) in which a hostile witness is called to the stand by the prosecution for a limited purpose. Despite his limited direct testimony, the proposed rule would permit him to be cross-examined by leading questions on matters wholly unrelated to his direct examination or his credibility. This is not only unfair to the party calling him but is also disruptive of an orderly presentation of a case. For it permits an astute opposing counsel to interrupt a party's presentation of its case and thereby confuse and distract the jury.

The only limitations on the operation of this rule is the phrase in 611(b) which permits a judge "[I]n the interests of justice" to limit cross-examination and the word in 611(c) "Ordinarily," which is intended to limit the right to ask leading questions on cross-examination. These limitations are, in my view, wholly inadequate to avoid the dangers I have specified in the preceding paragraph. The Advisory Note indicates that the existing rule creates excessive bickering in the courtroom as to what is the scope of the direct. With all respect, this has not been my experience based on many years trial experience in the courtroom. I believe far more harm will be done to the orderly presentation of evidence in both civil and criminal trials and the manner in which testimony is elicited by the proposed rule with its virtual unlimited right of cross-examination.

If there is a compelling need for a witness called for a limited purpose to complete his testimony in one trip to the witness stand, the judge can allow him to be examined as if on direct by opposing counsel, even though this interrupts the presentation of its case by the party calling him. The Preliminary Draft proposal authorizes it. I recommend that the Preliminary Draft Rule be retained and that proposed Rule 611 be modified accordingly.

9. This concludes my presentation of objections to particular rules of the proposed rules of evidence. Though an appropriate ruling on the admissibility of evidence depends on the facts and circumstances of the particular case, I support the attempt to codify rules of evidence in order to promote uniformity and certainty in the administration of justice in the courts. Nevertheless, the objections I have to the proposed rules, when considered together, are so substantial, that I feel obliged to observe that unless changed I am unable to support adoption of these rules.

Thanking you in advance for the consideration you have given my comments, with best regards,

Sincerely yours,

THOMAS A. FLANNERY,
U.S. Attorney.

SGT. HARRY CHINN OF HPD
WINS NEW HONOR

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. MATSUNAGA. Mr. Speaker, for the second time in a period of a little more than 30 months, I have found good reason to comment on the unusual professional achievements of a certain member of the Honolulu Police Department. On March 25, 1970, I caused my remarks entitled "Sgt. Harry Chinn of HPD—A New Kind of Cop" to be spread across the pages of the CONGRESSIONAL RECORD. I said on that occasion:

Too little attention has been focused on the many responsible and dedicated policemen who are quietly working in communities throughout the Nation in efforts to strengthen the forces of justice, law, and order.

One such policeman is Sgt. Harry Chinn of the Honolulu Police Department. For some time now Sergeant Chinn has been teaching an experimental "law and justice awareness" class at the Waiānae Intermediate School, on the leeward side of the island of Oahu, and the response from the students has been enthusiastic.

Today, I would like to bring to the attention of my colleagues and to other readers of the CONGRESSIONAL RECORD the latest honor that has been bestowed upon this unusual officer who, I am privileged to say, is a personal friend of mine. Sergeant Chinn was selected for honorable mention in the National Outstanding Policeman of the Year competition by Parade magazine and the International Association of Chiefs of Police.

The best accolade to Sergeant Chinn's important contributions to the community he serves so well is found in Parade's own terse description: "A policeman with imagination."

Mr. Speaker, the story of Sergeant Chinn's most recent honor is told by Mike Keller in the Honolulu Advertiser of September 27, 1971, and I would now like to submit that article for inclusion in the CONGRESSIONAL RECORD.

[From the Honolulu Advertiser, Sept. 27, 1971]

HONOLULU POLICEMAN WINS NATIONAL HONOR (By Mike Keller)

Police Sgt. Harry J. Chinn Jr. somehow doesn't seem like a policeman.

And in the performance of his daily duties, the 19-year veteran of the Honolulu Police Department doesn't act like the typical policeman.

For his efforts, Chinn was selected for honorable mention in the National Outstanding Policeman of the Year competition by Parade magazine and the International Association of Chiefs of Police.

Chinn for years has been concerned about the widening gap in confidence between the community and police.

So, in 1969, as part of the police community relations division, he devised and implemented an imaginative curriculum which is now part of the social studies program in several Waiānae Coast intermediate schools.

"At first, some of the teachers were suspicious of our intent. I suppose they thought we were going to try to recruit for the police department," Chinn said.

"But that wasn't the idea at all. We are trying to get kids to understand the police-

man's role in society and, hopefully, some of our officers will develop a better feel for what is going on in the minds of our kids today."

For his part, Chinn spends virtually all his time these days teaching the eight-week course and taking part in other community activities on the Waiānae Coast.

"We do a lot of role-playing," Chinn said. "We get some kids to play the role of trouble makers and others to play the role of police officers. Pretty soon the kids come to realize how really tough a job it is for a policeman to do his job and to be a nice guy at the same time."

Chinn said the program also attempts to get youngsters to realize why there are police officers in the first place.

"So much of the hostile feeling towards policemen today is a result of a young person's resentment of authority. I try to get the kids to imagine what life would be like if there weren't any laws and anyone around to enforce them. People want and need policemen, I tell them."

"Then I point out that enforcement of laws isn't necessarily a bad thing. It can be good as well, like enforcement of ecology laws and other things," Chinn said.

"I rap with the kids and they feel comfortable with me. And I feel comfortable with them. Sometimes they tell me: 'You don't act like a cop.'"

"And I always tell them: But I am a cop. I'm no different. Cops are people, just like you."

Chinn says his program is in keeping with good police work.

"The best way to lower the crime rate is to work to prevent youngsters from becoming criminals in the first place."

However, Chinn admitted his ideas are not totally accepted by all police officers. "But Chief (Francis) Keala is behind the program 100 per cent."

And the program itself is in very high demand, Chinn said. "We keep getting more and more requests from schools to teach the program. It's gotten to a point where we need more officers to teach the course," he said.

Chinn said he felt "very honored" to get the national award.

"But it really belongs to every officer on the beat. It represents what we are all working for, the direction police work in Hawaii is heading in. And I think the people of Hawaii can be proud, because it is to their credit that this program exists," Chinn said.

Chinn was featured in yesterday's Parade Magazine, the Sunday newspaper supplement which boasts a circulation of more than 16.7 million nationwide. It normally appears in The Sunday Star-Bulletin & Advertiser but the dock strike has delayed its delivery for the past few weeks.

Parade perhaps best summed up Chinn's contributions in only four words: "A policeman with imagination."

THOMAS CONSIGLIO: DISTINGUISHED CITIZEN AWARD BY ITALO AMERICANS OF CALIFORNIA CIVIC ORGANIZATION

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Friday, October 29, 1971

Mr. TUNNEY. Mr. President, tonight, in Los Angeles, Mr. Thomas Consiglio will receive the distinguished citizen award from the Italo Americans of California Civic Organization.

Tommy Consiglio is a friend of mine. He is a friend of the working man in

California. For nearly 20 years, Tommy was the legislative representative for the United Steelworkers of America, Western District No. 38. He is presently serving as a Steelworkers Representative on assignment to the Huntington Park, California office.

During all of his years of service, Tommy has exhibited the kind of leadership and compassion that have been aimed at bettering the lives of the people he represents.

Tommy Consiglio is a man who has stood for justice and for jobs. He has fought for the right to work for all men; for the right to earn a decent living. He has fought for better wages and improved working conditions. He has involved himself in campaigns that have meant progress for California and progress for America.

Tonight, in honoring Tom Consiglio, the Italo Americans of California have honored themselves.

Mr. President, in order that Tommy Consiglio's accomplishments might be recognized by the United States Senate, I ask unanimous consent that a resolution in his honor be printed in the RECORD.

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

A COMMENDATORY RESOLUTION

Whereas, Thomas Consiglio, honored with the First Annual Distinguished Citizen Award by Italo-Americans of California Civic Organization, rendered outstanding service as Legislative Representative for United Steelworkers of America, Western District 38, for almost 20 years, and now is serving as a Steelworkers' Representative on assignment to the Huntington Park office; and

Whereas, Mr. Consiglio, who was born on September 28, 1917 in Detroit, Michigan, and received his education in both parochial and public schools, was the recipient in 1969 of the Gold Star of the Government of Italy for promoting the welfare and advancement of the Italian community in the southland; and

Whereas, in 1937 he became active in the Labor Movement and three years later, in 1940, Mr. Consiglio earned an appointment to the International Staff of the United Automobile Workers; and

Whereas, in 1947 Mr. Consiglio migrated to California where he secured employment at a Steel Products company in Long Beach and helped to establish a Local Union of the United Steelworkers of America; and

Whereas, Mr. Consiglio's ability was soon recognized by the leadership of the Steelworkers Union, and he was appointed to lead its political arm in 1951; and

Whereas, Mr. Consiglio was a strong proponent of Citizen Participation in the processes of government and soon became a confidant of Governors, State Legislators and key Congressional Leaders; and

Whereas, Mr. Consiglio cherished his Italian Culture and willingly served on committees that aided in maintaining the ethnic identity of Italian-Americans, and in 1962 was elected to the presidency of the Italo-Americans of California Civic Organization, a position he still occupies;

Now, therefore, be it resolved that the United States Senate, by the adoption of this resolution, does hereby commend Mr. Consiglio for his outstanding contributions to his Community, State and Nation on the occasion of receiving this Distinguished Citizen Award; and

Be it further resolved, that Mr. Consiglio be also commended for his selection as the first American Labor Representative to be awarded the Gold Star of Italy.

U.S. REFUSAL TO COLLECT EARNINGS TAX ASSAILED

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. CLAY. Mr. Speaker, a recent article by Louis J. Rose in the St. Louis Post-Dispatch points up the necessity for Congress to pass legislation providing for the withholding of city earnings taxes.

The city of St. Louis is now spending an extra \$100,000 a year in seeking out and bringing to court those who have been delinquent in paying this tax to the city. These offenders number about 6,500.

The problem stems from the fact that present law forbids deduction from Federal employees except for the Federal income tax and contributions to such groups as the United Fund. These workers are, therefore, presented with a burden of having to pay the city earnings tax in one lump sum at one time. Many Federal employees have taken it upon themselves to ease this burden by not paying this earnings tax. The result is that the city of St. Louis is now losing a great deal of its revenue.

St. Louis collector of revenue John Travers, who has been fighting for passage of such national legislation, said that:

The Federal government was indirectly encouraging several thousand of its employees to become tax delinquents by refusing to authorize either a mandatory or voluntary withholding program.

Travers also believes that a majority of these individuals would rather have this tax deducted each pay period as opposed to paying it in one lump sum.

Unfortunately, when Congress was given the opportunity to pass a bill to remedy this problem the required number of votes could not be obtained even for its consideration. This matter could be resolved quite easily if Congress would only approve a bill providing for the withholding of the city earnings tax from each paycheck. As Travers states:

Such a program would save us (the city) money and be a great convenience to federal employees as well as eliminating the possibility of their being brought into court for tax delinquency.

I commend Mr. Rose's article to the attention of my colleagues and I urge Congress to act on this legislation. The article follows:

[From the St. Louis Post-Dispatch, Sept. 15, 1971]

U.S. REFUSAL TO COLLECT EARNINGS TAX ASSAILED

(By Louis J. Rose)

St. Louis is being forced to spend an extra \$100,000 a year on collections because of the Federal Government's refusal to withhold city earnings taxes owed by federal employees here, a city official said today.

John K. Travers, collector of revenue, said that the Federal Government was indirectly encouraging several thousand of its employees to become tax delinquents by refusing to authorize either a mandatory or voluntary withholding program.

"This is ridiculous," Travers said. "We have to withhold federal taxes and the Federal Government says it is OK to withhold for union dues, Blue Cross payments, state taxes and other items for its employees, but it is the one employer who fails to help the cities help themselves."

Travers' office is preparing to file suit against about 6500 St. Louis firms and individuals who did not pay last year's 1 per cent city earnings tax. The deadline was April 15.

Of the 6500 delinquents, Travers estimates that 4500 are employees of 70 federal agencies.

Over the years, Congress has refused to impose a mandatory withholding program for federal employees subject to municipal earnings and income taxes. Reports circulated last fall, however, that a voluntary program might be authorized by the United States Civil Service Commission for federal workers in cities of 60,000 or more population.

The Civil Service Commission acknowledged that it was studying such a proposal and wanted to get the views of employee associations.

Travers said he had been told that a decision probably would be reached by last July 1.

"That date has come and gone and frankly I am very pessimistic about chances of a voluntary plan being set up. After striving all these years and achieving nothing, it is hard to be optimistic."

He said that since becoming revenue collector in 1964, he had made at least six trips to Washington and had worked closely with Missouri's congressional delegation in an unsuccessful attempt to get approval for some type of withholding program.

Because there is no withholding program, Travers said, the more than 30,000 federal employees subject to the city's earnings tax must file individual returns.

He said he was convinced that the overwhelming majority would prefer to have the taxes deducted each pay period, rather than have to make a lump-sum payment.

"Such a program would save us money and be a great convenience to federal employees, as well as eliminating the possibility of their being brought into court for tax delinquency," Travers said.

His office has prepared the first group of summonses for services next week by the city marshal. Special City Court sessions will be scheduled next month and November to handle the cases.

Fines for most first offenders are \$50, with an additional \$8 in court costs assessed. This is in addition to payment of the taxes due. Most second offenders are fined \$100. Last year, more than 2000 delinquent taxpayers were fined.

Any person employed in the city is subject to that tax, as are city residents employed outside St. Louis.

Travers estimated that when he took office seven years ago, only about one-fifth of the 25,000 or more federal employees subject to the tax were paying it.

"We have vigorously sought to enforce the law by hauling thousands of delinquents into court and seeking widespread voluntary compliance," Travers said. His office, he said, is given copies by the Federal Government of all W-2 forms of federal employees.

He said that in the last few years his office had written to all business firms and employers in St. Louis County asking them to furnish the names and residences of their employees who live in St. Louis.

In addition, he said, his office constantly checks the city directory to determine where St. Louisans are employed.

Strict enforcement of the earnings tax law, together with inflationary pressures on salaries, has increased the total revenue from the tax from \$24,700,000 his first year in office to \$33,900,000 for the fiscal year that ended early this March, Travers said.

He said he considered the increase particularly significant in view of the city's population loss during the last decade and the decline in over-all business development.

Receipts from the earnings tax are expected to total about \$35,000,000 this year. The tax is the city's single largest revenue source.

FOOTBALL'S UPSET OF THE CENTURY—CENTRE COLLEGE CONQUERED HARVARD 50 YEARS AGO

HON. MARLOW W. COOK

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Friday, October 29, 1971

Mr. COOK. Mr. President, the New York Times of October 24 featured an incident of 50 years ago regarding Kentucky's extraordinary Centre College, and also looks at the pleasant side of this institution's existence today.

Mr. President, I ask unanimous consent that the article be printed in the RECORD, so that Senators may enjoy reading about one of the greatest moments of Centre College.

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

FOOTBALL'S UPSET OF CENTURY TOOK PLACE 50 YEARS AGO

(By George Vecsey)

DANVILLE, Ky., October 23.—They no longer call themselves the Prayin' Colonels and they probably couldn't beat Harvard today. But Centre College has a tradition, a magnificent burst of greatness after World War I that culminated in the football game that captivated the country:

The date was Oct. 29, 1921.

The score was Centre 6, Harvard 0.

What made the score so stunning was that Harvard was national champion, unbeaten in five seasons, and Centre was then—as it is now—a tiny liberal arts college in central Kentucky. But for a few glorious autumns, Bo McMillin and a nucleus of outstanding athletes were able to beat the toughest teams in the country.

It couldn't happen today, not with huge universities recruiting hundreds of giants on full scholarships and getting into the "show biz" aspects of the game. Harvard long ago stopped trying to compete with the "factory" colleges.

And Centre? It is doing fine. It tied for the conference championship this fall, after the big game with Sewanee. Its academic standards remain so high that the president, Dr. Thomas A. Spragens, compares the college with Williams or Swarthmore in the Northeast.

And its lush, green campus, uncluttered by high-rise dormitories, sits just a few steps from this picture-postcard town, the kind a producer would build if he dared present fiction like the story of Bo McMillin and the Prayin' Colonels.

Danville was also pleasant and sleepy 50 years ago, but Centre was much closer to the mainstream of American colleges then. Founded under Presbyterian auspices in 1819, it received a boost from the president of Princeton University, Woodrow Wilson, who talked about the little school west of the Alleghany Mountains that had produced more great men than Princeton (Centre boasts of two Vice Presidents and one Supreme Court Justice, Fred Vinson).

But Alvin Nugent McMillin did more to publicize Centre than any dozen public servants.

The golden era started with a couple of policemen chasing a tough little kid around the schoolyard in Fort Worth, Tex. The boy was Bo McMillin and everybody said he was destined for trouble unless somebody straightened him out. A Centre alumnus, Robert L. (Chief) Myers, talked the police into letting Bo enroll at Northside High, where he became a quarterback under Myers.

Myers then arranged for five of Northside's top players to matriculate at Centre. But Centre's entrance requirements were as high then as they are now, and Bo couldn't get in. So he and Red Weaver spent a year at nearby Somerset High gaining some credits and keeping themselves in money by pressing clothes. Bo also contributed to the communal fortune by playing pool or poker or craps, the only things he did better than play football.

At Somerset, Weaver and McMillin were paired with Red Roberts, giving the little high school three future all-Americans at the same time. By 1918 all three were enrolled at Centre, with financial aid from friendly Centre fans. Chief Myers had become the Centre coach with Uncle Charlie Moran, later to become a famous baseball umpire.

Up to that time, Centre was known merely as The Colonels, which is not such an unusual nickname in this state, where your fried-chicken maker, governor or bookmaker may be a real or imaginary Kentucky Colonel.

However, the nickname expanded during a 3-0 victory over the University of Kentucky when Uncle Charlie suggested a half-time prayer.

"Coach, let me do the prayin!" blurted Bob Mathias, another of the Fort Worth bunch. And after that, they were the Prayin' Colonels.

They gained the first major notice out of their area with a 14-6 victory over West Virginia in 1919, as they went undefeated for a second straight season. This prompted a visit by Harvard scouts who were looking for opponents the following year (schedules were not drawn a dozen years in advance, as they are today). With the scouts watching, Centre trampled nearby Georgetown (Ky.), 77-0, and was invited to visit Harvard in 1920.

It is hard to conceive in this era, but the Northeast was then considered the hotbed of college football. And Boston grew excited as the little school from the South, with a 22-game winning streak, arrived by train at South Station the Friday before the game.

"The Centre team was greeted like a Presidential candidate," said the Boston Post. "There was a mob of several hundred that rushed down the platform to see them as they got off the train. The crowd was all for them."

"The Centre boys and their followers made an odd sight for the Boston streets. Several of their players, including their captain, Bo McMillin, wore khaki trousers and blue flannel shirts. They were off the fancy stuff for fair."

"Out at Harvard, the Centre College group is being feted with the hospitality akin to the Southern brand. That's something new for Harvard, too. Customarily, the Harvard youths do no more than rise an eyebrow when an invading host approaches the door. But they seem to realize at Cambridge that this is a gala event for Centre, and they are doing their darndest to make it such."

The teams ate dinner together the night before the game, but the hospitality ended on Saturday. Centre took a 14-7 lead. But Harvard used three teams of bigger players and some sophisticated tactics (discreet holding was alleged to be one of them) and bounced back for a 31-14 victory.

The 16 weary Centre players were not embarrassed, even though they had lost their rent money by betting on themselves. Besides, they were invited back for 1921.

While waiting for the rematch, Centre ripped off nine more victories. It also hired a

line coach, Tiny Thornhill, from the professional Pittsburgh Steelers, who rearranged the line.

With revenge on their minds, the 1921 players delegated McMillin to scout Harvard. Bo returned 15 pounds lighter (after one of his rare gambling losses and a subsequent enforced diet), but was so confident Centre would win that he came up with fresh money and sent it North with a friend for investment in scalping tickets and betting on Centre.

Then it was time for the return trip to Cambridge. Again Boston received Centre with great hospitality, producing tickets to the "Ziegfeld Follies" for the players, holding a Friday night dinner for both squads at a country club.

Amid all the festivities, the Centre players evolved a plan. They had gone down to defeat in 1920 trying to match Harvard's stylish play; this year they would be more conservative.

With 50,000 fans watching, the teams ground out the first half with no score. But early in the second half, a piling-on penalty gave Centre the ball on Harvard's 32-yard line. On the next play, McMillin followed Red Robert's block off right tackle, cut to his left, then snaked his way toward the goal line. He slowed down around the 10 to fake a few Harvards out of their crimson socks, then dashed across the goal just before he was tackled from behind.

It was the only score of the game, although Centre had one touchdown called back and the battle ended with the visitors on Harvard's 4.

Harvard's five-year winning streak ended with Cambridge fans mobbing the visitors, cheering McMillin and his teammates. That evening, and when people read the Sunday papers, Centre College was truly at the center of the football universe.

The season was only half over, however, Centre was so popular that it played Kentucky at Danville, Auburn at Birmingham, Washington and Lee at Louisville, Tulane at New Orleans, Arizona at San Diego and Texas A. & M. at Dallas.

The Colonels were equal to the task for a while, scoring five straight shutouts despite side trips to Hollywood (where Bo was photographed "tackling" Gloria Swanson). But the players were not happy with the extra game Jan. 2 against Texas A. & M., particularly after Bo got married several hours before the kickoff. They lost, 22-14, after 10 straight victories that season.

The 1921 season was the high-water mark. Most of the good players began graduating after that year and Centre could no longer compete for the prime beef. It had an 8-2 record in 1922 then 7-1-1 and 5-1-1 and 3-6-0. The golden era was over.

McMillin played pro ball only briefly before coaching Centenary, Geneva, Kansas State, Indiana and the Detroit Lions. He died of cancer in 1952 at the age of 57. It is the consensus that he was the leading force of the Prayin' Colonels, the natural leader of an extraordinary group of men who later became successful in many fields.

"Bo was extremely superstitious," recalls Norris Armstrong, the center on the 1921 team, now a sturdy and charming retired businessman in Danville. "He would have hunches and he just had to carry them out."

"One time he had a hunch that he had to place a trophy on top of a three-story building. The only way he could get up there was to climb the drainpipe. We tried to talk sense to him but he said he had to do it or we wouldn't win the next day. So he did it—and we won."

Although Bo was skillful with cards and dice, he occasionally returned money or shared it generously. His scholarship was not overwhelming. He used to say he studied "the ABC course—Athletics, Bible and Chapel." In other ways he was ahead of the mo-

reality of his time, or any other time. Armstrong and others insist that Bo never swore, drank, smoked or dated in his year at Centre.

Vice would not seem to be a promising pursuit in this quiet little town. Danville has old tree-lined streets, rambling old homes with porches and gables, a clean Main Street with attractive churches (one designed by Christopher Wren) and parks, including an old pioneer stockade.

It is a town where almost anybody would love to live, if there was something for him to do. But there is little noise or night life. The students cut out to Lexington, half an hour to the north, when they want to swing.

The school has "boomed" from the 200 enrollment of Bo's time to 726 today. It has saved the expansive green in the middle of the campus and preserved its high standards.

Freshmen had a combined score of 1127 on the Scholastic Aptitude Test, which is higher than many schools, certainly higher than any others in Kentucky. And a progressive fine-arts center is growing in a corner of the campus.

McMillin might have blinked at the women walking around the campus (the school went coed a decade ago) and he might also have been surprised at the number of blacks. The school integrated in the decade, so comfortably that it hardly seems an issue. The football team has a black quarterback, Harry Sykes Jr. A rugged, middle linebacker, Anthony Olinger is a black pre-med student from Hazard who was elected by students to head the prestigious Judiciary Committee. "We don't talk too much about the old days," Olinger said. "But we all know about it, sure."

Centre, which once played in the most famous stadiums, now plays before a thousand fans in its modest cement grandstand. The field is so intimate that you can almost hear the players talking or laughing during a time-out.

The fans all seem to be alumni, students and somebody's relatives or friends. There are few outsiders rooting for the point spread or attending the games as a reasonable alternative to pro football.

But Norris Armstrong, who played when Centre had all-Americans, sits in the grandstand with pride.

"This is the way it should be," he said the other day. "We don't give any athletic scholarships. We make our boys go to classes and labs. We had a good college when I was in school. I'm glad they kept it just the way it was."

NATIONAL SPANISH-SPEAKING COALITION CONFERENCE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. ROYBAL. Mr. Speaker, I would like to bring to the attention of my colleagues last weekend's national Spanish-speaking coalition conference held in the Nation's Capital. This historic unity conference was attended by nearly 2,000 Spanish-speaking Americans representing national and community groups throughout the country.

The purpose of the conference was to develop national strategies and priorities, and explore the formation of a nationwide coalition of all Spanish-speaking groups. Cosponsoring this meeting were Senator JOSEPH MONTANA, Representatives EDWARD R. ROYBAL, HERMAN BADILLO, and MANUEL LUJAN.

As keynote speaker, Senator MONTAÑA presented the theme for this conference: unity. I am inserting into the RECORD the Senator's statement. I ask my fellow Congressmen to reflect seriously on the issues raised in his speech.

The speech follows:

UNIDOS! UNIDOS! UNIDOS!

(Remarks of the Honorable JOSEPH M. MONTAÑA)

I welcome all of you.

In the name of our common Cause.

In the name of our common brotherhood.

In the name of our people.

In the name of the unity which brought us all here. UNIDOS! UNIDOS! UNIDOS!

We are here as founders whose forebears settled America before the Pilgrims began their voyages. The Spanish peseta financed Columbus. The cross blazed the trail.

This is a momentous occasion in the history of our people. Never before have we come together in such a manner for such goals. Never before have so many differences been bridged in pursuit of commonly held ideals and commonly sought fulfillments. It is fitting that we should meet in the shadow of the Capitol of the United States. Our business today is with the United States. We have much to say and even more to do.

We assemble because we retain faith in this country, its ideas and institutions . . . in spite of what we have suffered at its hands.

We have come to belabor the conscience of America . . . to awaken it to injustices prevailing even as we speak here. Our people are victims of a series of evils that can only be termed the degradation of the United States.

Let America contemplate this gathering and know it for what it truly is . . . the cementing of a new alliance of brothers, united in a desire for full freedom, liberty, justice, and opportunity.

We have come to recite grievances that have never been redressed. And to advocate fresh solutions for old problems we still must live with. We come to remind America of our presence and plight; that we are almost 12 million strong in all States of this Union.

Whatever our past differences have been, let them be buried with the sadness and broken dreams of yesterday. Let America hear our message.

Nor do we come as supplicants, with hats in hands and eyes cast down, as did our forebears. Rather, we are here today as equals, unafraid of no man; determined to settle for full equality and nothing less.

We seek no special favors. Only a fair chance at a decent life for all our people. We ask for no handouts. Just for a real opportunity to join the mainstream of American economic life.

Our people have earned and fully paid for such equality. On a thousand desolate battlefields. In ten thousand squalid barrios. In a million windswept farm fields. In five million decrepit shacks and tenements. At ten million store counters and back doors . . . as well as in the Constitution of this country and its Bill of Rights.

We have come to remind America of her obligation to ALL her citizens . . . of unkept promises . . . of closed institutions.

Since the Mexican War, many of our people have lived as second-class citizens in a nation whose watchword is liberty. Since the Spanish-American War, others of them have led lives distinguished solely by economic exploitation and denial of equal opportunity.

Even now, most are still relegated by today's society to dusty fields, overcrowded barrios and crammed tenements, where children die young and lives are stunted by an unheeding society dangle a golden dream before their eyes. In cities, they occupy areas long since abandoned by earlier groups of immigrants. Used and abused by a system seeking to exploit labor and votes, they are

enticed here, squeezed of the juices of life and cast aside. Let America know they came seeking jobs, not welfare, as some heartless critics have claimed.

Hispano, Chicano, and Boricua communities will not tolerate such treatment any longer. Our presence and unity today testifies to our determination. For too long we have been the "Silent People", quietly enduring a second class role delineated for us. No longer. *Ya basta*. We say this with one mighty voice, and we shall be heard.

America has had all the ugly facts laid before her. The U.S. Civil Rights Commission, headed by Father Hesburgh of Notre Dame University, spoke about administration of justice in the Southwest. The Commission said our people are subject to widespread patterns of discrimination and denial of equal protection of laws in administration of justice.

The Commission told the nation Mexican Americans in the Southwest are often subjected to excessive police violence, discriminatory treatment and abuse of the arrest power. Also, that they are grossly underrepresented on State and local juries. That bail abuses, especially excessive bail, are too often found applied to them.

It revealed there are too few interpreters to explain to those arrested what their rights are. That same Civil Rights Commission recommended that legislation be enacted to correct the worst of such evils. Little has been done to implement these recommendations.

We still must come up with higher bail. Justice in this nation still reflects the economic status of its citizens—and our people receive a lesser quality of justice. We still are on the receiving end of continuing abuses on the part of certain well-known law enforcement agencies or personnel. These agencies STILL maintain one standard of Law Enforcement for our people and another for Anglos. I do not hesitate to name the FBI and the Texas Rangers. How many of our people are employed by either of these groups of elite agencies?

What about the Rodriguez case? And what about the murder of Ruben Salazar? What about Judge Chargin?—He is still on the bench. And what about the Boricuas who have been killed and abused? The cases are as terrible as they are many.

I shall not make misleading statements in general about the vast majority of decent, honest American law enforcement people. But it is time for those sadists who have perpetrated such heinous crimes against innocent people to be exposed, taken to court and driven completely out of law enforcement.

Such men should know before they pull another trigger that a unified Hispano, Chicano and Boricua community will have them in court before they can reload if cases continue to proliferate.

We need less trigger pulling and further efforts to understand and deal fairly with those who run afoul of the law. We require greater realization of attitudes engendered in barrios and tenements by such happenings. Experience of injustice leads to suspicion and dislike of ANY symbols of authority. When justice is unevenly administered, faith of our people in the entire system is eroded. American society has a long tiresome road to travel to make our people regain significant faith in administration of justice. United, we can bring the country to an understanding of what motivates us.

We must register protests with utmost vigor in the courts through the legal process. We must let the entire nation know in this manner that the days are finally over when one of us could be killed with impunity or deprived of his rights. We shall live in court if necessary to prove our point. Pitiless exposure without letup; relentless publicity and constant legal action is our unified theme.

The same applies to publicly-licensed

mass media that still persist in allowing demeaning stereotypes of our people to be placed on TV screens, over radio waves and on newspaper pages. No more Frito Bandidos. No more Elgin Watch campaigns on Emiliano Zapata. No more lazy, dirty villains taking siestas, making revolutions or acting as foils for dashing cowboy heroes. No more hat-in-hand types happy to be portrayed as lovable mascots. We are men, not dogs. We are people, not public relations foils. We are individuals, not advertising themes.

It is our unshakeable intention to expose perpetrators of such mass media portrayals, be they immediate sponsors, advertising agencies or media outlets. We intend to haul Madison Avenue copywriters, advertising managers and account executives out from behind screens of anonymity, to let the country see who is really responsible. We serve notice upon them today. We shall name names and complain formally and bitterly to all appropriate Federal agencies licensing publicly-owned airwaves until we are either portrayed fairly or not at all.

Further, people who control mass media must realize that newsrooms which do not include our people can never report accurately on our doings.

More minority group members in media with new perspectives can work wonders. I call upon media operations of our nation to hear us and act accordingly. No one up to now has even known who we are.

We are tired of being America's best kept secret. Who has a better claim to recognition on the basis of prior occupancy than we do? Only the Indian was here before us. No one else. Yet where is there any evidence of national recognition paid our culture and heritage? In enchiladas? In sombreros? Together we must awaken America to recognition of our scholars, poets, composers, philosophers, scientists and writers. Our government can and should invest a significant sum of money in helping to create such programs. The Office of Education can and should be active in this area.

It can create courses on our history and culture with little difficulty, if motivation is there. Today, we are supplying just that. Let us have action in this area now.

And what about bilingual education programs in cities and counties where we are a majority? We had to fight bitterly to obtain the Bilingual Education Act. Even to maintain its funding or increase it modestly has required all-night struggles and arguments.

Yet wherever such a program is instituted, dropout rates sink. People discover that our children are not retarded after all. Rather, they are bright and well able to compete, once working with a language spoken daily at home. We must stubbornly complain to as many school boards as possible, and to as many governmental agencies as necessary to correct these situations.

We must assure that Title I monies are used for the poor. Often such monies are diverted into local general education funds. We must legitimately monitor such money to insure that our children are receiving the benefits.

Wherever a teacher punishes or ostracizes a youngster because he or she speaks Spanish rather than English as a primary language, we must take action, if necessary in court, to halt this. Wherever the government is spending one dollar on bilingual education, it must spend three. And government must insist that every cent be spent directly for the children.

One thousand new residents pour into the barrios weekly. The same number enters tenements in the East. Yet together, more than half our children drop out before 8th grade. We need not wonder when these youngsters fall behind the first day and never have the chance to catch up.

We are so sick of high school counselors

constantly encouraging our young people to not even consider a higher education alternative. As one result, our young men consistently seek out the armed services option first. We end with more Congressional Medals of Honor proportionately than any other group in the United States. We are first in the infantry, first in janitors, but last in equal opportunity and college graduates.

Across America, our young men return from the Indochina adventure. All have given their share and more. What rewards and responses do they find? Minimal ones. Frustrating ones. Grudging ones. They were adequate for utilization as cannon fodder in Asia, but are rarely considered good enough to qualify for equal treatment back home. Government has not acted to set up special programs to aid the Hispanos, Chicanos and Boricua veterans in making the transition from service to civilian life. How much would it cost to gather Spanish-speaking advisors to inform these men of their rights and choices? What is spent and wasted in South Vietnam in a day could finance a meaningful effort.

Are we not entitled to such consideration? Yet in town after town, the establishment rests secure in power, rarely suspecting the frustration such a state of affairs engenders in the Hispano, Chicano, and Boricua mind. The status quo is regarded as non-political. Traditional arrangements of control by a resident majority are thought of as non-racist.

We seek to sensitize our Anglo fellow citizens to our desire to enter the economic mainstream of society. Yet, we have no intention of giving up our uniqueness. The nation can adapt to our individuality as it has to so many other groups.

That housemaid or laborer; what are they thinking? The people in jobless lines; what goes on behind their faces? The Hispano, Chicano or Boricua man or woman denied promotion in government, private industry or a union; what goes through their minds? How about people in migrant labor camps forced to live in squalor? How happy are they?

When one of our young men graduates from a school, functionally illiterate in two languages . . . when he is selected by a draft board that does not represent or emphasize with him . . . when he is given a uniform made by a mill that wouldn't employ him . . . when he is sent to fight in wars that mean nothing . . . when he returns to a decrepit VA hospital requiring an 8-hour wait for a simple ear examination . . . when no job or job training awaits . . . what do Americans expect him to feel?

Statistics are devastating. Hispanos, Chicanos, and Boricuas comprise 15% of all Americans under age 25, but account for only 6.2% of college enrollment. Chicanos from the Southwest account for more than 20% of all dead in Asia. Yet only 6% of all draft boards in that area are made up of Chicanos. Only 1.2% of all Boricua students on the mainland enter college, compared to 50% of students from America's total population.

Chicanos account for more than 40% of so-called "mentally handicapped" in California. Our disease rate for tuberculosis is 31.6% in East Los Angeles compared to 20.6% for the entire county.

Using a yardstick of one person per room, over 35% of all housing in the Southwest is substandard. In New York, living conditions for an average Boricua family in a tenement are disgusting. Cold and wet in Winter. Leaky and steaming in Summer.

Our jobless rate is 1.7 times greater than any other group in the labor force. 17% of all households headed by a Chicano, Hispano or Boricua report incomes of less than \$3000 annually, compared to 10% of other households.

These are random samples of tragedy. In light of such facts, it is difficult to under-

stand frustrations rife in our communities? A mother does not care for humanistic Americanism and democracy 20 or 100 years from now. Her children are hungry. Her son is in trouble with the law. Her husband needs a job. All these are NOW, not in any great time to come.

The Hispano, Chicano and Boricua now possesses an aggressive identity. He is spiritually armed with La Causa. He wants action, progress, self-determination, true equality and justice, betterment and first class citizenship . . . now!! Here is true expression of ourselves. We shall do this without giving up our heritage, customs, culture or language. This theme we sound with one united voice.

How common it is, for example, to see a special kind of progress barge into our self-contained communities. When a highway slices through a neighborhood, it wipes out institutions, threatening to destroy an entire way of life. By such a stroke, it indicates the utter contempt society has for us and for our ways. It annihilates our only sources of community life and self-consolation. Yet we possess little dollar power with which to fight back. Before urban renewal projects tear into or across our neighborhoods, we must be consulted and given a voice in planning and carrying through the work.

We own but three small banks out of the nation's total of 1300. Our commerce is too often restricted to one Hispano, Chicano or Boricua selling tacos to another. We own so few non-ethnic businesses that a recent grant of MacDonald's franchise to one of us in San Antonio qualified as a genuine breakthrough. While around us, gargantuan profits are squeezed from the sweat of our brothers and sisters in agribusinesses and sweatshops.

Aid from private Anglo business groups is close to non-existent, and must increase. Where are investors?

Where are major banks with seed money to get us started?

Banks have failed to recognize our initiative. Commonly held assumptions that we are poor risks persist. Banks must do more.

Once again, we raise a single voice to call upon wealthy private interests, presently enjoying huge profits, to investigate prospects of putting some resources into Hispano, Chicano and Boricua businesses and people. It would be simple indeed for them to send representatives regularly to us to set programs in motion. We shall give them an excellent reception.

Yet of all the second class treatment inflicted upon our communities, the worst has come from the national government itself. The Federal Medical Center at Springfield, Missouri, responsible for treatment of Federal prisoners, has no member of its psychiatric staff who is Spanish-speaking. In higher government pay-grades, we are virtually ignored and unrepresented. The facts are there for anyone to obtain and study. In grades 16 through 18, we are almost totally excluded in agency after agency. Here is a true national disgrace. We qualify to die for America and be mentioned in holiday speeches, but not to rise near the top by merit in our government's Civil Service.

Again, Unidos, we speak with one voice to the government, and to the Civil Service Commission in particular. Such a situation is intolerable. One of the most grotesque frauds and failures is the Equal Employment Opportunity Program, which is usually an empty shell and sham in most agencies.

Let us reveal names of high-ranking men and women who are responsible for lack of progress by our qualified people. Haul them out to public view and inspection. What are their excuses? Why are there so few promotions and appointments?

Let a special investigating commission be appointed to set up procedures to correct this imbalance. What shall be done to prevent repetition of a situation prevailing in agency after agency of a government we pay

taxes to and serve in so many ways? It is time to throw open the doors and let fresh air into offices.

Politically, we are the most underrepresented group in the country Except for Indians, we are people with the least voice in the governmental process. With the honorable exception of my home State of New Mexico, we hold few positions of real power and decision making. How many of us are governors and mayors? How many sit in legislatures of major states?

Yet in one Congressional District after another we are a significant portion of the electorate without power or voice. Decisions are made affecting us. We are not party to them. We can hold a balance of power in dozens of Congressional districts and many states. Systematically, our people have been gerrymandered out of any meaningful voice in local, county, city, state and national elections.

City Councils, school boards, state senator and state representatives and on a Federal level as well; in each area we are eched out of power. A time has come for reapportionment of such districts to reflect the realities of population distribution, rather than to preserve power of a privileged, and often bigoted few. This is especially true of such states as Texas and California, although no state where we are concentrated can escape guilt completely.

For years we have been taken for granted by both political parties. We have heard more promises than a drunkard's wife. Almost all have been broken. It is time we make it known to both political parties that we are gathered to inform them of the following facts:

Unidos, we represent a potent, growing and aroused political force.

Unidos, we intend to nominate and elect more of our people to represent us.

Unidos, we shall not tolerate or accept meekly any further lack of political representation, particularly in places where we represent a majority of the population.

It is up to all of us to go home and vote out of office those who have opposed equity in representation.

Dr. Martin Luther King, Jr., stated again and again . . . "The ballot . . . the ballot . . . give us the ballot!"

We have the votes. We must and shall use them. We have numbers and intend to make their weight felt. Gently by preference, but bluntly where necessary. In every election where our interests are at stake, from local school board to President of the United States, we must make our presence and influence felt. The elective process is open. Wherever established authority seeks to prevent us from exercising a Constitutionally-guaranteed franchise, we shall immediately and forcefully go to the courts. Every one of our people shall be able to go to the polls. Again we speak with one voice, Unidos, to say no obstacles will be tolerated again . . . anywhere in the nation.

If there is a closed political caucus, and we are not allowed to participate, let us make it known that we shall enter it and join in its deliberations. No small clique or group of vested interests and their political tools can withstand an aroused demand by a majority to share in deciding their fate. Wherever a local power structure seeks to slam the door in our faces as in the past, we shall utilize our own attorneys to take them directly to the courts. Nor shall we rest until we have secured a favorable decision.

This highlights another factor; one I term a cornerstone of the structure we build. An end to *patronismo* by the Anglo community towards us and our goals. We seek our own leaders, our own professionals, our own businesses and our own successes. A time when we were led by the hand of another down the road *HE* determined for us to take is

over! If nothing else, this unified coming together here signifies such a truth.

We will listen . . . and accept what we choose to accept. . . . We shall never again be told just what road to take.

We shall battle within this gathering. Our differences are great, even enormous. Many of us differ significantly on methods and goals.

Hispanos, Chicanos and Boricuas will struggle against one another. Chicanos will disagree vehemently among themselves. So will Boricuas.

Still, we shall emerge as we commenced . . . united. *United* in seeking full participation in all benefits of American life. *United* in our determination to exercise every option open to us in this society. *United* in our desire to realize full enjoyment of ALL rights guaranteed us as citizens of this country. *United* in our efforts to make institutions responsive. *United* in our desire to rouse the consciences of our compatriots and fellow citizens. *United* in striking bigotry and at those still seeking to retain chains binding our people.

There is growing evidence that this nation can move away from the old melting pot ideal, under which all ethnic groups at some point are expected to conform to a single, presumably WASP ethnic. Our watchword is diversity and cultural pluralism.

Most important, this unified gathering should send a series of messages to America. If ten to twelve million persons are prevented from achieving half or more of their original potential, unintended, latent consequences to our society are almost unbelievable. Certainly they are greater than any nation can afford.

Where prejudice and discrimination are directed against cultural differences in a minority, the majority has its cultural and national potential narrowed. America must realize what it does to itself by doing damage to us. America must see that the concept of a whole man has emerged from barrios and tenements to enter our national arena. All America can benefit from it.

So far, we have shown forbearance. I know well of voices among our peoples which cry out for militant, even destructive action. While I understand why they say certain things, I do not feel we must resort to anti-social or devious actions in order to attain our goals.

We have watched carefully as others pounded upon portals of American life with gun butts and clenched fists. This has been their choice. I put such an option aside and decry negativism. Too much violence has been perpetrated upon us. Too many murderers walk the streets of too many places in this country today, secure in the knowledge they will never be prosecuted for killing a Chicano or Boricua.

It is for us to show our culture, heritage and maturity by calmly and unitedly calling upon the American people for full justice. We do not say this today as a frightened group of immature people. We ask in tones of stern moderation for understanding, progress and elementary justice.

Let us also resolve to leave behind us a permanent presence and statement of purpose. Unity sounds wonderful, but it must be backed up by something tangible. Within the institutional framework of this nation we must construct a new path. Previously we have walked the darkened side streets of American life. Now we emerge upon the main street of our national life stream. We seek admittance as equals to inner sanctums created with our labor from which we have hitherto been barred.

We should declare it our purpose to establish an office here with the following functions:

Create a permanent legal defense presence available to any of our people victimized and helpless or to fight any cause in our name.

To create and maintain a brain and skills bank of prominent and qualified people who can step forward and fill positions when we are challenged to produce them.

To create a national presence to see what happens to government aid funds appropriated and supposed to go to help the poorest of our people.

To create a national presence to lobby in Washington and in state capitols on behalf of our political goals, especially equal representation and voting rights.

To bring into being another, allied presence to work on bilingual programs, and to make our feelings known wherever our people and a program affecting them are involved.

To create a permanent liaison group to bring all elements sharing our language and culture ever closer, so they may cooperate in the future.

To bring into being a nationally representative element to study our educational needs, staffing, curriculum and facilities as they affect our people. Such a group would also be charged with responsibility of implementation.

To create and maintain a group to investigate the entire situation regarding our people and draft board representation, specialized training, assignment to combat arms and programs aimed at assisting them in transition to civilian life, veterans benefits and programs.

To create a group designed to accelerate the flow of venture capital into businesses owned or about to be started by our people.

In closing, I wish to remind America of one other historical truth. To deny freedom . . . the fullest freedom . . . to any of our people, is in effect to deny it to all. Every person in this land is less free because of lives now being led by millions of our brothers and sisters in America's barrios and tenements. The burden of conscience is far heavier than the greatest stone. America has much upon her conscience these days.

Yet she has always sought to redeem herself. We are children of the Great Dream, too. We seek, just as have the 29 million refugees who have emigrated here over the centuries. We seek no dominion over Anglos. We seek only that dignity and self-respect any man and woman has a right to expect in his or her lifetime.

Abraham Lincoln, spiritual companion of Benito Juarez, said in his second inaugural . . . "In giving freedom to the slave we assure freedom to the free—honorable alike in what we give and what we preserve."

The only way America can survive and grow is to rid herself of the last vestiges of forceful dominion over lives, persons, aspirations and cultures of other human beings. We shall, in unity, be free. Unidos!

DR. JOHN G. BARKER INAUGURATED AS NINTH PRESIDENT OF MARSHALL UNIVERSITY IN HUNTINGTON, W. VA.

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES
Friday, October 29, 1971

Mr. RANDOLPH. Mr. President, on October 23 Dr. John G. Barker was inaugurated as the ninth president of Marshall University in Huntington, W. Va.

The formal academic inaugural ceremony was the first in the 134-year history of Marshall University and was attended by 1,500 persons.

I was privileged to participate in the

program, representing the U.S. Government. In my remarks I noted that Dr. Barker has been a leader in education innovation to marry future needs with the traditions of the past, and I said:

Let us pledge ourselves to that future and bend every effort to keep faith with the expanding demand for better higher education. Marshall University and her sister institutions will, with our support, give West Virginia the fullest use of its greatest resources, namely, a mature, educated and dedicated citizenry.

The Honorable Arch A. Moore Jr., Governor of West Virginia, spoke on behalf of the State government. Other greetings were presented by Dr. Prince B. Woodward, chancellor of the West Virginia Board of Regents; Lake Polan Jr., president of the Marshall University Foundation; Dr. James E. Phipps, president of the Marshall University Alumni Association; Dr. Sam E. Clagg, representing the university faculty.

Amos A. Bolen, president of the board of regents, presented the new president, and the oath was administered by the Honorable Dennis R. Knapp, judge of the U.S. district court.

Orin E. Atkins, chairman of the Marshall Advisory Board, presided.

David Cook, president of the student body, spoke for the thousands of young men and women enrolled for work.

The Reverend Aldred P. Wallace delivered the invocation and Father Robert T. Scott the benediction. Music was provided by the university symphonic band, conducted by Robert R. Clark, the university choir conducted by Dr. Paul A. Balshaw and soloists Norman Dello Poio, Dr. C. E. and James Haworth.

In the inaugural address, Dr. Barker presented a thoughtful and challenging review of his educational philosophy, a set of beliefs that will guide his administration of Marshall University in the years ahead. David commended President Barker for his steadfast purpose.

Mr. President, I ask unanimous consent that the texts of the addresses of Dr. Barker and Mr. Cook be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

MARSHALL UNIVERSITY INAUGURAL ADDRESS
BY JOHN G. BARKER

On such an occasion one cannot help being impressed with the color and pageantry we have seen here today. At the very outset I want to thank all of you for coming to this program and helping to make this a memorable day in the life of Marshall University. I am grateful that there are in this audience members of my family, old friends, students, respected colleagues from the faculty and staff and many new friends and neighbors. I am especially pleased that many delegates from professional societies, colleges, and universities have honored us with their presence.

Marshall originated in 1837 "on the eminence overlooking the broad bottomlands of the Ohio valley just west of the mouth of the Guyandotte." John Laidley, of Scottish descent, a soldier and attorney was largely responsible for the institution's establishment and through his influence it was named Marshall Academy for Chief Justice John Marshall.

In its early years Marshall Academy was operated by or received support from Presbyterians then Methodists. It was renamed

Marshall College by action of the Virginia General Assembly in 1858. In 1863 it was sold to private individuals for \$1,500 to satisfy its debts. The struggles to operate continued until in 1867 a state-local subscription of \$30,000 established it as the state normal school at Marshall College an agency of the State of West Virginia.

In 1961 it was renamed Marshall University. At no time prior to the turn of the century did Marshall enroll more than 250 students yet it had an enrollment of 1,700 at the time of its one hundredth anniversary in 1937.

During the life of Marshall University, American educational programs have evolved from the narrowly based classical to the first struggling efforts in research until in the pre World War I era one foreign visitor wrote "an American college or university is a great athletic association and social club in which provision is made, merely incidentally, for intellectual activity on the part of the physically and socially unfit."

There is much in this statement for us to ponder even a half century after its author wrote it. We still have a minority of students who consider their college years primarily intended for big times with little responsibility. Their credo seems to be live it up—you're only young once. Oh, I know their attitudes have been explained as a by-product of the uncertainty engendered by world chaos and a feeling of helplessness. After all (so the explanation goes) how would you like to be stuck with a ruthless, materialist, inhuman world you did not create? You would reject it too! To this I can only say that each of us has inherited this world from his forebears. In it there is good and bad, and it will never improve if each of us waits for someone else to do it. Fortunately there are increasing evidences that university students are sensitive to the needs of their fellow humans and willing to make sacrifices for them.

But what of the majority of students who come to our doors? How do they fare? Not well enough. Too many are searching for inspiration and finding it not, too many are academic nomads wandering from one major to another, too many are dropping out.

We need to know more about our students. Who are they before they come to Marshall? Are they first generation college students? To what do they aspire, and how strongly motivated are they? How did they select the college interest they enter on registration blanks?

During his college career the principal continuous record we keep of a student's progress is a transcript of his courses, credits, and grades. Ah how mighty is that page, so carefully updated, interpreted, calculated each term. It bears a name, an address, a major, and so many little ciphers which taken all together spell success or failure. How sad it is that this alone so often represents our highest regard for a student's life. No wonder our students cry out against being folded, spindled, mutilated. Where can we record the fact that a student dropped English 214 because the teacher was boring him to death, or that one winter his mother was dangerously ill and his grades declined because he worried about her. How can we make known a student's sudden discovery that philosophy gave wings to his mind, or that the precision of a master mathematician filled him with a new sense of the possible if the only indicator is a capital A? We must do better, and we must stop talking about the need to individualize—we must act with sensitivity and with courage.

And what are we to do about the dropout? You know, I have some skill in this matter. I dropped out of three high schools. It took perseverance, and pluck and guile to frustrate the efforts of two middle-aged people who knew I needed to stay there. We often pride ourselves on increasing enrollments,

on open-door admissions, on offering something to everybody. The educational super-market approach. Come on in, shop around. If you want it, we have it! But do we really? Do we really have it if we admit those who think they want a bachelor's degree, but soon discover they cannot keep up with the pace? Do we have it when we fail to offer the occupational programs in which many could find ready application of their capabilities? Do we have it if students of low ability or motivation crowd our classrooms and burden our efforts and we have no effective means of discovering their needs and redirecting their efforts?

Lest we feel reassured by the fact that thousands have received Marshall degrees, I must ask, where are they today? What are they doing, and how well did we prepare them? What would they have us do differently to improve their educational experience? How are we helping them to make continual adjustment to a world in which change and complexity are accelerating? Precious few of these questions can be answered affirmatively.

There is much to be done for our students before they arrive on campus, while they are here, and after they depart. And it is not only a matter of increased money, or more buildings, or new supportive facilities. These are the tools of education, we are the designers, we are the movers, and we can do much if we will realize anew our capabilities and apply our talents with freshened vigor.

To my faculty colleagues I want to address a few comments. Quite rightly you wonder what this administration stands for and what it will lead to. As perhaps never before you are sensitized to any indicator which will permit you to judge my attitudes toward academic freedom, faculty participation in university decision making, and curriculum development.

Traditionally, the university faculty has controlled or strongly influenced admission standards, what is taught and how it is taught, and requirements for graduation. In addition, our strongest institutions have developed procedures whereby the faculty have a major voice in determining who is to join them and upon what basis he will be retained and rewarded. The exercise of these prerogatives in a balanced manner undergirded by a crucial concern for the student has always resulted in strong academic programs. This is what I believe in, and this is the objective toward which I will bend my efforts. But just as you are watching me, I am watching you and I do not hesitate to become an interventionist—by identifying and urging the imperatives which we must face if we are to attain institutional goals and serve a society which needs our efforts.

In the past we have compartmentalized our programs. Often without realizing it, we have assumed that faculty were hired to teach, students were there to learn, and "the administration" were to run everything. I cannot conceive of this being an effective formula except, perhaps, in pioneer circumstances or in educational institutions with an extremely narrow focus. Where, as in this institution, a broad spectrum of programs is involved and a heterogeneous student body is served we must not waste the opportunity to use all the talents at our disposal. Yet I realize there are those who will question the inevitable erasure of long secure dividing lines and the crumbling of protective barriers. Flux and change are upon us and some of us will feel threatened without the security of long existent sinecures.

At the other extreme there will be those who, impatient with the rate of change, become strident in their demands for a "piece of the action." All of you will find me ready to listen, ready to make reasoned and needed change but insistent that we provide the safeguards of apportioned responsibility and systems for critical review, evaluation and

redirection. You will find too, that I have some pet ideas which I am anxious to apply, and that I have sat in enough faculty committee meetings to be impatient with the sometimes glacial movement of academe.

I accept the charge delivered to me today by each of the speakers you have heard. I am encouraged by their confidence and strengthened by their hopes.

To the Board of Regents I pledge unstinting effort in developing the role and mission of Marshall University. They have demonstrated their determination that this institution will receive the support it needs to realize its potentialities, and they may depend upon me to make full use of the resources they provide.

I pledge to the students and faculty of this institution my full energies in providing them the setting in which sound educational programs may be developed or enhanced. Not only will I strive to provide the material resources needed, but fully realizing that this is not a one man show, I will join my efforts with theirs to develop more fully an atmosphere of free inquiry in which we retain the best of the past, discover the new, and run the inevitable risks of joining them.

Already my family and I are at home in Huntington. Townspeople, faculty, students and staff have generously welcomed us with demonstrations of warm friendship and concern. We thank you for all your kindness, and we look forward with pleasure to living among you for many years.

In closing I ask of the citizens of West Virginia a new recognition of the value which our colleges and universities contribute to our society. Through their dedicated faculties and staffs these institutions help our young people realize their dreams and aspirations, and the investment we make in dollars is returned many times over in richer, fuller lives. Jefferson stated it well when he wrote, "if a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be."

ADDRESS BY DAVID COOK, PRESIDENT, MARSHALL UNIVERSITY STUDENT BODY

On January 13th, 1971—a man visited our campus with a dream of a university with unrestricted potential and the enthusiasm to make that dream work. He remarked at that time, and I quote, "Marshall ought to be the best university it can possibly be, regardless of what the other state institutions have or are. It is the responsibility of a college president to go after the things his university needs. A president should be willing to stick his neck out."

The man was John Grove Barker and what followed was the making of a president.

The challenge which lay ahead was great! Because never before had a university been faced with such an overwhelming sense of tragic loss and confusion.

The response, however, was even greater. For out of this loss there arose a re-dedication within our university to stand true to the ideals for which Marshall had been so long known. Across our campus, there appeared a unified spirit of action that could be sensed in every area of campus life—be it in or out of the classroom experience. A spirit of action which needed only direction. Dr. Barker provided us such direction.

Within the past year, he has provided Marshall with the security and direction to which every university is entitled. The right to grow, in both academic accomplishment as well as inter-personal maturity.

He has remained steadfast in his purpose and faithful to his goals. For these reasons, he has gained the admiration and respect of the university's more vocal wing—her students.

I greet you, therefore, Dr. Barker, not as David Cook, but as the embodiment of every student at Marshall who has been honored to work with you as an individual and to

whom you have made the name of Marshall University one of proud association.

Ralph Waldo Emerson once said, "The only way to have a friend is to be one." If this is true, then the dream of Marshall has no better friend to guide her than Dr. John G. Barker.

CONGRESSMAN JAKE PICKLE EXPLAINS THE INTERNATIONAL MONETARY CRISIS

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. REUSS. Mr. Speaker, one of the hardest things for a layman to do today is sift through all the complicated terminology, rhetoric, and issues surrounding the current international economic situation.

Realizing the importance of the current negotiations, our colleague from Texas, Mr. JAKE PICKLE, has done just that—composing a newsletter to his constituents, which discusses the current monetary situation in plain back-home language.

He sums up well the importance of the current negotiations when he terms this the beginning of "a new era in international trade" and notes that:

In the long run it will have at least an equal and perhaps a greater effect on our take-home pay, on whether we have a job at all, on whether we can lick inflation and restore a healthy prosperity, than anything we are doing here at home.

I commend the newsletter to my colleagues:

FROM BARTER TO GOLD—FROM GOLD TO???

Phase I . . . Phase II . . . the freeze . . . devaluation . . . floating dollar . . . you almost need a dictionary these days to figure out what's happening to your pocketbook.

Our nation is in a difficult time, but I have faith that we will dig in and that we will reach the goal President Nixon has set—no more than a 2-3% inflationary rate by the end of 1972 and the restoration of a healthy international trade. It will be tough, but this nation has faced tougher trials.

A new era in international trade is beginning. To most of us it is far away, little understood, confusing and full of unfamiliar and even more confusing terms. But the fact is that in the long run it will have at least an equal and perhaps a greater effect on our take-home pay, on whether we have a job at all, on whether we can lick inflation and restore a healthy prosperity, than anything we are doing here at home.

That is why this newsletter is devoted to a single issue—the economy. It's not a white paper or a primer—instead, it's an attempt to discuss our complicated international monetary system using everyday language.

There's an old saying that if you laid all the economists end to end, they still couldn't reach a conclusion, and if that is true on the domestic front, it is even more true on the international front.

The surprising thing about the present international monetary situation is that almost everyone is in general agreement about what has happened, about where the flaws in the present system are, and about what needs to be done to correct them.

The problem is the mechanics of getting to the solution—not *what* to do but *how* to do it. And the key to those mechanics is politics.

The present world economy is a highly interlocked one, with almost \$300 billion in goods and services now passing from country to country in international trade. But it is still an economy composed of separate and independent countries—each of whom naturally wants to run her own domestic economy and find a place on the international scene of maximum personal benefit.

The dangers and possibilities lying ahead are very real, very dramatic, and at times even a bit frightening. I am not whistling in the dark when I say that the prospects of an international trade war and an accompanying world-wide recession such as racked the decade of the 1930's is very real to those delegates of the 118-country International Monetary Fund who are continuing to meet in various places around the world.

At the same time, based on the lessons we have learned in the past century or so, we have a chance to create a strong international monetary system which will restore and even expand the general prosperity the world has enjoyed for the past 25 years.

The center of any international monetary setup is the monetary standard. From the early 19th century to the early 1930's we were on the "Gold Standard"—How many dollars, or pounds, or francs would buy an ounce of gold varied from time to time, but everything was always pegged to gold.

In the 1930's, however, the gold standard broke, and for 10 years we had no standard—there was no system, just a daily jumble of exchange rates between the various countries.

The lack of a system was disastrous for international trade. Constantly fluctuating rates produced chaos. You can imagine trying to prepare an international contract to sell wheat, build a factory, or whatever, even six months ahead if you had no idea what the exchange rates would be at that time.

And to this chaos was added the continual threat of uncoordinated national policies—each country unilaterally manipulating its own money value and trade policies in efforts to make the foreigner pay more. Call it beggar-my-neighbor, kill or be killed, an economic law of the jungle, or what you will, the effect was the same—international trade was virtually wiped out and depression hung over this country and the world in spite of all that was done domestically to set things going again.

In 1944 the trading nations of the world tried to get right side up again with a meeting at Bretton Woods. There delegates set up a system, a machinery of international trade, which worked almost until the 1960's, hung on until the 70's, but now virtually has collapsed.

Right now we, in essence, again have no international monetary system. The task before us is, as in 1944, to create one, or to face upon trade war much like we had in the 1930's.

Throughout the world, delegates are meeting at the International Monetary Fund conferences to try and work out a solution. As those experts wrestle with our pocketbooks, let's look briefly at the system which stood up pretty well for the last 25 years—the Bretton Woods system.

A MEETING IN NEW HAMPSHIRE

Basically the Bretton Woods system (named for the meeting site in New Hampshire) was a "modified gold standard". It was a gold standard except that everything was pegged not to gold itself, but to the U.S. dollar. The U.S. agreed to pay \$35.00 for an ounce of gold, and that was to remain constant. Other countries then stated the exchange rates of their currencies in terms of dollars—and they agreed to keep these rates within a narrow set of boundaries.

The International Monetary Fund was to be policeman—and, importantly, in addition could make emergency loans of dollars or

gold or both to nations that ran short. This was important because it meant that a country which had what it called a deficit in its balance of payments could now take several years to make up the difference.

That is to say, if a country had a "bad year" and couldn't pay the bills on all its imports or keep up with payments on loans it had made, it could now get a low-interest loan from the IMF to tide her over until the next, hopefully more prosperous, year.

This was a far cry from previous practice under the old gold standard, where nations that ran a deficit often had been forced to get high interest, short-term loans wherever they could, cut down on imports and jump up unemployment, default on their obligations, or just go bankrupt.

Compared to what went on before, Bretton Woods worked great. After all, in 1944, the dollar looked like the Rock of Gibraltar, the U.S. economy was booming while the rest of the world faced the tatters of war—and the U.S. held the lion's share of the world's gold.

With stability at hand and dollars pouring out in trade, investment, and aid, international trade boomed as it never had. Almost unintentionally, many international barriers fell and a world of separate and sovereign nations drifted into an economy as highly interlocked in some ways as some of the old empires. And the world launched into 25 years of prosperity the like of which it had scarcely dreamed.

THE FATAL FLAWS

The Bretton Woods system did work—at least it worked until the tail end of the 1950's and the beginning of the 1960's. What happened then will be argued, I am sure, for quite some time to come, but some factors do stand fairly clear.

First, the supply of dollars abroad, especially as other countries began to build up their own economies, began to loom entirely too large. The dollar "glut" began. And there simply wasn't enough gold in the U.S. to back it all. The more dollars held abroad, the less likely the U.S. would be to swap them for gold. Even at the high point of 1949, the U.S. held only \$25 billion in gold. Today it holds less than \$10 billion—while foreign governments alone hold 30 billion in U.S. dollars.

Second, adjustments in the values of various currencies were slow in coming, due, ironically, to the extra leverage given by the IMF loans—and, importantly, the dollar couldn't change at all. By 1960, it was more than evident that many of the world's currencies were drastically out of line with each other. But instead of realigning them, governments, including the U.S., placed more and more controls on the movement of capital.

You may remember the series of "international monetary crises" throughout the 1960's—each one resulting in a meeting of high finance leaders who worked together and somehow managed to calm things down—to pull the Bretton Woods system along for a little longer.

But the out-of-line exchange rates continued to crop up at an accelerating rate. Then in November 1967, Britain devalued the pound. In 1967 and 1968 gold speculation became so rampant a new gold system was set up—a "two tier" system whereby official, or government, gold was to remain the same in amount at \$35.00 an ounce, like steam in a radiator, while the free market "speculative" gold was turned loose to go where it would. In addition, the U.S. asked other countries not to redeem their dollars in gold but simply to "hold" them as was.

In early 1969, the franc devalued. Later in 1969 the mark went up, and earlier this year you may remember the "floating" of the mark to let it find its true value.

The dam really broke wide open this year

when it became apparent that the United States faced a negative balance of trade.

The expected deficit in the trade balance wasn't a cause—but it was a clear-cut symptom that things are not healthy. For many years we have on purpose been a country which exported more capital than we have brought in—and we have therefore endured a deficit in our balance of payments almost every year since 1950. To maintain a going operation, we needed to have a surplus in our balance of trade to offset this deficit in our payments.

When that surplus had evidently disappeared, something had to be done—and on August 15, President Nixon broke the link between the dollar and gold, allowed the dollar to "float"—and Bretton Woods ended. Since the dollar was the touchstone of the system, there will be no going back, no patching up.

DOWN THE ROAD

What lies ahead no one knows. But there are some things everyone seems to agree we must do.

We must have a general realignment of currency values world-wide.

We must find something other than the dollar and gold to be used as an international reserve, or the hub of the system—something not tied to one nation (as is the dollar) or found in an arbitrary and fixed quantity, such as gold. Many economists are suggesting the International Monetary Fund's "SDR's"—a new form of "paper gold" created in 1970 and which the IMF regulates and generates from all sorts of money and reserves placed in its hands.

This, importantly, would give the U.S. the same opportunity as all other countries to determine a proper exchange rate for its currency.

We must find a mechanism which will allow, perhaps even force, currency realignments when they are needed—and a mechanism which will adapt to a changing future. Bretton Woods was too brittle. It was not adjusted as we went along. It was good and read like the Bible for a long time, but it wasn't the "good book" we thought it was.

The United States has taken a tough stand in negotiations. This country has asked for a swing of \$13 billion in the balance of payments to counter the advantage fast-rising countries have taken of the huge U.S. market—a request that means other countries will have to put themselves in a deflationary squeeze in order to give us some relief. Consequently there is a natural tendency to accuse the U.S. of causing the inflationary problems herself, of reducing the value of the dollar through poor economic policies at home.

Other countries will ask that the United States remove the 10% surcharge on imports. And we likely will counter that other countries are keeping their exchange rates low and have set up a wall of non-tariff barriers which have resulted in a trade situation far from a picture of fair competition.

We will ask them to remove these barriers and to revalue their money to its true international worth, and they will want us first to "devalue" the dollar in terms of gold.

And here it looks like a dispute may wage inside our own country before we take a final stand on the international scene.

Opponents of devaluing the dollar in terms of gold say that gold speculators will be rewarded if we take this step. But those in favor of the move point out that the request is to up the price from \$35.00 to about \$38.50 an ounce, while the free market gold price is already \$43.00 an ounce—so speculators will get no windfall here.

Opponents of devaluation point out that we'll be hurting our friends who have not cashed in their dollars for Fort Knox gold, but proponents of the move note that these very friends are the ones asking us to devalue.

Opponents wonder if countries with gold mines (primarily South Africa and Russia)

wouldn't benefit unjustly from devaluing the dollar, and proponents say not unless there is a drastic increase in the world's potential gold supply in those areas.

Opponents point out that such a move would only serve to resolidify the old links between the dollar and gold—links the President is trying to break. Proponents fear instead a still worsening trade situation, possibly even a world-wide trade war, and believe the old links will be broken in time anyway.

I do not know what will happen. I don't think anybody does at this point. But, while there is much danger, there is also reason for much hope.

We have learned an inordinate amount about international monies and about the wealth and prosperity that they can bring. We have made great strides toward learning what types of reserves can make a good, sound international monetary system that will work for a long time. We have learned many valuable lessons on the need for flexibility in certain areas and about how we might go about providing that flexibility.

The financial leaders of the world's many free nations are continuing to meet at the International Monetary Fund. They know the stakes.

Basically politics is now the crux of the matter. For meeting together are not the board of directors of a single corporation but the financial leaders of many separate and independent nations—and each delegate must go home with something his own country can swallow.

Hopefully, there will be enough spirit of cooperation and good will to pull us through . . . a little bending here and there can begin to forge a new international economic system for the next decades and beyond.

ON THE HOME FRONT

President Nixon, like every other national leader, must also come home with something this country can live with. And he must stabilize our own internal economy while he is facing this crisis on the international front as well. It would be so easy to take shots at the methods he tries, but I think more than anything else we must give him a chance. The stakes are incredibly high.

The President has recently taken the next step toward preparing us for the post-freeze period here at home—he has named the members of the new Pay Board to guide wages and the new Price Commission to guide prices.

And he has sent to the Congress legislation to flesh out the Economic Stabilization Act under which he instituted the freeze.

In addition to extending this Act, which gives him authority over wages, salaries, prices, and rents, the President has asked in the new legislation for authority over interest rates and dividends, new fines for violators and new subpoena power to demand records, witnesses and other information to find violators, new power to require violators to make refunds to their customers, and a new emergency appeals court to consider cases after they have been ruled upon by a federal district court.

Hearings began October 27 in the House Banking and Currency Committee on these proposals. I hope the Congress will be able to give them a good, open, and speedy review.

SOME KEY WORDS

Monetary standard.—The center of any monetary setup—A set medium, be it gold, paper, beads, dollars, doorknobs, or whatever, that is used to pay off debts, buy articles, etc. On the international scene, the key is to have a "universal" monetary standard—one to which all the other types of money in the world can peg their own worth.

The gold standard.—In use from the early 19th Century until the 1930's, and used gold as that "universal" medium. Anything else used for money in international trade had an established value in gold first.

Modified gold standard.—The most common example is the situation we are all used to. U.S. dollars have a set value in terms of gold, but all other forms of money establish their value in terms of dollars, not gold.

Balance of trade.—This is the list of goods (cars, refrigerators, peanuts, catfish, wheat, etc.) and services (insurance, shipping costs, etc.) which go in and out of a country. A surplus in the balance of trade means that you sent more out than you brought in; a deficit means the opposite—you brought more in than you sent out.

Balance of payments.—Although it includes other things, most importantly, this is the list of capital (interest payments, loans, investments) which goes in and out of a country. A surplus in the balance of payments means you brought more in than you sent out; a deficit means again the opposite—you sent more out than you brought in.

Bretton Woods.—An international conference of national financial leaders who met in Bretton Woods, New Hampshire, in 1944 to set up a uniform international monetary system to handle the post-war world.

International Monetary Fund (IMF).—118 countries belong to this organization of national monetary leaders of non-communist countries who have banded together to increase trade among themselves and to maintain a uniform international monetary system.

SDR's.—A new form of "paper gold" created in 1970 and which the IMF generates and regulates from all sorts of reserves placed in its hands. They are a true international money and a possible eventual replacement for gold and dollars as the international monetary standard currency.

Devalue.—This means you make it take more units of your money to equal someone else's money units. This makes his imports more expensive for you and your exports less expensive for him.

Revalue.—This is the opposite of devalue—it makes his imports less expensive for you and your exports more expensive for him.

Export.—To send out of the country.

Import.—To bring into the country.

Exchange Rate.—A term referring to the amount of one country's currency it takes to make an equal amount of another country's currency.

FAVOR MEDICAL TAX CREDIT PLAN

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. GRIFFIN. Mr. Speaker, health costs are of grave concern to all Americans. The solution to this problem has been the subject of serious examination but a single plan with unified support has not materialized. Many of us feel that health insurance based on tax credits offers the best hope of curing this problem.

I invite the attention of the House to an editorial dealing with this subject which appeared in the Clarion Ledger on April 26, 1971. It follows:

[From the Jackson, Miss., Clarion-Ledger, Apr. 26, 1971]

FAVOR MEDICAL TAX CREDIT PLAN

Proposals that the federal government pay individual medical bills have had strong support from liberal groups including top union leaders, but a majority of the nation's independent business owners favor a minimal plan of government aid—"a tax credit, not a takeover."

As an alternative to proposed multi-billion dollar health care programs, paid out of tax revenue, a tax incentive for the individual

to "do it himself" appeals to most of the businessmen polled by the National Federation of Independent Business including those in Mississippi.

Enactment of a major tax credit on the cost of all-inclusive health insurance from private insurers has been endorsed by 54 per cent of the independent owners and opposed by 39 per cent, with 7 per cent undecided. The American Medical Association's "Medicredit" health proposal includes such tax credits, scaled to income.

Responses from Mississippi business owners showed 57 per cent in favor, 37 per cent opposed and 4 per cent undecided.

Soaring medical costs endanger the financial security of millions of families, and the feeling in Congress has been that some form of health legislation is imperative.

Medical costs have risen 170 per cent in 10 years, and are now estimated at \$70 billion yearly, of which the federal government bears about \$21 billion.

PROPERTY TAX REFORM

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Friday, Oct. 29, 1971

Mr. MOSS. Mr. President, in the last few months the issue of property tax reform has captured the interest of large groups of Americans in all sectors of the country. I have collected a number of recent important articles and documents on this subject and believe they should be made available for review by Senators. I ask unanimous consent that they be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Apr. 15, 1971]

FISCAL FEUD: HOMEOWNERS CHALLENGE BUSINESS TAX BREAKS IN SOME COMMUNITIES

(By Danforth W. Austin and Jack Kramer)

AUGUSTA, Ga.—When the local Committee of 100 talks, county and city officials here usually listen. But sometimes they don't listen close enough. Then that arm of the local Chamber of Commerce flexes its civic muscle.

A year ago, for instance, a new napery maker in town, Paper Products, Inc., got a 1969 property tax bill for \$3,539.64. That was based on a state requirement that assessments on property should equal 40% of its market value. But that was \$2,879.98 more than the Committee of 100 had recommended. Paper Products was charged. Told about it, the Augusta-Richmond County board of assessors agreed on a refund, and the check was written out.

Next time it won't be easy. A passel of angry individual taxpayers has gone to court and got an injunction to stop 26 such informal tax breaks for new and established businesses here.

Once widely tolerated, tax breaks for business and industry are coming under sharper attack all over the country. Hard pressed individual taxpayers complain that those breaks can't help but boost their own taxes, for the money to meet public budgets has to come from somewhere. And breaks to lure new industry are doubly unfair, they say, because new industries often increase school crowding, road damaged and water pollution, all of which in turn balloons the cost of public services.

THE BUSINESS VIEW

Corporate managers argue that tax breaks help promote prosperity by luring industry, thus boosting local payrolls and retail sales.

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Even with the breaks, they argue, businesses still pay plenty of taxes and are under no obligation to pay more than they legally are required to. In fact, they can use any legal means to reduce their burden.

So here in Augusta and elsewhere, citizens increasingly are responding by trying to change or more strictly enforce existing tax laws and procedures. They're challenging a variety of practices that tend to undervalue property for tax purposes and create a supposedly unfair gap between rates paid by business and by individual property owners. And they're questioning the aggressiveness of local tax assessors and collectors who seem willing to accept the business view.

In Gary, Ind., Calumet Township assessor Tom Fadell says his biggest customer in effect presents its own tax bill. That customer is U.S. Steel Corp., which supplies its own evaluation on its taxable property there, \$540 million, on which it pays taxes of \$21 million a year. U.S. Steel won't furnish the township figures on capital investments or depreciation schedules used to arrive at that value because, the company says, such data would aid competitors.

All this is no small fiscal issue in Gary, whose schools get half their budget revenue from property taxes and now are nearly \$9 million in debt. The issue is naturally political, as well. Some people in Gary don't think assessor Fadell is pressing U.S. Steel hard enough.

WE COMPLY WITH THE LAW

One of those people is Mayor Richard Hatcher, a reform Democrat who politically is at odds with the assessor. Two years ago, Mayor Hatcher sent an aide to examine U.S. Steel's books. The company got a court injunction against an examination on the ground that Indiana law allows only tax assessors access to its books.

And the assessor in Gary is Mr. Fadell. "I sent a CPA to Pittsburgh (U.S. Steel's headquarters)," he says, "and when he asked to see a capital investment breakdown for Gary, they told him they don't break down figures by location."

To make the matter murkier, there's Los Angeles County, Calif., where assessor Philip Watson says U.S. Steel does make such a breakdown. U.S. Steel explains the apparent inconsistency simply: "We comply with the law in both states."

Another figure in the controversy is Gary finance adviser Arnold Reingold. He says his own admittedly crude, indirect calculations show U.S. Steel has undervalued its Gary property by at least \$110 million. He figures that 14% of U.S. Steel's employees are in Gary, and if the ratio of employees to taxable assets in Gary is just average, then 14% of U.S. Steel's plant, equipment, parts, supplies and inventories are there, too. Basing his calculation on balance-sheet figures for those items from the 1969 annual report (\$4.6 billion), he arrives at a value of \$650 million on U.S. Steel's property in Gary.

PLANT DEPRECIATION AND LAND

Moreover, Mr. Reingold says, U.S. Steel's balance sheet (its statement of assets and liabilities) values some assets at less than a tax assessor would value them. Land is carried on the books at its original cost. In Gary, he says, "Land bought in 1900 is carried at its 1900 price." Tax assessors, on the other hand, attempt to base assessments on current estimated market value.

The balance sheet shows plant and machinery at its depreciated value. Depreciation in theory reflects an asset's loss of value due to its wearing-out in use. But standard accounting requirements determine depreciated values, and those requirements don't necessarily correspond to price trends. For example, plant and machinery that may be fully depreciated on the company's books could have considerable economic, or market, value. In reply to all this, U.S. Steel reiterates that "we comply with the law."

Depreciation accounting also is at issue in

a tax hassle in Savannah, Ga. So is low-tax industrial zoning. One Savannah industrial zone, created by special act of the 1950 Georgia legislature, gives its chief occupant, a Union Camp Corp. paper mill, fire protection and water from the city at a yearly rate of 5 mills (a mill is equal to one-tenth of a cent) per \$1 assessed valuation. Other city property owners pay 26 mills, or 2.6 cents.

That has angered some individual taxpayers. The furor grew when they found evidence that Union Camp had been getting other tax breaks. A local newspaper disclosed that Chatham County had valued 109 acres of Union Camp land at \$6 an acre. In theory that was the 40% of fair market value required by state assessment rules. To fuel the furor, the disclosure came about when Union Camp sold the parcel to the state parks department for \$1,949 an acre.

G. Miner Peagler, Chatham County's chief tax assessor, raised the assessment on Union Camp's remaining 6,000 acres to \$2.6 million from \$119,330. The company objected, and the assessment so far has been arbitrated down to \$744,655.

Union Camp denies it enjoyed preferential tax treatment and warns that higher taxes could hurt the company and the local economy. "It doesn't take much more tax to bring things to a point where they're not profitable anymore," warns P. J. McLaughlin, the company's comptroller.

Union Camp's troubles are far from over in Chatham County. "There's not much we can do about that (industrial) zone," says Richard Heard, an industrial developer who heads the Chatham County Taxpayers Association, "but we can sure put an end to any other tax breaks given Union Camp."

Even Ralph Nader is thrusting himself onto the scene. He charges that Union Camp and others have benefited from "tax bunco" conjured up by Chatham County officials to create a favorable climate for business. Specifically, a Nader-sponsored group attacks depreciation accounting at Union Camp. Though the company pays taxes on a valuation of no more than \$90 million for its Chatham County facilities, the group says, estimates obtained from other paper companies put the current replacement value of those facilities at \$375 million to \$550 million.

LARGE LANDHOLDING

Across the country in California, The 100,000-member California Homeowner's Association is attacking the assessment on 400,000 acres near Bakersfield owned by Tenneco Inc., a major oil concern. Tenneco got the land in 1967 when it took over Kern County Land Co., and at that time the land was valued for tax purposes at \$280 an acre. Even then, however, it was worth 10 times that, argues John Nagy, president of the association.

Some other citizens think so, too. "Roughly speaking, Kern was putting 1913 sales values on that land," says Howard Hawkins, then a Kern vice president, now a partner in Dean Witter & Co., the San Francisco-based securities firm. According to Kern's former public relations chief, Robert W. Jackson, the land was valued privately at \$2,500 an acre by Dwight M. Cochran, then Kern's president.

Mr. Cochran declines to discuss the matter. So does Tenneco. "Now you're getting into one of those areas where we can't comment," says a spokesman.

Kern, however, did discuss the matter publicly in 1967. Faced with what turned out to be an unsuccessful takeover attempt by another company, Kern ran an advertisement in this newspaper saying that the other company "fully appreciates that our 1.8 million acres of land are carried on our books at a fraction of their market value." (Besides the 400,000 acres near Bakersfield, Kern owned large holdings elsewhere.)

VALUATION IS TRICKY

Researchers for the homeowners' association say an analysis of tax records indicates

that the Bakersfield land now is valued at \$265 an acre—about \$15 an acre less than in 1967. They say their analysis discounts the effect of reduced assessments on land that California law, since 1967, has permitted to be placed in low-tax "agricultural preserves." Kern County tax assessor Herbert Roberts says he'll "bet a steak dinner" that assessments actually have increased on that land, but he says he doesn't have the figures at hand.

Assessors point out that determining the value of large tracts is tricky because they don't change hands often and, consequently, a recent market price isn't available. Also, they say, lower valuations on large tracts that haven't been subdivided (surveyed and mapped lot by lot) are justified because subdivision costs money and because the land isn't readily marketable until it is subdivided.

Many small taxpayers are unsatisfied by such explanations.

[From the Atlanta Journal and Constitution, June 6, 1971]

RICHMOND COUNTY'S LURE—TAX BREAK FOR BUSINESS
(By Ken Boswell)

AUGUSTA, GA.—More than 10 years ago, a group of Augusta's leading citizens looked around themselves and saw that their city—once a thriving business community—was in danger of becoming economically stagnant.

The Savannah River Plant, located across the Savannah River in Alken County, S.C., had brought on a booming economy for the Augusta area a few years earlier. But, since then, nothing had happened to maintain the forward motion.

New industry, the leaders decided, would provide the necessary shot in the arm. It would bring new jobs, increase the economic level, boost the tax income and, in turn, elevate the activity for businesses already located in Augusta and Richmond County.

But how, they asked, could they bring industrial expansion to their town? Other cities, with just as much to offer, also were competing for new firms.

What Augusta needed was a little something extra to attract new members to their industrial community.

The "little something" turned out to be tax breaks.

Let the industrialist know that, if his firm built a new plant in Augusta, the tax rate will be as low as he would find anywhere, the local leaders said.

And so, the Committee of 100 was formed as an industry-seeking group.

A formula, contrary to state law, was worked out so that incoming industry would be taxed at 12½ per cent of the normal rate for the first five years. The Committee of 100 was authorized to negotiate with the firms and to offer the tax concessions—with the approval of city and county governments.

It didn't take long for the word to spread. Soon, industries were flocking to Augusta and Richmond County. An industrial park, the Miracle Mile, was established to give additional incentive.

Multi-million-dollar factories were built in Richmond County at an astonishing rate. There were Continental Can Co., Procter & Gamble and Columbia Nitrogen Corp., to name a few.

But somehow, the tax concession policy got out of hand. Before long, businessmen already in Augusta were asking for the same consideration given to the newcomers who were locating in the area.

One of the first local groups to receive a tax concession was National Hills Shopping Center on Washington Road.

Chief Tax Appraiser Robert N. Brown, who was the city-county tax assessor at the time the shopping center went on the tax books in 1966 received a letter from the county's board of tax assessors, authorizing the 12½ per cent

concession "for at least the first five years after completion of construction."

Brown received another letter from the Committee of 100, giving the group's approval to the tax shelter.

Another Augusta group built The Five Hundred Building, an office facility, within sight of the city-county building a few years later.

A different type of concession was given for the multistory building.

Gorham Boynton is listed as president of the Five Hundred Building, Inc., and William A. Garrett, a member of the local Board of Tax Assessors, is secretary and treasurer.

The Five Hundred Building was constructed on the corner of Greene and Fifth streets, on property which had been a near-slum area. It replaced several dilapidated buildings.

Under the tax shelter agreement, which was just for the year 1968, the owners of the building paid taxes based on the value of the land and buildings which were on the lots before the office structure was built.

In that year, The Five Hundred Building's tax assessment was \$31,900, and the owners paid \$1,180.30 in property taxes.

The following year, The Five Hundred Building was valued at \$556,000, with a standard 40 per cent tax assessment of \$222,400.

But, again, the owners asked for some help on their taxes, and the value was reduced to \$400,000 with an assessment of \$160,000. They paid \$6,240 in property taxes.

In 1970, the owners asked for the same assessment, but the tax value went up to \$170,000, and a tax bill for \$6,800 was mailed to them.

But the Five Hundred Building, the shopping center and all the industries aren't doing so well with their tax situation any longer.

In fact, many of the sheltered firms are now faced with astronomical increases in their taxes—thanks to a group of homeowners who took the county to court.

As a result of the suit, some of the 1970 tax bills were for 10 and 12 times as much as the firms had paid the year before.

But that doesn't mean that the industries are giving up their money without a fight.

[From the Atlanta Journal, June 7, 1971]
RICHMOND COUNTY TAXPAYERS FOUGHT OVER TAX BREAK

(By Ken Boswell)

AUGUSTA, GA.—Sometimes, the taxpayer is apathetic about his money.

Such was the case in Augusta and Richmond County for years.

Despite news stories in which local officials readily admitted that several large industries and businesses were receiving tax concessions, the public failed to act, until 1970.

In September, a group of taxpayers finally took the county to court to contend that almost every major industry which had come into the community in recent years was paying less than its fair share of the tax burden.

All of the county's superior court judges disqualified themselves, and Judge Walter C. McMillan Jr. of the Middle Judicial Circuit was called in to hear the case.

According to Georgia law, taxes must be assessed at 40 per cent of the fair market value of a piece of property. Many industries in Richmond County were paying 12½ per cent of the "normal computed tax," according to City-County Tax Appraiser Robert N. Brown.

In other words, the normal taxes due on a \$1 million industry, assessed at 40 per cent of the market value and based on a 40-mill tax rate, should be \$16,000.

But, using the formula outlined by the industry-seeking Committee of 100 and supported by local government, the \$1 million firm would pay \$2,000. The concession usually was granted for a five-year period.

The same formula was applied to any later expansion projects at the plant.

Brown said that, at the time the suit was filed last year, 32 industries and businesses were receiving tax concessions.

On Sept. 23, 1970, Judge McMillan ordered all tax shelters removed from the tax books.

On Feb. 2, 1971—more than four months later—the Richmond County Commission approved a state and county tax refund of \$1,402.58 to Paper Products, Inc., in compliance with a tax concession agreement with the Committee of 100.

The Richmond County Board of Education received a similar request for a \$1,476.40 refund to the same company, but county Treasurer Moye L. Daniel said the school board refused to pay.

The total refund—requested by W. Roscoe Coleman, chairman of the Augusta-Richmond County Board of Assessors—would have come to \$2,878.98. If both refunds had been approved, Paper Products would have paid \$660.66 in state, county and school board taxes for the year.

County Attorney Franklin H. Pierce explained that the refund was for 1969 taxes and, therefore, represented a commitment made before the court ruled against tax concessions.

But tax concessions were illegal before the court ruling was issued.

When Judge McMillan issued the order, the city-county tax office began work immediately to eliminate the discrepancies from the assessment records.

But very little of the tax money came into the tax commissioner's office as a result.

Brown said 28 of the 32 firms receiving tax concessions applied for arbitration as soon as they received their revised tax bills in 1970.

The reason for the challenges becomes obvious upon examination of the new taxes:

Columbia Nipro Corp.'s property tax bill increased from \$2,386.02 in 1969 to \$16,447.20 in 1970, a hike of 585 per cent.

Cox Newsprint paid \$2,076.75 in 1969 taxes and was billed \$24,201.20 for 1970, representing an increase of more than 1100 per cent.

The Kendall Co.'s tax bill went up 720 per cent, from \$4,484.22 in 1969 to \$36,792 in 1970.

But Continental Can Co. probably the county's largest industry, did not challenge its 1970 tax bill, according to records in Brown's office.

Continental Can paid \$74,866.35 in property taxes in 1969, and the firm's 1970 bill for property came to \$105,606.80—an increase of only 41 per cent. The company's total tax bill, including machinery and equipment, was \$142,160.40 in 1969 and \$305,241.60 in 1970, for a percentage of increase of 114 per cent.

Brown contends that the tax concessions "never cost the taxpayers a penny." He explained that the taxes paid by the industries were "many times more than the land was bringing in before they came in."

While the county residents were successful in defeating the tax concessions for industry in Richmond County, they paid little attention to several pieces of property owned by individuals and smaller businesses in the county.

For example, four Richmond countians—including behind-the-scenes political leader R. W. Best and Richmond County school board member John Fleming—paid \$33,000 for about 26 acres of land on Scott Nixon Memorial Drive in 1968.

A year and a half later, they sold 1.85 acres of the land for \$14,000 to Southern Road Builders, Inc.

But the fair market value of the entire 26-acre tract was according to the official Richmond County tax appraisal was \$1,190 in 1969, and in 1970, it went down to \$300.

The Mid-South Corp. paid \$41,500 for a 37.5-acre tract off Powell Road in November, 1967. The 1968 city-county appraisal on the property was \$17,980.

Claussen-Lawrence Construction Co. bought 30.5 acres of land on Interstate 20 in 1967 and paid at least \$76,500. The land was appraised by the city-county appraisers the following year at \$30,510.

In January, 1968, Janka, Inc., paid \$48,300 for two tracts of land on Old Savannah Road. The appraised value of the two pieces of land came to \$11,340.

City-County appraiser Brown said property cannot always be appraised at the price for which it was sold. He said that comparative prices for land in the same area must be considered when setting a value on a piece of land.

And Peter Drost, chairman of the Augusta-Richmond County Board of Tax Assessors agrees.

"It's an educated guess," he said.

[From the Atlantic Journal, June 8, 1971]

FACTORY-HOME TAX GAP SEEN

(By Ken Boswell)

SAVANNAH, Ga.—Georgia cities often are bidding for new industry against stiff opposition from other U.S. cities and that's how things got started with the Union Camp Corp., Savannah's largest industrial complex.

Many years ago, Savannah and Chatham County made an offer to what was then the Union Bag Co.

If the firm would build a large plant in the county, in an industrial zone adjacent to the city of Savannah, the city government would provide fire protection, water and other services for a 5-mill annual tax levy.

And, the local leaders provided additional insurance to the firm through a legislative act which prohibits annexing the Union Camp property into the city.

In 1970, city taxpayers paid taxes at the rate of about 26 mills for the same services Union Camp is getting for a 5-mill rate, according to Richard Heard, president of the Chatham County Property Owners association.

Heard also said that the tax levy on Union Camp—and other firms located in the industrial zone—includes only "the land and the four walls" of the plant, and that machinery, equipment and inventory are excluded.

In the mid-1960's, a Florida-based valuation firm conducted a revaluation program in Chatham County.

"They gave up on doing (revaluation) on industry, and said, 'just take Internal Revenue Service values,' which mean nothing," Heard said.

Heard contends that Union Camp's taxable values dropped about \$300 million because, under the IRS taxing system, depreciation of industrial equipment would have reduced the firm's worth by that much over a 10-year period.

After an industry has been on the federal tax books for 10 years, Heard said, "the (machinery) taxes have been written off."

Heard and his organization contend that industries in Chatham County are paying taxes on "about 20 to 22 per cent of their values," while homeowners are paying on between 100 and 160 per cent.

Union Camp owns several thousand acres of land on Skidaway Island, some of it valued on Chatham County tax books as low as a dollar an acre and some as high as \$250 per acre.

But, when the Ocean Science Center of the Atlantic wanted to buy land on the island, Union Camp offered it at an appraised value of about \$2,000 per acre, Heard said.

Basically, the same appraisal figures were used when the State of Georgia needed about 100 acres for a state park, Heard said.

When the sales were made public, Heard said local tax officials set a new value of about \$428 per acre for the Union Camp property.

According to tax records, the Skidaway Island property was revalued several times in 1970.

The original appraisal for that year was \$115,400 for the land, but that was reduced later to \$113,260. Then, after the re-appraisal, the land value jumped to \$2,573,690.

But Union Camp requested arbitration, and the value was reduced to \$770,465—an increase of \$655,065 over the original appraisal.

Tax officials, dissatisfied with the arbitrated figure, took Union Camp to court, and the case is tentatively scheduled to be heard late this month in superior court.

Union Camp and other Chatham County firms also benefit from a value reduction procedure for "low" land.

On the 1970 tax books, Union Camp is reported to have paid taxes on 21 pieces of land. There were value reductions—ranging from five to 65 per cent—on 19 of the tracts.

The reductions totaled \$364,000.

Largest single reduction was on a 2,442-acre tract of land on U.S. Highway 17 South.

On the property tax card, the land is appraised at \$100 an acre for a total value of \$244,210.

The card also contains an appraisal of \$550 for "added timber value" and another tract of land valued at \$4,740, for a total appraisal of \$249,400.

But, at the bottom of the itemized list, there is another entry, "Less 50 per cent low—\$122,100."

With the deduction, the company paid taxes on a reduced appraisal of \$127,400 on the two pieces of land and the timber, all valued at \$249,400.

J. W. Neal, supervisor of the Field Appraisal Section of the county's tax assessing office, said the reductions do not represent tax concessions to the industries which have the "low" deductions.

He said that the reduced values "weren't reductions as such. They were what you'd call a method of arriving at land value."

Neal said some of the reductions were authorized by the board of tax assessors and others were okayed by Hunnicutt and Associates, the firm which conducted the revaluation.

If any appraisal were changed, Neal said, "the man had a legitimate complaint."

"Why were there more value reductions on Union Camp property than on other taxpayers' land?" Neal was asked.

"I didn't say there were more," he replied. Neal explained that, while Union Camp is one of the county's largest land-owners, much of the land is so useless "the only thing it can be used for at the present is to raise trees."

Union Camp employs about 5,200 persons in the production of kraft paperboard, bags and containers and chemicals, according to the Georgia Department of Industry and Trade.

"Why use two sets of figures, one giving the full value and another giving the reduced value?" he was asked.

"If you cure your ills with drainage, then what is the land worth?" Neal said "How much good would one ditch do to it? You treat land the same way you treat houses. If you cure your ills, then you have the value. If you don't cure your ills, there is no value."

That, apparently, is why some of Union Camp's property is worth only \$1 per acre—for tax purposes.

[From the Atlanta Journal, June 9, 1971]

TAX BREAKS EVAPORATE

(By Ken Boswell)

Last month, Procter & Gamble's Paper Products Division announced plans for a \$50 million plant near Albany.

According to Mayor Eugene Clark, the city and county government's only contribution to the firm is the providing of utilities to the site.

"We didn't have to offer Procter & Gamble anything," Clark said. "They came to us. We just happened to have what they wanted, and

we were located in the right place at the right time."

"What kind of arrangements did you make with them for payment of local taxes?" a reporter asked.

"You won't believe me," the mayor replied. "There were none. Of course, we did agree to run the necessary utilities to them."

Albany and Dougherty, like many other Georgia communities, have thus utilized a legal method of obtaining some industries in the past.

But never, according to Clark, has the city offered a tax concession to an incoming industry.

Under the Payroll Development Authority, created by an act of the Georgia General Assembly, the city and county have helped several industries, including a large Firestone tire plant and a textile firm.

The authority issues revenue certificates to purchase land for industry, then leases the land to various firms at an equitable rate, which pays off the certificates over a given period of time, according to Clark.

Upon retirement of the certificates, the firm has the option to purchase the land.

During the period of the lease, the factory pays taxes on its machinery and equipment.

"This would be the only way they (industry), could get a tax break through us," Clark said.

Macon operates under a similar system, according to Delbert Leggett, chairman of the Macon-Bibb County Board of Tax Assessors.

The Bibb-Macon Industrial Authority, operating with city and county funds, may own land and sell or lease it to incoming industries. The leases are based on the local tax rates, according to Leggett.

Columbus, like Macon and Albany, has refused to give illegal tax concessions to industries, the way Augusta and Richmond County did until they were stopped in court last year.

Until a superior court judge ordered the change last September, 32 Richmond County industries were paying taxes on 12.5 per cent of the normal computed tax on their properties, in an industry-attracting endeavor which started more than 10 years ago.

"I hope now the race is over, this competing for industry," said Clark.

"Macon may be way down the totem pole in getting industry," said Leggett, "and it may be because we don't give them any concessions. You find any concessions to any industry in our books, and I'll eat it."

"If you give a concession to an industry," Leggett continued, "then you ought to give a concession to a mill hand."

Myron Hamilton, property appraisal director for the City of Columbus, agreed with Clark and Leggett.

"It would be very difficult to treat a new industry different from an old industry," Hamilton said. "If we should treat them differently, then we would have a bad situation on our hands."

"And," Hamilton added, "it's a lot safer to follow the law."

While some of Georgia's major cities have used tax concessions to bring in industry—Savannah and Augusta in particular—Columbus has taken a different view.

The city is proud of its newest major industry, a \$7 million Dolly Madison bakery, although the size is small compared to the \$30 million—plus Continental Can Co. plant in Richmond County.

Local industrial leaders are quick to admit that they let Savannah and Augusta get ahead in the industrial race, and now they're ready to do something about it—almost anything, short of offering tax breaks.

"We let Augusta get the jump on us," said Andrew Speed, a former Augustan who is immediate past president of the Columbus Chamber of Commerce.

"We just don't have any land under our control," added Joe J. Flowers, the new chamber president.

"Many of our competing cities and many of our competing states already have industrial authorities in being," Flowers said, adding that the Columbus chamber can show a prospective industry an available piece of land, then tell the industry, "You'll have to make you a deal with the owner of the property."

Speed readily admits that communities offering tax concessions have taken the initiative.

"This town has not been in a progressive, or an aggressive mood, except in the last four or five years," he said.

Speed said the birth of a "Build Columbus Plan," a few years ago, has pumped new life into the city.

With a \$200,000 budget (\$100,000 of it for industry-hunting) Columbus should be on the move soon, Speed said.

Speed said Augusta's Committee of 100, the organization which coordinated the tax concession negotiations with prospective industries, was one of the prodding factors in Columbus' present industrial drive, although he and Flowers attributed most of the motivation to new executive leadership in the chamber at the beginning of the "Build Columbus Plan."

Speed, who is employed by Georgia Power Co., expressed a resentment for the tax concession as an inducement to industry:

"If we could all play by the same ground rules, it would be all right . . . If each (city) would fight on equal grounds, then the concessions should be out of the window and each would pay his own way. My company pays (its fair share of taxes), and so should everybody else's."

But Peter Drost, chairman of the Augusta-Richmond County Board of Tax Assessors, doubts that other communities could get new industry without some inducement:

"I don't care how they do it," he said. "They've got to give them (industry) something. They may not give concessions, but they have to lower the property value or something."

Many tax officials throughout Georgia feel that the solution to the industrial tax problem should come through a totally new assessment program under state officials.

Under the present system, county governments make their own assessments, and the county collects state taxes—a fourth of a mill—in addition to its own taxes.

Such a system, argue some tax experts, is unfair, since property values may be on a lower scale in one county than in another. The result is that an industry in one community pays less proportionately, than a similar industry in another community.

By turning tax assessment powers over to state department, a more uniform taxing system for industry would result, the fiscal officials say.

"Tax concessions to industry, and low property values, are costing this state millions of dollars a year in county and state taxes," said one official.

[From the Chicago Daily News, May 18, 1971]

A \$16 MILLION U.S. STEEL "TAX BREAK" CHARGED

An antipollution group charged Tuesday that the Cook County assessor's office has given the U.S. Steel Corp.'s giant South Works plant a tax break for 1970 of \$16.5 million.

The Campaign Against Pollution (CAP) said new tax figures for the plant show it to be assessed at \$15.7 million, paying taxes of \$5 million for 1970.

CAP contends the plant should be assessed at \$195.3 million, paying a tax of \$21.5 million.

CAP's formula for reaching its assessment of the South Works—a complicated procedure based on a number of studies and analyses—has not yet been challenged by U.S. Steel.

CAP last month charged—in an exclusive story in The Daily News—that County Assessor P. J. Cullerton had underassessed U.S. Steel in 1969 by some \$120 million, giving it a tax break for that year of \$12 million.

CAP spokesman Paul R. Booth and other members of the organization presented the new tax figures to the county assessor's office Tuesday. They are demanding that the assessor "reassess the steel company immediately."

The group also is demanding that Cullerton and his chief aide, Thomas M. Tully, discharge Real Estate Research Corp. as chief consultant to the assessor on industrial matters.

The group says Cullerton's hiring of the real estate firm constitutes a "gross conflict of interest."

Booth pointed out that Gordon Metcalf, board chairman of Sears Roebuck & Co., is both a director of U.S. Steel and of the First Chicago Corp., which owns the real estate firm.

Booth said Cullerton's assessment of South Works is "totally unfair," pointing out that a new steel-making process, which was in operation throughout 1970, is assessed at only \$1.1 million.

He said CAP studies show it is worth at least \$70 million and should be assessed at half that figure or \$35 million.

A spokesman for U.S. Steel said the company will have no immediate comment on the new CAP charges.

CAP leaders were scheduled to meet with U.S. Steel president Edgar B. Speer later Tuesday at 208 S. La Salle.

Speer came to Chicago from his Pittsburgh home office for the meeting, which was requested several weeks ago by CAP.

Main topic to be discussed was advances in pollution control procedures at the South Works. A U.S. Steel spokesman said, however, that the question of taxes certainly would be raised.

Cullerton said Tuesday that the South Works property will be reassessed this year as part of the regular quadrennial assessment program. He said the plant, and all others in the area, will be given "physical inspections" to determine valuation.

[From the Chicago Today, July 13, 1971]

CHARGE LOOP BANK GETS BIG TAX BREAK (By Michael Hirsley)

Campaign against Pollution leaders have charged that the First National Bank Building, owned by the company which helped the county assessor's office reassess city property, is getting a \$2.1 million tax break.

A C.A.P. contingent took its study today, showing how C.A.P. figured the bank building is underassessed by \$19.4 million to County Assessor P. J. Cullerton's office.

Paul Booth, C.A.P. cochairman, said, "This is a building that Cullerton theoretically reassessed, but he missed by a country mile."

After Booth and The Rev. Leonard Dubi of C.A.P. met with Cullerton last month, they said he told them Real Estate Research Corp. was "participating" in reassessing city property.

Real Estate Research is a wholly owned subsidiary of the First National Bank of Chicago, and First Chicago Corp. is the parent company of both.

"Despite all the gestures as if Cullerton is reforming his office," Booth said, "this shows that favoritism to the rich is still the rule."

"It is also clear that Real Estate Research Corp., hired to help in all the reassessment, has a vulgar conflict of interest."

Booth explained how the C.A.P. researchers computed the under-assessment and tax break.

A figure of \$110 million for the building's fair market value was taken from a bank publicity pamphlet. Computations were made using the \$110 million value; assessing it at

45 per cent, which is the county assessor's standard policy; and taking a 89.5 "condition factor;" before applying a 10.9 per cent tax rate.

A condition factor is a percentage used by the assessor to allow for depreciation and building space which is not rented and brings in no income.

The bank is two years old. Booth said its own literature states it has been fully occupied since Dec. 1, 1969. Yet, he said, the county assessor has allowed it a 65 [per cent] condition factor.

Thru its computations [taking 45 per cent of \$110; 89.5 per cent of the result; and 10.9 per cent of the result], C.A.P. reports the 60-story bank building should be assessed at more than \$44 million and pay \$4.8 million in taxes.

C.A.P. reports the county treasurer's records show the building is assessed at \$25 million and is paying \$2.7 million taxes.

Tuesday, C.A.P. members are planning to demonstrate at the county assessor's office and in the Civic Center Plaza, to protest assessment practices. Thursday is the deadline for first installments of property tax payments.

[From the Chicago Free Press, Oct. 19, 1970] GAMES COMPANIES PLAY: A TAXING LOOK AT U.S. STEEL

(By Marco Trbovich)

United States Steel, a company worth more than five billion dollars, is getting richer than ever in Gary, Indiana, thanks to the gaping loopholes in existing tax laws. With the aid of regulations tailored to the needs of industry, the mammoth steel company has maintained and in some cases reduced its property taxes, while Gary's steelworkers and small businessmen have seen theirs rise at an alarming rate.

The people of Gary don't like it. They never have. "I'm looking for a place outside of Gary," said one homeowner whose taxes have skyrocketed from slightly over \$400 in 1960 to more than \$1,200 in 1969.

Gary's Mayor Richard G. Hatcher recognizes the seriousness of the problem. Failure by a company like U.S. Steel to pay its proper share in taxes could prove devastating to the city's economy, which depends upon the property tax for 80% of its revenue.

"I have to look at their rate of assessment," says Mayor Hatcher, "and that raises some very serious questions. It is my feeling that U.S. Steel is not paying its fair share. Were it not for the fact that we've had some massive federal grants, we'd be in serious trouble financially."

Recently it appeared for the first time there was some hope for relief from this situation when consumer crusader Ralph Nader announced he would delve into the declared exemptions of U.S. Steel's Gary plant, which he called "unjust." It is fertile ground for investigation. U.S. Steel has consistently used the favorable laws to hold down the lid on its taxes. In 1961, the company's personal business property was assessed at \$107 million. At no time before 1968 did the assessment increase by more than \$9 million and in 1967 it actually sank to an anemic \$100 million. During the entire 10-year period since 1960, U.S. Steel's taxes have increased less than one-third while individual taxpayers have seen theirs triple.

From these figures it would appear that U.S. Steel made little or no improvement in its property during those years. However, reports in the company-published U.S. Steel News reveal that costs for improvements in the Gary plant for that period totaled almost \$400 million. But instead of U.S. Steel's taxes being raised, they dropped \$7 million. It boggles the mind to think that during a period of unparalleled economic growth a major steel company had its tax assessments lowered.

This unusual disparity may have been managed through the use of building permits which allowed U.S. Steel to build for a year at a time without specifying the particulars of what was being constructed. This is unlike the average citizen who must be very specific about the building his permit will cover when he applies for it, sometimes being required to provide plans and specifications for the construction involved.

"For many years U.S. Steel simply paid a lump sum for building permits at the end of each year," explained Mayor Hatcher. The mayor returned U.S. Steel's annual check for such a lump sum in his first year in office and told the steel company that the practice would have to be stopped. U.S. Steel resisted.

"The whole argument over building permits was really one of their autonomy," said the mayor, suggesting that the steel company would operate as autonomously as the city administration would allow.

U.S. Steel is not as anxious as the mayor to make its views known. Thomas E. Ward, assistant to the director for public relations, was tight-lipped when asked about the apparent disparity in tax figures over the past decade.

"It would be improper to make any statement," said Ward, "since the matter is still in the courts." He was undaunted by the news that Ralph Nader might be investigating his company's taxes. "He's a nice fellow," Ward said.

The autonomy Mayor Hatcher spoke of is achieved in more ways than through influence and pressure at a local level. U.S. Steel, along with Inland Steel, and Youngstown Sheet and Tube, manage their legal tax dodges in Lake County by exercising considerable clout downstate. Some observers insist there is outright collusion between the steel companies and the State Tax Board.

"Their lawyers have written regulations for the state board," an angry Gary tax official charged. "And if you got one of those guys on the witness stand, he'd have to admit it."

Other critics' explanations of how the tax regulations work certainly encourage skepticism. Leslie O. Pruitt, former Lake County treasurer and currently the Democratic candidate for sheriff, contends that the fault lies in the legal formulas used to determine property depreciation. According to Pruitt, the steel companies' taxes "are eaten up by the formula in a couple of years. Over a period of time," he adds, "the depreciation outweighs the increases from investment."

Depreciation "write-offs" are not the only adjustments available to the steel companies. The law also provides write-offs that amount to nothing less than subsidies for new construction. One such method, cloaked in vague legal language, is called "appreciation." When a company builds a new production facility in its plant, it estimates at what level the new machinery should perform. If the equipment fails to produce at the predicted level, a handy 60% write-off is available to soothe the "disappointment" of company officials.

With the steel industry setting the estimated levels of production for the new equipment, the possibilities for such "disappointments" are infinite. U.S. Steel can build a new rolling mill, for example, and estimate that the mill should roll 100 feet of steel per minute. If upon completion the mill rolls only 80 feet per minute, the company can write off 60% of the new mill's cost under existing tax laws, even though it may produce steel at a higher rate and profit than the old mill it replaced.

Of course the company's figures are subject to review, but township assessors have neither the knowledge nor the manpower to break down the estimates and projections on the complex machinery involved. It's an old story: the steel companies have more time, more money and better engineers.

It is a story familiar to Mayor Hatcher,

who explained how the mills operate. "I was dealing with the plant superintendent on a matter of air pollution," the mayor explained. "I called him and we agreed to get together. It was very amiable and I even agreed to go to the plant to meet with him."

"When I arrived there—I only had an aide with me at the time—I walked into the office and there were four or five New York lawyers, accountants and plant engineers. They started firing facts and figures at us and there wasn't much you could say to defend yourself. They can just overwhelm you with expertise."

Not only is the average taxpayer without such legal and technical expertise, he is also without the adjustments and depreciations afforded the steel companies. If a man builds a new addition on his home and it doesn't turn out to his liking, there is no "disappointment" write off available to him. He is saddled with an increase in taxes on his improved property.

If a woman is suddenly widowed and her income drops appreciably, there is no adjustment provided in the regulations. If a steelworker retires after years of hard work in the mills, he must pay his personal property taxes without regard to the reduction in his annual income. To a man who retires with four or five years left to pay on a mortgage, this inflexibility in the tax regulations proves unfair and oppressive. As Leigh S. Plummer, publisher of the Gary-based Herald newspapers concluded in a series of articles on the Gary tax issue: "It ain't right!"

Plummer claims the situation has improved somewhat during the past two years, though not significantly. In 1968, the State Tax Board tacked on approximately \$30 million to tax assessments of the steel mills in Lake County. The reasons for this abrupt about-face are not clear. The possibility exists that the change from a Democratic to a Republican governor brought about the sudden hike in assessments, though it is unlikely that this came about through any reform sentiment within the new administration.

"I think the situation just smelled so bad the Republicans felt they had to do something about it," Plummer speculates.

Most seasoned observers concede, however, that attempts to wring money from the hands of tight-fisted steel companies are not likely to succeed. They quickly point to an attempt made in 1968 by Mayor Hatcher to bring U.S. Steel under investigation and reassessment. Arnold Reingold, Hatcher's deputy controller at that time, discovered a 1902 statute which empowered the mayor of Gary to contest the township assessor's figures. U.S. Steel was able to thwart Reingold's efforts, however, with a restraining order that prevented the city from opening the company's books until the statute had been tested in the courts.

The matter was dropped for two years during Reingold's absence from the Hatcher administration. His recent return has sparked talk of further prosecution of the case, although skepticism over the ultimate success of court action appeared to cause some foot shuffling at city hall. Then last week a court date was finally set for the two-year-old case. There is still little reason for optimism, though. As Plummer explains, "They (the mills) have better lawyers than the state and I think that fundamentally the judges are sympathetic to their point of view."

There is considerable evidence to support this contention. The ultimate effect of increases levied by the state board in 1968 has been minimal. In North Township, the state board upped the assessed valuation for Inland Steel \$30 million. The following year North Township Assessor John F. Pers reduced the assessment by almost \$29 million.

Asked why he knocked the assessment figures back down after the state board had raised them so handsomely, Pers explained that the board had given him nothing to substantiate its claims; therefore, he reverted

to the same methods of assessment used prior to the state board's intervention.

Pers further blamed the state board for much of the problem in establishing regulatory practices. "They've had four state tax chairmen in six years," he complained. "Three of them were neophytes and one of them came out of the ranks of the office." Why this apparent lack of professionalism on the state board prevented Pers from pressing the mills for more money was never made clear. Nor is he likely to initiate any radical changes in assessment figures in the future.

"I nailed them (Inland and Youngstown) time and time again in the past, and it ended up with the state board going against me," he added. What seems apparent from these remarks is that the buck will once again be passed to the already beleaguered taxpayers of Lake County.

Ironically, it is the working man who can least afford such treatment, for Labor Department statistics show clearly that the average working man with three dependents now makes less in real earnings than he did in 1965.

For steelworkers the problem has been heightened by their failure to bargain for an "escalator clause" in their contracts. Such a clause provides for automatic increases of one cent in hourly wages whenever the consumer price index rises four-tenths of a point. From 1965 until July of this year, the index has risen 25.8 points. This means that steelworkers have sacrificed wage increases totaling more than 64 cents an hour. With property taxes tripling in some cases and the inflationary spiral continuing, many rank-and-file caucuses and local unions want the clause put back into future contracts. Without it, they will likely find themselves once again the middlemen between uncontrolled inflation and undertaxed industries.

To date, there has been little to suggest they will escape this middleman syndrome. Their taxes will be higher again this year. In Lake County property taxes will rise eight and one-half million dollars above last year's figure of over \$150 million—an increase of almost six percent.

What perplexes the working man is that in spite of this increase, the cities' financial cupboards are bare. In Hammond, the superintendent of schools insists there isn't enough money in the budget to meet the agreement reached with striking teachers. In Gary, the school board has budgeted a \$9.2 million deficit. And in East Chicago, a city of only 46,000 that houses two of the nation's largest steel mills, residents continue to pay property taxes at a rate of \$10 per 100. It is this contradiction between what is paid and what is received that angers the working taxpayer.

Anger alone will not solve the problem. A little more public information on the subject might help. The news of Ralph Nader's speech declaring his interest in investigating U.S. Steel's taxes was carried on a few local radio broadcasts in Gary, but somehow never managed to make its way into the *Gary Post Tribune*. An editor at the paper admitted having seen the item on the wire service but did not pick it up for use in the paper. This seems a peculiar practice for an item concerning the paper's hometown and one of the country's most newsworthy men, especially since the item was picked up and printed in newspapers as far away as Buffalo, N.Y.

"The *Gary Post Tribune* has a very interesting way of selecting who they attack," Mayor Hatcher said when asked how such an oversight might occur. He hinted that a kind of "corporate brotherhood" existed between the newspaper and the steel mill that kept the paper less than aggressive in its attacks upon industry.

A serious tax reform movement would appear to be the only viable answer to the problem at present.

Unless public pressure is brought to bear on politicians to stop the steel industry from declaring "disappointments" and "write-offs" under the profitable aegis of present tax laws, it is unlikely that the steel mills can be made to pay their fair share. Meanwhile, individual taxpayers in Lake County will greet the winter and November's personal property tax bill with bitter discontent.

[From the Chicago Free Press, Oct. 5, 1970]
PERILS OF P. J.

Chicago has always been a real estate town. Real estate is where the big money is made and those who make it inevitably have close ties with the political party in power. In Chicago that means the Democrats.

One of the good Democrats for real estate men to know is P. J. Cullerton, who has been the Cook County assessor since 1958. It is Cullerton's office which determines how much property tax realtors pay for their land or buildings. Periodically, a disgruntled property owner has suggested that the best way to deal with Cullerton's office is through the use of the kickback—a little money for the assessor's office and a little money for the Democratic Party, and it is possible to get a favorable assessment.

But nothing serious ever developed from such suggestions and Cullerton, 73, who has not lost an election since entering politics in 1932, has remained a top vote getter. Not given to public statements nor displays of affection, Cullerton wins on his name alone and a billboard campaign that displays the letters in that name as pillars supporting a Supreme Court-looking building.

But lately the Cullerton name has been taking a few lumps. The first sign of trouble actually came eight months ago when Philip Armento, a 54-year-old former supervisor of individual personal property assessments, was indicted for income tax evasion. The federal government accused Armento of failing to pay a \$53,000 tax on money allegedly acquired for setting low tax assessments. Then, Benjamin Adamowski, the volatile former state's attorney who is running against Cullerton for the assessor's job, began leaking hints to the newspapers that Internal Revenue Service agents were poking around the affairs of Cullerton's office.

What followed was several stories detailing a land development project Cullerton and some aides started in McHenry County. The implication of the stories was that investors were attracted to the project because they feared if they did not invest they would get unfavorable assessments.

Last week the Chicago Daily News ran a series of well-researched stories linking some of the most powerful and connected realtors in the city with suspiciously low property taxes. Among the big names involved were Arthur Rubloff, the big developer who has long been a heavy contributor to Cullerton's campaigns; Charles Swibel, head of the Chicago Housing Authority and operator of Marina City; Jerrold Wexler, chairman of the Jupiter Corp., which developed the Outer Drive East apartments, 400 E. Randolph; and the late Frank Whiston, the former head of the Chicago Board of Education whose real estate firm operated the Pittsfield Building at 55 E. Washington.

According to the News, the big operators, all free with their money for Democratic causes, received tax breaks in two ways. First, their property was assessed at a much lower valuation than the assessor's own guidelines called for—sometimes 40 percent or more below the standard valuation. Second, the insiders get a further break by automatically appealing for even lower assessments and having their appeals automatically approved by the assessor's office itself.

Together, the two tax ploys cost the county millions of dollars in revenue each year.

Cullerton, forced for the first time in memory to abandon his low political profile, denied any hint of wrongdoing. But he refused to disclose why his office gave 10 extremely lucrative real estate properties (including the Merchandise Mart, Marina City, Outer Drive East, the Brunswick Building, a Sandburg Village high-rise and the Pittsfield Building) lower than standard valuations. The information was confidential, he said.

"I am in much the same position as the commissioner of internal revenue in that he, too, is the recipient of much confidential information," Cullerton said in a written statement. "It has been the policy of the assessor's office—over the last 40 years—to give assurance to taxpayers that their confidence will not be breached.

"It is only through the observance of such a commitment," the statement continued, "that the assessor will continue to have access to information which is necessary to the intelligent administration of the office. Pursuant to this policy and because I question the legality of such a disclosure, if I were to make one, I have repeatedly asserted this policy and intend to continue to honor my obligations thereunder."

That did not impress Adamowski.

"There is nothing in the statutes which gives the assessor's office the power to create secret files," he said. "How in the world can you have secret files in an assessor's office? There is a formula for taxing property and that's it. All of the records belong to the county."

Adamowski announced he was going to reveal the results of his own private investigation of the assessor's office on Oct. 13. That did not impress Cullerton.

"My opponent should be ashamed to submit his name for any office, because of the way he conducted himself as state's attorney," Cullerton told a luncheon rally for Democrats, including Mayor Daley. "He had the largest contingency fund in history, about \$800,000. He was unable or unwilling to account for much of it and destroyed thousands of records, including cancelled checks. He and his chief investigator, Paul Newey, who is still with him, refused to testify before the grand jury and in effect took the 5th Amendment."

By week's end Illinois Senate Majority Leader W. Russell Arrington, the Autocratic Evanston Republican who rarely misses an opportunity to twit the Democrats, ordered a legislative investigation of Cullerton's office. Arrington said the Senate Municipal Government Affairs Committee has the power to subpoena the records of the assessor's office.

So P.J., whose name has already been dropped from the top spot on the county ballot to number two, is under attack from several different fronts, and, although still holding a lead over Adamowski, might be in for the toughest political fight of his undefeated career.

[From the Gary (Ind.) Post-Tribune,
Apr. 28, 1971]

ASSESSOR PERS EXPLAINS: CCC, INLAND ARGUE
"TAX BREAK" CHARGES
(By George Chile)

Inland Steel Co.'s East Chicago plant is receiving a yearly tax break of \$20 million, the Calumet Community Congress (CCC) charged today.

The CCC released the results of a two-month study of the East Chicago steel mill's assessment to The Post-Tribune this morning.

Representatives of the CCC's taxation committee said they would make these charges in person this afternoon at Inland's annual shareholder's meeting in Chicago.

The steel company today rejected the CCC conclusions in a statement by its chairman, Philip D. Block Jr.

John Sargent, a veteran employee of Inland and the first president of Steelworkers Local 1010 (in 1937) will read off the results of the CCC's investigation at the meeting. Sargent is a member of the organization's tax committee which conducted the assessment probe.

North Township Assessor John Pers is charged with the responsibility for assessing Inland's East Chicago plant. But Pers refers questions to the State Tax Board.

"They have assumed the responsibility," he told The Post-Tribune. "We've raised the mill's assessments in the past, but they always finalize it against our wishes."

State Tax Board President Carleton L. Phillippi, saying he didn't have "all information available," declined to comment immediately on Pers' statement or on the board's role in assessing the steel mill.

The CCC's \$20 million figure was computed with the use of a formula for determining the net worth of steel mills. The formula, published by Fortune magazine, is used by insurance companies to determine the replacement value of capital equipment needed to produce certain volumes of steel.

The insurance company formula calls for \$350 of capital equipment to produce one raw ton of steel. Another formula, given by an executive of Republic Steel Corp. to a Chicago newspaper recently, put that figure at \$300. It is this figure that the CCC used.

The Harbor Works produced more than seven million tons of raw steel in each of the last three years, and according to Inland's 1970 stock prospectus, the company's East Chicago plant has an annual steel making capacity of about 7,700,000 tons.

Applying the more conservative \$300 a ton figure to the more conservative output figure of seven million tons, the CCC came up with a true cash value for the Harbor Works, before depreciation, of \$2,100,000,000.

From this total, the CCC then subtracted \$100 million for write-offs on such expenditures as antipollution equipment, and allowed a depreciation figure of \$1 billion, or 50 per cent of the company's capital investment.

The assessed valuation then, under state law according to the CCC, should be \$330,000,000.

This contrasts with Inland's \$105 million assessment for 1970.

Block's answer said in part:

"Our Indiana property assessments are made by the statutory government agencies, namely the township assessor, the county board of review and the State Tax Board, which makes the final determination of proper assessed value. In doing so, the board is legally entitled to audit Inland's books and records to verify the return. . . .

"The Calumet Community Congress has on several occasions alleged that Inland's Indiana Harbor Works at East Chicago is underassessed. Yesterday, while its representatives were meeting with company officials to inform themselves on how Inland's tax assessment was made, and to seek answers to a series of questions in this respect, their allegations were being distributed to the news media.

"We reject their assertions, which are grossly erroneous and naive. They are based on inaccurate interpretations of state regulations governing property taxes and the use of completely inapplicable figures.

"In referring to the cost of recent property additions, as well as theoretical plant values, as their suggested basis for determining the assessment, they do not give proper recognition to these pertinent factors:

"First, that book value is the starting basis used for determining business property assessment, and not replacement cost or other theoretical valuations.

"Second, that there is then deducted federal income tax depreciation, which in Inland's case is greater than book depreciation.

"Third, that real property and personal property are assessed under different procedures.

"And fourth, under Indiana laws and regulations certain adjustments are allowed including the exclusion of air and water purification facilities, adjustment for economic obsolescence and a 60 percent reduction on assessed value for new facilities in the initial year of operation."

Inland's tax bill is arrived at by applying East Chicago's tax rate, which was a little under \$10 per \$100 of assessed valuation, to the plant's assessed valuation.

This results in a CCC-computed tax bill of \$30 million, as opposed to Inland's actual tax tab of approximately \$10 million.

Sargent is expected to call for the corporation to pay \$100 million in unpaid back taxes.

The CCC committee membership is made up predominantly of steelworkers with a few students and teachers. Staughton Lynd, a well known historian and a former Yale University professor is also a member of the committee.

[From the Chicago Daily News, Apr. 28, 1971]

INLAND STEEL ASSESSMENT UNDER ATTACK

(By Charles Nicodemus)

A community group charged Wednesday that the Inland Steel Co.'s huge Indiana Harbor Works is underassessed by some \$200 million.

Spokesmen for the Calumet Community Congress (CCC) planned to level the charges at the steel company's annual stockholders meeting Wednesday afternoon in Chicago.

The CCC—a 6-month-old confederation of 42 community groups in the Lake County (Ind.) area—said the steel plant is assessed for tax purposes at one-third the level at which it should be valued.

The community organization said tax records show that the company's assessment for business tangible personal property and real estate is only \$105 million.

Standard economic analysis procedures used by the steel industry itself indicate, however, that the assessment actually should be more than \$300 million, the CCC contended.

More important, the group charged, the company's own estimate of \$59,735,673 for the 1969 value of that property—which Indiana review officials later raised to \$74,062,280—came during a year when Inland president Philip D. Block said the company had made "a record high \$148 million capital investments."

CCC pointed out that the Indiana Harbor Works, in East Chicago, is Inland's only steel works. And, according to company publications, the plant received most of the capital investment.

Yet during that year, the valuation set by North Twp. Assessor John Pers actually decreased by \$9.5 million, from the \$83,538,630 total set by the Indiana Board of Review for 1968.

CCC spokesmen further pointed out that for 1969, Inland dropped its own estimate of its business tangible personal property from \$70,475,305 to \$59,735,673, despite the huge new capital investment.

Pers was not available for comment on the CCC charges.

And a spokesman for Inland Steel said the company would not comment until it had a chance to study in detail the CCC charges.

Lake County (Ind.)'s system for assessing real estate and personal property differs significantly from the system used in Cook County, where Assessor P. J. (Parky) Cullerton's practices have been under fire since last fall.

In Cook County and elsewhere in Illinois, the bulk of an industrial plant's assessment falls in the category of "real estate" which deals with the land value, the buildings and

much of the stationary heavy equipment such as blast furnaces and rolling mills.

But in Indiana, real estate taxes cover only land value and a building's structural shell. All other construction is covered as business tangible personal property.

CCC said that during the last eight years, records show that Inland's real estate assessment and its own estimate of the increase in its business personal property assessment have increased less than \$40 million.

Yet during the last five years alone, CCC said, the company has installed, and now has in production:

An 80-inch hot strip mill valued at \$125 million.

An 80-inch cold strip mill valued in excess of \$125 million.

Its number 4 Basic Oxygen Furnace, valued in excess of \$70 million.

A new electric furnace, valued at \$32 million.

If just these new facilities had been properly assessed, their total cost of \$352 million—assessed under Indiana's one-third-of-fair-value formula—should have boosted the plant's assessment by at least \$116 million, CCC contended.

The community group's officials plan to offer their critique through a series of questions at the stockholder meeting, asking Inland officers what value they place on various parts of the plant.

The CCC charges represented the second attack this month by a citizens organization on the assessment of a major Chicago-area steel plant.

Two weeks ago, the Chicago-based Campaign Against Pollution (CAP), presented a detailed economic analysis charging that the U.S. Steel Corp.'s South Works, at 87th St. and Lake Michigan, has been undervalued by Cook County Assessor Cullerton by more than \$118 million.

[From the Louisville Courier-Journal & Times, Sept. 26, 1971]

TENNESSEANS DEMAND ACTION FROM STATE BOARD TO ORDER MORE TAXATION OF COAL FIRMS

(By David Ross Stevens)

Thirteen residents of coal-producing counties in Northeast Tennessee have filed a formal complaint charging that coal companies are not paying their fair share of property taxes.

In a petition to the Tennessee Board of (Tax) Equalization, the residents call for a reassessment of land and minerals in five Tennessee counties to equalize property-tax payments.

If successful, small Tennessee landowners and the coal-producing counties could reap tax benefits unheard-of in Appalachia, whose coal counties have long been some of the richest and poorest in the nation—richest in natural resources and poorest in personal income.

The reform attempt might be copied in Kentucky, where some conservationists are studying the Tennessee project.

The Tennessee petitioners, who last week asked the equalization board to take administrative action, will be heard Wednesday and Thursday at a Knoxville meeting of the board.

If no satisfaction is received from the board, the taxpayers said they are prepared to sue the state and county officials. Suits against governmental units are not valid until administrative remedies have been exhausted.

Marie Cirillo, Clairfield, Tenn., one of the 13 petitioners, said that a readjustment of county property taxes could bring in money for much-needed local health services and possibly for public housing.

The petition is based on a three-month

study by three Vanderbilt University students, one of whom is John Gaventa of Louisville. It is described as the most comprehensive mineral-tax study ever done in Tennessee or Kentucky. The college students did it for the Student Health Coalition, a mountain group sponsored by the Appalachian Research Commission.

The report cited nine large, landholding companies, which own land ranging from 20,000 to 64,000 acres. Two of the companies are Kentucky-based. The Stearns Coal and Lumber Co., owned by a Stearns, Ky., family controls 26,390 acres in Scott County, Tennessee, and the American Association, a British corporation with a Middlesboro, Ky., office, owns 50,661 acres in Claiborne and Campbell Counties, also in Tennessee.

The study covered the five largest coal-producing counties in Tennessee, accounting for 77 per cent of the state's coal production. The petitioners live in all five counties.

A press release from the complaining citizens claimed that the large companies own more than one-third of the land area in the five counties of Anderson, Campbell, Claiborne, Morgan and Scott, but they accounted for only 4 per cent of the 1970 property-tax revenue.

The citizens say the major landholding companies own more than 75 per cent of the minerals in the five counties and have accounted for 80 per cent of the land scheduled for strip mining since the spring of 1970.

The complainants said that Tennessee state law requires taxing minerals as part of the property value. However, the petition asserts that the State Equalization Board and local assessors have failed to comply with the law.

They contend that the small landowner, farmer, homeowner and businessman—who can least afford to pay—has to pay more taxes because the large landowner who controls most of the wealth is not paying.

The taxpayers group also charged that several millions of dollars worth of mining equipment has been appraised only nominally, or not at all, depriving local governments of additional revenues in violation of the law.

An example of alleged unfair tax assessment cited by the taxpayers involves the American Association, which owns 44,000 acres of coal-bearing land in Claiborne County. Complainants say the company earns an average of \$4,500 a week (or \$234,000 a year) in royalties from only one mine in that county, yet pays taxes on property valued at only \$20 to \$25 an acre, the same value set for unused woodland and less than one-fourth the value set for farmland.

The figures were compiled from known royalty-payment leases and from production data supplied by the Southern Railway. Al E. Funk, Middlesboro, agent for the American Association, said that the royalty figures "sound about right."

According to the Vanderbilt students' study, an estimated \$350,000 in potential revenue was lost last year in the five counties because of the alleged tax inequities.

Because some 660 million tons of recoverable still remains in these counties, "this loss of revenue will continue in the future unless coal is included in the tax base as required by law," says the report.

The study was conducted under the direction of Prof. Lester Salamon of the Vanderbilt political-science department by Gaventa, Ellen Ormond and Bob Thompson. Gaventa is now at Oxford University in England on a Rhodes Scholarship.

The taxpayers' complaint was filed by Gilbert S. Merritt, a former U.S. district attorney and now a member of a well-known Nashville law firm. It requests that:

The State Board of Equalization order the valuation and assessment of coal reserves and mining equipment at the same ratio to fair market value as other property.

The board and the Division of Property Assessments provide manpower and guidance to county tax assessors to carry out valuation of minerals and mining equipment.

The state board call upon the State Department of Geology and the chief mine inspector to help in the evaluation.

Kentucky's property-tax law also requires consideration of minerals as part of the land value. However, the application of this law varies widely among the coal-bearing counties—from small mineral assessment to virtually none.

Although no broad-based movement to reform property-tax assessment is under way in Eastern Kentucky, conservationists and politicians have been calling for a tax on the extraction of coal and other minerals. Three of Kentucky's four gubernatorial candidates already have publicly supported some form of severance tax.

[From the Kentucky School Journal, January 1971]

AN EMBARRASSMENT OF RICHES IN
EASTERN KENTUCKY
(By Harry Caudill)

As a lifelong Kentuckian, and as one who obtained all of his education in Kentucky schools, I have long been weary—almost unto death—of the failure of this state year-after-year, and generation-after-generation, to build a decent and genuinely good school system when it possesses the financial potential to do so.

Until I went to the University of Kentucky in 1941, I had the distinction—of a sort—of never having had a school teacher who was paid more than \$85 per month as a salary. We are doing somewhat better than that in Kentucky now, but in those days—in the 1930's—\$75 or \$60 or \$80 per month in Kentucky was regarded as adequate pay for school teachers.

We might say that the education that was given to people of my generation was donated to them by men and women who were willing to stay in the teaching profession practically without compensation.

As a Kentucky school boy, I sat in a dilapidated school house, year after year, and watched the trainloads of wealth rolling by the windows of that school house, wealth of a character without which this nation could not have operated for one hour or for one day.

If you go to the Department of Health, Education and Welfare in Washington and talk to some of the people in charge, they will show you maps of the United States with the social and educational trouble spots marked in black. You will see that practically all of Central Appalachia—including Eastern Kentucky—is marked in black. They would say it is an impoverished area.

If, on the other hand, you go to the Department of the Interior, which keeps a record of the natural resources of this nation, you will find again that Eastern Kentucky—and the rest of Central Appalachia—is marked in black on the map.

We have in Eastern Kentucky the curious situation—the curious contradiction—of one of the richest lands on the face of the earth inhabited by what are probably the poorest predominantly white people in the United States.

I might point out that Eastern Kentucky is almost exactly the size of Switzerland, and they both are mountainous regions.

Switzerland has practically no minerals of any consequence, with the exception of stones in the mountains and the brine beds deep within the earth. Twenty-one per cent of Switzerland is barren and will grow nothing.

Eastern Kentucky, on the other hand, doesn't have a barren acre in it. In fact, it has some very rich agricultural land. Also, we have tremendous mineral deposits in

Eastern Kentucky, and brine beds that vastly exceed those of Switzerland.

Yet, the Swiss today have a population of 6 million people; in our Eastern Kentucky we have three-quarters of a million. The Swiss maintain the world's strictest immigration laws because they have made it such a pleasant place in which to live that millions of people would like to flock there.

Eastern Kentucky has the nation's highest out-migration rate, as people flee from poverty, from poor schools, and from many other things, and move into the cities. The Swiss have brought in more foreign laborers to work there than there are people in Eastern Kentucky.

The Swiss are a people who have grown rich on a very poor land; and we Kentuckians in the mountains are people who have grown poor on a very rich land. We have done that with the help, I might point out, of the Kentucky state government through many years.

Switzerland has 22 institutions of higher learning, including five great medical schools. And Switzerland spends more money on armaments, for example, per person than any other country in the world.

The people who control Switzerland have invested heavily in education. They have built a fair tax system. We have failed to tax in Kentucky; we have failed to build a decent tax system, and we have wasted our human resources.

I think we have come to a time when it is very essential to us that we understand the possibilities of the Kentucky mountains, and of the rest of Appalachia, and do something to reverse this deplorable and totally unnecessary situation.

This is a colonial territory, and its colonial character is the origin and main source of most of its trouble. The people who own the real wealth of Appalachia should have been its leaders down through the years in building a great school system, and in building a fair and equitable tax system. If we had had that kind of leadership, we could have built in Eastern Kentucky a new Switzerland.

We might say, "What does this have to do with Kentucky as a whole?"

Eastern Kentucky is about one-third of Kentucky, and it is an albatross hung around the neck of the rest of the state. The point I want to make is that Kentucky cannot solve its educational problems until it solves the problems of East Kentucky and of the West Kentucky coal fields.

The rest of the state cannot carry the burden of these mineral fields; and the whole state will eventually become bankrupt, or come to some kind of very serious grief, unless it faces the problem of these great colonial territories existing within the framework of the state.

Something can be done to change these things: We are going to have reapportionment this year, before the next legislature convenes. If the people of Kentucky are made aware of the things that have been happening to them and to their pocket-books, we can get the kind of taxes on the books of this state at the next session of the legislature that will do justice to every Kentuckian.

At the present time, approximately one-third of the revenue spent by the state comes from grants in one form or another from Washington. Another third is raised from the taxpayers of Louisville and Jefferson County. The remainder comes from the other 119 counties.

After reapportionment, Jefferson County, and the other urban areas of Kentucky, are likely to have the capacity to pass just about any kind of legislation they deem necessary for the welfare of this state. If they think we need tax reform in the mountains of East Kentucky, or in the coal fields of West Kentucky, they can enact it.

Let me call to your attention a two-year-old publication from the US Department of Interior, entitled "The Mineral Resources of the Appalachian Region." It is tremendously important because it refutes an old legend—an old myth—about the Kentucky mountains. It refutes, once and for all, the idea that this is a region that cannot help itself because of its great basic poverty.

This publication points out that Southern and Central Appalachia probably is the richest resource region on the face of the entire planet. It notes that the single most valuable mineral deposit on earth is not the diamond fields of Africa, or the iron fields of South America, or the oil fields of Arabia or Libya. Rather, the single most valuable mineral deposit on earth is a rich seam of coal that starts in Pennsylvania, and extends across West Virginia and Western Virginia, into Eastern Kentucky.

Coal is the industrial muscle, the power, that has run this country for more than 100 years. The modern industrial American state was built on Appalachian coal; this coal powered the arsenal of democracy that won World War II. We must learn that the Appalachian mountains are now, have been for many years past, and will be for the foreseeable future, absolutely indispensable to the industrial well-being of the United States.

As this book points out—citing both European and American economies—the mineral resources of the Appalachian region are absolutely indispensable. They are not valuable; they are priceless. If the country cannot dispense with them, no price can be placed on these resources.

In Eastern Kentucky there still are some 35 billion tons of highgrade coal. Some 22 billion tons of that coal can be recovered under conventional methods of mining. In Western Kentucky, there are about two-thirds of that much more—of lesser quality, but still very excellent coal.

The question we come to next is whether the people who control these coal deposits—and the other great mineral resources that are lying alongside and over and under them—are paying their fair share of taxation to this state.

Many people have seen the better schools we have in Eastern Kentucky after some 15 years of steady improvement. But that's not to say they are good, or decent, or that they are beginning to approach an acceptable standard. They are not beginning to approach an acceptable standard because the people of this state cannot pay enough money in sales tax levies to support them at a decent level.

We must make the great land owners, and the owners of the great wealth of this state, pay their fair share.

Who are the great land owners in Eastern Kentucky? You will find they are the great names in American industry—Bethlehem Steel, Republic Steel, United States Steel, International Harvester, and the Ford Motor Company, to name just a few. You will find such lesser known companies as the Big Sandy Corporation, the Kentucky River Coal Corporation, and the Penn-Virginia Company.

These latter companies are almost unknown to the people of this state. They operate quietly, and very much in the background, but they have one distinction which very rarely reaches public attention: They are the nation's biggest profit earners.

The people of Perry County, Kentucky, have two distinctions. They have the distinction of making what I believe is the smallest contribution to the support of their school system of any county in the state. At the same time, this county has within its boundaries what are probably the two biggest earners of all investor-owned corporations in the United States.

This county pays about 3½ or 4 per cent of the cost of running its schools. Operating within the county are the Kentucky River Coal Corporation and the Penn-Virginia Company, which own enormous tracts of territory and lease coal and other minerals for extraction. These two companies clear, after taxes—according to their own stockholders' reports—some 60 to 61 cents out of every dollar taken in.

Back in 1965, the president of the Penn-Virginia Company consented to an interview with a reporter for a business magazine. The things he said then are very valid today.

He pointed out that East Kentucky suffers from "an embarrassment of riches"—that a tract of land in Pike County, for example, will have one lessor, one lessee mining coal, another taking out oil and gas, another taking out limestone or sandstone, and still another one taking off the timber.

The president of this company pointed out that more than half of their operating expenses are paid from their smallest source of income, the timber stumpage. The way the tax laws of this country are written, some 85 per cent of their money is retained. In other words, about 75 per cent of all their income is tax exempt through a combination of depletion allowances, long-term investments, etc.

They are able to pay out 45 per cent of gross receipts annually to their stockholders, and still put about 15 per cent away into stocks of companies with which they do business—power companies, rail companies, and others. Eighty-five per cent of the dividends they collect, then, are tax exempt.

They are literally "rolling in the dough." They have money pouring out of the ground by day and by night. Imagine what it is to be in a company that takes in an enormous flow of money, and has—as this company does—a total of 17 employees. About all they have to do is check on the payments to be certain they are being paid properly, take the money to the bank, divide it, and invest what they don't pass out to the stockholders.

You won't see "an embarrassment of riches" on the school grounds of East Kentucky, because these companies, and the people who serve them in the courthouses of Eastern Kentucky and in the capital of Kentucky, have learned long ago to spare these people the inconvenience of having to pay taxes.

Not only the great landowners and leasing companies are exempted largely from taxation, but the great operating companies, to a very large extent, escape taxation at the local level.

Let us compare, as an example, the tax burden of a certain copper company in Arizona with the burden borne by the United States Steel Corporation in Harlan County. US Steel operates a very large mine there through the US Coal and Coke Company.

The copper company, in 1967, had listed for taxation in the state of Arizona, property worth \$49,457,000. It paid property taxes in the sum of \$1,727,000. That means it would require 28½ years to pay that state in taxes an amount equal to the appraised value of its property.

If we look at the US Steel mine, we find it had an appraised value of \$9,300,000, on which it paid Harlan County taxes amounting to \$34,500. This means it would require 270 years for US Steel to pay Harlan County an amount equal to the assessed value of its property. There is a difference.

Recently, there was a story in the Hazard paper telling about the opening of a giant new mining complex in Knott County: 14,200 acres of coal were going to be developed; 1,250,000 tons a year were going to come out of the ground; 250 people were going to be employed.

What is that coal property paying the people of Knott County? A total of 22 cents an acre.

The sales tax doesn't apply to them, either. If you buy concrete blocks to build a house, you pay sales tax on them. If you are a big coal company operating under the mining laws, these same concrete blocks would be exempt from the sales tax. The same is true about drills: The dentist pays sales tax on a drill to use on teeth; the mining company pays none on a drill to use in extracting coal.

We need a state severance tax. Every ton of coal, every comparable measure of natural gas, every barrel of oil, all the limestone and other minerals, including ball clay and zinc, ought to pay the state of Kentucky at least the price of a new brick or two. That money ought to be translated into new schools, into laboratories, into libraries and all the things that are necessary to teach.

Secondly, we need to see that this property is properly assessed, that it is put on the books, and that it is taxed. I would agree that you cannot get fair, full market value on the tax books, because this property is invaluable. You can't get its true value but you can get a great deal more than you are getting now.

Third, I think support should be given at the national level to Senator Lee Metcalf's bill, which would levy a federal severance tax under circumstances that would let the states keep the money. That would bring into Kentucky an estimated \$28-30 million each year.

Finally, we need to split the depletion allowance. If the depletion allowance is reasonable and fair and just for the company, on the ground that its reserves are being depleted, then it is fair also for the counties which are dependent on those reserves.

What we need is a bill that would raise the depletion allowance—perhaps to 30 per cent or so on all of these minerals. Let the company take off the first 30 cents, and then let the federal government levy a tax at the rate of 50 per cent of the money that the company keeps by virtue of the depletion allowance.

Let that money be put in a trust fund, and then be fed back in to the counties from which it comes. If they could be cut in on this kind of sharing of depletion allowance benefits, they could within a few years build the libraries, build the schools, pay the teachers, build the industrial sites, build the sewage facilities, and do all the other things necessary to build a viable economy.

[From the St. Louis Post-Dispatch,
Nov. 20, 1971]

KENTUCKY'S METHOD OF TAXING COAL LANDS IS WOEFULLY INADEQUATE (By James C. Millstone)

From Kentucky Labor News: When one ton of coal is mined from Kentucky, Kentucky is poorer—forever—by one ton of coal!

HARLAN, KY.—Ted R. Turner has been tax commissioner of Harlan county for 10 years. It is his job to place assessments on all county property. Now he was seated in his office pondering an unanswerable question: How does it happen that the land is so rich and the people so poor?

"It's hard to put your finger on," he said. We have the best grade of coal found anywhere. It's high priced, has low sulfur content. We've got enough coal here to operate all our mines 24 hours a day for the next 100 years.

Furthermore, Harlan county has a couple of prosperous residents. The county's largest coal mine is operated by the United States Steel Corp. at Lynch. Its second largest mine is run by the International Harvester Co.

County coal production is at record high. In 1965 the county produced 5,634,624 tons valued at \$29,000,000. Last year it moved from third to second among eastern Kentucky coal producers with 6,263,082 tons worth more than \$30,000,000.

Yet in neither year—nor in 1904 for that matter—did the county manage to raise enough money in taxes to pay even 10 per cent of the costs of running its school system.

Notwithstanding the riches beneath the magnificent mountains that cover Harlan county, the signs all point to an area sliding downhill swiftly. The population has dwindled from 71,751 in 1950 to 41,000 last year. Projections for 1970 shrink it further to 33,200.

Office of Economic Opportunity figures show that of the 9231 families in the county last year, 3687—or 40 per cent—had incomes below the poverty level. In 1960, Harlan county had proportionately more poor people than 86 per cent of all counties in the United States. Last year it was worse off than 92 per cent of all other counties.

Times are not so hard for U.S. Steel and International Harvester. The nation's Number One steel producer had sales of 4.3 billion dollars last year and an income of \$249,200,000.

Turner's tax books showed that last year U.S. Steel's two productive mines in Harlan county, including property valued at \$9,300,000, were taxed at \$34,500. The books did not indicate the amount of an additional sum paid by the company to support a small independent school district at one end of the county.

International Harvester, operator of the second largest mine in the county, paid \$27,000 in taxes to Harlan's county on property valued at \$2,800,000.

"The only interests U.S. Steel and International Harvester have in Harlan county," Turner said, "is to pull out the coal to operate their mills."

"U.S. Steel had a town of 9000 people at Lynch at one time," Turner recalled. "They had the largest coal tipple in the world there then. Now they're producing more coal than ever before, but the population at Lynch is probably no more than 2000. Where their mine had thousands of employees, I doubt if they have 400 now."

"Every lump of coal they get goes out to their mills. They won't even send it around for use of the people who live at Lynch."

The experience of Harlan county is repeated again and again in every one of the great coal-producing counties of eastern Kentucky. Although coal is becoming, producing greater wealth than ever, the people in the counties are poorer and more miserable than ever.

In Knott county last year, 1665 of the 2900 families—more than 57 per cent—had income under the poverty level. That meant that they were in the lower 1 per cent of all American counties in the magnitude of poverty. From a population of 20,000 in 1950, the county has dropped to 16,200 and expects to have no more than 13,600 residents by 1970.

Out-of-state coal companies own an extensive portion of Knott county land. One is the Elk Horn Coal Corp., with headquarters at Charleston, W. Va. For the mineral rights to 15,107 acres of Knott county coal property this year, Elk Horn was charged \$2750 in taxes. The company leases coal lands for a living and in 1965 reported a gross income of close to \$1,000,000,000. It netted \$506,367 on that amount and paid its stockholders \$424,840 in dividends.

Other owners of Knott county coal lands include Kentucky River Coal Corp. and Virginia Iron, Coal and Coke Co., two of the most profitable operations in the coal business today. They paid the county \$1985 and \$306, respectively, in taxes on their properties for 1966.

"The coal companies pretty much set their own assessments," Knott county tax commissioner Delmar Draughn confided. "We pretty much have to work with them. We have no system for finding out what they own. Like they may tell us they own 50 acres at a certain place when actually they own 500 acres."

"As far as mineral rights are concerned, we can't tell what's under the ground. If a company says an area is barren or mined out, we have to accept it."

The valuation on land that is barren or mined out, of course, will be far less than that known to possess good coal seams.

Draughn said that in his 10 years as tax commissioner he had become convinced that "most of these companies come in here with a straight and honest list."

His confidence in the companies was not shared by some Kentuckians. A study by the Louisville Courier-Journal in 1965 concluded that "coal has been a reluctant taxpayer." The newspaper said that "the industry has been able to get rockpile assessments on land loaded with black wealth."

"Thousands of acres of coal land worth \$200 to \$300 an acre get on the assessment books at \$2 an acre," the newspaper said. "Other thousands of acres are literally hidden from the assessor."

In Leslie County's courthouse at tiny Hyden, tax commissioner John D. Muncy described his yearly bouts with the Fordson Coal Co., a subsidiary of the Ford Motor Co. Fordson has held mineral rights to large areas in Leslie county for years. Consistently, Muncy said, the company submits valuation figures that are inaccurate and just as consistently he places a higher assessment. On appeal, Fordson invariably wins.

Last year, for example, Fordson managed to lower Muncy's valuation by 25 per cent from \$880,000 to \$660,000. This year the company tax bill totaled \$5189. Just for the record, Leslie county is the most impoverished of the eastern Kentucky coal producers, with two-thirds of its families having incomes below the poverty line. Ford Motor Co., on the other hand, reported record sales of 12.2 billion dollars last year and net income of \$621,000,000.

If any further evidence is needed that something is wrong with the Kentucky taxing system, consider Pike county. Long the major producer of coal in eastern Kentucky, Pike in 1965 accounted for more than 15,000,000 tons valued at almost \$61,000,000. Last year its production went up to 16,300,000 tons worth about \$65,000,000.

But although it is one of the nation's richest coal counties, Pike county could raise only 18.3 per cent of the \$4,100,000 needed to operate its schools last year also, 45.3 per cent of its people subsisted on incomes below the poverty level.

To a few Kentuckians, notably lawyer-historian Harry M. Caudill of Whitesburg, the exploitation of the state's resources by outside investors, and the traditionally inadequate local tax rates have been galling for years. Caudill is particularly impatient when local or state officials defend the coal interests as paying their proportionate share of the tax load.

E. D. Ballard, director of the property tax division of the Kentucky Department of Revenue, told the Post-Dispatch that a recent state-sponsored revaluation of property in eastern Kentucky showed that "the coal industry was not the poor taxpayer people had thought it to be." In fact, he said, other classes of property were found to have been further off base in assessments than coal property.

"The point Ballard misses," Caudill responded, "is that other taxpayers are not hauling Kentucky away. The coal industry's whole business is doing that very thing. My house will stay here for generations, but their property will be sucked completely dry."

Caudill, who fought a lonely fight against the coal exploitation for years, is beginning to attract a few allies among elements opposed to the rising amount of strip-mining that is further scarring and gouging the mountains. The Kentucky League of Women Voters, whose project for the year is natural resources, has taken an increasingly critical look at the relationship between coal wealth and eastern Kentucky poverty. A study by the league's Lexington chapter found that the coal industry had been "very successful at avoiding taxation of their properties and their operations."

One subject that the league is looking into is the possibility of a tax on production of coal, known as a severance tax. As Caudill sees it, under the long-standing system, Kentucky receives nothing in return for the wealth drained from her hills. A tax of 10 cents a ton, for instance, on each ton of coal mined would have raised \$9,000,000 for the state last year.

Politically, imposition of such tax would appear impossible, however, particularly under newly elected Gov. Louie Nunn, a Republican. Caudill had prepared proposed legislation for a severance tax for the Democratic candidate, Henry Ward, under the conviction that Ward would have sponsored it. Caudill said that Nunn's election would prove to be "an historical tragedy for eastern Kentucky."

Caudill also has helped organize and is chairman of the Congress for Appalachian Development, a group seeking to promote creation of public corporations to buy up the coal lands from the wealthy land-holding companies, by the power of eminent domain, if necessary. The public agencies then would turn their efforts to area development.

Calling Appalachia "the last bastion of colonialism," Caudill said, "we think the great wealth that was pilfered from our ancestors by shrewd and unprincipled men should be returned to the people of the mountains."

"It is certain that Appalachian fossil fuels will power much of the nation in the future. The coal and water will be turned into electricity and will be sold at a profit."

"Whether these profits will go out as dividends to distant stockholders, or stay behind to finance the institutions our people need so desperately and have been promised for so long is the question that we in the mountains must answer."

[From the Appalachian Lookout, October 1969]

KENTUCKY COAL: OWNERS, TAXES, PROFITS (By Richard Kirby)

The data on mineral assessments which forms the meat of this report were collected in the summer of 1968 from the tax records of the eleven major coal producing counties in Eastern Kentucky. It was felt that this would be the best way of getting a coherent picture of both ownership and taxation of east Kentucky's coal. The only other sources, hearsay and title searches, are either too spotty or too tedious to be useful. Still, the source of the information requires some comments on reliability. Counties vary greatly in their approach to assessing minerals. Some counties make a conscientious effort to separate surface from minerals, even where the same person owns both. Others make no attempt to separate the two, or even to give acreage figures in many cases. Nevertheless, the results of this 1968 study are probably the best figures presently available on mineral ownership in this region.

MINERAL OWNERS: WHO THEY ARE, AND HOW THEY GREW

When the various county records are cross-referenced and the totals added, the result is the "biggest holders" list on the next page. It contains every mineral owner in the eleven counties whose total stated assessment exceeds a quarter-million dollars. From the proportion of the assessments on the list to the total, it appears that the thirty-one people and corporations listed there own between them about four-fifths of East Kentucky's coal.

This, without more, should serve to establish that the process which began with the widespread use of broad form deeds to sever minerals from surface ownership has ended in extreme concentration of mineral ownership and its systematic exploitation by outsiders.

While absentee ownership is the hallmark of coal today, it all began with local peo-

ple—at least they didn't become absentee until after making their fortunes. The first and biggest operator, John C. Mayo, came from Paintsville and a very old Kentucky family. Mayo seems to have realized the value of the coal some years ahead of everyone else and bought as much of it as he could. For this purpose he invented the broad form deed and the "bond deed." This latter was an ingenious device whereby the purchaser of the coal (Mayo) took title at once, pledging to pay the purchase price in gold on presentation by the seller of a survey and abstract of title. By an odd coincidence, every surveyor and lawyer in the area was on Mayo's payroll and couldn't be bothered—until Mayo had mined enough coal to pay off the deeds. Thus Mayo, who was always short of cash, was able to acquire many of the huge tracts Kentucky River Coal Company now owns.

The present ownership of Kentucky River Coal is a history of Mayo's subsequent trials. The Clay family owns a good deal (Catesby Clay, of Runnymede Farm, Paris, is now president) because Mayo needed a good many private bills passed to clear up title ambiguities; the Clays dominated the legislature and were able to deliver. (These title confusions were and are incredible, going back to overlapping and inconsistent eighteenth-century patents, and based in part on an early and thoroughly incompetent survey by George Washington.) A good deal of Kentucky River Coal is owned by the Westfields, a Virginia family who were then the prime railroad builders in the mountains; they were given stock in the company in return for bringing railroad spurs into areas which Mayo wished to open to mining. The same is true for the C & O Railroad, which also owns part of Kentucky River Coal.

Much the same could be said for the other owners of mineral rights. During the early years of the coal industry a large number of companies were formed, which merged split, and eventually went under in the depression, so that a given tract of minerals may have had a dozen owners since it was severed. Title questions are invariably substantial.

These title difficulties explain why there must always be an element of guesswork in finding out what minerals are whose. Kentucky River Coal for example, has only a general idea of what it owns in a given area; a typical lease will give the miner the right to extract all of whatever the company owns in the land covered, leaving the miner with the responsibility of finding out actual ownership. It often turns out that a block in the midst of a Kentucky River Coal tract is owned elsewhere, often by persons unknown—in which case there is no choice but to mine around it. Thus while mineral owning companies do occasional core drillings and surveys, the mining company has the burden of making extensive title searches; in Pikeville there are thirty lawyers who do nothing else. Even big operators know only who owns the coal right in front of their drills.

In specific reference to the list of biggest holders, Tom Gish says that the only reason Bethlehem Mines is first is because it wants to be: the company has a long-term commitment to the Jenkins area, and wants to support the Jenkins school district. Without such support, it would be hard to persuade managerial personnel to stay in an area with such terrible schools. It sums up the whole situation to note that the amount of money involved, means almost nothing to the company. Similarly, U.S. Steel makes voluntary payments to an independent school district in the Lynch area of Harlan county.

AND HOW THEY STAY THAT WAY

Concentrated mineral ownership not only exists, it is highly profitable. This is so for two reasons: low overhead and significant tax advantages.

Mineral owning companies do nothing in particular but own minerals. We have seen that virtually all phases of exploitation are carried out by the miners; companies like Penn-Virginia which own other companies do so out of boredom, and a desire to keep their money in useful pursuits. As a member of the Appalachian Group to Save the Land and People put it, "Anyone can run a mineral company. All they do is cash checks." James Millstone found that in 1965 Kentucky River Coal, with earnings of \$11.17 per share, paid out \$8.70 in dividends. The company has 17 employees, headquartered in Lexington. A total of 258 shareholders own its approximately 100,000 shares of stock. Other companies have a less spectacular earnings ratio because they retain more earnings for investment purposes.

But the real fat in coal royalties comes in its tax treatment. We have seen that the counties themselves have cooperated magnificently in sparing the mineral owners from burdensome levies, and the state itself has done equally well—there is a negligible corporation tax and a severance tax of 1½% of market value laid on oil and gas.

Far more significant, however, are two features of the Federal tax treatment: cost depletion and capital gains. Cost depletion is similar in effect and rationale to the percentage depletion allowed in recovering oil and other minerals, except that instead of a percentage of income, the cost depletion allowance is based on the original cost of the property to its owner. Thus if one-third of the minerals in an acre are mined in a year, the owner can deduct one-third of the original cost from his gross income. The effect of this is negligible if the acre is still held by the company that paid fifty cents for it in 1900; but many properties have changed hands often since then. In fact the cost depletion allowance seems to be an incentive to sell, even if only to one's self via a subsidiary. An acre bought for 50¢ could be sold in the year of mining for perhaps \$5000, increasing the cost depletion allowance by ten thousand times.

Whereas cost depletion makes some sense (for minerals, unlike real property in general, depreciate to worthlessness as they are used), the treatment of royalty income from coal as capital gains is out-and-out favoritism. In effect it means that owners of such property pay a maximum rate of 25% on income. As an admiring article, "The Investment Nobody Knows," in *Dun's Review and Modern Industry* for April 1965 put it, a "royalist" who bought land with 50,000 tons of coal for \$5,000 and leased it out for a 2000-ton mining year would get \$500 at 25¢ a ton. He has exhausted 4% of his coal, so he can deduct 4% of the purchase price, or \$200. The remaining \$300 pays capital gains at 25%, or \$75, for an effective tax rate of 15%.

If he is "one of the small band of financiers who are reaping golden profits from the investment nobody knows about," this should make him happy indeed. *Dun's* talked to one of the golden band. "Says he, grinning: 'The rich get richer, et cetera.'"

MINERAL TAXATION IN PRACTICE

The official responsible for the raising of revenue for the operation of Kentucky counties is the county tax commissioner. Officially a divisional officer of the state Department of Revenue, he is in fact a county officer, an integral part of the courthouse power structure and a part of the coalition which includes the county judge and the fiscal court, which decides how much money the county will raise and how it will be spent. Before taking office he must pass an examination given by the state Department of Revenue, which makes him the only county official (apart from the county and commonwealth attorneys, who must be lawyers) to have to demonstrate any competence at all. Like the county judge, he is required to have at least an eighth-grade education.

The law which he administers requires that all property be assessed at one hundred percent of fair cash value. Like many requirements, this was commonly ignored and each county assessed at a level of its own choosing until 1965. In that year the Court of Appeals declared that the law meant what it said and that officials must follow it. The resulting upheaval has made analysis of tax policy considerably easier.

It hardly needs explaining that coal is the major resource of most Eastern Kentucky counties, and as such could be the principal source of revenue for the county government. This is not the case. Although taxes paid are not public record, it is clear from aggregate figures that mineral assessments play a relatively small part in raising revenue. In Letcher County, for example, minerals are assessed at five million dollars out of a total assessment of twenty-four million. In a practical sense it is ridiculous that a county which, like Letcher, produced more than \$25 million worth of coal last year cannot raise the money to educate miners' children without help from the rest of the state. In a broader sense, it is highly important that an area exercise basic control over its resources, else it is no better than a colony of the outside world.

The method used in valuing mineral deposits in Eastern Kentucky is admirably simple: upon request, coal companies declare what they own and what it is worth. The tax commissioner glows with pride and astonishment at the self-sacrificing honesty of American industry. Nowhere else is a person's statement so eagerly sought and so uncritically accepted as the sole basis for establishing his legal liability.

Unfortunately, at present there is little else a tax commissioner, however good his intentions, can do. He has few or no resources with which to try a systematic evaluation of mineral properties in his jurisdiction. Indeed in most cases he lacks the power or resources even to find out what tracts there are and what they contain.

Letcher County will serve as a good example. It is something of a model among Eastern Kentucky counties in this respect, because in the 1950's an aerial survey was made and the photographs correlated with tax rolls to make sure each tract in the county was covered. Yet even here there is no systematic knowledge of mineral ownership. Companies report each year that they own so much in the aggregate, and that it is worth some specified amount. But where in particular this acreage is located is not disclosed, nor has the county ever attempted to force such disclosure. Although each tract has its file card complete with aerial coordinates, boundaries, description, and owner's name, for most such tracts the mineral ownership is listed as "unknown." Undoubtedly most of these "unknowns" are covered in the acreage totals given by the companies, but there is no way to pin down a particular tract short of a title search. Even then, whoever turns out to be the owner will claim that the tract is included in his aggregate figure. Since the mineral-owning companies themselves often have only a vague idea of what they own, the only way to get accurate, organized data would be a county-wide title search.

If the county cannot find out who owns a particular tract of minerals, it can hardly be expected to learn what coal seams may be present, what the mineral owner proposes to do with the coal and when, what the cost of mining it would be, what the selling price of the coal would be, whether the mineral owner is in a good bargaining position, and so on to make a technically correct assessment of value. And of course the county does no such thing. In general, assessments are based on the owners' own statements, and county tax commissioners have no choice but to accept them at face value. He can compare a return to others or to those filed in previous years, meaning that while no one taxpayer

can cheat the county by himself, as a class they can get away with a good deal. It would seem to be a collective conscience, rather than the tax commissioner or any objective standard, which provides the limiting factor to tax avoidance.

And if Letcher County, whose tax commissioner is as conscientious as any, is haphazard in its assessments, most of the other mountain counties make no pretense at all to accuracy. Besides the obvious fact that the office of tax commissioner is a prime target for political influence, few if any of these men realize the importance of taxation policy. Property taxes are part of the cost of living, and a good tax commissioner is one who can be fair and equitable in spreading this burden as justly as possible—among the ordinary people, who simply do not recognize the extent of the wealth going untaxed beneath their feet. Probably the best indication of the state of mind in the tax offices comes from Clay County, where the tax commissioner described the coal taxation situation as follows: "People just paid what they thought they should. Still do, mostly."

It should be noted that even the apparent certainty of sale prices are not much help in valuing minerals. Such property changes hands only infrequently, and often the sales are made after the land in question has been mined. Moreover, not until April 1968 were transfers of real property required to be recorded with the tax commissioner of the county in which the property lay. One must rely on hearsay for information on what sales had taken place. Consensus among tax commissioners seems to be that even under the new law they will not receive accurate information as to sale prices.

Coal pervades every sector of Eastern Kentucky's political life, and it is not surprising that tax officials are no exception. In addition to the influence they have with the tax commissioners, the producers and mineral owners have another safeguard against irksome taxes: the county's Board of Tax Supervisors, which hears appeals from the tax commissioner's assessments. The Board is appointed by the county judge, and Harry Caudill tells of the traditional practice of appointing an official of the country's biggest coal company as chairman. James Millstone, in his articles on Kentucky coal taxes for the *St. Louis Post-Dispatch* tells of the yearly ballet between the tax commissioner of Leslie County and Fordson Coal Company, a subsidiary of Ford Motors. The result is what would be expected in such a contest: Ford always wins.

Assessment of minerals is not completely without method. Some ten or more years ago the technique of "zoning maps" was introduced. The county is divided into zones according to its different coal seams, and each zone receives an average per acre valuation. After the Russman case in 1965, the Department of Revenue produced such maps for any county which wanted its help in moving to full-value assessments. The maps are now used in most counties.

The maps, prepared by the state "in cooperation with coal owners, operators, and county officials," are highway maps with coal seams marked, and with per acre valuations indicated. For example, the northern end of Perry County is shown to hold Hazard #4 coal, which is said to be worth \$105 an acre.

These maps are probably a good technique, in the abstract. If they are accurate they can be used by anyone to set a fair valuation. The question is, what information do they contain? They could hardly have been prepared without the cooperation of owners and miners, apart from a Minnesota style program of extensive surveying and core drilling by the state. The basic premise, that owners and operators are willing to place a substantial tax on themselves, is open to question. The maps, for one thing, do not contain any indication of the numerous instances in which the land is underlain by

more than one seam, as the valuation purports to be only for the principal seam at any one spot. In addition, the degree of refinement seems to be rather coarse; the maps distinguish only among different seams, with no account taken of the variations within a single seam. No coal operator in his right mind would open a mine on such general information. And enough has been said to suggest that the valuations indicated on the maps are likely to be on the low side.

The counties have shown some originality in dealing with the maps. It was intended by the Department of Revenue that land be carried at its zone valuation until the year of mining. In that year the valuation is to be increased ten times, and thereafter the assessment will be nominal or nonexistent. This practice is followed in many places. In Perry County, for example, valuations run from \$5 to \$105 per acre. Letcher County has tried to move away from the rigidity of the maps and get a little closer to the actual value of the mineral. Its map, which originally ranged from \$25 to \$200, has valuations up to \$592 in some areas. In Knott County, on the other hand, where valuations range from \$5 to \$60, the tax commissioner goes by the map even in the year of mining; afterwards the land is dropped from the records.

A MODEST CONCLUSION

The difficulties in setting a fair valuation of mineral properties are enormous. This presents a strong argument for a severance tax as the most fair and rational way to tax minerals. The major point in its favor is that the tax is virtually self-administering, given detailed production figures (which are now kept by the state Department of Mines and Minerals, by the U.S. Bureau of Mines, and by the coal-hauling railroads). Every ton of coal mined would result in a tax liability of, say, ten cents to the state or county, payable at the time of mining. Its one drawback is that, being imposed on gross revenue, it would be treated as a cost of production and hence tend to delay mining. A significant property tax would have the opposite incentive, to mine sooner than is optimum.

The case of a severance tax does not rest only on the grounds of simplicity of administration. There is also an equity argument that has two parts. First, the public should be sure to get an adequate return for the loss of its irreplaceable natural resources. Second, when the usual economic factors producing free flow of capital and people do not operate, when the region is both isolated and depressed, the citizens of the region cannot afford to allow anyone to profit from its resources who does not contribute to their orderly development. Mineral owners do not make such a contribution. They perform no labor, provide no service; their profits come simply from the fact of ownership. The least the region can afford is to levy a systematic tax on their wealth.

The inner logic of a more adequate mineral tax, be it severance or property, lies in the proposition that the region should create and exercise control over the use of its own resources.

EASTERN KENTUCKY MINERAL OWNERSHIP

[Assessed value, owner, and counties]

1. \$5,305,813, Bethlehem Mines, Letcher, Pike, Knott, Floyd.
2. \$5,152,690, Kentland Coal & Coke, Pike.
3. \$3,567,951, Kentucky River Coal, Perry, Letcher, Leslie, Knott, Harlan, Breathitt.
4. \$3,121,652, Ashland Oil, Pike, Knott, Floyd, Clay, Breathitt.
5. \$2,575,319, Fordson Coal, Pike, Leslie, Harlan, Clay, Letcher, Perry.
6. \$1,961,810, Elkhorn Coal, Floyd, Letcher, Knott, Pike.
7. \$1,789,749, Virginia Iron, Coal & Coke, Pike, Perry, Leslie, Floyd.
8. \$1,572,441, Southeastern Gas, Floyd, Knott, Pike.
9. \$1,546,500, International Harvester, Harlan.

10. \$1,542,420, Big Sandy, Pike.
11. \$1,438,550, U.S. Steel, Harlan, Letcher.
12. \$1,253,888, National Mines, Knott, Floyd.
13. \$925,980, J. M. Huber, Knox, Bell, Leslie.
14. \$788,422, Island Creek, Floyd, Knott, Pike.
15. \$711,840, Western Pocahontas, Pike, Knott, Floyd.
16. \$681,118, Kycoga Land, Leslie, Letcher, Knott, Perry, Breathitt.
17. \$639,121, W. W. Lindsay, Pike, Knott, Letcher.
18. \$599,790, Peabody Coal, Harlan, Leslie.
19. \$592,858, Penn-Virginia, Letcher, Harlan, Knott.
20. \$588,000, C. A. Lee, Leslie, Knox.
21. \$511,350, Bringardner Lumber, Leslie, Clay, Harlan.
22. \$473,950, N.Y. Mining & Mfg., Harlan, Knott.
23. \$451,400, Blackwoods Land, Letcher, Harlan.
24. \$399,032, Columbian Fuel, Floyd, Knott, Pike, Perry, Letcher.
25. \$368,133, Mary Helen Coal, Harlan.
26. \$356,490, Asher Coal Mining, Bell, Leslie, Perry.
27. \$325,000, Harkins Mineral, Floyd, Knott.
28. \$317,847, Lawrence Tierney Land, Pike.
29. \$284,380, Pocahontas Land, Pike, Floyd.
30. \$280,305, Republic Steel, Pike.
31. \$259,000, Morely H. Ringer, Knott.

[From the San Gabriel Valley Daily Tribune, Feb. 27, 1968]

REAGAN HIT WITH HUGE BOOST IN LAND VALUES—VALLEY MAN'S SUIT FORCES TAX INCREASE

(By Pete Searls)

County Assessment Appeals Board One today ordered a seven-fold increase on Gov. Reagan's property taxes for a 54-acre Malibu Canyon holding.

The board's decision came as a victory for Valinda resident Bryan Stevens, on whose petitions the taxes were raised.

The board also substantially boosted assessed values on the 236-acre "Yearling Row Ranch" sold by Reagan to Fox Movie Studios in December 1966.

On the Reagan property, Board Chairman Thomas G. Neusom ordered the market value raised from \$30,000 to \$216,400.

LESS THAN ASKED

This will increase the assessed value from \$7,500 to \$54,100. Stevens had asked that the assessed value be raised to \$87,500.

The market value of the Fox property was raised from \$916,800 to \$1,459,200, resulting in an increase in assessed value from \$229,200 to \$364,800.

Stevens had asked that the assessed value on this property be raised to \$430,000.

Following the board's brief announcement, a jubilant Stevens declared he was "extremely happy, extremely happy. It's obviously a victory for the little taxpayer."

ATTORNEYS STUNNED

Attorneys John Endicott and George Hadley, representing Reagan and Fox respectively, were visibly stunned by the board's announcement and Hadley, asked if he were surprised by the decision, snapped, "You're damn right!"

Both indicated the case would be appealed to the Superior Court, and, according to Alex Early of the county counsel's office, representing County Assessor Philip Watson, there is a possibility that the county will join with the property owners, rather than uphold the assessment appeals board's ruling.

Immediately following the board's announcement, County Assessor Philip Watson demanded that the board review and reevaluate assessments throughout the entire Malibu Santa Monica mountain area, charging that all would have to be raised substantially to match the Reagan and Fox assessment increase.

NOTES ON PROPERTY TAX AND LEGAL REMEDIES

(By Prof. Ferdinand P. Schoettle)

The following notes have been prepared for use in connection with an afternoon workshop concerning reform of the property tax. Source materials have been grouped under headings so that participants in the workshop can be spared the chore of taking notes.

I. PROBLEMS OF VALUATION

Most state statutes specify that property shall be valued for purposes of taxation at "market value", "fair market value", "true value", or use similar language.

Whatever the statutory language, value is a necessary element in any property tax assessment. The courts normally define market value as the price at which the property to be valued would be sold by an owner willing but not compelled to sell to a buyer willing but not compelled to purchase. The following materials explicate some of the difficulties presented in proving the price which would have been paid in this hypothetical sale.

1. J.C. Bonbright, "The Valuation of Real Estate for Tax Purposes," 34 Columbia L. Rev. 1397 (1934). In addition Professor Bonbright's two volume treatise, *The Valuation of Property* (1937), is still the most comprehensive and lucid exposition of problems of valuation.

2. Assessed value not equivalent to price received in recent sale. *Bliss Hotel v. Thompson*, 378 P.2d 319 (Okla. 1962) (actual sale accepted as "substantial evidence of value"). *Great Plains Supply Co. v. County of Goodhue*, 268 Minn. 407, 129 N.W.2d 335 (1964).

3. The relevance of reproduction cost. *Florida East Coast Railway Company*, 178 S.2d 355 (Fla. 1965) (held not to have been given undue weight).

People v. Miller, 38 NE2d 465 (N.Y. 1941) (reproduction value less depreciation as a ceiling).

Joseph E. Seagram & Sons, Inc. v. Tax Commissioner, 231 N.Y. Supp.2d 228 (1963), affirmed, 251 N.Y. Supp.2d 460 (1964) (building which had recently been built at a cost of \$36 million was assessed at \$20.5 and \$21 million for the years involved. The owner argued that an income approach dictated a valuation of \$17.8 million).

4. Special uses.

C. C. Anderson Stores Co. v. State Tax Commission, 337 (Idaho 1967) (garage adjacent to department store).

People ex rel. New York Stock Exchange Bldg. v. Cantor, 223 N.Y.Supp. 64 (1927) (court approves use of reproduction cost minus depreciation).

II. ADMINISTRATION OF THE TAX ON REAL PROPERTY

Unlike the income tax and sales tax which are self administered, the real property tax is administered by the state which places a value on the property through its assessment procedure. Although almost all states require that property be assessed by full value, the invariant practice of assessors seems to have been to assess property at some figure less than fair market value.

One of the problems which arises in connection with the tax is to determine the quality of the job being performed by local assessors. Even if assessors were diligent in once valuing every property at some figure approximating fair market value, inflation, alterations in the property, changes in the neighborhood and changing patterns of demands make it likely that the fair market value once established would not remain constant. The relationship between the fair market value and the assessed value is known as the "assessment ratio" and is typically determined by dividing the assessed value by the fair market value. Thus a house which had a fair market value of \$10,000 and was assessed at \$4,000 would be said to have an assessment ratio of 40%.

In order to determine whether real property tax assessments are being fairly administered it is necessary to determine relative assessment ratios. For example, if a \$20,000 house were valued at \$6,000 and a \$10,000 house at \$3,000 we might find that because both houses had the same 30% assessment ratio there was no inequity in the tax system; as the relative tax burdens between the owners of the two houses remained the same.¹ If though the \$20,000 house were valued at \$6,000 and the \$10,000 house at \$6,000 there would be an obvious inequity; the owner of the less expensive house has been unfairly overassessed.

There are a number of studies which attempt through statistical means to present a picture of what sort of a job the assessor is doing. Typically such statistical studies use word and concepts with which the lawyer is not ordinarily familiar. Unfortunately, a fairly good grasp of these materials may be essential if the lawyer is to convince a court that administration of the real property tax system may be so bad that the court should grant extraordinary relief. Furthermore, proof of an assessment ratio is an important element of most modern cases involving the property tax.

The essential truth of the modern real property tax system is that it is being unfairly administered. Owners of inexpensive houses are paying too much tax relative to other homeowners. Furthermore, because the system is not well administered taxpayers are able to enjoy special advantages pursuant to "private" understandings with public officials. The materials which follow illustrate the current picture concerning administration of the tax on real property.

1. *Baldwin Construction Co. v. Essex County Board of Taxation*, 16 N.J. 329, 108 A. 2d 598 (1954); *Dalton Realty, Inc. v. State*, 270 Minn. 1, 132 N.W. 2d 394 (1965).

2. U.S., Bureau of the Census, 1967 Census of Governments, Vol. 2, *Taxable Property Values* (1968).

3. F. L. Bird, *The General Property Tax: Findings of the 1957 Census of Governments* (1960) (explains the census figures. The theoretical explanations are applicable to the 1967 Census).

4. O. Oldman and H. Aaron, "Assessment-Sales Ratios Under the Boston Property Tax," 18 *National Tax Jour.* 36 (1965) (an excellent study of Boston).

5. U.S. Department of Commerce, State and Local Government Special Studies No. 52 *Property Assessment Ratio Studies*, (1969) (reviews procedures and gives a bibliography of state studies of assessment ratios).

6. A. D. Lynn, Jr. (ed.), *The Property Tax and Its Administration* (1969).

7. H. F. McClelland, "Property Tax Assessment" in *The American Property Tax: Its History, Administration and Economic Impact* (1965).

III. PROOF OF ASSESSMENT RATIOS IN COURT

One of the serious problems confronting a taxpayer attempting to show overvaluation is proof of the assessment ratio or ratios

¹ Even when assessment ratios are the same though relative burdens may be shifted, for example, an exemption stated in absolute terms may have more relevant importance when applied against a lower assessment ratio. For example, suppose the law were to state that every homeowner was entitled to a \$4,000 "homestead exemption". If a \$30,000 house were assessed at a 40% assessment ratio and had an assessed value of \$12,000, the homestead exemption would seemingly relieve the homeowner of about 33% of his taxes rather than the 13% which would have been the case had the property been assessed at its fair market value. The net effect of under assessment with such a flat exemption can be to extend benefits to higher income groups at the expense of lower income groups which the legislature intended to benefit.

which may prevail for the relevant taxing jurisdiction. A number of options confront the litigant. One approach is for the litigant to introduce evidence he has developed for the purpose of proving the relevant assessment ratios. Proof of such a ratio may entail substantial expense. Furthermore, unless care is taken the court may reject the entire procedure adopted by the litigant.

A second approach is for the taxpayer to attempt to introduce into evidence assessment ratios which have been developed by various government bodies. Most states make equalizing payments to school districts. One purpose of such payments is to help those school districts which have a lower than average tax base. As we have seen, assessed value will not ordinarily give a true picture of a school district's wealth for one does not know whether the property has been assessed at 10% or 100% of market value. Thus for purposes of distributing state equalization payments to school districts it is necessary for the state to develop an equalization ratio which will allow the state to convert assessed value to market value. For the litigating taxpayer such ratios, if accepted by the court as proof of assessment ratios, can be quite useful. Finally, some states have provided by statute for the proof of assessment ratios.

A. Proof of Assessment Ratios by the Taxpayer

1. *Deitch Company v. Board of Property Assessment*, 417 Pa. 213, 209 A.2d 397 (1965).

2. *In re Brooks Building*, 391 Pa. 94, 137 A.2d 273 (1958) (taxpayer held to have satisfied burden of proof by evidence of assessment ratios of 3 or 4 similar buildings).

3. *Atlantic Richfield Company v. Warren Independent School District*, 453 S.W.2d 190 (Texas 1970) (it is not unusual to lose in the lower court).

4. *In Re Shope*, 214 Pa. Super. 315, 257 A.2d 635 (Pa. Super. 1969).

B. Introduction into Evidence of Equalization Ratios

1. *Schenley Land Company v. Board of Property Assessment* 205 Pa. Super. 577, 211 A.2d 79 (Pa. Super. 1965).

2. *In re Appeals of Kents 2124 Atlantic Avenue, Inc.*, 34 N.J. 21, 166 A.2d 763 (1961).

C. Statutes Concerning Assessment Ratios

1. Oregon Revised Statutes, Chapter 309 (requires the assessor to make a publicly available statistical study of assessment ratios).

2. New York, Real Property Tax Law Section 720 (as amended) (provides for selection of properties by the litigants).

3. Rosett, "Inequity in the Real Property Tax of New York State and the Aggravating Effects of Litigation," 23 *Nat'l Tax Jour.* 66 (1970). (This volume of the *National Tax Journal* contains a valuable symposium on Problems of State and Local Government Finance.)

4. Minnesota Statutes Section 273.11 provides as follows:

"Each assessing officer responsible for the determination of adjusted market value shall annually file with the county auditor the ratio which he has used of adjusted market value to market value of all the taxable personal and real property within the taxing district, except property which by law, custom or practice is valued by the commissioner of taxation."

IV. LEGAL ENTITLEMENT TO A PARTICULAR ASSESSMENT RATIO

Once the litigant has somehow presented the facts concerning existing assessment practices, there still remains the problem of determining to what assessment ratio taxpayers are entitled. Suppose, for example, that assessment ratios are almost randomly distributed from 60% to 10% of fair market value. To what assessment ratio is a taxpayer entitled? Should the taxpayer be entitled to have an assessment at the mean (average), median (the middle item of a series), mode

(that point about which the most assessments are clustered) or at some other point? The courts have not resolved this question. Justice Roberts opinion in *Deitch Company v. Board of Property Assessment*, 417 Pa. 213, 209 A. 2d 397 (1965), presents some of the possibilities. After indicating that the taxpayer was entitled to have his assessment set at the "common level" the Justice went on to say:

"Of course, the question arises as to the definition of the term 'common level.' Where the evidence shows that the assessors have applied a fixed ratio of assessed to market value throughout the taxing district, then that ratio would constitute the common level. However, where the evidence indicates that no such fixed ratio has been applied, and that ratios vary widely in the district, the average of such ratios may be considered the 'common level' . . . Furthermore, it may be that the evidence will show some percentage of assessed to market value about which the bulk of individual assessment tends to cluster, in which event such percentage might be acceptable as the common level."

Other cases are no more helpful. However, the following materials will at least provide some enlightenment, if not answers.

1. Cheng, "The Common Level of Assessment in Property Taxation," 23 *Nat'l Tax Jour.* 50 (1970)

2. *In re Dutton Realty, Inc.*, 270 Minn. 1, 132 N.W. 2d 394 (1964)

3. The Supreme Court provides no clear guidance for making such interstitial choices:

Sunday Lake Iron Co. v. Township of Wakefield, 247 U.S. 350 (1918)

Sioux City Bridge Company v. Dakota County, 260 U.S. 441 (1923)

Cumberland Coal Co. v. Board of Revision of Tax Assessments, 284 U.S. 23 (1931)

Nashville, Chattanooga & St. Louis Ry. v. Browning, 310 U.S. 362 (1940)

Township of Hillsborough v. Cromwell, 326 U.S. 620 (1946)

V. CHOICE OF AN ACTION

The citizens group contemplating property tax reform may find that state laws concerning "standing" determine litigation strategy. If the law does not permit a taxpayer to complain about the particular assessments of others it may still be possible to bring an action seeking reform of the entire system. Such matters vary from state to state; the statutes of some states specifically accord standing to all taxpayers, in others standing to complain about an assessment has been held to be limited to the complainant's property.

The trend of the decisions over the past decade, or so, has been toward more active judicial review of the decisions of taxing authorities. In a number of cases, the courts have considered and granted petitions that assessors be compelled to perform their statutory duties. The following materials may be helpful.

1. Annotation, "Who May Complain of Underassessment or Nonassessment of Property for Taxation," 5 *A.L.R.2d* 576 (1949)

2. In the following cases taxpayers sought and were granted a remedy to compel taxing officials to improve their assessment practices. *Pierce v. Green*, 229 Iowa 22, 294 N.W. 237 (1940)

Bettingale v. Assessors of Springfield, 343 Mass. 223, 178 N.E. 2d 10 (1961)

Russman v. Luckett, 391 S.W.2d 694 (Ky. 1965)

3. New Jersey started the property tax revolution.

Baldwin Construction Co. v. Essex County Board of Taxation, 16 N.J. 329, 108 A.2d 598 (1954)

Switz v. Township of Middletown, 23 N.J. 580, 130 A.2d 15 (1957)

Village of Ridgefield Park v. Bergen County Board of Taxation, 31 N.J. 420, 157 A.2d 829 (1960)

4. Note, "Inequality in Property Tax Assessments: New Cures for an Old Ill," 75 Harv. L. Rev. 1374 (1962)

CITIZENS PETITION OF SEPTEMBER 1971

To the Board of Equalization of the State of Tennessee:

Mr. Fred Jones, Mr. and Mrs. Doyle Burns, Miss Marie Cirillo, Mrs. Vercie Norton, Mr. Millard Ridenour, Mr. James S. Hatmaker, Mr. Clarence Hackler, Mr. J. W. Bradley, Mr. Ronnie H. Beck, Mr. Bill E. Christopher, Mr. Sherman Fetterman, Mr. Cedric Jurgens, Petitioners, Ex Parte in re assessment of coal reserves and mining equipment.

PETITION

1. Each of your petitioners, whose names, addresses and counties of residence and occupations are set out below, is an owner of real property taxed in his respective county:

Name, Address, County, and Occupation

Mr. Fred Jones; Briceville, Tenn.; Anderson; Machinist.

Mr. and Mrs. Doyle Burns; White Oak, Tenn.; Campbell; Supt., Machine Shop and Machine Operator.

Miss Marie Cirillo; Clairfield, Tenn.; Campbell; Community Development.

Mrs. Vercie Norton; Duff, Tenn.; Campbell; Textile.

Mr. Millard Ridenour; White Oak, Tenn.; Campbell; Miner, retired.

Mr. James S. Hatmaker; Eagan, Tenn.; Claiborne; Equipment Operator.

Mr. Clarence Hackler; Clairfield, Tenn.; Claiborne; Truck Driver.

Mr. J. W. Bradley; Petros, Tenn.; Morgan; Electrician.

Mr. Ronnie H. Beck; Coalfield, Tenn.; Morgan; Instrument Mechanic.

Mr. Bill E. Christopher; Petros, Tenn.; Morgan; Instrument Mechanic.

Mr. Sherman Fetterman; Oneida, Tenn.; Scott; College Student.

Mr. Cedric Jurgens; Oneida, Tenn.; Scott; Marine Officer, retired.

2. This petition is filed under Tennessee Code § 67-821 granting to any property owner in the State of Tennessee "the right to a hearing and determination by the State Board of Equalization of any complaint he may make on grounds that other property than his own has been assessed at less than the actual cash value thereof, or at a less percentage of value than his own property." The general purpose of this petition is to request the State Board of Equalization and the Comptroller and the Division of Property Assessments which operates under the supervision of the Comptroller and the State Board of Equalization to exercise certain duties respecting the appraisal and assessment of real property containing coal reserves and personal property in the form of mining equipment in the aforesaid five counties as required by Tennessee Code § 67-242 and § 67-245 and § 67-822 establishing the procedures by which these agencies shall "supervise and direct all reappraisals and revaluation programs" and "shall equalize, compute and fix the value of all such properties within its jurisdiction."

3. County tax assessors in the aforesaid counties have failed properly to assess the value of coal in land in the aforesaid five counties or the value of expensive equipment used in mining coal despite the requirements of the due process and equal protective clauses of the Federal constitution and Article 2, §§ 28 and 29 of the Tennessee constitution requiring the taxation of all real and personal property "according to its value . . . so that taxes shall be equal and uniform throughout the state," and the provisions of Tennessee Code §§ 67-605, 67-606(5) and 67-607 requiring county tax assessors to assess for taxation mineral interests including coal. This failure has caused a significant loss of revenue for the local governments in these counties and caused

your petitioners and other owners of property not containing mineral interests to bear an unfair percentage of the property tax burden. The time has come for the State Board of Equalization to deal with this problem and to exercise its powers as the statewide administrative agency in charge of directing the activities of local tax assessors.

4. The Tennessee Department of Geology, supported by information from the United States Bureau of Mines and the Tennessee Valley Authority, reports that these five counties in the year 1970 accounted for approximately 6 million tons or 77% of Tennessee's coal production. Not less than 660,000,000 tons of recoverable coal reserves remain in the land of these five counties. This coal wealth is controlled by a few large coal companies and landowners with four companies owning more than 55,000 acres each. These few large landowners control almost all of the land within the coal fields in these counties. Of the 1,480,160 acres which constitute the area in these five counties, 504,440 are owned by large land companies. Out of a total property valuation of approximately \$400,000,000, these companies which own over 33 1/3 % of the land make up less than 4% of the assessment figure because the coal interest is not being valued in the assessments as required by law. Most of the companies are not local, and as a result of the failure to assess and tax this coal wealth in any form whatever at the local or state level the economic benefits of the coal accrue primarily to large outside interests with little benefit to the local population. Six million tons a year are being trucked or shipped by rail out of these counties which are getting nothing in return for giving up their resources. The small landowner, farmer, homeowner and businessman, who can least afford to pay, has to pay more because the large landowner who controls most of the wealth in the counties is not paying.

5. The state reassessment and reappraisal program initiated by the Tennessee General Assembly in 1967 vests supervision of the program in the State Board of Equalization and the Division of Property Assessments under its control under Tennessee Code § 67-1706, providing for technical assistance contracts with reappraisal experts, and §§ 67-242, 67-605 and 67-822 providing for the duties of the State Board of Equalization under the reappraisal and reassessment program; and the State Board of Equalization is required to see that coal lands and mineral interests are properly valued and assessed. The reappraisal contracts entered into by the five counties aforesaid under the direction of the State Board of Equalization, however, not only do not provide for the appraisal and assessment of coal interests but specifically exclude the reappraisal and assessment of such interests. This special treatment of coal wealth and mining equipment violates the equal protection and due process clauses of the federal constitution, the uniformity requirement of the Tennessee constitution and numerous Tennessee statutes requiring uniform property tax assessment and § 67-606 (5) specifically requiring the assessment of minerals including coal. Moreover, under Tennessee Code § 67-242 the State Board of Equalization is required to provide official assessment manuals to local tax assessors for determining assessments of particular classes and parcels of property. Such manuals do not, however, give directions and specify procedures for the valuation of mineral interests including coal and mining equipment in the counties aforesaid, and valuation procedures relating to coal have not been observed by local tax assessors. In addition no agency of state or local government has made use of the professional assistance of the Chief Mine Inspector of the State and the State Geologist in valuing coal wealth and mining equipment as provided in § 67-607 of the Tennessee Code, a necessary

step for properly determining the location and value of coal reserves and developing a fair method of assessment.

6. In summary it is the petitioners' position that it is the duty of the State Board of Equalization under Tennessee Code § 67-822 and other sections heretofore cited to direct the equalization of values of property throughout the state and require the proper assessment of coal wealth and mining equipment. Petitioners recognize that devising a fair procedure for assessing the values is a difficult task and that any formula must take into account (1) the fact that the coal industry performs a vital and necessary function in our society and is entitled to a fair return on its investment, (2) placing an unreasonable tax burden on the industry will be detrimental to the interests of coal miners and other employees in the area, and (3) the fact that ecological factors must be considered, so that hasty extraction by strip mining of coal will not be further encouraged.

These considerations do not, however, provide an argument that coal values should not be assessed and taxed at all or only at an unreasonably low rate, as is presently the case; and it is the State Equalization Board's duty now to undertake to correct present inequities in the tax structure relating to coal. The failure to exercise such duty will perpetuate the existing unjust situation in these counties where petitioners and others least able to pay bear an unreasonable tax burden and will violate the federal and state constitutions and state statutes, cited above, which require equal and uniform tax valuation and the assessment of coal wealth and mining equipment.

Wherefore, petitioners seek the following relief:

1. That the Governor, as Chairman of the State Board of Equalization, convene a special session pursuant to Tennessee Code § 67-202 or at a regular session not later than October 15, 1971, set this petition for hearing for the purpose of enabling complainants to prove their allegations.

2. That the State Board of Equalization order and effectuate the valuation and assessment of coal reserves and mining equipment in the above mentioned counties on the same basis and at the same ratio of fair market value as other property is assessed.

3. That the State Board of Equalization and the Division of Property Assessments under its jurisdiction provide assistance, manpower and guidance to county tax assessors and county boards of equalization to carry out mineral and mining equipment valuation as aforesaid and provide specific direction in manuals written for such local officials as to the methods and techniques of valuing such assets.

4. That the State Board of Equalization call upon the State Department of Geology and the Chief Mine Inspector to assist to the end that such value of such mineral interest be accurately assessed.

Citizens from Tennessee's five largest coal-producing counties today filed a complaint with the State Board of Equalization charging that local tax assessors and the State Board of Equalization now directed by Mr. Freeley Cook, have violated the requirements of state law, the Tennessee state Constitution, and the United States Constitution, by failing to tax the vast coal resources in these counties. As a result, the citizens charged in their complaint, their counties are losing several hundred thousand dollars yearly in property tax revenues, a significant loss of needed revenues for these rural Tennessee counties. Furthermore, the citizens said, the small, non-mineral owner has been forced to bear an unfair burden for local services like education and health care because the mineral holders are not paying their fair share of taxes on the coal wealth which they control.

The complaint filed by these citizens today

represents one of the most significant recent citizen challenges to the large mining interests that have exploited the resources of the Appalachian region of the U.S. for years, leaving behind ruined lands and widespread poverty. It comes at a time when coal field owners in the Appalachian region are making extraordinary profits from mining activities, and when coal production including extensive strip mining, is at an all-time high.

The complainants, all residents of the Appalachian areas of Anderson, Campbell, Claiborne, Morgan, and Scott counties in Tennessee, include two young miners recently fired for signing UMW union cards, several working men employed in Oak Ridge plants, a former county weight inspector who quit his job in protest against the failure to prosecute overweight coal trucks, a local college student, a community worker, and several local women. The citizens call upon Tennessee Governor Winfield Dunn as chairman of the State Board of Equalization to set a date before October 15 for a hearing on their complaint and to take appropriate action to make sure minerals are taxed as required by law.

The five counties in which these citizens reside accounted for approximately 6 million tons of coal, or 77 percent of Tennessee's total coal production, in 1970. Nevertheless, these counties are among the poorest in the Nation, with per capita incomes less than half the United States average.

One important reason for the local poverty, the citizens pointed out, is that virtually all of the coal wealth is controlled by a few, large, outside corporations which reap handsome profits on royalties from coal operations, yet escape local taxation, in violation of state law, because the coal has not been assessed as part of property value. Although these large companies own over 33 1/2 percent of the land area of these five counties, they accounted for less than 4 percent of the property tax revenue in 1970.

One example of how this works is provided by the American Association, a British-based corporation that owns more than 44,000 acres of rich, coal-bearing property in the coal field of Claiborne County. Although the American Association earns an average of \$4,500 a week (or \$234,000 a year) in royalties from only one of the mines on its Claiborne County land, its property is valued at only \$20-25 per acre, the same value used for unused wood land in the county, and less than 1/4 the value used for farm land.

The following is a list of the large land owners that control the coal fields in these five counties yet escape taxation:

Coal Creek Mining and Manufacturing Company, along with its affiliates Poplar Creek Coal and Iron Company and Winters Gap Coal Company owns 64,199 acres in Anderson, Campbell, Morgan, and Scott Counties. The company is controlled by 165 shareholders throughout the United States.

Tennessee Land and Mining Company, a family trust, managed by E. L. Spetnagel of New Preston, Connecticut owns 50,940 acres in Anderson, Campbell, Morgan, and Scott Counties.

Koppers Company, a multimillion dollar Pittsburgh Corporation, controls 50,771 acres in Campbell and Scott Counties. Tennessee Valley Authority owns the mineral rights beneath.

American Association, a British limited corporation owned by the London Foreign and Colonial Securities, Limited owns 50,661 acres in Claiborne and Campbell Counties.

Ford, Faust, and Cheely, a family trust of Knoxville, Tennessee owns 37,206 acres in Morgan and Scott Counties.

Payne-Baker lands, managed by U.S. Senator Howard Baker, whose mother owns one-ninth interest. The rest is owned by the Paynes of Pennsylvania, relatives of Mrs. Baker. Together they own 27,206 acres in Morgan and Scott Counties.

Stearns Coal and Lumber, owned by a family from Stearnes, Kentucky retains 26,390 acres in Scott County.

Francis Brothers, the only locally owned land among the largest company holdings is owned by a family in LaFollette, Tennessee. They own 23,676 acres in Campbell County.

Blue Diamond Coal Company which has been a coal owner and operator for many years throughout Appalachia is headquartered in Knoxville, and owns 20,131 acres in Campbell, Claiborne, and Scott County.

Other major land of the area owners include Consolidation Coal, a subsidiary of Continental Oil, and Hiwassee Land Company, a subsidiary of London's Bowater Paper Company. These landowners own over three-fourths of the mineral wealth of the five county area, and accounted for 80% of the land scheduled for strip mining since the spring of 1970.

All of the companies enjoy ample returns on their coal properties in these counties, yet the coal in these lands is in no way being taxed. Tennessee does not have a severance tax, but state law does require taxing minerals as part of property value. However, the complaint pointed out, local assessors and the State Equalization Board have failed to comply with the law and have systematically excluded minerals from property value for tax purposes. As a result, the complaint argues:

Six million tons a year are being trucked or shipped by rail out of these counties which are getting nothing in return for giving up their resources. The small landowner, farmer, homeowner, and businessman, who can least afford to pay, has to pay more because the large landowner who controls most of the wealth in the counties is not paying.

According to a conservative estimate, using present tax rates and established methods for coal valuation, the failure to assess the coal reserves in these five counties resulted in a revenue loss of approximately \$350,000 in 1970 alone. Since not less than 660 million tons of recoverable coal reserves remain in the land of these counties, this loss of revenue will continue in the future unless coal is included in the tax base as required by law.

In addition, the citizens charged, several millions of dollars worth of mining equipment has been appraised only nominally, or not at all, depriving local governments of additional revenues in violation of the law.

The complaint was based on extensive research conducted during the summer of 1971 by three Vanderbilt University students with the assistance of a Vanderbilt professor. It was filed on behalf of the East Tennessee citizens by their attorney, Mr. Gilbert Merritt, of the Nashville law firm of Gullett, Steele, Stanford, Robinson, and Merritt.

More specifically, the complainants maintain, the failure to appraise minerals is in violation of:

Due process and equal protection clauses of the Federal Constitution.

The Tennessee Constitution. [Article 2 § 28 and 29] which requires the taxation of all real property "according to its value."

And Tennessee statutes [Tennessee Codes §§ 67-605, 67-606(5) and 67-607] requiring county tax assessors and the State Board of Equalization to assess mineral interests.

In 1967, the Tennessee General Assembly made provisions for a reappraisal of "all real property" in the state and vested responsibility for this assessment in the hands of the State Board of Equalization and its Division of Property Assessment.

However, the citizens' complaint and supporting research point out that despite the intent and letter of the law, the State Board of Equalization failed to carry out its responsibilities in several ways:

1. In contracts entered into with the counties under the direction of the State Board, the appraisal companies were not instructed to appraise mineral value—in fact, the contracts specifically excluded such mineral value.

2. Although Tennessee law (Sections 67-607 of the Tennessee Code) instructs the Board of Equalization to make use of the professional advice of the Chief Mine Inspector and the State Geologist in assessing minerals, the Board has failed to avail itself of these services—in fact, Mr. Freely Cook, Executive Secretary of the State Board is quoted as saying "You mean that law is still on the books?"

3. Although the Board of Equalization is required by law (Section 67-242) to provide official assessment manuals to local tax assessors, the manuals have failed to give directions for valuation of mineral property—or, if directions have been given, they have not been observed by local tax assessors in the valuation of coal.

4. As a result, the counties have lost an immense amount of much-needed revenue while primarily outside landholders generously benefit.

To correct this situation, the citizens called upon Governor Winfield Dunn and the State Board of Equalization to:

1. Set a date before October 15, 1971 for a hearing on their complaint.

2. Provide for the valuation and assessment of coal reserves and mining equipment so that the coal owners and mining companies will bear their fair share of the property tax burden in each county.

3. Call upon the State Department of Geology and the Chief Mine Inspector to assist to the end that the value of mineral interests may be accurately assessed.

4. and, make provision for assistance to local assessors in valuing minerals in the future.

As one of the complainants said, "My granddaddy paid the taxes that those companies should have paid, my daddy paid them, and now I'm paying. But, now we're going to start changing things."

APPENDIX I

Contacts: For Information:
John Gaventa, 615-322-4614 or 615-424-6832.

Ellen Ormond, 615-322-7805.
Professor Lester Salamon, 615-322-2461.
A. Complainants:

NAME AND OCCUPATION

Anderson County

Mr. Fred Jones, Briceville, Tennessee, Machinist.

Campbell County

Mr. & Mrs. Doyle Burns, White Oak, Tenn., Supt., Machine Shop & Machine Operator.
Miss Marie Cirillo, Clairfield, Tenn., Community Development.

Mrs. Vercie Norton, Duff, Tenn., Textile.
Mr. Millard Ridenour, White Oak, Tenn., Miner, retired.

Claiborne County

Mr. James S. Hatmaker, Eagan, Tenn., Equipment Operator.
Mr. Clarence Hackler, Clairfield, Tenn., Truck Driver.

Morgan County

Mr. J. W. Bradley, Petros, Tenn., Electrician.

Mr. Ronnie H. Beck, Coalfield, Tenn., Instrument Mechanic.

Mr. Bill E. Christopher, Petros, Tenn., Instrument Mechanic.

Scott County

Mr. Sherman Fetterman, Oneida, Tenn., College Student.

Mr. Cedric Jurgens, Oneida, Tenn., Retired Marine Officer.

B. Resource Personnel: The research and organization was done in the summer of 1971 for the Vanderbilt Student Health Coalition by:

John Gaventa, recent Vanderbilt graduate to be attending Balliol College, Oxford, beginning October 1 on a Rhodes scholarship.

Ellen Ormond, junior philosophy major; Vanderbilt University.

Bob Thompson, recent Vanderbilt graduate beginning at University of Virginia Law School this fall.

Professor Lester Salamon of the Vanderbilt Political Science Department advised on the research and writing.

Heleny Cook, a Sarah Lawrence College student, will remain in the five-county region doing follow-up work. Contact at 615-424-6832.

C. Mr. Gilbert S. Merritt of the Nashville law firm of Gullett, Steele, Sanford, Robinson and Merritt is serving as lawyer for the complainants. He is a former United States District Attorney for Middle Tennessee.

D. State Officials:

1. Mr. Freely Cook, Executive Secretary, State Board of Equalization, Nashville, Tennessee.

E. Local Officials:

1. Mr. Carl Irwin, Tax Assessor, Anderson County.

2. Mr. J. P. Ayers, Tax Assessor, Campbell County.

3. Mr. John Greer, Tax Assessor, Claiborne County.

4. Mr. Dudley Freels, Tax Assessor, Morgan County.

5. Mr. Frank Phillips, Tax Assessor, Scott County.

F. "Company" Representatives:

1. Coal Creek Mining & Mfg. Co.: Warren Hayden, Bank of Knoxville Building, Knoxville, Tenn.

2. Tennessee Land & Mining Co.: E. L. Spetnagle, New Preston, Connecticut.

3. Koppers Co., Inc.: Parker W. Finney; Manager of Real Estate Service; Pittsburgh, Pennsylvania.

4. American Association: Al E. Funk, Agent, Middlesboro, Ky.

5. Ford, Faust & Chuly: Hugh Faust, Hamilton Bank Building, Knoxville, Tennessee.

6. Payne and Baker: Senator Howard Baker, Huntsville, Tenn.

7. Stearns Coal & Lumber Co.: Baker,

Worthington, Crossley and Stansberry, Attorneys, Knoxville, Tenn.

8. Francis Brothers: J. P. Van Huss, La-follette, Tenn., agent.

9. Blue Diamond Coal Co., Robert Watson, VP for Operations, 6305 Kingston Pike, Knoxville, Tenn.

APPENDIX II

COUNTY DESCRIPTION

The five counties are located north and northwest of Knoxville, Tennessee, in the mountains and foothills of Appalachia. In one sense, they are a "forgotten area" of Appalachia, having received far less national attention than their Kentucky, West Virginia and Pennsylvania counterparts.

Only part of each county is within the mountainous coal region and even within the county these areas often receive less than their full share of services.

The per capita incomes of four of the counties are among the 20 lowest in the state, well below Tennessee's average of \$2038:

Morgan County, 7th lowest, \$982.

Claiborne County, 10th lowest, \$1,030.

Scott County, 15th lowest, \$1,091.

Campbell County, 20th lowest, \$1,355.

Anderson County's \$2,479 per capita income is high only because of Oak Ridge and it seems safe to say that the northwestern mountainous part of the county is much more closely kin to the other counties than to Oak Ridge.

APPENDIX III.—SUMMARY OF "COMPANY" OWNERSHIP AND PERCENTAGE OF TAXES

County	Total acreage	Company acreage as percentage of total ¹	Total property appraisal (1970)	Company appraisal as percentage of total (1970)
Anderson.....	214,400	30	\$211,097,990	1.05
Campbell.....	288,640	43	\$5,226,670	7.33
Claiborne.....	284,160	17	\$0,272,000	2.38
Morgan.....	344,960	38	\$7,373,620	6.45
Scott.....	348,160	41	\$4,963,950	10.5
Total.....	1,480,160	34	\$98,680,272	3.6

¹ Most of the company land is in the coalfield, and 80 percent of the coalfield is owned by 9 companies.

APPENDIX V.—COMPANY LANDHOLDERS BY COUNTY AND APPRAISED VALUES

Company	Acreage	1970 appraisal ¹	Value per acre	Company	Acreage	1970 appraisal ¹	Value per acre
Anderson County:²				Morgan County—Continued			
Coal Creek Mining & Manufacturing.....	34,083	\$1,295,280	\$37	Tennessee Land & Mining.....	295	\$2,450	\$25
Tennessee Land & Mining Co.....	21,428	607,670	32	Plateau Properties.....	\$12,040	\$129,162	32
Poplar Creek Mining & Manufacturing (same owners as Coal Creek).....	6,759	207,770	31	Walls Properties.....	2,048	18,497	27
Consolidation Coal.....	1,420.5	42,620	30	Hiwassee Land Co.....	4,650	43,284	28
Total.....	63,690.5	2,153,340	34	Payne & Baker.....	1,162		
Campbell County:²				Travelers Insurance.....	2,913	36,390	39
Koppers Co.....	49,400	1,500,000	30	Northumberland Corp.....	627	7,524	36
Coal Creek Mining & Manufacturing.....	23,676	730,075	31	Subtotal.....	74,592		
Tennessee Land & Mining Co.....	11,170	449,000	40	Plus State land.....	52,017		
American Association.....	6,637	393,550	59	Total.....	126,609		
Lindsay Land Co.....	4,033	264,380	65	Scott County:^{2,4}			
Eik Valley Coal.....	3,638	116,000	54	Payne & Baker.....	35,935	324,315	27
Westbourne Land Co.....	2,982	59,400	26	Stearns Coal & Lumber.....	26,390	243,280	28
Clear Fork Coal Co.....	2,249	59,400	26	Blue Diamond Coal Co.....	19,177	173,165	27
Blue Diamond Coal Co.....	2,200	120,425	59	Tennessee Land & Mining.....	17,941	161,460	27
Canyon Enterprises.....	1,128	14,050	11	G. C. Pemberton.....	7,864	34,030	13
Consolidation Coal.....	813	91,150	110	Rivermost Farms.....	7,587	68,275	26
Northumberland Co.....	691	35,975	52	Kyanite Mining Corp.....	5,000	45,000	27
Hiwassee Land Co.....	667	33,100	50	Russell Land Co.....	3,257	30,450	28
Total.....	122,927	4,774,405	39	Northerland Corp.....	2,612	23,510	27
Claiborne County:²				Oneida Wood Co.....	2,602	23,610	27
American Association.....	45,331	1,133,290	25	Rugby Land Co.....	2,499	22,490	27
Clearing Fork Mining Co.....	590	29,400	50	Swain Lumber Co.....	2,284	18,043	27
Harris Branch Coal Co.....	180	6,000	32	Go-Ray Realty Co.....	2,273	20,455	27
Blue Diamond Coal Co.....	145	2,000	14	Ford, Faust, & Cheely.....	1,504	13,535	26
Hiwassee Land Co.....	1,537	32,000	21	Koppers Co.....	1,371	12,335	26
Total.....	47,783	1,202,690	25	Tennessee Wesleyan College.....	1,266	11,395	27
Morgan County:²				Bowater Paper Co.....	1,204	10,835	27
Coal Creek Mining & Manufacturing.....	6,416	64,687	30	Eik Valley Coal & Iron.....	1,047	9,510	27
Poplar Creek Mining & Manufacturing.....	2,437	29,560	36	Plateau Land Co.....	1,055	23,440	67
Ford, Faust & Cheely.....	37,702	369,216	29	Meadow Brook Farms.....	900	10,750	36
Winters Gap Coal Co.....	1,372	22,407	48	Coddy Bros.....	541	24,690	136
				University of Tennessee.....	300	2,700	27
				Hiwassee Land Co.....	101	1,200	35
				Total.....	142,459	1,401,323	30

¹ The value reflects valuation of any improvements and farmland as well as the woodland.

² 1970 appraisal 100 percent.

³ 1970 appraisal 30 percent.

⁴ 4,829 minerals.

⁵ 6,283 minerals.

⁶ The reappraisal program has not been completed.

APPENDIX IV.—COAL RESERVES AND PRODUCTION

Recoverable reserves of the 5-county area				
	Measured (millions)	Indicated	Inferred (millions)	Total (millions)
Anderson-----	44,734	43,876,000	38,138	128,748
Campbell-----	62,089	93,098,000	135,435	288,622
Claiborne-----	15,642	15,234,000	49,961	80,767
Morgan-----	18,732	18,732,800	40,094	84,641
Scott-----	25,156	25,361,000	29,233	79,750
Total-----				662,528

From "Coal Reserves of Tennessee, 1959," State Division of Geology; repeatedly this report maintained that "It should be emphasized that the estimates in this report should be considered as the minimum known recoverable reserves in Tennessee in 1959."

Production of the five-county area, 1970*

	Tons
Anderson.....	1,732,557
Campbell.....	1,563,147
Claiborne.....	1,893,000
Morgan.....	452,246
Scott.....	547,049

Total..... 6,187,998

*Department of Labor reports.

COAL RESERVES AND PRODUCTION

An as yet unpublished report of the Tennessee Department of Geology entitled "Stripable Reserves of the Northern Plateau Area of Tennessee" gives this projection for coal production in the five-county area (based on GNP, U.S. population and industrial population):

By 1985 annual coal production is expected to reach 8.8 million tons with strip-mined coal contributing 2.9 million tons. By the year 2000 total annual production will have reached between 15.9 and 20.3 million tons and strip-mined coal between 5.3 and 6.8 million tons. At these rates of production, the available supply of strip-mined coal should last 60 years.

A MOTHER'S OPINION OF THE COMPREHENSIVE CHILD DEVELOPMENT ACT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. RARICK. Mr. Speaker, in reading the hearings on the Comprehensive Child Development Act, I am awed by the overwhelming volumes of favorable testimony and the almost total lack of any testimony in opposition.

Typical of the many persons testifying for the child development programs were directors of day care facilities, directors of welfare councils, representatives of League of Women Voters' groups, professors of psychology and education, and the president of the joint commission on the mental health of children. Also notable among those testifying in favor of this type of legislation were the Governors of Delaware, Pennsylvania, Tennessee, Utah, and West Virginia.

Apparently the presumption is that those not testifying against must be considered for the legislation. Everything else is upside down these days.

Unrepresented at the hearings were the millions of mothers and fathers who want to rear their children without interference by the Federal Government as well as representatives of taxpayers' groups representing many citizens who will have to pay the billions of dollars in taxes to support the programs—unless deficit financing fiat money is resorted to in order to pay the costs.

No measure of more widespread significance has passed this House during the 92d Congress than S. 2007, as amended, and few, if any, have received less attention from the mass news media. Nevertheless, word about the comprehensive child development programs is beginning to reach American parents and they do not like what they are hearing. I am now receiving more mail—not only from my constituents but also from concerned parents in various parts of America.

So that my colleagues may know the thinking of many concerned parents with regard to the comprehensive child development programs, I insert in the Record at this point a letter from a Lakeland, Fla., housewife, Mrs. James Correll, president of Polk County, Fla., PTA and the mother of 3 boys, ages 10, 12, and 14.

LAKELAND, FLA.

To: The Conference to consider Senate Bill 2007 and House Bill 10351

Honorable Senators and Representatives: I am in opposition to the passing of either of these bills. They are an insult to the intelligence and performance of parents, both of today's generation and the generations which precede us. It is an assumption that they are either unwilling or unable to provide the proper physical and mental needs of their children. I think this is baloney! In even the most trying days of depression parents provided for us, both our physical and emotional needs . . . giving us love that no governmental agency can do. If the logic promulgated by the experts relied upon for this legislation were true, all of those who were raised during the depression years and without the benefit of "governmental services" would be suffering high rates of retardation.

We could not with this type of handicap have evolved to the world power we are.

These bills are not the type of legislation which will perpetuate the free society that we know today. These bills allow for the collectivization of our children. You legislators took an oath as representatives of the people of the United States to uphold the Constitution and protect the rights of its people . . . how in good faith can you pass such legislation with a clear conscience?

These bills cover too broad a base to be considered as one bill. Each of its many areas should be considered separately on its own merit.

The extension of O.E.O. The first thing discussed should be the OEO deserving of renewed funding. I think not. From its beginning it has been abused and misused. Millions of Americans living on average and below average incomes have been cheated of their income tax monies to support what they were told were poverty groups, but in reality amounted to support of radicals, troublemakers, Black Panthers subversives and communists. The welfare complex does not need further funding, it needs immediate investigation and abolishment. According to Representative Fisher in the September 30, 1971 Congressional Record "The news reports of OEO scandals during the past 7 years would fill a book. Much of this was confirmed by a GAO Study." and "The fact is that in terms of long-term solution of problems which are associated with poverty, this program has been a colossal flop." To continue to fund this is a folly that the American people cannot afford.

The child development program is not simply a day care center. I'm sure that there are areas of legitimate need for this. But many factors emerge. First of all is the wisdom and ethics of a federal government program during the child's most formative years. The dangers inherent for evil here are endless. Second we find practically every need met one could think of—from physical, educational, nutritional, emotional, and even prenatal care. This may sound good, as I am sure motivations should be. But this is the most far reaching plan ever promulgated for the Sovietization of American youth. The raising of our children is a God given right . . . not to be interfered with by governmental agencies either with or without the proper motivations. For state controlled communes of our children is to open the door directly to the type of program of Nazi Germany and Russia today. This is to destroy America we know today.

On page 42 of the Committee on Labor and Public Welfare Report on S. 2007 "As Dr. Reginald Lourie, Director of the Joint Commission on the Mental Health of Children testified:

"The United States has a higher percentage of retardation than almost any other country in the civilized part of the world—3 to 4 percent. . . . In every other country where there are programs for early child care, only about one-tenth of 1 percent of the population is retarded."

I am afraid I would have to challenge those figures. First of all what would constitute mental retardation? And what other countries are we referring to? Might one's wishes and desires to be independent of the probing and manipulation of government be a factor in your mental outlook? I believe a nation so grossly disabled as 30 to 40 times the retardation rate as its competitors could not long retain its position as a world power . . . and would indeed have had problems ever getting there. The assumption that if we do not turn our children over to governmental child care centers that they will be subject to 30 to 40 times the retardation rate has a very socialist ring to it.

In the area of Prime Sponsors I was amazed at the people that may qualify for Nongov-

ernmental Prime Sponsors. Section 513(f) states that Prime Sponsors may include Community Action agencies, single purpose Headstart agencies, community corporations, parent cooperatives, organizations of migrant workers, organizations of Indians, labor unions, employers or public or private nonprofit agencies or organizations. Visions of Cesar Chavez teaching our little kiddies the fine arts of his knowledge dance in my head. The area of research and development is another area that *just plain stinks!* It states that there is a need to focus more attention on the areas of moral development, of the use of aggression, the development of creativity, emotional development, socialization with particular reference to the recognition and respect for individual differences, appropriated identification with male and female roles and development of identity and self esteem.

After you have taken all of these areas into account . . . then I ask you what have you left out? Is there nothing left sacred to the people of this Nation? Must you mold the physical as well as the emotional side of our children? You even discuss teaching a mother how to talk, play and teach her child . . . fiddle! Mothers don't need you now and never have to teach their children how to do these things. Don't you believe the American Women are born with any sense of their own? The depression years of this nation were real poverty years . . . all of this talk today does not really impress me as valid. During those times children were reared and have offered contributions to their nation as no nation before them. Poverty does not really offer the stigma mentioned. Abraham Lincoln is a good example. Moreover the vast amounts you take from the low middle class in taxes produces even more poverty in these classes. You do not give anything to the American people unless you take it from them first . . . and what percentage is returned?

In discussing Regional Demonstration Centers you will see the statements that a new kind of Change Agent must be developed and the use of feedback discussed. These words are very often used in connection with the use of Sensitivity Training (a method of thought reform.) How very convenient they happen to fall into the same research area where we will consider the development of the Identity and moral values of our children. Perhaps you should also be aware that values more often go down and not up during sensitivity training. I am opposed to using the children of our Nation for experimentation in research and development . . . to turning them over to any system of child advocacy. Page 46 of the report on S. 2007 states that "Preschool efforts should resemble free public education philosophy and tradition of this country so that they will be available to all Americans."

This does not indicate an intent to serve just the needy . . . it is an intent to expand these services. One need only remember that right today in this country we are being forced to send our children to public school, even though we may object to course content, location of the school etc., if we cannot afford private school or pay the consequences for violating the law. On page 54 the report asks "when should a child be removed from the natural home and placed in foster care and what kind of family is the best kind of family for that child?" The only way a child can or should be removed from the home is under the jurisdiction of the local authorities . . . the Federal Government has no authority in this area. This is a clear-cut statement of intrusion beyond federal authority.

The following are my objections to 10351: "Until such time as such programs are expanded to become available to all children, priority must be given to preschool children with greatest economic and social need."

This again contains intent for expansion of program to cover all children. "No mother may be forced to work outside the home as a condition for using child development." Why should we provide these services for a child where the mother is in the home to provide these services? "Pilot programs to test the effectiveness of new concepts, programs and delivery systems." This opens the door to experimentation on children . . . and what is desired to be delivered? "A program of daily activities designed to develop fully each child's potential." What daily activities are you discussing? The Child's daily activities are none of the federal government's business. Is there no end to the amount of intrusion into our privacy that you will contrive? "Other specifically designed health and social and education programs including after school, summer, weekend, vacation and overnight programs." This again is just not any of your business . . . none!

"Medical, psychological, educational, and other appropriate diagnosis and identification of visual, hearing, speech, nutritional and other physical, mental and emotional barriers to full participation in child development programs with appropriate treatment to overcome such barriers." Participation in the programs here is the key word.

I could go on and on the description of a parent being one who has day to day care of the child with no mention of natural parent . . . although there is no difficulty in using the natural parent to discuss removing the child from its family, the crippling of already overcrowded courts with legal services offered . . . the funding of such absolute failures as Vista, Headstart and OEO in general and the many, many more vast welfare programs which need proper individual consideration. I am heartsick with the loss of individual freedoms that our Senators and Representatives have given so little thought to . . . to the closed press on this very important matter . . . and I am ashamed of this process you have taken advantage of . . . I pray that God will give you the strength to take the steps that men and women of good intelligence and motivation and do everything in your power to delete this monstrous bill from record . . .

And that you, Mr. President, will veto this bill immediately.

Sincerely,

SHIRLEY CORRELL.

MRS. MILTON SEELEY, WONALANCET, N.H., DOG BREEDER

HON. NORRIS COTTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES
Friday, October 29, 1971

Mr. COTTON. Mr. President, recently a New Hampshire woman who is known throughout the world for her activities in the fields of dog breeding and dog-sled racing, Mrs. Milton Seeley, of Wonalancet, N.H., was honored at a testimonial dinner in Philadelphia, Pa.

The tribute offered to Mrs. Seeley on that occasion is most interesting, fitting, and well deserved. I ask unanimous consent that it be printed in the RECORD.

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

The many friends of Mrs. Milton 'Short' Seeley are honoring her for the more than 40 years of service to her country and the world of sled dog racing and breeding.

Mrs. Seeley was one of the earliest breeders of Siberian Huskies and worked diligently to produce true-to-type Siberians. She succeeded in getting the American Kennel Club to recognize and register the Alaskan Malamute. Dogsled teams for Admiral Byrd's polar expeditions were trained at her Chinook Kennels, Wonalancet, New Hampshire. Also assembled there in 1942 were the army dogs to be trained for search and rescue. This operation was undoubtedly one of the greatest contributions to the war effort.

"Short" Seeley organized the Alaskan Malamute Club, the Carrol County Kennel Club, and the Siberian Husky Club of America and the New England Sled Dog Club, Inc. in official capacities. She received awards from the Dog Writers Association and the Alaskan Malamute Club for her work in furthering Northern breeds.

In addition to these activities, she devoted time to taking an active part in local, State, and national political campaigns.

DEPUTY SECRETARY OF DEFENSE
DAVID PACKARD ON THE STRATEGIC BALANCE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. FRASER. Mr. Speaker, on Thursday, October 21, Deputy Secretary of Defense David Packard met with the Aviation Space Writers Association at the National Press Club.

I requested and received from the Department of Defense an unedited transcript of the Secretary's session with this group. Many matters were discussed but I was especially interested in Mr. Packard's comments on the strategic nuclear balance with the Soviets, the Strategic Arms Limitation Talks—SALT—and strategic matters generally.

Rather than reprint the entire transcript, Mr. Speaker, I have extracted in sequence Mr. Packard's remarks on the strategic matters I mentioned previously. I am also including, after these excerpts, news reports of this session and a report dealing with the new missile Secretary Packard mentioned at the press club breakfast. These materials follow:

DEPUTY SECRETARY OF DEFENSE DAVID PACKARD MEETS WITH AVIATION SPACE WRITERS ASSOCIATION

Q. Are you going to be making any trips soon?

A. Yes, I'm going to the Pacific to see a Safeguard shot and then to Australia. The Safeguard program is going very well; we've had 18 shots now and 14 of them have been successful, two partially successful and only two failures. So, the actual performance is coming along well, and they've been intercepting targets that have been sent from Vandenberg, and the last one was a low intercept with a Sprint, which is one of the toughest ones. So the whole testing system is coming along very well.

Q. Are you going to watch it from Kwajalein?

A. Yes, they are going to have a shot the same day I'm supposed to be there.

Q. Have all the intercepts been a single warhead intercept?

A. Basically single interception.

Q. (unint).

A. There's one test of targeting or tracking more than one target, but I don't believe they've intercepted more than one yet. In fact, they can't.

Q. How long are you going to be gone on this trip and how long do you intend to stay in Australia? Are you going to make some tours at defense establishments or what?

A. I'm going to spend four or five days there. I don't know exactly what the schedule is. In fact, I may change the schedule before I'm through.

Q. And you will be there early November?

A. Early November. I've been to Australia several times and I like the country and I'll try to get out to the center of the country and not just spend time in Canberra.

Q. What's going on up there in (unint) or wherever it is out there in the center of the country? Aviation Week just put out a book called "Spy Satellites" and there's a chapter in there that deals with some of the capabilities being installed in this Australian (unint).

A. I haven't seen that book so I don't know what's (unint).

Q. Can you respond to what's going on at Alice Springs or what kind of station is it?

A. No, I couldn't talk about that subject.

Q. Does your visit have anything to do with our increase in our interest in the Indian Ocean?

A. It does indirectly. I don't have any specific programs or projects in that regard but obviously it's important for us to maintain a relationship with Australia in terms of its strategic position in the Indian Ocean. It's a subject of general interest but I've heard no specific (unint).

Q. Without being specific could you be a little more specific?

A. No, I really can't because I will want to express the general view that we are anxious to maintain a close relationship with Australia and particularly with our Navy (unint) Indian Ocean.

Q. I wonder if you would talk to them about combined patrols in the Indian Ocean or any specific kinds of things.

A. I don't plan to cover that subject. If they raise it we may have a general exchange of views but—

Q. In other words, it's not like Secretary Laird's visit to Japan where he talked about Japan having to increase their own defense.

A. No, this meeting is more in terms of discussing some of the logistics problems, the Australians are very anxious to have us buy things that can be made in Australia. As you know, they have been helpful in providing us with trucks for Cambodia and have done some other things. They would like to find some areas, as would a lot of other friends, in which they can get a little of the defense business. Of course, we are in a position now where we don't have enough to go around at home so I'm not going to be able to go very far on specific items.

Q. Speaking of Safeguard, what's the status of the (unint).

A. We just have a new contract negotiated and ready to go on that (unint).

Q. Is that effectively lost of construction (inaudible).

A. That was simply negotiation of the construction contract and the price came in considerably higher than we had anticipated, and it was largely because of the labor negotiation and they were able to work out a better negotiation of (unint) prices. That will be announced shortly. I don't even remember the figures.

Q. Can you tell us anything about the progress of the Warner talks over in Moscow? How are they going, and are they optimistic? What about naval air harassment?

A. The talks are in my view going along well. I'm encouraged by the attitude in the SALT talks, that's a much more complicated subject than this. All of those discussions

went along with a very serious vein and an intent to get out the issues and this same attitude is prevailing in these talks that John Warner has been involved in. I can't give you any details of the outcome but I can certainly say that I've been very encouraged by the fact we've been able to have constructive talks, and I think there will be a useful outcome of the meeting.

Q. Why are you encouraged about the SALT talks?

A. I'm encouraged about the SALT talks because I think the SALT talks are really just one part something that's going on our overall relations with the Soviet Union which I think is encouraging. It really gets back to the fact that during the past two and three-quarter years since I've been here that we have seen, in my view, a great deal of progress in our relationship with the Soviet Union and of course with the Chinese and progress in a number of areas. I think the President's goal to move from an era of confrontation to an era of negotiations has really begun to be realized. We have a new agreement on the "hot line" which, while it's not a substantial element, it could in fact be a critical element in terms of avoiding a nuclear confrontation.

Q. Are we going to buy a (unint) receiving station or (unint) end of the "hot line?"

A. I don't know. We haven't gone into the details.

Q. In reverse of that, are they going to have to buy one of our (unint) stations over there to receive our signals?

A. Well, it will probably be possible to use—it's technically possible to use (unint) satellite. I don't know whether we are going to do that or not. We've not gotten into the negotiations on precisely how this will be implemented. That will be the job of the DoD but we have not yet talked about this (unint).

Q. I was unaware that (unint) on our COMSAT or TELSAT systems were compatible. Are they?

A. I don't know much about it.

Q. (unint) buy or swap (unint) at the moment?

A. This isn't any very great problem. The differences in frequencies in the type of modulation (unint) both the sending and receiving end can handle, but I can't give you any details on how that's going to be worked out because we just haven't addressed them.

Q. You had left the thought incomplete a little bit ago on the encouragement you found in the improvements in relations between us and the Russians and the Chinese. You talked about the "hot line" and then went on to other things. Could you complete the thought?

A. I see this really in a larger sense. We are at the end of one of the very important eras in recent history and we're just now going through a very major change. The affairs of the world after WWII were dictated by the absolute dollars of the U.S. from the military standpoint and from an economic standpoint also. During this period, the last two or three decades now, this has changed and I think the things that we see here, while the last two or three years are certainly the result of the President's leadership. I think they simply in a more significant way reflect the fact that we are going through a significant change. Things in the future are not going to be the way they have been in the past.

So I think the environment for the kinds of negotiations that we're having with the Soviet Union is here today; these are issued—the two-China issue up at the UN for example—is a matter that's of long standing in terms of attitudes and feelings, but the fact that the U.S. is going to sponsor two Chinas in the UN is something that couldn't have been done two years ago. No president at that time could have done it. Now, I do

see this as reflecting what I think to be great leadership by the President in international affairs, but I also see it in terms of the environment and the changing attitude in the world. So I think the fact that we can have SALT negotiation, the fact that we can have discussions such as Secretary Warner is engaged in, we have a number of areas which has been, in my view, enough progress to point out that some things can be done in terms of calming this whole situation down.

Now, there are (unint) inside the Soviet Union just the way they are in the U.S. I'm sure there are doves and hawks there and these pressures will go on on both sides of the negotiation table. I think one of the things this points out or one of the things it indicates is it's going to take some time; we are talking about the SALT negotiations; sure we'd hoped they would go along sooner but I think we are facing such a significant change in the way we've been thinking of these matters that it's going to take time to get some of these things done, but I think they will move ahead.

Q. On that same subject, how do you go about just the sheer fact that the Soviets, at what seems to be a very surprising time and not in keeping with the (unint) announced that kind of an arms agreement with the Egyptians. It just seems to come like a big surprise to a lot of people and it was not in keeping with the SALT talks and the Warner talks and everything else.

A. I think there's an explanation for that which is quite logical, and it has to do with the Arab nations announced anti-communist attitude—I don't remember exactly what the details were—as evidence that they are not too happy about having the Soviets involved as heavily in their country as come along. I think this can be explained as a move by the Soviets to bolster their relationship with Egypt. I don't think it has to be interpreted as any move that's directed at anything else. They are just trying to reinforce their position and influence with the Egyptians; I think that's all there is to it.

Q. Are there any indications along this line that the Soviets may be taking over more of a leadership rather than an advisory role in Egypt or in the Middle East as far as military affairs are concerned?

A. Of course, the thing that we're most worried about as far as that part of the world is concerned is that the Soviets would get involved in the actual fighting and then that could escalate. I don't think the situation has changed significantly in that regard; they've been advising the Egyptians on some of the SAMs and helping in the training and I would suspect they would continue that, but I'm sure they want the Egyptians to be involved if anybody is involved. I think it would be dangerous for them to be involved.

Q. You are saying you don't think they would be involved if it came (unint)?

A. I don't think the Soviets want to be involved directly any more than we want them to be involved directly.

Q. In our relations with the Soviet Union and the change in the situation, how do you reconcile what appears to many people in this country to be a major buildup in arms on their side during these negotiations?

A. I really think that gets back to what I intimated earlier that there are doves and hawks so to speak in the Soviet Union and I think some of the people are essentially moving ahead with programs that were underway. One of the things that we often overlook is that you don't go out and start tomorrow on a new program if you are going to replace some of your older missiles with some new ones; several years of work that goes ahead. We sometimes misinterpret these moves as being things that were done on a short-term basis and they're generally not a short-term basis. I think these things are primarily evidences that they're continuing with things they had planned. The Soviet submarine

buildup is a good example of that; you don't decide you are going to build twice as many submarines and start working on them months from now; you've got to do the planning. They have long lead time problems the same as we do. There's no question that they have a very substantial buildup underway in the strategic arms area and our position has to be that if we are not able to agree on a limitation to this buildup, we will have to do some things here in the U.S., but I don't see that we have reason to do anything today; we have a number of programs underway. We don't want to overlook the fact that we are now equipping our Polaris fleet with Poseidons; we're improving our Minuteman capability; we've got the B-1 bomber that's in development; we've got an ULMS program which we have just looked at and moved ahead on and which will provide us with the capability of strengthening our Polaris Poseidon fleet in a shorter time period if that's necessary and at the same time enable us to replace it or do whatever is necessary for the decade of the '80s, so, that in a sense, we're not sitting still either.

I think we have to be prepared in what we do for whatever the outcome in SALT is. I personally am very hopeful and I believe it's important for us to come to some agreement here. We have to have an agreement which will be acceptable in terms of our security and the security of our allies, and at the same time if for some reason we are not able to reach an agreement we have to be in a position to go ahead in whatever way is appropriate. I really think this in terms of what I've said is the overall situation here that we are moving into a period in which we can at some point get this problem under control and I think we are approaching it in a realistic and objective way. I've been very close to this from the beginning and I take some satisfaction in seeing that the situation is greatly improved today from the way in which we saw it in the Spring of 1969.

Q. Are we really that close to losing our strategic superiority to the Russians?

A. When you are talking about strategic superiority this is a complex question. We had strategic superiority at the beginning of the early '60s, in the sense that we had a substantially larger number of weapons and of sufficiently larger number that an outcome of a nuclear exchange might have been reasonably livable; it wouldn't have been very good for the world, but it would have been livable. I think we're in a situation today that almost any conceivable nuclear exchange is going to be almost unlivable for both the Soviet Union and the U.S. So, when you talk about superiority in terms of nuclear war, the question of whether you have a few more or a few less is not really the issue.

Both the U.S. and Soviet Union have adequate number of weapons that a nuclear war is unthinkable today, particularly in terms of what it was 10 or 15 years ago; it was unthinkable then, but it's just completely unthinkable today.

Now, that, of course, says that in a sense there probably isn't any such thing as a nuclear superiority in terms of any ability to use them. There are some things, however, that you'd have to keep in mind here. The first place, the fact that we both have a very-high-level nuclear capability and hopefully both have enough sense to know that it isn't any possible exchange that would be acceptable, this then puts the military situation in terms that we have a great deal more need to look after our general-purpose force capability; that confrontations on that plane are much more likely to be the problem than a nuclear exchange. So, this situation does make a change in terms of what we have to think about in our military planning.

There's another aspect and that's simply the psychological aspect in terms of our ability and the Russians' ability to influence negotiations vis-a-vis each other and a third

party. If the Russians can go around and brag that they have 50% more missiles than we have, their missiles are bigger, and they have 50% more submarines than we have, although it is not necessarily a disaster in terms of the likelihood of a nuclear war, it can make them look physically stronger and more impressive that they can increase their influence in many ways. I think that their naval buildup is very much directed at that concept; I don't think they see that they, certainly not in short term, are not going to build up a naval capability in terms of the likelihood of a confrontation with us in the real sense, but it certainly gives them the ability to show the flag around the world and result in influence they have in their negotiations. I think really we've got to keep in mind that may be the more important aspect of these things that's going on.

Q. On the SALT situation, a lot of people seem to think now that the only thing that's going to come out of this is some sort of very limited agreement on the ABMs, the kind of thing that was suggested in the President's statement earlier. I gather from what you say that you are hopeful of a more comprehensive agreement.

A. I hope we can have something somewhat more comprehensive than a limited agreement on ABMs as the first step in the agreement, but I see this SALT problem as one in which whatever agreement we have we can get out of it as a result of these first series of rounds is only the beginning. I think these discussions will have to continue, probably continue for a number of years, and I would see the distinct possibility if we can just stay with it that we can eventually get to the place we could agree on some reductions. I think that has to be the ultimate aim of these negotiations, but I think we have to have patience and recognize that we are dealing with a difficult subject and a changing environment. When people face a new situation it takes them a little time to change their attitudes to accommodate those; I think that's one of our problems.

Q. I gather that your feeling on this is based not simply on wishing but on your reports from what's going on at Helsinki?

A. This is based on first hand information about what is going on. Now what is wishful, that's another question.

Q. Did I understand you correctly when you were talking about ULMs and such that you were talking about looking at some methods that might speed up the availability of the system as a supplement to Polaris as well as the possibility of going the normal course and getting ULMs in the 1980s as a substitute for?

A. Maybe I can just go through that program because we have addressed that recently and what we are doing is this: The objective of the ULMs program is twofold; one is to provide a larger operating area for our missile-carrying submarines. This relates to our concern about their possible survivability there, the area over which they can operate is determined primarily by the range of their missiles; they have to stay within range of whatever targets they are involved in. So you can now increase the operating range and thereby improve the survivability simply by—well you have to have long-range missiles, it doesn't make any difference what else you do. In addressing the situation, we've concluded that we should undertake and we are proposing to undertake development of a new missile, using the latest technology.

Q. (Inaudible) finds it necessary, we might also build more Polaris/Poseidon type holes that could take this new missile; that might be an option also.

A. That's an option. So we've looked at this whole program and I think it's configured in a very objective way to give us a capability to respond in whatever way is necessary.

Q. When you talk about a new missile, does that mean something other than an improved Poseidon missile?

A. It would simply be a longer range Poseidon missile, it would be one embodiment of it. You might want an even longer range missile which you could have if you had a bigger boat. You can add the stages; you can do various things that would increase your range in increments.

Q. So you may be talking about two separate, new missiles?

A. You may be talking about two separate new missiles and what we want to do is move on in the technology and the development and then be in a position to move in whichever way is dictated by the development of events.

Q. In this first missile will you be reducing the payload?

A. Reducing the payload is one option; that's one of the things that was considered in this so-called EXPO program.

Q. Isn't that what this first missile is, with the name expunged from the record?

A. No, it's close to it. Let me just say this. You can increase the range of the present missile by downloading it and that's one option. We still have that option in case we want it. That, in my view is not a very satisfactory option and we think we can with some improvement in our propulsion technology, increase the range without having to download the payload. So the original EXPO program was in some way the more of a short range approach. It combines the development for what use to be called the one possible version of the EXPO with the ULMs program. I look at it as a single integrated program.

Q. How vigorously then will you move ahead now with the ULMs program as such? (unint.)

A. The program will have two phases at this time. We've got about \$110 million in the '72 budget request so that dictates the level of effort and that will include work on the missile development and it will include some work on the nuclear reactor and the propulsion designed for any larger submarine.

Q. Will a new missile be completed?

A. I can't answer that question; I don't know what the plans are. We have a very good team and despite all of the criticism that Lockheed has, that part of the program has been a good one; it has been under good management, I wouldn't rule out the possibility, we'll just stay with the people involved. It will be great pressure to complete it. I can't tell you whether it will come out; we'll have to assess it.

Q. A number of people have rediscovered the Soviet bomber this year. Could you give us your personal assessment of whether this plane is in production and two, whether you expect the Soviets to produce any more than it takes to make it (unint.)?

A. I don't know that I can give you any very useful assessment on those specifics. This plane does give the Soviets the ability to expand their bomber force if they wish to do so. I don't think we see evidence of a big program in that direction; I think it's too early to know what the intent is, I don't think we have enough information to assess that. Whether they will want to supplement their nuclear forces with a bomber, I think gets back in part to this matter we were talking about earlier. I don't think there are any great needs for them to do so; they have a very good land-based missile force and they are building up as you know a very substantial submarine missile force. I think it's just a question of prestige if you want to put it that way. They may want to have a bomber force, too, so they can look as though they're at least our equal in every aspect. It's too early to assess that question. One of the troubles I'm sure you all recognize we have is we are worrying about certain things that happen but nobody yet figured out how to assess the intent, and as you look back over the years people thought the Soviets were going to build up to a land-based missile level about ours and level off; that was the general theory, but there was no way in the

world to know what they were going to do. It turned out that wasn't what they did. So it's very difficult for us to project these things out in the future.

Q. Is there any evidence that the plane is gone beyond the development phase and is actually in production?

A. I just can't give you any very substantive answer to that point at this time. It looks as though they may be starting some production but I wouldn't assess this as anything that would be indicative of whether they are going to build up a big force or not. I think we'll get some better indications of this during the next few months, during the next year. I don't see this as a requirement for us to make a major change at this time in our planning for our U.S. air defense. We may have to do that in the future; that's about all you can say at this time.

Q. On air defense, the AWACS is coming up for DCARC consideration and several more programs. Could you give us some idea of what you'll be looking at in the next couple months or so before the '73 budget?

A. I can't give you any very definitive program; I don't know precisely what the schedule is. The AWACS will be coming up; I think we'll be looking at the radar situation on that AWACS. I don't know the time schedule. Maybe it would be better rather than for me to try and guess these things to give you a little indication in advance.

Q. Just a moment ago you said there was once a thought that the Russians would level off when they came even with us on missiles and this moves me to ask you if you aren't caught with a misjudgment of the Soviet Union and your rather sanguine view to the prospects for peace. I'd like to ask this question: Have you decided now whether the Russians will be satisfied with parity and whether they have any concept for a nuclear balance as remotely similar to ours?

A. Let me just make a comment about your first point first. While I am perhaps optimistic, hopeful in terms of what can be done, I want to emphasize that in terms of our defense planning, we are trying to do everything we can to be prepared for a less optimistic outcome if that should be the results. I don't want anyone to think that we are not planning to be protected in case the outcome is not as optimistic as I expressed it here. I think we have a responsibility to (unint.) the security of the country if we fall back off the present plane of negotiations. What was the other one?

Q. I just wonder if you think that the Soviets look at the nuclear balance the way we do and have thought they did or whether parity is of no interest to them whatsoever?

A. Two things I would like to say about that. I believe that these SALT talks have been useful in giving us a better understanding of how they look at the nuclear situation and in giving them a better understanding of about how we look at it, and I think there are some people on both sides that look at it about the same way. Now, I get back again to the point I made earlier that I'm sure the people in the government of the Soviet Union are not thinking all in the same vein; I think you've got some divergence of opinion within each government; I think there is a very good chance that we are close enough together in the way we look at this situation that some viable agreement is possible. If we don't have confidence and we're looking at this thing the same way, then it's going to be very difficult to come out of it with any good. I think that the talks themselves have been helpful in bringing a better understanding by both sides about how we're thinking and about how they are thinking.

Q. But have they influenced either side very much in general plans? Are they going for a first strike capability as your chief suggested a couple years ago?

A. Again, the only thing I can say is that we can't tell what their intent is; we are

very much concerned about their capability and that's why we have placed so much emphasis on their buildup of these large missiles. I can say further that if they are going for a first strike capability I think we'll know it fairly soon and they'll not be interested in containing the levels they are talking about.

Q. They'll what?

A. If they continue to buildup these large missiles, I think that will be additional evidence that will support the possibility; they may not want to level off; they may be concerned about building up a first strike capability, but they don't have that at the present time. I think we've said many times when we talk about this, we're talking about what's going to happen several years from now, and we have to watch this matter very carefully.

Q. How near are they to the point where you would say they...

A. I don't think I'd want to try and make an assessment of that.

Q. This assessment has been made throughout the hearings on the ABM making all due allowance for the reaction of the scientific community of both sides testimony there seem to be some agreement that about 500 SS-9s would be a pretty lethal threat.

A. Our concern was that the SS-9 buildup would continue at that range. There was some difference of opinion on whether 500 or 600 would be enough or some other number. There was some difference of opinion as to whether the MIRV program was in the direction of giving them an additional number of warheads. I don't think there's been any change in the final aspect of the matter. We were talking in those terms about what could happen in the mid-70s, there were various dates projected on this and if they do continue their buildup I think the concerns we expressed at that time will be very real and very serious. On the other hand, if we can work out an agreement whereby the offensive buildup is restricted then we have I think, a livable situation. I don't think our concern has changed very much except that we now have some hope that this buildup can be limited through our negotiations.

Q. Would this country conceivably accept an ABM only agreement?

A. I think we've got to be careful about saying whether to accept an ABM agreement only or not. The President has said everything is negotiable and that means that under the right circumstances you might consider such a thing. I, myself, believe it is very important to keep these talks on the basic problem which has to be to contain the offensive buildup. Whether an interim ABM agreement would be acceptable depends upon whether we think it would be a useful step towards the more important, longer-term objective.

Q. Would you help us make a journalistic guess as to whether there is indeed a new system or this is a simply wider-bore Scrag—these new tubes we seem to have discovered? Is this because they are relining the tube with some new kind of hardening process or is this indeed a whole new system that's going into these new holes?

A. I would not want to at this time try and make any definite analysis of that question; we're looking at it very carefully. We have some ideas of various things it might be, we haven't seen in my view the development go far enough to be able to come up with a precise answer to that question.

There are a couple of other subjects that I thought might be of interest to you here today. In some ways they're related to the subject we're talking about. I've been giving a good deal of attention here the last month or so to this whole question of our command/control capability.

A good many of you will recall that during the Mediterranean incident a few years ago; the Pueblo incident; the EC-121 incident;

there were problems in getting the messages back and forth. I've been assessing this in part in relation to our program where we've had this Assistant to the Secretary for Telecommunications, but also on a broader basis on these terms that our nuclear capability is dependent not only on the number of missiles we have but on the viability of our command and control situation. We're making some changes which will in effect centralize and improve the management of WWMCCS system (World Wide Military Command and Control System) but more important that portion of the world-wide military command and control system that is called NMCS (National Military Command System). Just as a matter of definitions, the WWMCCS is a term we use to describe all of the command and control systems of all of the Unified and Specified Commands in the Services and everybody else. In other words, anybody that has a command and control system that is necessary for the command or the management of their forces.

The directives that established this concept in the early 60s gave the Specified and Unified Commands the authority to buildup their own command and control systems in terms that were expressed about in terms of their prerogatives and in terms of the requirements of their mission. So, each commander had the responsibility to buildup his command in a way that he thought would be most responsive to his mission. For instance, SAC is a good example. SAC did an excellent job in building up a command and control system that was related to the command and control of the forces under his command. Navy has done likewise in certain areas. The original directive said that it's important to have a National Command and Control System that supported what we call the national command authorities—The President and the Secretary of Defense. What is needed here is two things, warning and intelligence that is necessary for the President to make a decision and second, a capability to transmit that decision in whatever way is decided to the military forces that are necessary.

The general guidelines were, as I've said, that each one of these commands in the various areas were designed to meet the requirements of their mission and to interface in putting in a way that would provide the national command authority. One of the problems that occurred in these cases were communications didn't work, that the messages generally got mixed up in coming out to field, to the local command, and in some way didn't get into the central communications system, which in fact works very well.

What I'm doing is two things: One is to designate the Chairman as the one person responsible for the operation of the overall national military command system. In a sense that is what he has been and the Joint Chiefs have had a responsibility here but I lean very strongly in the direction that I think you've got to have one guy that's responsible and certainly for an important element of our whole capability. The second thing we're doing is to designate the National Military Command System portion of WWMCCS, as the first priority. In other words, instead of the local commanders now having as their first priority to design their command system to meet the requirements of their mission, they first have to have a design to meet the requirements of the national command system and second, to meet the requirements of their mission.

Now this in itself won't necessarily change anything but it will focus the attention on the problem and then we're doing two other things which are again directed at streamlining the management of the command and control system. We have, as you know, plans to have an assistant secretary for intelligence, that's Al Hall's appointment announced yesterday by the White House sub-

ject to confirmation on the Hill. We have this office of Assistant to the Secretary for Telecommunications and we hope to upgrade that to a full assistant secretaryship. We're designating the Chairman and these two assistant secretaries and deputy secretary as a council responsible for the operation of national military command system, so we have a smaller number of people in the decision making process and with the expertise that is critical to the satisfactory operation of this system, being telecommunications and warning and intelligence. So that those two are the experts that will be the advisors to the Secretary on this subject. I believe this will enable us to move ahead with some of the programs which are on the books, for example, this airborne command post that is now in being and is planned to be upgraded. This then will be managed with a focal point at the top rather than the focal point out in the commands. I'm very confident this will enable us to make some important improvements in the operation of our world system.

Q. You were talking about the Chairman of JCS?

A. Chairman of the JCS.

Q. He will have a strengthened role as the head of NMCC?

A. He is the person through which the orders of the President and the Secretary are transmitted to the forces. That's actually the way it's working now but this part had to do with just clarifying the directives and instructions so there was no misunderstanding about who was responsible and that in my view was a first step to take if you want to improve the management of any particular operation.

Q. Does the directive now say the orders have to go through JCS? Are you saying just the Chairman rather than the whole JCS?

A. The JCS has very specific responsibilities. They have the responsibility for planning; they have the responsibility for preparing the orders for the use of the Secretary; their role will not be changed but we are identifying the chairman as the person who is responsible to see that the system is operating effectively on a world-wide basis.

Q. This is somewhat like the Blue Ribbon recommendation?

A. In some ways it is, the Blue Ribbon Committee proposed a Deputy Secretary and a Chief of Military Operations and quite a complex hierarchy and I've concluded that we do not need to make any substantive changes except these ones that I'm making—the Assistant Secretary for Intelligence and Assistant Secretary for Telecommunications—who will have responsibility for communications, warning and intelligence of the command system. So, in a sense, this will do some of the things that Blue Ribbon Panel recommended, but in my view in a much more straightforward way that keeps everybody on board.

Q. Who will be the members of this Council?

A. Assistant Secretary of Intelligence; the Assistant Secretary for Telecommunications, when we get him; Deputy Secretary and Chairman, JCS.

Q. What will this be called?

A. WWMCCS Council.

Q. The WWMCCS Council will not only be responsible for making the improvements in the existing system but also in an operational capacity for advising the Secretary?

A. Let me give you a specific example. It specifies in this directive that the system be tested on a realistic basis. This council has the responsibility to review these tests and determine if the system is working properly. So in that sense they have a responsibility to double check and be sure that things are going. The Chairman will be responsible for the military operation procedures of command, etc. The two assistant secretaries will be responsible for the technical aspects of

the system, so that is the division of responsibility within the council.

Q. You mentioned the two assistant secretaries. Where stands the proposal to create a second, Mr. Packard?

A. That's before the Congress now. We have a bill which includes the creation of the Office of the second deputy and an additional assistant secretaryship. Let me go back and talk about the Assistant Secretary for Intelligence. The announcement came out yesterday from the White House that Al Hall was being appointed Assistant Secretary for Administration. What we are going to do is to transfer the administrative office from administration to intelligence, but I did not want to make that transfer until we got the fellow approved. So, the office is still officially Administration. As soon as Al is confirmed then we'll make the official transfer, which will involve taking some of the administrative functions, moving most of them over under the Comptroller. We'll provide the details on this for you in due course. Then designating this office and establishing it with the chief responsibility to the Secretary for Intelligence.

Q. Do you expect any serious opposition in the proposal for a second deputy?

A. I don't think so. Right now the most important move in my view is to get the Assistant Secretary for Telecommunications established because as you can see I'm a little ahead of myself here because I have this national command management system set up requiring that.

Q. Do you have anything else to tell us?

A. I just want to touch on the status of the Assistant Secretary for Telecommunications. You know we had a man named Louis DeRosa in an office that was designated as Assistant to the Secretary, that kind of an office can be created without legislation. I think it's very important that we have that office elevated to a full assistant secretary. We'll be able to attract a better person and that person in the long-run will have more influence and doing the things that need to be done. The manner of influence is determined primarily, in the final analysis, by whether he is backed by the Secretary or the Deputy. It doesn't make much difference what the office is as long as he has the backing of the Deputy. Any actions can be done in my name and it'll get done regardless of his position, but looking down the line at a longer term aspect he will be able to operate more independently and more effectively from a full assistant secretary office. So, I'm very anxious that we get that office approved. I don't see any opposition to this; it's just a matter of trying to get our friends on the Hill to fit that in with all the other problems they're addressing these days.

Q. Mr. Laird said several times that he will leave the Pentagon at the conclusion of the first term of the Administration. Are you willing to make the same statement or might we see you around for another four years?

A. I think I can say almost categorically you will not see me for another four years. I've found this a very interesting assignment but I'm neither a politician or bureaucrat by temperament and that puts me at something of a disadvantage.

Thank you very much.

[The New York Times, Oct. 22, 1971]

PENTAGON MERGES TWO MISSILE PLANS

(By William Beecher)

WASHINGTON.—Deputy Defense Secretary David Packard announced today a decision to combine two proposed missile development programs to make possible earlier deployment of the missiles aboard nuclear submarines currently available.

At the same time, Mr. Packard expressed optimism that talks with the Soviet Union would result in agreements to limit, and

eventually to reduce, the arsenals of strategic offensive and defensive weapons on both sides.

He nonetheless insisted that the United States must take steps to hedge against either outright failure or less than complete success in the talks.

Mr. Packard spoke at a breakfast arranged by the local chapter of the Aviation Space Writers Association. He said that the new long-range missile might be installed on existing submarines to increase their patrol areas substantially and thus decrease their vulnerability.

OTHER POSSIBLE USES

The missiles could also be installed on additional submarines of current design if the Polaris fleet were expanded beyond 41, or they could serve as a component of a still longer range missile for an entirely new submarine, he said.

Pentagon sources said that some weapons specialists had urged two separate development programs in the submarine field. One would have sought to increase the nearly 3,000-mile range of the Poseidon missile with better propellants. The other would have developed the so-called underwater long-range missile system (ULMS), made up of very large new submarine-carrying missiles with a range of about 6,000 miles.

The decision announced by Mr. Packard today will combine the two efforts. The Navy sources say, has been instructed to develop a new missile of about 4,500 to 5,000 miles that could be fitted into present Polaris-type submarines.

It has also been told to try to design the missile so that, with an additional stage, it could have a range of about 6,000 miles and be employed on the ULMS submarine.

By combining the two efforts, it will be possible to complete development of the compromise missile program earlier than would have been possible under either of the plans previously proposed.

There is \$110-million in the present defense budget for the new missile submarine effort Mr. Packard said.

ASSIST FOR POLARIS

Pentagon officials said that if an agreement should be reached that forbids construction of new missile submarines but permits the installation of modernized missiles on the existing fleet the new effort should allow the Polaris fleet to perform its mission even if the Soviet Union increases the size and capability of its antisubmarine warfare forces.

This is based on the theory that the longer the missile range is, the larger is the area of the oceans in which the submarine can hide.

If the two nations should fail to agree on a limited missile submarine force, the sources continued, the United States would be in a position to expand its Polaris fleet, with increased capability.

And if, in 1980 or beyond, the United States should want to replace its older Polaris vessels, the ULMS submarine should then be available.

While the tenor of Mr. Packard's remarks was to accentuate the positive—the move toward a whole range of negotiations on weapons limitations, troop reductions in Europe, improvement in hot line techniques, and discussions to reduce mutual harassments at sea—he also discussed two areas of concern over the Soviet strategic and conventional force build-up.

The decrease in the likelihood of a nuclear war, because of the vast number of missiles on both sides, makes confrontations between the two countries with non-nuclear forces "more likely," he said. He urged greater American attention to bolstering its general purpose forces.

CONCERN OVER RUSSIANS

He also worried lest the Soviets try to take political advantage of comparatively larger

strategic forces. If the Russians obtain 50 per cent more land-based and sea-based missiles, he said, they might expect the psychological impact of this fact to give them the edge both in confrontations with the United States and with smaller powers.

[From the Evening Star, Oct. 21, 1971]

PACKARD HOPEFUL OF CHANCE FOR SOVIET-UNITED STATES ARMS ACCORD

(By Orr Kelly)

Deputy Defense Secretary David Packard said today he is hopeful that an acceptable agreement between the United States and the Soviet Union will emerge from the strategic arms limitation talks between the two countries.

His optimistic statement to reporters at a breakfast meeting was in contrast to a growing sense of alarm in some quarters over the continuing Soviet nuclear arms buildup and an air of pessimism about the outcome of the talks.

Packard said he hoped the current round of the negotiations, which began two years ago, would result in an agreement covering more than a simple limitation on the deployment of antiballistic missile systems. But an ABM-only agreement could be useful, he said, if it contributed to movement toward a more comprehensive agreement limiting offensive weapons.

"I see these first talks as only the beginning," he said. "I see the talks continuing for a number of years and I see that we can, if we stick with it, reach agreement on some reduction in nuclear arms."

Packard was asked whether his optimism was based on his own personal hopes or on his knowledge of Soviet attitudes expressed in the talks now under way in Helsinki.

"This is based on a good deal of firsthand information on what is going on," he replied.

Packard seemed much less alarmed than some other officials about the Soviets' surface and submarine ship construction program and their continued deployment of large ballistic missiles.

"Several years' advance work goes into this kind of thing," he said. "We tend to interpret these developments as something done on a short-term basis. I think what we have seen indicates they are going ahead with things they have already planned."

POINTS TO SUBMARINES

"Their submarine construction is a good example. You don't decide to double the number of submarines overnight," he added.

The United States may, if the talks do not reach an acceptable agreement, have to react to the Soviet arms buildup, Packard said.

"But I don't think we have to do anything today," he said.

In a sense, he added, the United States is not sitting still either. He cited the deployment of multiple warhead missiles, the development of a new bomber and plans for a new type of ballistic missile submarine.

Packard said he has decided on a phased development of both a new undersea-launched missile and, possibly, later development of the new submarine, known as ULMS, for Undersea Long Range Missile System.

PRIORITY CITED

Priority will be given, he said, to develop a new missile that can be carried by the existing Poseidon submarines. The new missile would have longer range, thus giving the submarines a larger operating area and making them more difficult to find.

If necessary, he said, additional submarines could be built using the basic Poseidon design, and carrying the new missile.

Development also will continue, he said, on the new ULMS design, possibly with a separate new missile, if needed to replace the present fleet in the 1980's.

[From the Washington Post, Oct. 22, 1971]
PACKARD IS OPTIMISTIC ABOUT SALT CHANCES
 (By Michael Getler)

Deputy Secretary of Defense David Packard—in one of the most optimistic appraisals of U.S.-Soviet relations to come out of the Pentagon in some time—said yesterday that he was encouraged about the prospects for an initial agreement on limiting the arms race and even about eventually reducing the nuclear arsenals of both countries.

As a defense planner, Packard said, he still has considerable concern over the continuing Soviet weapons buildup and over Russian intentions, which remain unclear.

Nevertheless, the thrust of his remarks at a wide-ranging breakfast meeting with newsmen yesterday was clearly optimistic. His assessment of the buildup of Soviet ICBMs, submarines, surface ships and possibly a new bomber was considerably less alarming than that given by many officials both in and out of the Pentagon in recent months.

The Pentagon's No. 2 man also took a calm view of the Middle East situation and, when asked if the Nixon administration's "era of negotiations" extended to Castro's Cuba, said that this, too, "would be a logical move at some point."

On U.S.-Soviet relations and the arms race, Packard said this country has "come to the end of a very important era," and that it now appears "that some things can be calmed down."

But he cautioned that nuclear arms control is a complicated matter, and in the changing international political climate, it will take time and patience to accomplish. "When people face a new situation," he said, "it takes a little time to change their attitude in accommodating to it."

Packard said construction of new Soviet ICBM silos and submarine building facilities now going on had obviously been planned some time ago. He warned against "misinterpreting" this, implying that the construction did not necessarily reflect a recent decision by the Soviets to seek nuclear superiority over the United States.

The recent Soviet navy buildup, he said, "certainly gives them a capability to show the flag and that may be the more important aspect of what's going on, rather than for a military confrontation in the real sense."

As for development and testing of a new Soviet bomber, which has been widely known about in Western circles for two years, Packard said, "I don't think we see evidence now of a big program." If the Soviets decide to build a new bomber, he added "it is just a question of prestige. They may want a bomber force so they can look like our equals in all respects."

Packard also was optimistic about progress at the talks now going on in Moscow between U.S. and Soviet officials over a possible agreement to avoid harassment of each other's naval forces at sea.

And, asked if the recent Soviet pledge to supply still more arms to Egypt did not mar the picture of improved Soviet-U.S. relations, Packard said he thought "there is an explanation which is quite logical." It relates, he said, to "the announced Arab unhappiness over heavy Soviet involvement" in their affairs. Packard said he viewed the arms pledge as "a move by the Soviet government to bolster its relationship and influence with Egypt."

The Defense official also appeared interested in waiting to see how much and what kind of new Soviet arms come into the Middle East. "Some significant increase in arms at some time might hurt," he said, "but now the object is to keep talking and keep the fighting from breaking out."

He was cautiously optimistic on both counts.

Packard also praised President Nixon's efforts in dealing with the Soviets.

"I feel there will be a useful outcome" of the strategic arms limitation talks which reopened in Vienna next month, he said. "I'm encouraged about SALT because I think it's really just one part of something that's going on with our overall relationship with the Soviet Union that's really encouraging."

"There are holes (for ICBMs) and hulls (for submarines) and hawks and doves inside the Soviet Union just as there are here, and these pressures will go on. But we are facing such a significant change in the way we've been thinking about these matters. It will take some time, but things will move ahead."

Packard made it clear that he hoped that an initial agreement at SALT would cover offensive weapons as well as a limit on rival antiballistic missile defense networks. However, he pointed out that the President said "everything is negotiable and that means under the right circumstances the United States might consider an ABM-only agreement 'if we considered it a useful interim step toward a longer-term deal.'"

Packard said the hoped-for initial agreement was only the first step in talks that could go on for years. "If we stay with it, I see the distinct possibility that we can get some reductions, and that has to be the ultimate goal."

Packard said, "We now have some hope that this (offensive) buildup can be limited by negotiations." In any event, he said, the United States would soon find out whether the Russians will agree to limits on the big SS-9 ICBM which is a potential threat to U.S. Minuteman missiles in a surprise attack.

If there is no limit on the offensive buildup, Packard warned that "we will have to do something here. But I don't see that we have to do anything today. In a sense," he said, "we are not sitting still either."

Packard pointed out that the United States is converting its missiles to the more advanced Poseidon missile; strengthening the silos of Minuteman ICBM; developing, if not producing, a new bomber, and developing a still better and longer-range submarine-based missile to go in current U.S. subs or eventually to go in an entirely new type of undersea vessel.

Packard said nuclear war today "is completely unthinkable. The question of a few more or a few less weapons is not really the issue. Both of us have enough."

But, he said, the nuclear stalemate has made conventional forces more important since that type of fighting was still a possibility.

And, stressing a theme that several officials have warned about recently, Packard said that the nuclear balance is important for "psychological" reasons.

"If the Russians can go around bragging that they've got 50 per cent more missiles and subs and bigger ICBMs then, although it may not mean much militarily, it may be influential in a number of other ways." Packard said he viewed the Russian naval buildup as "very much directed at that concept."

The Defense official also announced that he will visit Australia and New Zealand in mid-November and also witness a test of the U.S. Safeguard ABM from Kwajalein Island in the Pacific.

[From the Christian Science Monitor,
 Oct. 21, 1971]

NEW—AND CHEAPER—U.S. MISSILE

(By George W. Ashworth)

WASHINGTON.—The United States Navy has made a dramatic shift in its approach to strategic missiles.

The Navy leadership, with the approval of the defense hierarchy, now is moving to develop a new missile that could eventually supplant the multiwarhead Poseidon missile currently being installed in 31 of the nation's 41 missile-bearing submarines.

The new missile, known for a brief period as Expo, for extended-range Poseidon, is to be designed with an eye to eventual use in a new submarine that may be built in the late 1970's or '80's.

The effect of this new shift is to give the U.S. a cheaper alternative to a rush toward development of a completely new missile and new submarine together.

Thus, if the strategic moves made over the next several years by the Soviets allow, or if the SALT negotiations on the limitation of strategic arms dictate, the U.S. may be able to avoid the tremendous expense entailed in the development of an entirely new fleet of submarines.

On the other hand, Pentagon sources say, the current decision will keep the U.S. in position to go ahead with the new submarines if warranted.

The present fleet of Polaris/Poseidon submarines is generally considered the most survivable of U.S. strategic weapons. This means that, in a nuclear exchange, the submarines are thought to be the weapons system that will come through with the least damage and the greatest certain capability to mount a U.S. second strike in retaliation. As a result, the submarines are often thought of as the keystone of U.S. deterrence.

It may develop, as Soviet strategic capabilities increase, that still greater reliance will be placed for deterrence upon the submarine portion of the strategic triumvirate of land-based missiles, sea-based missiles, and bombers.

Aware of these possibilities, defense planners have placed heavy emphasis upon steps to make sure that the submarine fleet remains secure.

So far, Soviet antisubmarine warfare capabilities seem to be such that there is no immediate threat to the Polaris/Poseidon fleet. But a new submarine system to replace the present fleet has been thought of as a potential hedge in the event the Soviets do smashingly well in coming to grips with the tremendous problem of submarine detection.

As of this point, defense officials believe that, in an all-out effort, the Soviets probably could not find and destroy more than one or two of the missile submarines on station.

But that could change, given the technological progress being made by the two superpowers. In such an event, U.S. strategists believe, the submarine fleet would have to be improved.

The new missile is designed to give that improvement to a certain degree. The new missile in the present submarines would not be nearly as good as a new missile and submarine together. This is largely because the submarine fleet, which was built as a crash program in the early and mid-1960's, will face block obsolescence in the 1980's. And a newer system may well be needed to keep ahead of improved Soviet detection and destruction capabilities.

MULTIBILLION COST

But the new submarine system, known as ULMS, would cost a great deal of money. Current estimates put fleet costs of over a 10-year period at as much as \$15 or \$25 billion, depending upon characteristics and numbers built.

That is a lot of money by anybody's terms, and the present defense hierarchy would rather not spend such a vast sum if it can be avoided.

That concern over money may be the main reason for the shift to a new missile as a possible solution rather than a new missile and submarine as envisioned but a few months ago.

Already money is being shifted around so that more can be spent on the missile. A portion is being set aside for a new reactor research and development, and what is left over will be spent in research on the submarine.

DELAYED DECISION

In all, the Navy has planned to spend \$111 million on the whole ULMS program this fiscal year. The Navy now is working with defense scientists and analysts to set funding charges in line with the new change in emphasis.

With the SALT issue still up in the air and no one certain how it will all work out, the Navy will move along fairly rapidly with research and development on the missile, while continuing work on the reactor and submarine.

Given the present state of Soviet development, officials believe it may be possible to wait another year or more before making a definite decision to go ahead with the missile alone or in conjunction with the new submarines. This will allow resolution of SALT talks and will allow more time in order for it to be seen just how capable the Soviets will be in terms of ability against missile submarines.

If the Soviets are seen to be good, but not alarmingly so, it will be possible to go ahead with the missile at a much lower cost than a missile and submarine combination. The bill would be in the hundreds of millions, rather than tens of billions.

INTERIM MEASURE

If the concerns deepen, the submarine could be built. If it were a crash program, a fleet could be constructed in as little as five years or so, but at greater cost than a more leisurely program.

And the same missile now being envisioned for use later could be used as an interim measure in the new submarines. A sleeve would be used in the tubes of the new submarine to hold the missile. Without the sleeve, the new submarine would be capable of carrying still larger and more capable missiles without heavy conversion costs.

Technological improvements will give the new missile a range about halfway between the Poseidon's 3,000 or less nautical miles and the ultimate ULMS missile's 5,000 or more.

With just the new missile, or the new missile in a sleeve in ULMS submarines, range would be substantially improved. This would compound detection problems and add to time on station.

With a larger, still more capable missile in ULMS, range would be broadened to a point at which the Soviet Union could be targeted from anywhere and submarines could be on station immediately upon departing the U.S. This improvement and a new degree of quietness that would be built in the new submarine could dramatically increase the U.S. military deterrent to potential foes.

RED CHINA AND THE DRUG TRAFFIC

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. ASHBROOK. Mr. Speaker, on October 13, on page 36153 of the CONGRESSIONAL RECORD, there appeared an extensive article from Human Events on the involvement of Red China in the exportation of drugs to other countries. As I noted at that time, the various Federal agencies who would be in possession of information on this subject claim that there is now no evidence that Red China is currently engaged in such traffic. On August 4, Congressman SCHMITZ inserted in the CONGRESSIONAL RECORD statements by the former Commissioner of Bureau

of Narcotics, Harry P. Anslinger, which charged that Red China was extensively engaged in the dope business. At one point he stated: That this trade was a formidable and far-reaching plot to gain foreign exchange and at the same time to demoralize the people of the free world.

If Red China, as is generally conceded, dealt in drugs in the 1950's, the logical question arises as to when this policy stopped and when did the U.S. Government last have evidence that Red drug trade was still in progress.

As to the use of drugs as a weapon of demoralization, the Londary Daily Telegraph of October 24, 1971, carried an excerpt from a forthcoming book by an Egyptian newspaper publisher and close friend of the late Egyptian President Nasser. The excerpt from the book is headlined in the Telegraph thus: "How Chou Fights America With Drugs."

It describes a meeting that Chou En-lai had with President Nasser in 1965:

One of the remarkable things Chou said that night when talking about the demoralization of the American soldier was that "some of them are trying opium, and we are helping them. We are planting the best kinds of opium especially for the American soldiers in Vietnam."

Another interesting article on this issue of the Chinese Reds and the drug trade appeared in the Scott report, the nationally syndicated column by Paul Scott on September 2. In his account Mr. Scott cites a North Vietnamese defector as stating that North Vietnam is raising massive quantities of raw opium for export to mainland China and the Soviet Union where it is processed for distribution throughout the world.

The above-mentioned sources throw an interesting light on this issue when contrasted with the lack of evidence position that one receives from Federal sources. I insert these two items in the RECORD at this point:

THE SCOTT REPORT

WASHINGTON.—Two recent developments in widely separated areas of the world should cause the Nixon Administration to review its estimates on the sources of illegal heroin now flooding the free world.

The first is the eye-witness account of opium production in North Vietnam and China furnished to American and South Vietnamese intelligence officials in Saigon by a high-ranking Hanoi defector.

The second is a sworn statement furnished federal authorities in Virginia by a "king pin" in the hard narcotics traffic on the East Coast who identified Cuba as his main source of heroin.

The reports from these "insider sources" raise serious questions about the accuracy of recent information on illegal heroin the Administration has supplied to Congressional Committees studying the growing drug problem in the U.S. and among American servicemen in South Vietnam.

Prepared by the Justice Department in cooperation with the government's intelligence agencies, these official estimates all stress that there is no evidence that Communist China or Cuba are major sources of heroin now endangering the free world.

These preconceived estimates on which the Nixon Administration's world-wide drug control effort is now being based, singles out Turkey, Laos, Thailand, and Burma as the main sources of illegal heroin.

The new evidence seriously questions this finding. Most of the heroin now being seized in South Vietnam and the U.S. is so pure

that the U.S. narcotics experts say privately that it could only be produced in the most modern plants and by highly trained personnel.

These experts claim it is highly unlikely that the pure heroin could have been produced in the mountains and jungles of Laos and Thailand or even the hidden laboratories in France as Administration estimates would indicate.

Only in a country like Communist China, where there are large opium refineries under government control, could the massive amount of pure heroin now flooding the free world be produced without detection.

EYE-WITNESS REPORT

The information from Nguyen Ngoc Mai, the North Vietnamese defector, tends to support this belief.

A ranking communist party propagandist and journalist for the Hanoi newspaper, Tien Phong, Mai revealed that North Vietnam is producing massive quantities of raw opium for export to mainland China and the Soviet Union where it is processed for distribution throughout the world.

Mai reported that poppy fields were so large in North Vietnam that it took one tractor an entire day to make a round trip from one end of a field to the other. He told interrogators that the raw opium is transported to Hanoi, then flown to China to be processed into heroin and sold in Hong Kong and Japan.

The raw opium is also shipped to Hainan and loaded on Soviet ships and transported to Russia for further processing, Mai said. Although Hanoi publicly denies that it is growing poppies or producing opium, records of the United Nations indicate otherwise.

In 1962, Russia reported to the World Opium Council in Geneva that it had imported 29,000 pounds of North Vietnamese opium for medicinal purposes. That is the same year that Mai watched more than 100 tons that amount of opium being loaded aboard Soviet ships for transport to Russia.

The link between Communist China and North Vietnam confirms information gathered by the Chinese Nationalists' government on Formosa that Peking is operating a number of heroin refineries in Southern China near the North Vietnamese border.

In the coming United Nations debate on Peking's admission bid, the government of Chiang Kai-shek will present evidence showing that Communist China now operates more than thirty heroin refineries on the mainland, including a large one located at Kunming near the North Vietnamese border.

Peking will be described by the Chiang government as "the biggest dope producer and pusher in the world". Under the Mao regime, it will be pointed out, more than ten thousand tons of opium poppies are being produced yearly with a value of \$800,000,000.

THE CUBAN STORY

The other recent development that raises serious questions about the accuracy of Administration estimates of the sources of illegal heroin is the sensational report furnished U.S. prosecutors by Jose Luis Zayas, a Cuban refugee who lives in Miami.

His statement put into federal court records in Alexandria, Va., revealed that his supply of heroin came from the Castro government through Carlos Ferret, a Cuban who recently fled the country.

It has been the practice of the Justice Department's Bureau of Narcotics and Dangerous Drugs to play down or dismiss all reports from Cuban Refugees that the Castro government is an important source of illegal heroin.

The Zayas report should force these officials to restudy past refugee warnings of the drug threat from Cuba. The same should be true for the heroin threat coming from Communist China.

Failure of top level government policy-makers to accurately evaluate this two-prong drug threat could endanger the security of the U.S. far more than the nuclear weapons superiority the Soviets are building.

The flood of heroin threatens both the body and the soul of America and the free world. It could be our enemies ultimate weapon, for it comes quietly into homes and destroys our children.

HOW CHOU FIGHTS AMERICA WITH DRUGS

(By Mohammed Heikal)

Nasser's friendship with Chou En-lai was particularly intimate. They used to enjoy each other's company and they would sit for hours talking of many things. They were relaxed with one another, and Nasser especially admired Chou's determination and completely organized way of approaching anything he wanted to do.

I calculate that they actually spent 74 hours sitting together and talking. During one visit when Chou spent 12 days in Cairo they came together 16 times for discussions.

The two met for the first time at Rangoon on their way to the Bandung Conference of non-aligned nations held in Indonesia in April, 1955. The Chinese were very keen to make contact. Egypt was beginning to emerge as the leader of the Arab world and the Chinese were watching Egypt's behavior very closely, for Egypt's attitude towards China meant a whole area's attitude, not just her own.

Nehru performed the introductions at Rangoon airport, saying: "Do I need to introduce you to each other?"

It was very hot, and they stood together for some time, drinking fresh coconut milk and being sprinkled with perfumed water by people celebrating the Shai Gan—the Burmese Water Festival. One got the impression that Chou was looking at Nasser with some admiration. And that evening the two men held the fateful discussion which ultimately led to Egypt's first arms deal with the Soviet Union, the deal which itself was to have so many consequences for Egypt, the Middle East and the world.

In Bandung itself they had two meetings at which they talked of many things—Afro-Asian solidarity, the need for contacts, common endeavor against imperialism—but one felt that Chou was more interested in listening than in talking. They dined together and Chou talked about the birds' nest soup they were then eating. Saleh Salem, the so-called "Dancing Major," who was at the dinner, asked what was in the soup. "Bird's nests," said Chou. "Just as they are?" asked Saleh Salem. "Yes," said Chou, and the interpreter explained about the dish to Saleh Salem. He began to feel ill, shouted a protest and rushed from the room to be sick. Nasser signalled the interpreter not to translate what Saleh Salem had said. And Chou viewed the scene with astonishment.

THE WEST'S CONTEMPT

Chou visited Cairo in December, 1963. He insisted on the week of talks being informal. He went to the Egyptian Museum and was greatly impressed by what he saw. It seemed to spark the theme for him for his second meeting with Nasser. He talked about the ancient civilisations of the East and their struggle for the future. He was bitter about the contempt the West showed for the countries of the East: "With all our centuries of civilisation, with all our contributions to the human race, all we get from the West is humiliation."

His theme throughout the day was:

- 1: We must have independence.
- 2: The meaning of independence, and this is the only meaning, is that we will be our own masters.
- 3: If we are our own masters, we can equal the West.

4: If we can equal, we can surpass.

When we could do that, he argued, when we surpassed the West, we should shift the world's centre of gravity back to the East.

He talked for an hour on this theme and he used the Suez Canal as an example. "What is the lesson to be learnt from your nationalisation of the Canal? It is that we of the East can run things as well as the West." He kept hammering away at this theme, that the East is as good as the West. "They have always tried to fill us with complexes and convince us that we are not as good as they are, that we are poor, low-grade material. Your management of the Suez Canal is not important financially, it is important only in proving that what they can do, we can do."

Equality in all things with the West was his watchword. Egypt had just signed the nuclear non-proliferation treaty, but Chou told Nasser that China would not sign it because either there had to be complete nuclear disarmament and destruction of all the weapons, or China would have to make its own nuclear weapons, for it could not leave the Big Powers with a nuclear monopoly.

Chou returned to Cairo for one long day of talks in April, 1965, and the friendship grew between himself and Nasser. Then in June of that year he arrived in Egypt to spend 12 days with the President. This was a most important visit. So many events were on the boil. Khrushchev had fallen. China had exploded its first atom bomb. Chou had been to Moscow in a last attempt to patch up China's differences with Russia.

Nasser was worried by this Sino-Soviet quarrel because he thought that it was hindering all the national liberation movements and was harming the people of Asia and Africa. Nasser had, in fact, sent a message to Chou when the Chinese Premier was in Moscow in 1964. The message was conveyed by the Egyptian Defense Minister, Marshal Amer, who was also in the Soviet capital, and it started by congratulating Chou on China's achievement on building its own atomic weapons.

Nasser was enthusiastic about China's atomic success. He looked on it as a triumph for the East.

He then went on to plead with Chou to reconcile his differences with the Soviet Union because of the harm the quarrel was doing to the liberation movements.

Chou saw Amer and sent a message in return thanking Nasser for his message of congratulation and said that China would not be like others and try to keep a monopoly on its scientific achievements but would throw its knowledge open to everyone.

He replied to Nasser's plea for a reconciliation with the Russians by saying that he was trying, and that that was why he had gone to Moscow. Khrushchev had forced the quarrel and now that Khrushchev had gone he was attempting to work out an agreement with the new leaders. But, he said, he did not think he would succeed because the "Russians are Europeans and the Europeans, the whites, are alike and they look on us as inferiors."

He was correct in his pessimistic approach. There was no reconciliation and when Chou came to Cairo for his next visit in June, 1965, China's dispute with Russia was one of the two main topics of his conversation with Nasser.

The other main topic was Vietnam. American involvement in Vietnam was growing under Johnson and the whole world was concerned with the dangers of the situation. The non-aligned nations played a large part in expressing the world's concern. Nasser, Nehru and Tito all called attention to Johnson's folly and spoke long and often about the danger in which he was putting the world. Nasser wanted the Americans to withdraw and allow the people of Vietnam to settle their own fate. But Nasser had a surprise in store for him.

When he and Chou dined together in Alexandria on June 23, Chou said that he did not want Johnson to withdraw any American soldiers. On the contrary, he wanted the United States to send more and more of its young men to Vietnam. "We are afraid that some American militarists may press for a nuclear attack on China and we think that the American involvement in Indo-China is an insurance policy against such an attack because we shall have a lot of their flesh close to our nails."

"So the more troops they send to Vietnam, the happier we shall be, for we feel that we shall have them in our power, we can have their blood. So if you want to help the Vietnamese you should encourage the Americans to throw more and more soldiers into Vietnam. We want them there. They will be close to China. And they will be in our grasp. They will be so close to us, they will be our hostages."

A LEAK TO HARRIMAN

One of the remarkable things Chou said that night when talking about the demoralisation of the American soldiers was that "some of them are trying opium, and we are helping them. We are planting the best kinds of opium especially for the American soldiers in Vietnam."

President Nasser looked at him in some disquiet, but Chou went on: "Do you remember when the West imposed opium on us? They fought us with opium. And we are going to fight them with their own weapons. We are going to use their own methods against them. We want them to have a big army in Vietnam which will be hostage to us and we want to demoralise them. The effect which this demoralisation is going to have on the United States will be far greater than anyone realises."

Nasser felt that possibly Chou was exaggerating a little. But Chou had his plan absolutely clear in his mind. There was no doubt that he intended to do exactly as he said.

When Johnson called his bombers off North Vietnam at the end of 1965, he sent a number of emissaries round the world telling the leaders of other countries what he hoped to gain by the pause. Averell Harriman came to Egypt on this mission and saw Nasser on January 4, 1966.

The bombing pause had been accompanied by a great propaganda campaign from the Americans and so, when Harriman arrived, Nasser expected to hear something important. But the meeting lasted for two hours with nothing positive emerging from it. Harriman had come with nothing new. He had no suggestions. And there were silences during the talks which lasted for several minutes at a time.

Eventually Nasser said to Harriman: "Do you really think you are going to defeat them? If you increase your troops in Vietnam, you are only going to play into your enemy's hands. Strangely enough, I've heard something from Chou En-lai, and you are carrying out the Chinese plan precisely." And he went on to tell Harriman what Chou had told him about wanting more and more American soldiers to be sent to Vietnam. But he did not tell Harriman about Chou's plan to fight the American Army with opium.

That was the only time during the whole of that two-hour meeting that Harriman showed any real interest in the proceedings.

Afterwards Nasser felt that possibly he ought not to have told Harriman about Chou's plans, so he sent messages to Chou and to Ho Chi Minh about the meeting. As a matter of fact Chou had cabled Nasser asking him not to meet Harriman because his mission was only a manoeuvre, but the cable had arrived too late and Nasser could not have refused to see the American in any case.

Nasser told Chou about the meeting and explained that there was nothing new in it,

"but I must confess to you that I did something which I hope you will not consider a mistake. I told him what I heard from you about the American troops in Vietnam and that they were falling into your trap."

Chou replied that he knew Harriman's visit was only propaganda and he did not mind Nasser telling the Americans of his plans because: "They are not going to learn anything. They are set on a certain course and nothing is going to change their minds."

During the Nasser-Chou talks in June, 1965, both Ayub Khan and Soekarno passed through Cairo. The four of them met one night and discussed international affairs. Ayub Khan left first, then Soekarno said: "Enough of politics. I'm going to leave," and he looked at Nasser and said: "Brother Nasser, I know you have good intelligence men, and they will follow me to find out what I am going to do. I am going to see a belly dancer. So they need not follow me and write reports about it tomorrow."

He then asked Chou if he would like to go with him to see the belly dancer, but Chou replied: "No, the intelligence reports tomorrow will say either that I stayed with President Nasser or I spent the night working."

There was not much light-heartedness about Chou on that visit. He was bitter to the core about the Russians. Nasser told him that the Soviet Union was helping Egypt, but Chou insisted: "They are not going to help you. They are only interested in helping themselves."

He told story after story about the way the Russians withdrew their technicians and their aid from China about the unfinished factories and industrial projects abandoned by the Russians and how they tried to cripple China's atomic progress by calling their scientists home. "Yet," said Chou, "we did it ourselves." His bitterness was complete.

It was this bitterness that led to the first lasting dispute between Nasser and Chou.

At the end of 1964 preparations were being made for the second Afro-Asian Conference and the Soviet Union asked to take part as an Asian country. The Chinese were vehemently opposed to the Russians' participation, believing that they would try to take over leadership of the Afro-Asian movement, a position which Chou felt belonged to China.

Nasser wrote to him pointing out that the Soviet Union included vast areas of Asia and that the Afro-Asian nations would benefit from the Russians' presence at the conference. But Chou had an entirely different point of view. He argued first of all that all Russia's Asian territories were grabbed from China. Secondly, he said, the Russians would bring one bloc of the cold war into the conference.

The Chinese were so against Russian participation that they wrecked the conference. It was first postponed, then cancelled three days before it was due to open in Algiers, where a beautiful new auditorium had been built for the conference. It has never been reconvened. And the Afro-Asian movement was killed.

In a letter to President Nasser, Chou left no doubt about China's position: "If the conference should be forcibly convened as scheduled in violation of the principle of consensus through consultation in spite of the opposition of China, the kingdom of Cambodia and other countries, the Chinese Government will be compelled to absent itself from such a conference which will lead to a split."

CHINESE "OPPORTUNIST"

The Sino-Soviet quarrel left its scars on everybody involved in it. President Nasser once made a speech in which he talked about the Cultural Revolution in China and said that: "One day we must have a Cultural Revolution to knock the rust off our political organization and political thinking."

Later, when he was visiting Moscow, one of the Russian leaders referred to his speech,

saying: "I have noticed that you are friendly with Chou En-lai. Why do you have such admiration for them?" And the President replied that: "For a movement to change a country like China and to build its own atomic weapons is a very great achievement. To rid China of famine, to get China moving, to make China one of the superpowers, to move into the atomic era, is a great achievement for an Asian country and I think that the men who have done this, especially Mao, must be great."

The Russian sprang to the attack: "No! He is only an opportunist. He profited from the circumstances and the events but he never created them. In the war against the Japanese he left all the fighting to Chiang Kai-shek and he did not fight himself. He left Chiang to do the fighting and he fled to Yenan."

"And then, when the Japanese withdrew, we ordered Malinovsky to enter China with an army that encircled half a million Japanese soldiers and opened the road to Peking. So Mao Tse-tung sent to Stalin and asked for permission to march on Peking. And Stalin gave him permission. It was then and only then that he came out of hiding."

"Do you know," said the Russian, "that his two sons were living in the Soviet Union? One of them even had a Russian name, Yuri, but he did not care for them. We gave them a good education, but Mao was so ungrateful that when the boys returned to China after Mao had entered Peking he had them brought to his office and asked them what they had learnt. They told him. And he said that it was all nonsense and they had learnt nothing. And he sent them to a commune."

"That was an insult to the Soviet Union because we had done our best for his sons." Nasser replied that if that was the case, if the capture of Peking had been made easy for him, even so he had gone on and ruled China and achieved great things.

They argued that he had the backing of a very powerful party and things were easy for him. Nasser countered this by saying that Mao had even fought the party during the Cultural Revolution. And the Russian said: "Yes, but he used the Army against the party."

MAO'S PLAN FOR GUERRILLAS

There was no easy way out of the argument. From the Chinese one would hear only the worst things about the Soviet Union and from the Russians only the worst things about the Chinese. It was an impossible situation for someone who was a friend of both sides.

In 1967 the Chinese took a very strong attitude against Egypt's acceptance of the cease-fire with Israel. Both Mao Tse-tung and Chou En-lai wrote to President Nasser urging him not to accept but to fight on.

Nasser replied, explaining that Egypt had lost its Army, and that not to accept the cease-fire would only be giving the Israelis the opportunity to destroy Egypt piecemeal without Egypt being able to do anything about it.

Mao then sent Nasser a military plan of action. The basis of it was the breaking up of the Army into independent brigades which should lose themselves in the population in guerrilla fashion. They would depend on the people and strike out at the Israelis when and where they could.

Nasser had to enlighten him by sending back a complete description of the Sinai. "It is a desert and we cannot conduct a people's liberation war in Sinai because there are no people there." There were no more than 30,000 people in the whole of Sinai, he told the Chinese, the whole area was arid and you could see for 30 or 40 miles. The independent brigades would stand no chance. But still the Chinese were not convinced.

At this time the Israelis were making threats that they would develop atomic

weapons—and use them if the Arab countries did not do as they wished. So the President wrote to Chou one day reminding him of his promise to share China's nuclear knowledge, and he sent a delegation from Egypt's nuclear authority to China to ask for help in making a break-through in nuclear techniques.

Chou received them kindly. But his advice to them was simple and he said, he wanted it conveyed to President Nasser. Self-reliance was his message. Nobody was going to give anybody anything as a gift. If the Egyptians wanted to step into the atomic field they would have to do it themselves. This was the way China did it and it was the best way.

So the delegation came home empty-handed, and, while there were no hard feelings against the Chinese, there was disappointment that they had not helped Egypt with their nuclear knowledge.

The differences between China's leaders and Nasser over the cease-fire and the nuclear knowledge were differences between friends, and there was a basic understanding of each other's position. But soon afterwards there was a crisis between Egypt and China in which Chou and Nasser completely failed to understand each other.

For an Afro-Asian Solidarity meeting in Peking a young Chinese called Kwan Yu-shin was a member of the reception committee for the delegations arriving in China.

A Japanese delegation member who was leaving handed his passport to Kwan Yu-shin and asked him to complete some formalities for him before he left. The passport was already stamped with an exit visa and the delegate's airline tickets were tucked inside.

Kwan Yu-shin peeled off the passport photograph of the Japanese, stuck in his own and caught the only plane out of Peking airport that day. By ill-luck it was coming to Cairo. So Kwan Yu-shin arrived in Egypt and asked for political asylum.

CHINESE FURIOUS

There was an immediate uproar. Everybody jumped in. Chou sent a personal letter to the President asking for the young man to be put on the next plane to Peking. The Americans claimed he had contacted a Western Embassy and asked for asylum in the United States. They wanted him. The Russians claimed that he had contacted the Soviet Embassy and asked to be flown to Moscow. They wanted him, too. Quite innocently Egypt was in the middle of a great international quarrel.

There were further complications because the tradition of asylum is very strong in Egypt. This tradition dates from the time after Napoleon's invasion of Egypt when the country was virtually independent of the Ottoman Empire and many political refugees came to Egypt from the Arab East.

So, when Chou demanded the return of Kwan Yu-shin, it put Nasser in an appalling dilemma. He had no wish to offend Chou, but he could not break a tradition as sacrosanct as that of political asylum.

Kwan Yu-shin was by now asking to leave Egypt. The Russians wanted him. The Americans wanted him. And the Chinese were furious. So the compromise that Nasser worked out was that he would put Kwan Yu-shin in prison indefinitely. The Chinese were still unhappy; they wanted him back. But Kwan Yu-shin was put into Cairo prison, where he stayed for a year and a half before being let out. The last definite news of him was that he had left Cairo on an SAS plane for Brussels.

This disagreement left relations strained between Chou and Nasser, and they were not improved by a problem Egypt had concerning the Palestinian Resistance. The Resistance, like the Vietnamese, had an admiration for the Chinese ideas on guerrilla warfare. But Nasser had his reservations about the possibilities of a People's War in

the Middle East. He had already pointed out to Mao and Chou that such a war was impossible in the Sinai.

However, the Chinese were hammering their theories of a People's War into the guerrillas, who were making their way from Palestine to China, where they had a special camp for training in guerrilla warfare. They came back to the Middle East full of the Chinese theories and thought they could apply them to the Middle East.

So Nasser was obliged, when he was talking to the guerrillas, to criticize the Chinese methods. He told them they were wrong because of several factors. In the first place, nowhere in the Middle East was the population dense enough for the guerrillas to move among the people, unlike the situation in Algeria, where there were 10 million Algerians compared with an occupying force of only half a million, or in Vietnam with 40 million Vietnamese and a foreign army of only half a million.

In the second place, Nasser told them, they had no real sanctuaries. In both Algeria and Vietnam there were areas, beyond the reach of the enemy where the guerrillas could retire to lick their wounds, rest and train, and plan before coming out to fight at their own time and on ground of their choosing. There were no such sanctuaries in Israel. Everywhere was within the enemy's reach.

All this was in direct contradiction to what the Chinese were teaching the guerrillas. He further annoyed the Chinese, who wanted a monopoly over helping liberation movements, by taking Yasser Arafat, the guerrilla leader, to Moscow, where he introduced him to Kosygin, Brezhnev and Podgorny. The Russians had had reservations about the guerrilla movement, but were now starting to have some contacts with its members.

Nasser heard that the Chinese were telling the guerrillas that he was selling them to the Soviet Union, and it was his turn to be annoyed. He told Arafat to tell Chou that he was not selling anyone to the Soviet Union, but that he was doing what he saw as best for the general Arab movement.

BLAMED THE RUSSIANS

Arafat brought back a message from Chou saying that he was very sorry for the misunderstanding with President Nasser and that Chou En-lai looked to President Nasser as the leader of the national liberation movement in the Arab world. However, Chou added, he was afraid for Nasser because the Soviet Union was not going to help him and in fact was trading the Arab problem as part of its overall deal with the United States.

Nasser took advantage of the friendly tone of this note to write back in an attempt to rebuild their bridges. But it was too late. He died before it could be done.

But Chou remained true to form, he blamed the Russians for Nasser's death.

REVOLUTIONARY ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE—VI

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 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 VI of Dr. Robert E. Beerstecher's fascinating thesis, "Revolutionary Antimilitarism in Communist Theory and Practice."

The section of Dr. Beerstecher's study begins with the 1928 meeting of the Young Communist International. The general thrust of the Communist attitude toward youth was summed up in the last sentence of the program adopted at this meeting of the Youth Communist International:

He who has the youth has the future. He who has the youth has the army.

Communist disintegration tactics were being applied with some degree of frequency and success in the South American countries during the early thirties. In light of the current situation in Chile, it is interesting to read about the Communist influence in the mutiny of the Chilean fleet and the slogan championed by the Communist Party of the United States at the time to forestall U.S. aid to the Government of Chile. The CPUSA responded to the revolt in the Chilean fleet in 1931 by popularizing the slogan, "Hands Off Chile." It seems that old slogans never die, nor do they fade away, if useful to the Leninists.

Dr. Beerstecher also covers the mutiny of the British fleet at Invergordon in 1931 and points out that the immobilization of the British fleet provided reassurance for the Japanese invasion of Manchuria, which took place at the same time.

Part VI of Dr. Beerstecher's study follows:

REVOLUTION ANTIMILITARISM IN COMMUNIST THEORY AND PRACTICE—VI

A Dissertation submitted to the Faculty of the Graduate School of Georgetown University

(By Robert E. Beerstecher, Ph.D.)

I. THE STRUGGLE AGAINST IMPERIALIST WAR

The importance attached to the sixth world congress of the Comintern has tended to obscure the fact that two other significant events took place in Moscow during the same period. Both marked important turning points: one for youth, the other for the Chinese revolution. In August, 1928, the Young Communist International held its fifth world congress. This was followed in September, 1928, by the sixth national congress of the Communist Party of China. As at the sixth congress of the Comintern, the discussion at both centered around the war danger and the tasks facing their members in the struggle against imperialist war.¹

The struggle for the youth

When the opening session of the fifth world congress of the Young Communist International convened on August 20, 1928, the delegates took an oath "to mobilize the working class and peasant youth all over the world for an irreconcilable struggle against the imperialists of all countries, and to work to secure that in the coming war the soldiers of all countries use their weapons to defend the Soviet Union, to protect the oppressed peoples, to overthrow the bourgeoisie and to win victory for the working class and the world revolution."²

The growing danger of war, the delegates were told, had made the struggle against war and militarism the main task of the Young Communist International and its sections. Prime importance was to be attached in all young communist leagues to "the fight against militarism in all its forms (especially by means of work in the army and military organizations)."³ Youth would play an im-

portant role in the fight against militarism, because it was from the ranks of youth that the military reserves for the bourgeois army were drawn:

"In most countries we witness a reorganization of the bourgeois arm which brings up the numerical strength of the standing army to the standard of a capable fighting cadre which is to be supplemented through a system which implies the militarization of the whole nation. This militarization of the whole nation is to provide the necessary reserves for the well-trained cadre army. These reserves come first of all from the ranks of youth, and therefore we see that in individual countries various forms are being or have already been adopted for the militarization of the youth."⁴

Lenin, the delegates were reminded, upheld the viewpoint on the question of the military training of youth which all communists were to follow:

"We struggle against the military training of the youth as carried on by the bourgeoisie, but not in a pacific sense, only because of its class substance. We set against it the necessity of military training for the proletariat as demanded by Lenin: voluntary military training of the working class and the establishment of proletarian military organizations."⁵

"We must also carry on within bourgeois organizations for the military training of the youth," the young communists were told, "disintegrating work which must be adapted to conditions prevailing in individual countries. We will make it a practice of inviting youth workers not to refuse military service, to join the army in order to learn, in the interests of the proletariat, the art of war and to carry on disintegrating work there in the interests of communism."⁶

The same tactic, it was pointed out, could not be applied in voluntary military organizations, but "as a general rule, disintegrating work must be carried on in all of them. We will send communists to do work there but we will abstain from urging the mass of the working youth to join these organizations. We will limit ourselves to encouraging (apart from communists) also young workers who are already in the ranks of these organizations, to carry on their revolutionary agitation, and we will endeavor to popularize and organize proletarian defense and other military organizations."⁷

The coming war, it was asserted, would be a technical war, which made the work among the young workers in industry of special importance. Youth occupied a new importance in the process of production, and were in a position to directly influence the war effort.

The main guide lines for antimilitarist work at the last congress, the official report of the Young Communist International stated, were:

"(1) Bolshevik treatment of all questions appertaining to war and militarism, and disassociation from pacifism;

"(2) Closely linking up the work in the army and navy with the general work of the leagues;

"(3) Concentration of antimilitarist work in the direction of establishing organizational supports in the army and the navy, and the awakening of the class struggle in the barracks on the basis of special soldiers' and sailors' demands of a political, economic, and service character."⁸

For the present congress, it continued, the most important tasks in the sphere of antimilitarist work was the carrying on of systematic propaganda in the army "for the raising of its political level," the strengthening of "our organizational work" inside the army and navy, and the drawing of the communist parties into systematic antimilitarist work.⁹ On this later task, i.e., gaining the support of the communist parties, the young

Footnotes at end of article.

communists could anticipate little direct assistance from the Comintern, even though one member of the French delegation at the sixth world congress had complained bitterly that frequently "communist parties look upon the young communist league as the antimilitarist section of the party; they do not sufficiently realize that they must be the political leaders in the antimilitarist work and must not rest content with only helping the young communist league."¹⁰

Moreover, it was pointed out, the communist parties showed little interest in carrying on organizational work in the army, leaving this work mostly to the youth.¹¹

Reports on the antimilitarist activities of the various sections of the Young Communist International delivered by the delegates to the fifth world congress revealed that agitation and propaganda was carried out on a large scale in some of the more important countries, but was being neglected in others. The best work, it was reported, had been done in France and Greece. The French communists were praised for their activities in Morocco and Syria, and for their work among the reservists. The special demands which they had raised in behalf of the reservists, e.g., "Struggle against service in the reserve army and against the periodical services of the reservists," "Inclusion of the reservists into the local original territorial units of the reserve army," "Continued payment of full wages by the employers during the period of service," were recommended for adoption by other youth leagues.¹² Recognition was also given to the growth of the French antimilitarist press. Each issue of *La caserne*, it was reported, reached between sixty-eight and eighty thousand soldiers. From 1924 when only 6,000 copies per issue were printed, the circulation of *La caserne* had grown to 12,000 copies in 1925; 16,000 copies in 1926; 18,000 copies in 1927; and over 21,000 copies in 1928. In 1928, four thousand copies of each issue of the special newspaper for the navy, *La page de Jean-le-Gouin*, were printed. The circulation of *Conscrit*, the special newspaper for new recruits, which was published only twice during the year, was also reported to have doubled from 30,000 copies in 1925 to 60,000 copies within two years.¹³ Antimilitarist work in the Greek army had been increased, it was also reported, and efforts to strengthen the work continued.¹⁴ In Bulgaria, primary emphasis in antimilitarist work had been placed on the winning of peasant youth, as the army consisted primarily of peasants.¹⁵ Elsewhere in the Balkans, however, the picture was not so promising. In Czechoslovakia where there was no tradition of bolshevik antimilitarist work, the youth league had failed to link the campaigns against the war danger and for the defense of the Soviet Union with the organized work inside the army. Some hope of improvement was noted, however, in the fact that the Czech league had completely redrafted its soldiers' program.¹⁶

However, the Czech youth had not been able to establish illegal military newspapers.¹⁷ The antimilitarist work in Rumania was very weak.¹⁸

Systematic work was reported from Poland where the illegal youth organization had a detailed soldiers' program under way and published a special antimilitarist paper for Polish soldiers.¹⁹ The representative of the Young Communist League of Holland explained that the league had "fair success" in antimilitarist work, particularly in the harbor areas, but that its relations with the revolutionary movement in Indonesia were very weak.²⁰ From the illegal Spanish youth league came the news that it was having "good success" in its antimilitarist work.²¹

Reports from the Baltic states and Scandinavia varied. The work of its youth league had been good, Estonia's delegate stated,

adding that it was increasing its antimilitarist activities. In addition, groups had been founded in the Estonian army to carry on the struggle against imperialist war.²² Norway's representative spoke on the need for improved cooperation between leagues for antimilitarist work.²³ In Norway, no stable organization had been created in the army or navy, in spite of the campaign which had been conducted. The fact that the Norwegians were required to spend only 48 days a year in military service also made work in the army more difficult.²⁴ From Denmark and Sweden came the declaration: "We must strengthen our antimilitarist work."²⁵ A lack of organizational work in Finland was also reported.²⁶

The congress was critical of the antimilitarist work of the Young Communist League of Germany. It charged that the German youth paid "insufficient attention to revolutionary work in the army and police." This was, it suggested, a holdover from an earlier period when it had been more difficult to conduct propaganda and agitation inside those organizations.²⁷ Antimilitarist work in Italy, which was carried on under illegal conditions, was good, but still weaker than the work carried out by the Italian youth in other spheres.²⁸ A start in antimilitarist work was reported by the representative of the Young Communist League of Japan. In spite of numerical weaknesses, the communist youth movement in Japan, he said, had conducted work inside the army, and had developed a detailed program of soldiers' and sailors' demands.²⁹ The Indian delegate indicated that an antiwar campaign had been launched in his country.³⁰

A progress report was received from the Americas. Successful work in the armed forces was reported from Canada.³¹ The Young Workers' (Communist) League of the United States reported on the methods it was employing in the organization of factory circles and clubs for sailors, soldiers and marines.³² It described how leaflets had been distributed among the soldiers and sailors sent to China and Nicaragua. "We must now commence the work in the Philippines," the American delegation stated.³³ Attention was also focused on Latin America and the American possessions: "The South American states have a colonial character and are therefore important in case of war. . . . We must perform antimilitarist work in the army and particularly amongst the troops in Hawaii and Cuba."³⁴ The antimilitarist movement in Latin America was primarily directed against North American capitalism.³⁵ The Latin American delegate declared that they had already undertaken the systematic "reinforcement" of antimilitarist work as their chief task.³⁶ Argentina was singled out for having conducted several "good" campaigns against militarism and among the navy recruits.³⁷ "The connection with the soldiers in the colonial formations," the delegates to the fifth world congress of the Young Communist International were further reminded, "and the regular propaganda work in the troops sent from the motherlands into the colonies are of paramount importance. The antimilitarist work must be carried on with regularity."³⁸

The work of the Antimilitarist Commission of the Young Communist International was described by Henri Barbé, the French communist. "We must work energetically," he stated, "to gain supporters in the army and to organize the broad masses."³⁹ He presented the theses on antimilitarist work which were adopted without discussion.⁴⁰

The program

Soviet influence on the work of the Antimilitarist Commission was readily evident in another important document adopted by the Young Communist International at its fifth world congress. This document is little known and seldom quoted, but it provided the doctrinal basis for much of the anti-

militarist work carried out by the communist youth after 1928. It is the *Program of the Young Communist International*.⁴¹

The *Program* described the Young Communist International as a "school of communism" which was based upon the Marxist-Leninist concept that there is no separation between theory and practice and no contradiction between education and struggle.⁴² Therefore, it was in terms of struggle that the *Program* defined the primary task of the Young Communist International. Communist youth, it stated, had "to wage a tireless struggle against militarism, and to develop energetic antimilitarist activity among the masses of the working and peasant youth both inside and outside of the army."⁴³

The *Program* recognized that the work of the communists against militarism and inside the armed forces might not prevent or even delay the outbreak of the imperialist war. Nevertheless, it required them to strive for the transformation of the imperialist war into a civil war in order to achieve the victory of the proletarian revolution.⁴⁴

The *Program* stressed the revolutionary importance of the following basic tasks: defense of the Soviet Union, work in the armed forces, work in the war industries, struggle against the militarization of youth, struggle for the political and economic rights of soldiers and sailors, struggle for the liberation of oppressed peoples, and struggle against bourgeois military organizations established to oppress the proletariat.⁴⁵ Foremost among these tasks to which all other tasks were to be subordinated was the defense of the Soviet Union.⁴⁶ The Communists recognized no fatherland other than the "revolutionary socialist fatherland," the Soviet Union. Therefore, they were to repudiate the bourgeois slogan "defense of the fatherland," and propagate revolutionary defeatism in war. "In a struggle between the imperialist powers and the socialist soviet republics, or a war against a nationalistic revolutionary movement of the oppressed peoples," the *Program* stated, "the working class must fight for the victory of the revolutionary side, and work not only for the fraternization but for the going over of the troops of the imperialist powers to the side of the revolution."⁴⁷

Throughout the *Program* considerable importance was attached to the carrying on of both legal and illegal work inside the armed forces. Even in a state of illegality, the young communist leagues were to remain mass organizations; they were to retain contact and influence over the masses. For this purpose, the leagues were to create various legal organizations for the youth, but they were never to lose sight of the fact that these were only legal forms for the accomplishment of the work of the illegal league.⁴⁸

Lenin's story of the proletarian mother's advice to her son was quoted in the *Program* to illustrate the communist attitude towards military service:

"You will soon be grown up. They will give you a gun. Take it and learn how to use it. This knowledge is necessary for the proletariat: not in order to shoot down their brothers, the workers of other countries, but in order to fight against the bourgeoisie of their own country, in order to put an end to exploitation, poverty and war, not by means of pious wishes, but by victory over the bourgeoisie and by disarming it."⁴⁹

The communist attitude towards both voluntary and compulsory military training of the youth by the bourgeoisie was the same as the communist attitude towards military service itself. Young workers who called up for service or training were to join such organizations and carry on educational and disintegration work from within under the direction of the young communist leagues which simultaneously were also to carry on disintegration work on the outside. "It is inadmissible," stated the *Program* of the Young Communist International, "to renounce in-

ternal disintegration work in military training organizations for the youth."⁵⁰

The Program rejected the concept of the strike against military service.⁵¹ The effect of individual refusal to enter military service or take military training was "to free the army from precisely the revolutionary elements of the working class, and thereby to prevent the influencing of the masses of toilers in the army by means of revolutionary explanatory work and organization."⁵²

In addition to fighting against militarism in principle, the Program directed that communists also fight for the realization of the immediate partial demands of the soldiers and sailors just as they did for the young workers and peasants in the factories and fields. The struggle for partial demands was to be linked up with the struggle for the ultimate victory of the proletarian revolution. For example, the demand for a reduction in the length of the military service period could be used as a "lever" for the disintegration of the military system. Among the partial demands enumerated in the Program were the following: full political rights for soldiers and sailors, frequent vacations, the rights to wear civilian clothes off duty, higher service pay, the right to elect their own officers, the abolition of court-martial, and the right to form special committees of their own.

The special committee concept was important as a means of rallying the broad masses of the troops to the struggle for power. Where such committees were not permitted by the bourgeois authorities, they were to be created illegally.⁵³ The Program also recognized the need to formulate special demands for soldiers and sailors drawn from racial or national minorities.⁵⁴

The Program concluded by presenting a two sentence "nut-shell" summary of the philosophy of the Young Communist International: "He who has the youth has the future. He who has the youth has the army."⁵⁵

The Chinese hold a congress

In September, 1928, the Communist Party of China convened its sixth national congress in Moscow. The Chinese delegate to the Comintern denied that the influence of the party had waned in China since the Canton revolt, but the selection of Moscow as the site for its national congress suggested otherwise. There was, however, no denial that the Chinese revolution had failed.

The Canton insurrection had failed, the congress stated, because of "inadequate work among the workers, peasants, and the reactionary armed units."⁵⁶ But there were other objective causes for the over-all failure of the Chinese revolution. These included the superior strength of the war lords and imperialists, the betrayal by the Kuomintang through its withdrawal from the revolutionary front, the vacillation of the petty bourgeoisie, putschism and opportunism, and the uneven development of the revolutionary movement among the workers and peasants.⁵⁷

At the sixth world congress of the Comintern, the Communist Party of China had been directed to "lead the mutinies in the army, endeavoring to develop them into a progressive economic movement, into an open alliance of the soldiers with the revolutionary workers and peasants."⁵⁸ The military question and the soldiers' movement in China, therefore, were among the most important subjects considered by the Chinese communists at their congress. The political resolution adopted by the Communist Party of China summarized the most important tasks of the party in both military and anti-military work:

"(a) to extend the movement against warlord wars; to break up the armies of the warlords; to bend all efforts towards winning their soldiers for the revolutionary camp; to

raise such slogans as "soldiers should get land or work," "improve the livelihood and treatment of the soldiers," and to stir up mass struggles of the soldiers.

"(b) to establish revolutionary armies of workers and peasants in the soviet areas; to expand the regular army of the revolution; and to consolidate the party's leadership of the army.

"(c) to intensify the military training of workers and party members as much as possible, and to establish, with utmost effort, secret military units for workers' self-defense (pickets, etc.).

"(d) to train military personnel in the party and to raise the most reliable officers from workers and party members.

"(e) to intensify (party) work among workers (in establishments) connected with military affairs (such as munition factories, etc.), and among transport and communications workers. Systematically coordinate the above work with that in the armies.

"(f) to begin systematic work of sabotage among the imperialists' naval and land forces stationed in China. Special attention should be paid to the soldiers' movements among the Indian and Indo-Chinese soldiers."⁵⁹

The political resolution also considered the problem of liaison between the Communist Party of China and other sections of the Comintern. It was necessary, it declared, to tighten liaison with the Communist Party of Japan, and to oppose jointly with Japan's military intervention in China. It was also considered necessary "to sabotage Japanese army units stationed in China, to stir up Japanese soldiers to join the revolution, and to decide jointly on practical methods for carrying on the labor movement in Japanese enterprises in China."⁶⁰ The communist parties in England, France and the United States it continued, must be "requested" "to step up their antimilitarist activities, to send an adequate number of agents to China for sabotage work among the foreign troops stationed there, to intensify propaganda for support of the Chinese revolution in various countries, and to expose the aggressive plots of their respective imperialist governments."⁶¹

In addition, it directed closer coordination by the Communist Party of China with the communist parties in Indochina and Indonesia, and with the Chinese workers' movements in the Dutch East Indies.⁶²

The political resolution established ten major slogans for the Chinese revolution. These included the overthrow of Kuomintang, warlord and imperialist rule; confiscation of foreign land and capital; unification of China; the establishment of soviets of workers, peasants and soldiers' deputies; institution of social and tax reforms; improvement of the livelihood of the soldiers by allotting them land and work; and uniting China with the world proletariat and the Soviet Union.⁶³

The political resolution also advanced the slogan of armed insurrection. Only advocacy of armed insurrection on a national scale was needed to raise a new revolutionary rising tide in China, it predicted. The slogan of armed insurrection, it stated, could be turned into direct, practical action.⁶⁴ The preparation for armed insurrection, and its accomplishment against the Kuomintang and the imperialists were declared to be immediate "practical" tasks for the party.⁶⁵ The resolution warned against the danger of putschism. Putschism, it stated, served only to alienate the party from the masses. It was often due, it noted, to overestimating the rate and degree of disintegration in the enemy forces, and to neglecting all the prerequisites for insurrection.⁶⁶

The communist party, the resolution stated, must fight for the active leadership of all anti-imperialist, guerrilla and antimilitarist movements.⁶⁷ The subject of guerrilla warfare played an important role at the sixth na-

tional congress. In the resolution on the peasant movement adopted by the congress, it was stated that the party must actively take the lead in fostering guerrilla warfare, as it was to become the chief instrument of struggle in China. In the past, guerrilla warfare had been characterized by a lack of close liaison with the masses, by wanton killing and destruction of villages and towns. These weaknesses were to be remedied. The party was to lead local revolts. Antimilitarism also had its part to play, for the party was to publicize the land policy among the militia corps, establish secret party cells and cadres within them, and absorb their members. Armed groups were to be alienated from the hegemony of the gentry and the warlords.⁶⁸ "We must lead the guerrilla warfare," the resolution stated, and "we must accelerate the militarization of our party members, and set up organizations for the military training of the masses, as part of the preparation for armed insurrection."⁶⁹

Ten months later, in July, 1929, the Communist Party of China held a special plenary session. The plenum declared that there had been a lack of positive direction in the party's work in the soldiers' movements.⁷⁰ We must strengthen our movement among soldiers," the plenum resolved, for "without the participation of vast numbers of soldiers, the final victory of the Chinese revolution can neither be achieved nor be assured."⁷¹ The movement among the soldiers in the past, the plenum noted, had been neglected on the ground that "it was the particular duty of the agents in the military forces."⁷² Propaganda and agitation among the soldiers, it declared, was the duty of every party member. The party could neither rely on putschism nor "deny the need for a daily economic struggle among the troops of the warlords."⁷³ An intensification of agitation and propaganda among foreign troops stationed in China was also directed.⁷⁴ It was predicted that the Communist Party of China would be able to organize broad labor demonstrations and carry on extensive work among the soldiers and sailors on August first.⁷⁵

On August 1, 1929, the member parties of the west European bureau of the Comintern joined in proclaiming that "the soldiers and sailors of the armies and fleets of the imperialist countries must be made to realize that they are to be misused against their brothers."⁷⁶ August first had been designated by the Comintern as the first International Antiwar Day. Communist parties throughout the world were directed to organize demonstrations against war on this day and to attempt to enlist the support of the broad masses of the soldiers and sailors. American communists conducted a demonstration before the gates of the Brooklyn Navy Yard, but accomplished little actual work inside of the armed forces.⁷⁷ Everywhere the results of the first International Antiwar Day were the same. What occurred in England was typical of reaction elsewhere—huge quantities of agitational literature were circulated among the men of the armed forces, but no open fraternization between them and the communists took place.⁷⁸ Further, the demonstrations and rallies organized by the communists failed to attract any broad popular support to the antiwar movement. Typical of the appeals which had been issued was one by the Balkan Communist Federation:

"Soldiers, Sailors, do not obey the ruling class, do not shoot your brothers, the workers and peasants, who are demonstrating on August 1st . . . Proclaim . . . that you are resolved to turn your weapons against your own exploiters and masters . . . You will be the first to be used as cannon fodder for imperialism."⁷⁹

Pravda attributed the failure of the International Antiwar Day to the fact that the communists had approached the problem of antimilitary work with what it described as "the greatest irresolution."⁸⁰ Communists,

Footnotes at end of article.

Pravda complained, entrenched themselves behind general phrases instead of performing practical revolutionary work. The following comments leave little room for question that the soviets considered work within the organized military forces to be of the utmost importance to the Soviet Union.

"By now according the first place in the activity of the communist parties to work in the imperialist armies, we sever the last tie connecting the communist parties with the legalist position. To the bourgeoisie, the imperialist army is its 'holy of holies,' to be carefully protected against any breath of communist influence. Communists working in the barracks draw down upon themselves the severest penalties for the indictment against them is 'high treason.'"⁸¹

The development of the economic crisis throughout the world after the stock market crash in 1929 was cited as proof by the Comintern that the theses of the sixth world congress were correct. The general contradictions of the capitalist system were being deepened and sharpened, it asserted, bringing closer to realization the danger of a new war.⁸² The dominating imperialist rivalry, communists were told, was between American and British imperialism: the London naval conference showed that the preparations for armed conflict between the United States and Great Britain was the fundamental consideration in imperialist policy. The capitalist solution for an outlet from the world economic crisis, the Comintern predicted, would be a new imperialist war.⁸³

American imperialism was playing an increasingly aggressive role in Latin America, the Philippines, in China, and throughout the entire colonial world. Not only was it directing the war preparations against Russia, but it was also "feverishly working to build a militarist wall" around the boundaries of the Soviet Union.⁸⁴ To combat this new danger, the Comintern directed all its sections to make revolutionary antimilitarism the center of all their action campaigns.

L'antimilitarisme révolutionnaire

The mass character of disintegration work in the armed forces is a basic precept governing all communist antimilitarist activity. It was repeatedly emphasized at the sixth world congress, and formed the dominant theme of *L'antimilitarisme révolutionnaire*, the basic Comintern handbook on revolutionary antimilitarism. This handbook was written by L. Alfred, J. Dupont and Kurt Fischer.⁸⁵ It was first published by the Communist Party of France in 1929, and received wide dissemination through the distribution outlets of *L'Humanité*, the central party organ, which offered it for public sale at the modest price of five francs.⁸⁶ Disintegration work within the French armed forces frequently had been held up by the Comintern as a model on which other communist parties were to pattern their own revolutionary antimilitarist activities. It was only natural, therefore, that the handbook drew heavily on the antimilitarist experiences of French communists, and that the responsibility for editing it fell to the Communist Party of France.

The handbook stressed the necessity for the "persistent and systematic propaganda and agitation" which all communist parties agreed to carry out in the armed forces as one of the conditions of admission in the Communist International.⁸⁷ The army, navy and aviation forces were still, it acknowledged, the most important factors in war.⁸⁸ To emphasize the point that disintegration work in the armed forces must be carried out on a broad scale, the handbook quoted Lenin's dictum that "there can be no question of a serious battle if the revolution does not become a revolution of the masses, and does not touch the military."⁸⁹

In modern warfare, the communists were told, the boundary between the battle front and the rear tended more and more to become obliterated.⁹⁰ As the distinction between front and rear disappeared, so dependence on labor, industry and transport to support the war effort increased. Mobilization of cast segments of the population also contributed to the mass character of the modern army.⁹¹ Although efforts were made to insure the political development of the armed forces, it was impossible to determine the reliability of each and every soldier.⁹² These fundamental characteristics of modern militarism dictated that the foundation for revolutionary antimilitarism be laid in work among the masses.

Fraternization was listed in the *Resolution* of the sixth world congress as the most important action slogan at the front because it served to unite the worker and peasant soldiers in the opposing trenches.⁹³ According to *L'antimilitarisme révolutionnaire*, mass fraternization between the soldiers and the people was also an indispensable action even before the war breaks out. Through their support of the slogan of mass fraternization, the communists seek to establish a close connection between the daily demands of the soldiers and the general revolutionary struggle of the people. It was therefore essential, the handbook explained, that soldiers become cognizant of the problems of the workers and peasants, just as it was important for them to understand his problems.⁹⁴ Several methods contributing to improvement of the soldier-worker relationship were suggested by the handbook. The most effective method was the collection of the "soldier's sou." The practice of the "soldier's sou" persisted in France as a communist device in much the same form as it had when Lenin described it in 1908.⁹⁵ A special factory committee was created to collect a small, fixed donation from each worker every payday. The money collected was then sent to men in service as a reminder of their working class origin.⁹⁶ Another method suggested by the handbook was the practice of factory groups adopting whole regiments or ships, to send gifts and presents to the men of these units, and to exchange mass visits with them.⁹⁷ The handbook cited several instances in which soldiers refused to permit themselves to be used as strike breakers as evidence of the effectiveness of such techniques.⁹⁸

The handbook contained a primer of antimilitarist propaganda and agitation themes. It listed approximately one hundred basic demands and slogans developed by the mixed antimilitarist section of the Communist Party of France for use in the armed forces.⁹⁹ In addition to the more familiar "central" slogans (e.g., For the defense of the U.S.S.R. by all means; Join the workers, peasants, reservists, soldiers and sailors in the fight against imperialism; Organize soldiers' and sailors' committees in the barracks and aboard ship, etc.), and these basic partial demands based on legal rights and economic considerations (e.g., increased pay, the right to organize committees, the right to hold political meetings, the right to read and distribute in the barracks and aboard ship "proletarian" literature, etc.), the handbook listed demands which appealed to special groups, (e.g., reservists, colonial troops, national minorities, etc.). One of these special appeals was headed "For Alsace-Lorraine," and called for the use of German for instructional purposes among the troops recruited from that area.¹⁰⁰ The importance which communists placed on carrying on demoralization work among such linguistic minorities was indicated by the fact that the Communist Party of France translated *L'antimilitarisme révolutionnaire* into German. The German edition was published at Metz, France, in 1929 under the title *Revolutionärer Antimilitarismus, aus der*

*Geschichte der Antimilitaristischen Arbeit.*¹⁰¹ This edition served Comintern requirements for such a handbook in both Alsace-Lorraine and in Germany.¹⁰²

The handbook further emphasized the necessity for developing a special antimilitarist press to complement the workers' press.¹⁰³ It directed that special newspapers which adapt propaganda to the conditions found in the barracks be published. Soldiers were to be encouraged to write for these newspapers. A soldier-correspondence cadre was to be developed. The antimilitarist press of France was cited as an example of the degree to which specialization could be achieved.

In addition to separate newspapers for soldiers, sailors, airmen, conscripts, reservists and for ex-servicemen, the French communists published numerous garrison and regimental newspapers, and distributed pamphlets, leaflets, illustrated throw-aways and "butterflies" (i.e., small strips of paper on which propaganda slogans were published).¹⁰⁴ Other specialized literature was also prepared for guidance of communists working among the sailors in France. In addition to André Marty's *la révolte de la Mer Noire*, French communists issued a pamphlet called *Contre le militarisme naval, pour la défense des matelets (Against Naval Militarism, For the Defense of the Sailors)*. Authorship of this pamphlet was indicated only by "X".¹⁰⁵ A French translation of Yaroslavsky's work, selling for one franc, was also widely disseminated in France under the title *Le travail des bolshéviques dans l'armée* in 1929.¹⁰⁶ Distribution of this work was carried out by the Communist Party of France through the circulation outlets of *L'Humanité*. In the United States, the growing need for specialized instruction material on revolutionary antimilitarism, was recognized by the publication of a whole antimilitarist page the publication of a whole antimilitarist page as a regular weekly feature of the *Daily Worker*.

In Argentina, the communist party began publication in 1929 of *Lamparo (Swab)*, as the official organ of the communist soldiers and sailors. It appeared somewhat irregularly before a monthly schedule was fixed. Although designed to represent the interests of all branches of the armed forces, the first few issues of *Lamparo* consisted primarily of letters from soldiers stationed in the Buenos Aires area, seemingly ignoring the interests of units located elsewhere in the country and the existence of the sailors in the navy. The situation reflected both the relatively minor importance which members of the Communist Party and the Young Communist League of Argentina still attached to antimilitarist work during that period, and the general lack of practical military experience and knowledge possessed by those assigned to direct the organizational work in the armed forces.

In addition to *Lamparo*, individual communist cells in the armed forces published newspapers, e.g., *La fajim (Bugle Call)* of the 12th Infantry at Santa Fe, *Soldado rojo (Red Soldier)* of the 1st Artillery, etc., while various factory newspapers contained special columns devoted to printing letters from servicemen and popularizing their partial demands and slogans. By early 1930, communist press effort in Argentina became a mass effort. Literally hundreds of individual pamphlets and publications, both in Spanish and in the language of the individual minority groups, flooded Argentina from abroad, primarily from Spain and the Soviet Union.¹⁰⁷ And these, in turn, were further disseminated throughout Latin America under the direction of the South American bureau of the Comintern. Among the pamphlets known to have been introduced from Spain was Yaroslavsky's *El trabajo de los bolshéviques en el ejército antes de la revolución de octubre*.¹⁰⁸

In 1929, the central bureau of the Communist Party of Germany ordered increased activity by party members among the soldiers of the national defense forces and the police. The order unleashed a flood of propaganda pamphlets and booklets for dissemination within the German army. Included in this propaganda barrage were such provocative titles as "Reichswehrsoldaten! Menschen-2nd-Klasse!" (*Soldiers! Second Class Citizens!*), *Die Kaserne* (*The Barracks*), *Der Gute Kamerad* (*The Good Comrade*), *Selbst und doch Revolutionär* (*Soldier, yet Revolutionary*), etc. In addition to the numerous leaflets and handbills distributed in the army, the communists also developed special garrison journals to satisfy the specialized requirements of the illegal cells in the navy. These periodicals included *Die Rote Flotte* and two papers called *Die Reichsmarine* serving the naval garrisons at Kiel and Luebeck.¹⁰⁹

The communist party, the young communist league, and most of their affiliated groups in Germany had started to adopt illegal methods, and were creating conspiratorial organizations, complete with cipher systems, assumed names, courier services, and a clandestine press.¹¹⁰ All disintegration work served as preparation for the armed uprising and for the coming German revolution. During this period, a close correlation existed between the party organizations for disintegration work in the army and navy and for military espionage.¹¹¹

In November, 1929, the Young Communist International held a special plenary session in Moscow to consider the results of the work of its sections among the masses. The plenum again declared that it was necessary to begin a systematic building up of nuclei in the army and navy and in the industrial enterprises supporting the war machine.¹¹² Special work in the armed forces, it stated, had been inadequate. Many communists who entered the army, the plenum noted, had been lost to the party because of the lack of organization in party work.¹¹³

The May Day slogans issued by the agitprop departments of the Comintern in 1930 emphasized the slogan: "Soldiers and sailors of the capitalist armies, do not let yourself be misused against your class brothers! Join the revolutionary struggle of the toilers against capitalism."¹¹⁴ In the United States, the May Day celebration was marked by a special agitational campaign among the soldiers and sailors. Pamphlets distributed among servicemen in the New York area proclaimed:

"You are fed rotten food. You drill long hours, and besides made to do all the dirtiest work. You are not allowed sufficient passes, and in colonial lands are often kept in restricted areas. Your officers bulldoze you at every occasion, and for the slightest thing you are put in the brig."¹¹⁵

The pamphlets went on to suggest to the servicemen that they support partial demands in their own interest. Those included a raise in minimum pay, an eight hour limitation on daily duty, the right to resign from service at any time, a fifty percent increase in rations allowance, the right of enlisted men to elect officers, no restriction of passes to men off duty, and unlimited right to organize into unions.¹¹⁶

At the sixth world congress of the Comintern in 1928, one of the American delegation announced that a part of the strategy of the communist party, work in the military and naval force had been combined with the activities among the broad masses.¹¹⁷ In 1930, however, the Communist Party of the United States was criticized for its failure to create an illegal apparatus in the army and navy. Party members were told to be more aggressive, to establish closer connections with the revolutionary elements, and to create com-

munist nuclei in the army and navy.¹¹⁸ There had been, it was asserted, too much "passivity" in regard to the work in the armed forces, which accounted for an almost complete lack of progress in this type of work.¹¹⁹

The new rising tide of revolution in China which had been predicted at the sixth national congress of the Communist Party of China in September, 1928, failed to develop. In June, 1930, the Chinese communists declared that there had been no soldiers' mutinies: without support of the armed forces, the revolution could not succeed. It was necessary, they said, to step up the organization of the masses for the political struggle, and make technical preparations for the future.¹²⁰ A major policy change was also announced: the tactics of guerrilla warfare were declared to be the tactics of the past. Instead, the Red Army was to be expanded.¹²¹ The mission of the soldiers' movements was redefined as "not only to incite the soldiers in the warlords' armies to mutiny, and to bring them into the red army, but to organize the soldiers' anti-warlord mutinies as a central strategy. That is to say, not only to incite small scale, scattered mutinies, but also to raise the banner of antiwarlord warfare and of the liquidation of warlords in an organized and planned manner, and in coordination with other revolutionary forces. Thus, after a mutiny, the tactic of resolute attacks should be adopted to route the warlord troops. The past tactics of fleeing after the uprising must be effectively corrected."¹²²

On September 24, 1930, Chou En-lai, one of the leading Chinese communists, reported to the third plenum of the Communist Party of China "the soldiers in the warlord armies have been made revolutionary and are inclined towards agrarian revolution."¹²³ Expansion of the Red Army, he also stated, had overcome the "guerrilla fixation" which had previously weakened the Chinese revolutionary effort.¹²⁴ He noted, however, that in the two attacks which had been unsuccessfully attempted against Changana in July and September, the communist party had exercised no direct command, had failed to work among the enemy soldiers, had failed to consolidate the rear, and had not mobilized the masses to the maximum extent possible.¹²⁵

The Comintern also launched a program to secure greater support for the Chinese revolution. The building of a strong "Hands off soviet China" movement was declared to be an immediate task of all communist parties, especially the Communist Party of the United States. "Hands off soviet China" committees, it directed, were to be organized "in the ships and factories, and among the army, navy and air forces, particularly those that are detailed for 'service' in the Far East."¹²⁶ It must not be forgotten, the communists were reminded, that "revolutionary activities among the imperialist troops and militant resistance of soldiers and sailors in imperialist forces against the policy of intervention also contributed to breaking the backbone of the intervention in Russia."¹²⁷ The "glorious histories" of the French Black Sea fleet mutiny, the rebellion of British troops at Archangel, and the disintegration of American and Japanese troops in Siberia, the Comintern declared, must always remain "sources of inspiration" for the international proletariat.¹²⁸ The "Hands off soviet China" campaign was also carried on among the foreign servicemen stationed in the China area. Slogans were chalked on the walls along the streets of Shanghai. Posters were nailed to telephone poles. Handbills printed in English were distributed among the British and American sailors stating—

"You should tell your comrades in arms, all of them, not to fire at the masses in soviet districts and red soldiers, to demand the withdrawal of warships from China as well as yourselves, to ask for the recall of military advisers with the National Government, to press for the abrogation of imperialist priv-

ileges, unequal treaties, as well as the rendition of concessions, settlements, etc."¹²⁹

Leaflets printed in Annamite were also left in the French barracks where the Annamite soldiers were housed, calling on them to rise against French imperialism and to defend the Chinese soviets and the Red Army.¹³⁰

The Comintern initiated a major campaign to weaken British influence in Asia. The focal point of this campaign was India. In 1930, the Communist Party of India issued a "draft program of action" which stated that the only means of achieving Indian independence was through "the path of the revolutionary struggle of the widest possible mass of the people, developing into a general national armed insurrection against the British exploiters and all their allies."¹³¹

"Expulsion of the British troops, abolition of the police and general armament of the toilers" was the first general demand contained in the draft program.¹³² In addition, the Communist Party of India outlined certain specific demands which were to be made in behalf of the soldiers:

"I. In the struggle for the emancipation of our country, the Communist Party of India calls for the spreading of revolutionary propaganda among the soldiers and police, and the explanation of the necessity for their armed insurrection together with the toiling masses of the country, against British rule.

"II. The Indian soldiers and police are socially in the main poor peasants who have been forced to seek employment in the army by poverty, landlessness, and hunger. The Communist Party of India fights for the allotment of land to the soldiers equally with all the other toiling peasants. The Communist Party of India calls upon its supporters to explain to the soldiers and ex-soldiers that the only means of acquiring land, abolishing indebtedness and getting work is the revolutionary overthrow of British and feudal supremacy.

"III. The Communist Party of India calls upon its organizations and class-conscious workers and revolutionaries to begin organizing revolutionary groups among the soldiers. The aim of these groups must be to persuade and prepare the soldiers to take action in support of a general armed insurrection of the people for liberty, land, and a workers' and peasants' government. It is necessary to explain to the soldiers from concrete examples drawn from their daily lives (arbitrary action by the officers, shooting down of demonstrations, workers' strikes—worse food, clothes, allowances, etc.) that Indian soldiers are only a blind tool in the hands of the British robbers, who use them to maintain the national and social oppression of the toiling masses of our country.

"IV. The Communist Party of India calls upon its supporters to organize the ex-soldiers, who have had practical proof of the swindling and exploiting character of British rule, and to build up revolutionary ex-soldiers' organizations among them and, wherever possible, fighting detachments to prepare and support the future national insurrection and agrarian movement under the leadership of the Party.

"V. The Communist Party of India calls upon the class-conscious workers to organize fraternization with the Indian soldiers, with the object of establishing the solidarity of the interests of workers, peasants and soldiers in the fight, for freedom and the abolition of all forms of exploitation."¹³³

In addition, work among the soldiers and the police was also included among the specific demands made on the youth:

"The Communist Party of India calls upon the honest revolutionary youth to help in spreading political propaganda among the soldiers and police. The Communist Party of India considers that the call of the 'left' nationalists to the soldiers to leave the army and take their discharge, in accordance with Gandhi's philosophy of non-violence, is a

mistake. The task of genuine revolutionaries is to persuade the soldiers, while staying in the army, to prepare and raise, when the time is ripe, the banner of armed insurrection and, shoulder to shoulder with the toiling people, overthrow British rule."¹²⁴

The chief and basic task of the Communist Party of India, the draft program concluded, was the building of a "centralized, disciplined united, mass underground" party.¹²⁵

XI. MUTINY IN PRIMER AND PRACTICE

During the congressional hearings on communist propaganda in the United States in January, 1931, two significant conclusions were drawn with reference to the consequences of successful communist infiltration of the armed forces. These conclusions were especially pertinent to communist activities inside the naval forces.

First, "one man, if he possesses even a small amount of technical knowledge, could destroy at least temporarily, the combat efficiency of any naval ship."

Second, "revolutionary propaganda takes hold more quickly among the naval forces than in the military."¹²⁶ Although the first quarter of 1931 was a period of comparative calm on the international scene, any doubt which may have existed as to the validity of these two conclusions vanished before the year's end, for 1931 was a year of revolutionary action and decision.

The eleventh plenum of the Comintern convened in Moscow in April, 1931, to consider "the imperative necessity for a determined change in the direction of intensifying the antimilitarist work of the communist parties, and especially of the communist leagues, as an integral part of the struggle against the danger of war and the menace of intervention."¹²⁷

Marcel Cachin, the French communist leader, made one of the primary reports to the plenum. Cachin had been an outspoken critic of French measures to strengthen its own armed forces, interpreting everything in the light of preparations by France for a war against the Soviet Union. "Antimilitarist work," said Cachin, "must be intensified everywhere. The workers' and peasants' organizations must everywhere establish permanent contact with the soldiers, sailors and reservists."¹²⁸

Within the ranks of the communist movement, the plenum stated, there had been a tendency to underestimate the war danger. This same defect had also been commented at the sixth congress. Not only had antimilitarist work not increased, but in some cases, e.g., in France, antimilitarist work had "retrogressed."¹²⁹ The Communist Party of the United States later admitted that the words of the eleventh plenum were also "fully applicable" to the American party, as there had been an almost complete lack of progress and too much "passivity in regard to work in the army."¹³⁰

The principal task of the communist parties, the plenum declared, remained "the winning of the bulk of the working class and their preparation for the decisive battles for the dictatorship of the proletariat."¹³¹ The communist parties of all countries, it continued, "must increase their work in the capitalist armies."¹³² The plenum also reminded all communist parties of their agreement to observe the fourth condition for admission to the Comintern adopted at the second congress in which Lenin emphasized the necessary for carrying on systematic propaganda and agitation in the armed forces under both legal and illegal conditions.¹³³

During the discussions at the eleventh plenum of the Comintern, it was noted that the prerequisites of a revolutionary crisis were rapidly developing in Spain where a major propaganda and agitation campaign

was being carried out by the Spanish communists in connection with the April municipal elections. Leaflets in favor of the republic and of "liberal communism" were scattered in the army barracks with some adverse effect on military discipline, but they failed to undermine the loyalty of the army towards Alfonso XIII, even though he subsequently abdicated on April 14, 1931, when the republicans gained majorities in the larger cities throughout Spain. The Communist Party and the Young Communist League of Spain also issued joint appeals to the men in the armed forces to set up soldiers' and sailors' councils in the barracks and elect their own officers.¹³⁴ "Of special importance is the drawing of the soldiers into the soviets," the Spanish communists were told, because "the winning of the masses of the soldiers for the revolution is one of the means of arming the revolution."¹³⁵ Assistance and support for the Spanish communist movement came from the neighboring Communist Party of France which sent André Marty to Barcelona to speak at one of the more important rallies. Although he was arrested and expelled from Spain, Marty's influence remained behind in the form of a condensed Spanish version of his book called *La sublevación de la flota del sur negro* (The Revolt of the Black Sea Fleet).¹³⁶

Handbooks, pamphlets, and manuals

Marty's book was one of three important works on antimilitarist tactics published by Edeya, the main communist publisher in Barcelona, in 1931. Edeya also published a revised edition of Taroslavsky's book under the title *El trabajo de los bolcheviques en el ejército antes de la revolución de octubre*.¹³⁷ Copies of the Edeya edition of Taroslavsky's pamphlet were sent to Latin America for use in communist antimilitarist work.

The third important antimilitarist work published by Edeya was A. Kamatchikov's pamphlet, *The Revolt on the Armoured Cruiser "Potemkin."*¹³⁸ This study of naval revolt in the Black Sea during the revolution of 1905 was also published in English during the same period.¹³⁹ In the United States, Kamatchikov's pamphlet was advertised as one of a group of pamphlets published by the Workers' Library Publishers of New York under the caption: "Learn how the Russian workers did it! No worker should fail to read these most interesting and instructive pamphlets."¹⁴⁰ The appearance of this pamphlet simultaneously in Spain, England and the United States suggests the scope of the Comintern's program in 1931 to provide instruction manuals on the methods and techniques of revolutionary antimilitarism to the masses. Kamatchikov's pamphlet alleged to describe what actually occurred aboard the "Potemkin" during its stormy passage to the side of the revolution in 1905 as told by one of its leaders, Afanasy Matushenko, the torpedo quartermaster. Kamatchikov stated that the bolsheviks were in contact with the sailors of the Black Sea Fleet and had made preparations for a general mutiny in the navy during the maneuvers later in the year. However, the "incredibly hard and oppressive conditions of life, and the inhuman and humiliating treatment of the sailors by the naval officers," he stated, caused the revolt on the "Potemkin" to break out prematurely.¹⁴¹

"The revolt on the cruiser 'Potemkin' in 1905," Kamatchikov wrote, "was one of the object lessons of the revolutionary struggle in which the broad masses of the workers and peasants and particularly the sailors and soldiers, learned the lesson of revolutionary struggle and the concrete tactics of armed revolt. The bolsheviks generalized those concrete lessons and drew the necessary conclusions with regard to the further preparations for the overthrow of tsarism."¹⁴²

Kamatchikov lists two fundamental causes for the failure of the revolt.

The first reason, he asserted, was lack of preparation:

"The masses of the soldiers and sailors were not class-conscious, were ignorant and had no experience whatever of revolutionary struggle. They were easily roused to hatred and anger against their oppressors, and were easily roused to spontaneous protests and mutinies. They were easily fired by the flames of revolt, but they had no revolutionary solidarity, firmness, reliability and determination, no planned preparation. In short, they had none of those qualities which are given by a long political revolt in the process of the revolutionary class struggle and which are so necessary for a victorious armed rebellion."¹⁴³

The second reason for the collapse of the "Potemkin" revolt was lack of leadership:

"The leadership of this revolt was weak and incapable, not understanding the seriousness of the situation. Without wasting valuable time, they should have immediately used their arms to catch the enemy unprepared and disorganize them. But the leaders did not make a unanimous decision on a single question. The social-democratic organization of Odessa, consisting of bolsheviks and mensheviks was not prepared and did not show sufficient activity and determination. It did not even set up a leading military center. At the moment when rapidity, decision and boldness were necessary, as one of the contemporaries bitterly states, in reality there was only a foolish, helpless and mistaken attitude of waiting for 'something.'"¹⁴⁴

Neither the leaders of the workers' organizations nor the sailors, Kanatchikov wrote, had heard of Marx's "golden rule" on how an armed revolt should be organized:

"Revolt, like war, is a science," said he, "and therefore we should never play at rebelling," but once we have commenced, we should know thoroughly that we have to carry it through to the end.

"It is necessary to collect a great superiority of forces at the decisive spot, at the decisive moment, otherwise, the enemy, who has better organization, will destroy the rebels."

"Once the rebellion has commenced, it is necessary to act with the great determination and immediately take up the offensive. Defense is the death-blow to an armed rebellion."

"We must try to catch the enemy unaware. Everyday some successes, however small, must be obtained, so as to maintain the moral superiority at all costs."¹⁴⁵

There were also other mistakes which contributed to defeat. The united commission of bolsheviks and mensheviks erred, Kanatchikov stated, by trying to direct the activity on the cruiser from the shore.¹⁴⁶ They also "foolishly" permitted the sailors to release the arrested officers who subsequently obtained reinforcements and put down the mutiny.¹⁴⁷

Lenin, Kanatchikov pointed out, drew similar lessons from his evaluation of the events at Odessa. "From the troops themselves," Lenin wrote:

"Detachments of the revolutionary army are formed. The business of these detachments is to declare a rebellion, to give military leadership to the masses, which is necessary for civil war as for every other war, to form base points for an open struggle throughout the country, to transfer the revolt to neighboring districts, to assure complete political freedom—even if only on a small part of the territory of the country at first—to commence the revolutionary reconstruction of the decayed system of the monarchy, to develop the creative efforts of the rank and file to the full."¹⁴⁸

Lenin also wrote that a revolutionary army was necessary because great historical questions could be settled only by force, but, he reminded, "the organization of force in a modern struggle is a military organiza-

tion."¹⁵⁹ Lenin's words, Kanatchikov emphasized, were "so modern and so obviously applicable to current situations."¹⁶⁰

The American communist movement contributed to the growing body of pamphlets and manuals for use in instructing party personnel on antimilitarist tactics in the armed forces. Walter Trumbull, who succeeded Paul Crouch as director of the joint antimilitarist department of the Communist Party and Young Communist League of the United States, wrote and published an autobiographical pamphlet in 1931. His pamphlet was called *Life in the U.S. Army*.¹⁶¹ Like Crouch, Trumbull had been a soldier at Schofield Barracks, Hawaii, and was court-martialed for communist activities in 1925. Upon his release from prison, Trumbull had toured the United States under the sponsorship of young communist groups lecturing on his experiences in the army. The communist press advertised Trumbull's forty-eight page pamphlet as "a vivid description by an ex-soldier of the life of the soldier in the U.S. Army and a program of action for servicemen."¹⁶² Trumbull's pamphlet was widely distributed among communist party members in the United States and its overseas territories and possessions.

In May, 1931, the *Partido Komunista sa Filipinas* (Communist Party of the Philippine Islands), which had been organized illegally the preceding November by the communist-inspired *Katipunan ng mga Anak-Pawis sa Filipinas* (Association of the Sons of Sweat of the Philippine Islands), held its first national congress.¹⁶³ In a manifesto issued at the congress, its central platform was declared to be the "immediate complete and unconditional independence (removal of all military and naval forces of the imperialists)."¹⁶⁴ The Philippine communists later declared that their party had been formed to free the islands from the "yoke of American imperialism" and in order "to destroy American imperialism's naval base in the Pacific, which is a direct menace to the Soviet Union."¹⁶⁵ The Communist Party of the Philippines combined "legal" and "semi-legal and illegal" methods of work in achieving its antimilitarist work against the American military forces deployed throughout the islands.¹⁶⁶ *Titis*, the propaganda organ of the party, also served as the agitational and organizational center for the communist movement in the Philippines.¹⁶⁷ *Titis* is the Tagalog word for "Spark," the English equivalent of the Russian *Iskra* which Lenin chose as the name of his own revolutionary newspaper.¹⁶⁸ The same printing presses which published *Titis* turned out communist propaganda leaflets and pamphlets aimed at the disintegration of military discipline and morale. These and other propaganda tracts found their way into the American barracks and aboard ship. However, they had little impact on morale.

The fight for the streets

In July, 1931, the Comintern issued instructions to its sections describing the tactics of street fighting, the use of barricades, and the method of arming the masses in coming insurrections. The instructions provided for the expansion of the illegal organization which existed parallel to the party apparatus, for the establishment of secret printing presses and archives, and for special training of small groups who were to actively lead strikes, demonstrations and street fights. The instructions specifically directed armed fighting, pointing out the necessity for arming the masses before the outbreak of the battle. If guns were not available, weapons were to be fashioned from paving stones, clubs, lead pipes or clubs. Every demonstration, it was stated, was to be used as a movement for the revolutionary mobilization of the masses.¹⁶⁹ Broad dissemination

of selected portions of these instructions was also achieved through their publication in the *Communist International*, the official organ of the Comintern, under the caption, "The fight for the Streets."¹⁷⁰ The author of the article was given as "L. Alfred."¹⁷¹ Extracts of the article were reprinted in such party organs as the *Party Organizer*, which was disseminated by the central committee of the Communist Party of the United States for party functionaries.¹⁷²

"The worst thing that can happen to a communist," Alfred wrote as a preface to his remarks on street fighting, "is for him to look on at the fight of the masses and not to fight actively with them."¹⁷³ Alfred stated that the old tactics which were used in organizing demonstrations were no longer valid, and that a new "elastic tactical method" was required. "The fighting demonstration of today," Alfred reminded his readers, "is not a political procession, but a real means of exerting revolutionary mass pressure."¹⁷⁴ Unlike in the past when demonstrators marched outside of town or to a park to hold their meeting, demonstrations were to be held in the center of town, on street corners or in public squares. Alfred stated that illegal mass demonstrations could not be organized merely by issuing a leaflet. It was necessary to undertake preparatory work in the factories and in the working class districts. After this had been done, he said, the workers could be assembled, and a push attempted into the center of the town.

The assembly points for demonstrations were always to be located in the workers' quarters of the city, the place least accessible to the police. Alfred recommended the adoption of the "partisan" method of assembling as a means of misleading the police. Small groups of persons were to form individually, and then come together at a predetermined location from where the move towards the real object of the fight would begin. This, Alfred noted, generally would be located in a non-proletarian area. "A hunger march from districts of the poor to the districts of the rich," Alfred stated, "is in our opinion one of the most successful forms of fighting demonstration."¹⁷⁵ In an armed revolt, an attack at all costs was essential. However, he noted, "anyone who tries to apply this rule also to physical resistance in the current class battles is guilty of a sectarian interpretation of the class battle."¹⁷⁶ Lenin emphasized, he reminded, that strikes and demonstrations were "schools of war." In themselves they did not lead to a decisive result: they were only preparatory training. In most European countries, Alfred asserted, the broad masses were not ready to join in an armed attack. The slogan of an armed demonstration, he continued, meant the arming of the proletariat; but "to raise the slogan of an armed demonstration without any attempt for a speedy transformation into an armed revolt, and before the preconditions for a successful revolt exists, is to be guilty of playing with revolution."¹⁷⁷

There were also other overt signposts indicating an intensification of soviet interest in educating communists in the strategy and tactics of street fighting and insurrection. Simultaneous publication in German, French and Russian of the standard communist casebook on insurrection, *The Armed Uprising*, also occurred in 1931.¹⁷⁸ It was written by A. Neuberg.¹⁷⁹ If Langer was the theorist of the armed uprising, Neuberg was its tactician.¹⁸⁰ Neuberg's book rapidly became the basic communist manual on armed uprising, street fighting and the tactics of insurrection. According to Dimitrov, the general secretary of the Comintern, it could be found "in the library of every revolutionist."¹⁸¹ Neuberg's book contained case history studies of insurrections at Reval, Hamburg, Shanghai and Canton. It also discussed in detail communist disintegration work in the

armed forces, the arming of proletarian forces, the elements of timing and surprise, and the general principles of street fighting. Although Neuberg's book was a classic on tactics, it also had special importance for the emphasis it placed on the doctrine of revolutionary antimilitarism. Neuberg developed the thesis that antimilitarist work prepared the way for the armed uprising which was the highest form of the political struggle:

"The entire activities of the revolutionary party, the fight for peace, against the imperialistic intervention in Soviet Russia, China, etc. (against the coming imperialistic war between Europe and America, etc.), against capitalistic rationalization, for the raising of wages, for social insurance, for a higher standard of life of the proletariat as a whole, for the nationalization of the soil, the parliamentary struggle, etc., etc., all that must be regarded from the perspective point of view of the preparation and mobilization of the masses for the highest form of struggle at the moment when the revolution is ripe—for the rising."¹⁸²

All communist activities, Neuberg said, served as preparation for armed uprising. This was especially true of all phases of antimilitarist work, even if only the simple act of distributing propaganda pamphlets in the army were involved. The disintegration of the enemy military organization was the first step in the preparation for an uprising, albeit, according to Neuberg, a negative step. The preparation became positive only with the organization, training and recruiting of a mass organization. Neuberg maintained that the armed uprising began in the period of immediate preparation, i.e., before the outbreak of street fighting. "One must remember," he stated, "that, in the widest sense of the word, the rising does not begin with the attack of the fighting organization of the proletariat (Red Guard), but rather some days, even weeks, before. It begins when the time for the general attack has been fixed and when the party is working at feverish speed to win over the troops, to arm the proletariat and the semiproletarian elements for the decisive struggle for power. It begins when the masses take up the fight of their own initiative against the forces of counter-revolution."¹⁸³

During such a period, Neuberg concluded, antimilitarist work assumed even greater importance:

"In this period which begins with the approach of the general battle, in the period of preparation for the attack on the state, the party must concentrate its attention on the task of subverting and winning over the troops."¹⁸⁴

The necessity of actually working inside the armed forces was repeatedly emphasized by Neuberg who stated:

"The attitude of the revolutionary proletariat to the imperialistic war in keeping with Lenin's principle is the transmutation of this war into civil war. Towards the army, which is the most important factor of the imperialistic war, the attitude of the party and of the whole revolutionary proletariat must be such that they work for the complete subversion of the imperialistic army and the going over of masses of soldiers to the side of the revolutionary proletariat. That is the aim and object of the work of the party in the army, but it is achievable only with the complete victory of the proletarian revolution. As long as the power is in the hands of the bourgeois state, the bourgeois army will remain one of the decisive components of the state."¹⁸⁵

No matter what the political situation may be, Neuberg warned, the task of the proletarian remained the subversion and the "revolutionizing" of the army.¹⁸⁶

Communist instruction on the strategy and tactics of revolutionary antimilitarism was

Footnotes at end of article.

not restricted to books and pamphlets. It was also carried on in the daily party press and in periodic party organs like *Tokenetsusha* (*Party Construction*), the monthly magazine of the Communist Party of Japan.¹⁸⁷ *Tokenetsusha*, which began publication in June, 1931, was devoted to communist theory and the interpretation of revolutionary doctrine. It also played an important part in educating the party faithful in Japan on the strategy and tactics of revolutionary antimilitarism. Its masthead proclaimed the slogan "For the bolshevization of your revolutionary practice, for the strengthening and consolidation of Leninist leadership in the . . . barracks and battleships."¹⁸⁸ The August, 1931 issue of *Tokenetsusha* featured a detailed description of methods for use in organizing communist cells in the Japanese navy.¹⁸⁹ This article was one of the few appearing in Japanese party organs which published the communist organizational methods within the armed forces, although articles on propaganda and agitational activities were relatively common.¹⁹⁰

Mutiny in the Americas

In August, 1931, units of the Cuban fleet declared their solidarity with the revolutionary elements in an abortive uprising against the Machado dictatorship. Their action was hailed by Cuban communists as evidence of the success of their antimilitarist programs. However, what occurred in the Cuban navy was spontaneous, and was apparently unrelated to either direct or indirect communist influence.¹⁹¹ Although the Communist Party of Cuba had carried on illegal work since its founding in 1925, it enjoyed little success, growing too slowly to play any decisive part in internal Cuban politics until later in the 1930's. Conditions in Cuba with its one crop sugar economy were extremely sensitive to the periodic fluctuations in the world market, and what little influence the communist movement exerted was insignificant in comparison to the revolutionary ferment engendered by the severe economic distress which followed each major market decline. Communist work in Cuba was financed by the Communist Party of the United States. When news of the anti-Machado uprising reached its headquarters in New York, the party issued instructions to all members to agitate in favor of the withdrawal of all American naval and military personnel, vessels, and equipment from Cuba.¹⁹²

On September 1, 1931, the communist movement in Latin America made its most important bid for power. Earlier in 1931, a special meeting of communist waterfront functionaries from Argentina, Chile, Peru and Uruguay had been held in Montevideo for the purpose of drafting "action programs" for both the civilian maritime industry and the military personnel of the South American navies. In attendance was a special delegate from the Maritime Section of the Comintern. He had been sent to the meeting especially for the purpose of citing details of the mutiny of the German fleet in 1918 to "impress the Latin Americans with the importance of building up communist units in every navy."¹⁹³ The "action programs" first bore fruit in the form of a communist bid for power in Chile where the communist party had been illegal since 1927.

One of the consequences of the acute economic crisis which gripped the world in the early 1930's was the necessity for many governments to retrench on military expenditures. The government of Chile attempted to do so by cutting the service pay of its naval forces by thirty per cent. The announcement of this drastic reduction in service pay resulted in a mutiny of the Chilean fleet. The mutineers demanded that the Chilean Government withdraw the pay reduction order. While there is little doubt that the discontent stemming from the thirty percent reduction was widespread, there is nothing to

substantiate the claims in the international communist press accounts of the mutiny that all crews in the Chilean navy, numbering some 18,000 men, took part in the revolt.¹⁹⁴

The revolt in the Chilean fleet began on the first of September. In the beginning, it was a spontaneous uprising, but the communist nuclei in the crews rechanneled the dissension of the seamen into a revolutionary movement. Headquarters for the revolt was the Chilean battleship, *Almirante Latorre*. Representatives of the other ships' crews met aboard the *Almirante Latorre* as a "committee of action." On orders from this committee, all officers aboard ship were taken prisoner. However, instead of keeping them in safe custody on board as hostages in anticipation of using them to establish a bargaining position with the government forces, the communists released the majority of the officers and permitted them to go ashore. This, it was later concluded, had been a serious tactical mistake, as these same officers became the most active participants in crushing the uprising.¹⁹⁵

The communist movement in Chile was quick to seize upon the economic demands of the sailors as a battle slogan calculated to win the sympathy of broad sections of the working masses. On the day after the start of the uprising the Communist Party of Chile which had actively infiltrated the Chilean trade union movement called a general strike. Trade union delegates acting upon communist discipline were sent by the party, to all important working districts to proclaim the slogan of solidarity with the fighting sailors, and to secure support for the strike call. Within twenty-four hours, the general strike had spread throughout Chile.

The communists also attempted to take over leadership of the naval mutiny by sending delegates of workers aboard the warships to work with the communist nuclei already active there. The communists formed workers' councils, and called for the establishment of armed workers' defense corps in the industrialized suburbs of Santiago. Weapons and provisions were seized by the workers' defense corps during the rioting which spread throughout Santiago. An intensified demoralization program was also launched by the communists within the police and army garrisons throughout Chile. The program achieved some success, as segments of the military garrison at Valparaiso, together with elements of the coastal artillery, supported the general strike movement.

To put down the uprising in the navy the Chilean government mobilized the armed forces and declared martial law. The communist press reported that the sailors had been promised that the pay cut would be cancelled and that no punitive action would be taken against the mutineers, but all negotiations between the insurgents and the government failed. The communist leadership of the naval revolt rejected all government offers. The general strike lost its force rapidly after the first day, for the communist organization in Chile was too small and too poorly organized to effectively sustain and control the strike movement. On Monday, the seventh of September, after holding out against the government forces for a week, the mutinous fleet units began to surrender. The decisive factor was the heavy damage inflicted on several of the ships by government aircraft. The mutineers had been easy targets, for through error of the leaders, or indecision, their ships had remained anchored in the bay. The last ship to surrender was the battleship *Almirante Latorre*.¹⁹⁶

The revolt of the Chilean fleet did not end victoriously for the communists, but it provided them with another practical lesson in how not to conduct a naval revolt. The insurgents made several serious tactical errors. These were noted by the communists in their later analysis of the Chilean revolt. In a situation which called for action, the fleet had adopted a "tactic of waiting" which

rendered defeat inevitable. Further, the insurgents failed to make use of those decisive factors which would have permitted extensions of the revolt. These factors were the confusion prevailing in government circles, the irresolution in the army and air force, and the growing mob-psychology of the masses. Instead of taking to the open sea and sailing to Valparaiso where the trade union's general strike could have been expanded into a major revolutionary uprising, the insurgents permitted their ships to remain at anchor in the harbor, making it relatively easy for the government forces to bomb them using both coastal artillery and aircraft. The chief and immediate cause of their defeat, therefore, was passivity.¹⁹⁷

News of the revolt in the Chilean fleet was headlined by newspapers throughout the world. The Chilean sailors were praised in the communist press for their revolutionary action. For the Communist Party of the United States, the rising in Chile served as an excuse to intensify agitation within the American navy. Even though there was no serious thought being given by the government to the possibility of intervention in Chile, the communists appealed to American servicemen to resist any effort by the United States to intervene there. "Hands off Chile" became the communist slogan of the day.¹⁹⁸

In Great Britain, the communists interpreted the events which had transpired in the Chilean navy as a tribute to the effectiveness of their antimilitarist campaign. Earlier in the year the Comintern had directed them to "considerably increase" their propaganda activities in the armed forces, particularly in the British navy.¹⁹⁹ As part of their campaign, the crew of the Chilean battleship, *Almirante Latorre*, which in the uprising had served as the headquarters for the mutineers, had been cultivated by the British communists while their ship was undergoing an extensive refit in the Devonport dockyards, England.²⁰⁰

Incident at Invergordon

The Comintern directive to the British communists to intensify their antimilitarist activity coincided with its initiation of a program to achieve maximum exploitation of the growing world financial crisis. Unemployment was on the increase everywhere. International trade was in the doldrums, and governments throughout the world made futile attempts to balance national budgets. In Great Britain, the economy campaign involved pay reductions for employees in all branches of government service. By September, 1931, newspapers throughout Great Britain reported proposed pay cuts for teachers, police, and post office workers. Reductions in unemployment compensation followed. However, it was not until decreases in the pay of the fighting forces were announced in the press that serious repercussions occurred. Due to an unfortunate breakdown in communication procedures, the official Admiralty explanation of the naval pay reductions failed to reach elements of the Atlantic Fleet anchored off Invergordon before the public press announcements, a fact which contributed to the growing apprehension already prevalent among the men.

On September 15, 1931, the British Admiralty announced that promulgation of "reduced" rates of naval pay had led to unrest among some of the enlisted men in the Atlantic Fleet. As a consequence, the Admiralty stated it had been considered desirable to suspend the programmed fleet exercises and recall the ships to harbor.²⁰¹ Through this terse announcement the British Government admitted to the world that its Atlantic Fleet had mutinied off Invergordon.

There is considerable disagreement as to what actually transpired at Invergordon. Kenneth Edwards, in his detailed study of the events preceding Invergordon, presented a convincing case for those who contended

Footnotes at end of article.

that instigation of the mutiny was by communist elements who had seized upon the opportunity afforded by the inept handling of the pay question by the Admiralty.²⁰² Edwards claimed that the years of communist agitation and propaganda directed against the British armed forces contributed to the development of an environment favorable to dissension and disaffection. He charged the communists with direct complicity in the mutiny of Invergordon. A somewhat different position was taken by Fred Copeman, one of the British seamen dismissed from naval service because of their part in the Invergordon affair. Years later, after his break with communism, Copeman attributed the Invergordon mutiny to spontaneous reaction by the men of the fleet. They rebelled, he held, against what they believed to be an "unjust" pay reduction. Copeman disavowed communism involvement in the mutiny, stated that he was never able to find any evidence that the communist party had anything to do with inciting it.²⁰³ Copeman revealed that the communists themselves had not denied the part popularly ascribed to them in the Invergordon mutiny because it was party policy to claim responsibility and leadership for any movement associated with the righting of "injustices." This policy, he stated, had proved successful in building up good will toward the communists.²⁰⁴

In support of his position, Edwards indicated that the British communists, determined to make the pay reduction a *cause célèbre*, had decided to concentrate their campaign on the British navy. To prepare for the propaganda offensive, representatives of the London *Daily Worker*, the central organ of the Communist Party of Great Britain, had gone to Invergordon on Sunday, September 13. Recognizing that professional agitators would be unsuccessful in any direct approach to naval men, the communists called upon various members from within the naval ranks to exercise their influence over the sailors.

Sunday evening, the communist cell members held a mass meeting ashore involving more than 600 sailors from the fleet units anchored off Invergordon. Taking advantage of the dissension which had been kindled among the enlisted ranks by the unexpectedly large reduction in pay which had been revealed earlier that same day in the Sunday newspapers, and playing on the natural fears of the sailors as to what the consequences of the severe cuts would be on their families, communist agitators promoted the idea that the sailors should undertake "collective strike action" in an attempt to get the government to reconsider its action. All reference to "mutiny" was carefully avoided. One of the principal organizers was Able Seaman Len Wincott of the *H.M.S. Norfolk*, who called for volunteers to act as representatives of each ship on a "sailor's soviet." The representatives were directed to sound out and organize their shipmates.

A second meeting was scheduled ashore for the following evening. On Monday, September 14, the *Daily Worker* featured the naval pay cuts on its front page. Copies of the paper were widely circulated among naval personnel ashore and afloat in the Invergordon area. Primary emphasis in the *Daily Worker* articles was on the generalization that the pay of the enlisted man would be cut 25 percent while that of the officers would be reduced by only 9 percent. In presenting possible extreme conditions under the pay bill as a generalization, the *Daily Worker* poured salt on the already festering wound of dissension. Monday evening, the final plans for the strike action were completed at the scheduled meeting of the ship's representatives. A cheering code was adopted similar to the one which communist elements in the mutiny of the German fleet had used so successfully thirteen years previous as a signal that the strike had begun.²⁰⁵ Following a pre-arranged plan, elements in

the crews of the battleships *H.M.S. Rodney* and *H.M.S. Valiant* refused to turn to for work when called to duty on Tuesday morning when the ships began preparing to put to sea. Cheering broke out, signaling from one ship at anchor to another that the "strike" had commenced.²⁰⁶ The refusal to turn to work spread throughout the Atlantic Fleet, involving, among others, the crews of the heavy cruisers *Hood* and *Repulse*, the battleships *Nelson*, *Warspite* and *Malaya*, and the cruisers *Dorsetshire*, *Norfolk*, *Exeter* and *Adventure*. The mutiny ended with the announcement of the Admiralty's decision to cancel the fleet exercises. This act by the Admiralty was more of a precautionary measure than a necessity, for nowhere did violence actually break out.

The mutiny at Invergordon cost the British Government heavily in lost prestige throughout the world, a fact that the Comintern capitalized upon. The British revolutionary movement was directed by the Comintern to "mobilize the widest possible support for the sailors and assist them to take advantage of the present moment" by expanding the scope of the struggle. Specifically, demands for full political rights, for marriage allowances for all ratings, for improved food and against compulsory religious instruction, as outlined in the soldiers' and sailors' programs of the Communist Party and the Young Communist League, were to be utilized.²⁰⁷ British communists were quick to respond to the opportunity which Invergordon presented. Within a week, revolutionary communist propaganda flooded the naval ships and barracks throughout Britain. Bundles of agitational pamphlets were thrown over dockyard walls or scattered where sailors congregated. Typical of such pamphlets was one signed "Council of Communist Sailors" which urged the British sailors to hold out against the pay reductions, warning them not to place any reliance on the promises of either trade union leaders or the labor members of Parliament.²⁰⁸ This propaganda had little effect on the British naval men.

German communists celebrated the outbreak of the Invergordon mutiny by sending the British sailors a telegram congratulating them on "their courageous action against the British government and reactionary officers corps."²⁰⁹ The telegram was signed by both the Young Communist League and the Red Front Fighters' League of Germany. It advised the British sailors to disarm their officers, elect sailors' councils on all vessels, and establish a central council for the fleet.²¹⁰ The Young Communist League of the United States also sent revolutionary greetings to the British sailors of Invergordon. At the same time, it issued an appeal to American servicemen to organize regimental and ships' committees for the purpose of resisting any attempt on the part of the American government to lower their pay.²¹¹

In the Far East, the arrival of the news of the mutiny at Invergordon coincided with beginning of Japan's invasion of Manchuria. The war plan and the order for its execution had been drawn up and signed before Invergordon, but the immobilization of the British fleet provided unexpected reassurance to the Japanese that their plans could be carried out without interference from Great Britain. Britain's most important dominion in the Pacific, Australia, was also crossed off as a threat.

The Australian navy experienced a series of minor incidents at almost the same time and for almost the same basic causes as the British fleet mutiny at Invergordon. Communist sympathizers had been active in Australia since the acceptance of their party into the Comintern in August, 1922, but significant progress in developing a militant party was not registered until the early 1930's when they began to "colonize" the Australian navy.

News of the mutiny at Invergordon, and resentment over their own recent wage cuts,

resulted in isolated cases of insubordination by sailors aboard the *Penguin* and the cruiser *Canberra*. Communist literature had also been brought abroad the Australian navy ships in quantities large enough "to equip a public library."²¹² The communist press labeled it a "widespread revolt" and reported that the sailors had held shipboard meetings and hoisted red flags aloft. However, the situation lacked any real revolutionary implications for communist agitation was less a contributory cause for the unrest than was the poor quality of food served in the Australian navy.

FOOTNOTES

¹ *International Press Correspondence*, VIII, No. 60 (September 6, 1928), 1055.

² *Ibid.*

³ *Ibid.*, No. 80 (November 16, 1928), 1508. Italics in original.

⁴ *Ibid.*, No. 42 (August 1, 1928), 742-43.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *The Communist Youth International—Report on Activity Between the Fourth and Fifth Congress: 1924-1928* (London: Published for the Young Workers' (Communist) League of America by the Communist Party of Great Britain, 1928), pp. 24-25.

⁹ *Ibid.*, p. 32.

¹⁰ *International Press Correspondence*, VIII, No. 55 (August 25, 1929), 959.

¹¹ *Ibid.*, No. 61 (September 11, 1928), 1061.

¹² *The Communist Youth International*, pp. 26-27.

¹³ *Ibid.*, p. 178.

¹⁴ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1110.

¹⁵ *Ibid.*, p. 1112.

¹⁶ *The Communist Youth International*, pp. 197-98.

¹⁷ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1109.

¹⁸ *The Communist Youth International*, p. 222.

¹⁹ *Ibid.*, p. 30.

²⁰ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1110.

²¹ *Ibid.*, p. 1113.

²² *Ibid.*, pp. 1110-11.

²³ *Ibid.*

²⁴ *The Communist Youth International*, p. 210.

²⁵ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1110-11.

²⁶ *The Communist Youth International*, p. 224.

²⁷ *Ibid.*, p. 30.

²⁸ *Ibid.*

²⁹ *Ibid.*, p. 31.

³⁰ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1111.

³¹ *Ibid.*

³² *Ibid.*, p. 1114.

³³ *Ibid.*, No. 65 (September 21, 1928), 1172.

³⁴ *Ibid.*, p. 1173.

³⁵ *The Communist Youth International*, p. 228.

³⁶ *International Press Correspondence*, VIII, No. 62 (September 14, 1928), 1113.

³⁷ *The Communist Youth International*, p. 31.

³⁸ *International Press Correspondence*, VIII, No. 65 September, 1928), 1172.

³⁹ *Ibid.*, No. 67 (September 28, 1928), 1221.

⁴⁰ Unlike other important documents adopted by the Young Communist International at its fifth world congress, the theses on antimilitarism were neither published nor discussed in the communist press. The theses apparently fell into the category of "privileged" documents which were limited in dissemination to league and party officials.

⁴¹ *Programme of the Young Communist International*. (London: Dorrit Press, Ltd., for the Young Communist League of America, 1929).

⁴² *Ibid.*, p. 15.

⁴³ *Ibid.*, p. 42.

⁴⁴ *Ibid.*, p. 45.

⁴⁵ *Ibid.*, pp. 45-49.
⁴⁶ "Resolution of the Fifth World Congress of the Y.C.I., *International Press Correspondence*, VIII, No. 80 (November 16, 1928), 1508.
⁴⁷ *Programs of the Young Communist International*, p. 46.
⁴⁸ *Ibid.*, p. 41.
⁴⁹ *Ibid.*, p. 46.
⁵⁰ *Ibid.*, pp. 47-48.
⁵¹ *Ibid.*, p. 46.
⁵² *Ibid.*
⁵³ *Ibid.*, p. 48.
⁵⁴ *Ibid.*, p. 70.
⁵⁵ *Ibid.*, p. 78.
⁵⁶ Brandt, Schwartz and Fairbank, *loc. cit.*, p. 139.
⁵⁷ *Ibid.*, p. 136.
⁵⁸ *International Press Correspondence*, VIII, No. 74 (October 5, 1928), 1345.
⁵⁹ Brandt, Schwartz and Fairbank, *loc. cit.*, p. 154.
⁶⁰ *Ibid.*, p. 155.
⁶¹ *Ibid.*
⁶² *Ibid.*
⁶³ *Ibid.*, p. 132.
⁶⁴ *Ibid.*, p. 144.
⁶⁵ *Ibid.*, p. 143.
⁶⁶ *Ibid.*, p. 145.
⁶⁷ *Ibid.*, p. 152.
⁶⁸ *Ibid.*, pp. 161-64.
⁶⁹ *Ibid.*, pp. 173-74.
⁷⁰ *Ibid.*, p. 167.
⁷¹ *Ibid.*, p. 173.
⁷² *Ibid.*
⁷³ *Ibid.*
⁷⁴ *Ibid.*
⁷⁵ *International Press Correspondence*, IX, No. 35 (July 24, 1929), 768.
⁷⁶ *Ibid.*, No. 37 (August 2, 1929), 791.
⁷⁷ *Ibid.*, No. 45 (August 30, 1929), 961.
⁷⁸ *Ibid.*, No. 42 (August 23, 1929), 897.
⁷⁹ *Ibid.*, No. 36 (July 26, 1929), 785.
⁸⁰ *Ibid.*, No. 47 (September 6, 1929), 1001.
⁸¹ *Ibid.*
⁸² U.S. Congress, House, Special Committee to Investigate Communist Activities in the United States, *Investigation of Communist Propaganda*, Part 5, Vol. 4, 71st Cong., 2nd Sess., 1930, p. 395.
⁸³ *Ibid.*, p. 396.
⁸⁴ *Ibid.*, p. 399.
⁸⁵ These names are probably pseudonyms. Possony, *op. cit.*, p. 167, suggested the possibility that L. Alfred stands for Alfred Langer.
⁸⁶ In-text data suggests that publication occurred after May 1, 1929. Possony, *loc. cit.*, reported that it was also distributed by the Comintern to the higher echelons of the various communist parties, including the communist hierarchy in the United States. Possony asserted that this handbook was not for public sale, but the price on the cover suggests otherwise.
⁸⁷ U.S. Congress, House, Special Committee on Un-American Activities, *Investigation of Un-American Propaganda Activities in the United States*, Appendix, Part I, 76th Cong., 1st Sess., 1940, p. 122.
⁸⁸ Alfred, Dupont and Fisher, *loc. cit.*, p. 31.
⁸⁹ *Ibid.*, p. 29. Cf. Langer, *op. cit.*, p. 40.
⁹⁰ Alfred, Dupont and Fischer, *loc. cit.*, p. 5. This same point was also covered in the *Resolution of the sixth world congress*.
⁹¹ *Ibid.*, p. 5.
⁹² *Ibid.*, p. 67.
⁹³ *International Press Correspondence*, VIII, No. 84 (November 28, 1928), 1589.
⁹⁴ Alfred, Dupont and Fischer, *loc. cit.*, p. 40.
⁹⁵ Lenin, *Selected Works*, IV, 331.
⁹⁶ Alfred, Dupont and Fischer, *loc. cit.*, pp. 89-90.
⁹⁷ *Ibid.*, pp. 91-92.
⁹⁸ *Ibid.*, p. 33.
⁹⁹ *Ibid.*, pp. 46-55.
¹⁰⁰ *Ibid.*, p. 51.
¹⁰¹ (Imprimerie Populaire de Lorraine). The appearance of identical graphic plates in both the French and German editions suggests the degree of interest which the Com-

munist Party of France had in publishing the German edition.
¹⁰² The handbook itself took cognizance of the fact that many of the tactics which it described based upon French experience with obligated service forces might not be practical in Germany with its mercenary, selective recruitment system. It stated, however, that even in Germany effective antimilitarist work in the armed forces could be accomplished. (Alfred, Dupont and Fischer, *loc. cit.*, pp. 67-68). Comparison with Schneller's remarks at the sixth world congress on the possibility of carrying on antimilitarist work in Germany suggests that L. Alfred, Alfred Langer and Ernst Schneller may well have been one and the same person. Other substantive similarities tend to support this conclusion.
¹⁰³ *Ibid.*, pp. 57-65.
¹⁰⁴ *Ibid.*, pp. 60-63.
¹⁰⁵ Advertised on back cover of *L'antimilitarisme révolutionnaire* as one of the "recommended works" for party members.
¹⁰⁶ Yaroslavsky's pamphlet was another of the works on the communists' "recommended" reading list.
¹⁰⁷ For an extensive listing of such documents, see Carlos M. Silveira's *El comunismo en la Argentina*. (Buenos Aires: 1947), pp. 42ff.
¹⁰⁸ *Ibid.*, p. 463.
¹⁰⁹ Adolf Ehrh, *Communism in Germany* (Berlin: General League of German Anti-Communist Association, 1933), pp. 95-97.
¹¹⁰ *Ibid.*, pp. 31-43.
¹¹¹ *Ibid.*, p. 64.
¹¹² *International Press Correspondence*, II, No. 15 (March 21, 1930), 309.
¹¹³ *Ibid.*, p. 285.
¹¹⁴ *Ibid.*, No. 20 (April 24, 1930), 366.
¹¹⁵ U.S. Congress, House, Special Committee to Investigate Communist Activities in the United States, *Investigation of Communist Propaganda*, Part 3, Vol. 1, 71st Cong., 2d Sess., 1930, p. 201.
¹¹⁶ *Ibid.*
¹¹⁷ *International Press Correspondence*, VIII, No. 72 (October 17, 1928), 1320.
¹¹⁸ U.S. Congress, House, Special Committee to Investigate Communist Activities in the United States, *Investigation of Communist Propaganda*, Part I, Vol. 2, 71st Cong., 2d Sess., 1930, p. 85.
¹¹⁹ *The Communist*, X, No. 9 (October, 1931), 821.
¹²⁰ Brandt, Schwartz and Fairbank, *loc. cit.*, p. 191.
¹²¹ *Ibid.*, p. 197.
¹²² *Ibid.*, p. 198.
¹²³ *Ibid.*, p. 201.
¹²⁴ *Ibid.*, p. 203.
¹²⁵ *Ibid.*, p. 204.
¹²⁶ R. Doonping, "The Bourgeois-Democratic Revolution and Soviet Power in China," *The Communist*, IX, Nos. 11-12 (November-December, 1930), 1029.
¹²⁷ *Ibid.*, p. 1030.
¹²⁸ *Ibid.*
¹²⁹ *International Press Correspondence*, XI, No. 21 (April 23, 1931), 400.
¹³⁰ *Ibid.*
¹³¹ *Ibid.*, X, No. 58 (December 18, 1930), 1219.
¹³² *Ibid.*, p. 1220.
¹³³ *Ibid.*, pp. 1221-22.
¹³⁴ *Ibid.*
¹³⁵ *Ibid.*
¹³⁶ U.S. House of Representatives, Special Committee on Communist Activities in the United States, *Investigation of Communist Propaganda*, Report No. 2290, 71st Cong., 3d Sess. (January 17, 1931), p. 35.
¹³⁷ *The Communist*, XI, No. 1 (January, 1932), 96.
¹³⁸ *International Press Correspondence*, XI, No. 34 (June 30, 1931), 639.
¹³⁹ *The Communist*, X, No. 9 (October, 1931), 782.
¹⁴⁰ *Ibid.*, p. 821.
¹⁴¹ *Ibid.*, No. 8 (August, 1931), 699.

¹⁴² *Ibid.*, p. 702.
¹⁴³ *Ibid.*
¹⁴⁴ *International Press Correspondence*, XI, No. 28 (May 28, 1931), 518.
¹⁴⁵ M. Majority, "The Spanish Revolution," *ibid.*, No. 26 (May 21, 1931), 483.
¹⁴⁶ The abridged version was designed to provide in pamphlet form a glorification of the art of naval mutiny. The English edition was published under the title *The Epic of the Black Sea Revolt* (New York: Workers Library Publishers, Inc.). The only copy of the English edition that I have been able to identify was published in 1941, but it was believed that an earlier edition was circulated in the United States and Great Britain as early as 1931.
¹⁴⁷ Some authorities, e.g., Possony, *op. cit.*, p. 167, have generally programed that the Edeya edition was published sometime after 1935 during the Spanish civil war. I have reconstructed the 1931 date given above through an analysis of the publisher's advertisements on the back cover. Several of the publications offered for sale in the cover advertisement were translations of theses or resolutions adopted by the Comintern at the eleventh plenum in April, 1931. Comparison of communist propaganda organs of the period indicates that those documents were published only until the twelfth plenum was held in September, 1932, after which an entirely new series of documents were published. Although publication might have occurred as late as 1932, I hold for the earlier date.
¹⁴⁸ Edeya advertised the pamphlet during the preparatory stage as *El acorazado "Potemkin"* (The Cruiser "Potemkin"), but the title on the published pamphlet became *La sublevación del "Potemkin"* (The Revolt of the "Potemkin").
¹⁴⁹ (Leicester, England: The Blackfriars Press, Ltd., 1931).
¹⁵⁰ The title advertised was *The Revolt of the Armoured Cruiser "Potemkin"*, varying from the published title by the use of the "of" for "on" (*The Communist*, XI, No. 4 (April, 1932), inside cover).
¹⁵¹ Kanatchikov, *op. cit.*, p. 5.
¹⁵² *Ibid.*, p. 26.
¹⁵³ *Ibid.*, p. 23.
¹⁵⁴ *Ibid.*, p. 24.
¹⁵⁵ *Ibid.*
¹⁵⁶ *Ibid.*, p. 25.
¹⁵⁷ *Ibid.*, pp. 27-28.
¹⁵⁸ *Ibid.*, p. 26. Italics in original.
¹⁵⁹ *Ibid.*
¹⁶⁰ *Ibid.*
¹⁶¹ (New York: Workers' Library Publishers, 1931).
¹⁶² It was offered for sale at the price of ten cents. (*Party Organizer*, IV, No. 6 (July, 1931), cover advertisement).
¹⁶³ Philippines, Congress, House, Special Committee on Un-Filipino Activities, *Report on I, The Illegality of the Communist Party of the Philippines. II, The Functions of the Special Committee on Un-Filipino Activities* (Manila: Bureau of Printing, 1951), pp. 52-53.
¹⁶⁴ *International Press Correspondence*, II, No. 33 (June 25, 1931), 604.
¹⁶⁵ *Ibid.*, XII, No. 45 (October 13, 1932), 964.
¹⁶⁶ *Ibid.*, XI, No. 64 (December 17, 1931), 1156-57.
¹⁶⁷ *The Communist*, XI, No. 12 (December, 1932), 1126.
¹⁶⁸ The symbolism of this name derives from the Russian insurgent slogan "the flame will sprout from the spark."
¹⁶⁹ William Green, *Report on Communist Propaganda in America as Submitted to the State Department, United States Government* (Washington: American Federation of Labor, 1935), pp. 18-21.
¹⁷⁰ The Russian edition of June 30, 1931, carried this article. (*Ibid.*, p. 22). It appeared in the English edition on September 1, 1931.
¹⁷¹ This is probably the same "L. Alfred" as

the author of the classic *L'antimilitarisme révolutionnaire* which appeared in 1929.

¹⁷² *Party Organiser*, IV, No. 11 (December, 1931).

¹⁷³ *Ibid.*, p. 18.

¹⁷⁴ *Ibid.*, p. 20.

¹⁷⁵ *Ibid.*, p. 21.

¹⁷⁶ *Ibid.*, pp. 23-24.

¹⁷⁷ *Ibid.*

¹⁷⁸ Ehrt, *loc. cit.*, reports that the German language edition, *Der bewaffnete Aufstand*, was "said" to have been published in 1928 by Otto Meyer, Zurich. From an examination of other materials, I have concluded that the publication date of the Zurich edition was probably 1931, rather than 1929 as reported by Ehrt. From 1928 to 1930, the clandestine communist press was still active in Germany. Not until 1931 did Zurich become the printing center for German communism. The communist practice of simultaneously publishing basic original theoretical documents in various foreign language editions further supports the later date, as Neuberg's book was published in Russian as *Voorushamoya vogstaniya* (Moscow) and in French, *L'insurrection armée* (Paris: Bureau d'éditions), possibly also in English, in 1931. Ehrt himself contradicts his own 1928 date by citing an intent reference from Neuberg to 1929.

¹⁷⁹ Neuberg's true identity has never been fully confirmed. In 1933, Adolf Ehrt established the pattern since followed by most authorities when he recorded then current hearsay in Germany that Neuberg was the pseudonym of the notorious communist terrorist and expert in subversion, Heins Neumann. Inclusion of the details of the Canton insurrection in the book, an event on which Neumann had first-hand knowledge, strengthens his candidacy as its author. Neumann's wife, Frau Margarethe Buber-Neumann, once denied any knowledge of Neumann's purported authorship of this work, but she later advised Dr. Stefan Possony that she had subsequently learned her late husband had, in fact, written it.

¹⁸⁰ For a comparative analysis of their respective work, see Possony, *op. cit.*, pp. 178-88.

¹⁸¹ Possony, *loc. cit.*, quoting the *International Press Correspondence*, XIII (October 13, 1933), 993.

¹⁸² Neuberg, quoted by Ehrt, *op. cit.*, p. 10.

¹⁸³ *Ibid.*, p. 112.

¹⁸⁴ *Ibid.*, p. 118.

¹⁸⁵ *Ibid.*, p. 157.

¹⁸⁶ *Ibid.*

¹⁸⁷ The title of this publication has also been referred to in English language literature as *Party Builder*, but the communist press translated the title as given, i.e., *Party Construction*.

¹⁸⁸ *International Press Correspondence*, XII, No. 56 (December 15, 1932), 1215.

¹⁸⁹ *Ibid.*, p. 1216.

¹⁹⁰ In commenting upon the Japanese communist press, the official organ of the Comintern stated: "As regards the organizational work of the communist party in the army and navy, very little is mentioned due to the particularly conspirative nature of this work." ("Some Experiences from the Activity of the C.P. of Japan in the Army," *The Communist International*, XI, No. 14 (July 20, 1936), 481).

¹⁹¹ *International Press Correspondence*, XI, No. 44 (August 20, 1931), 811-12.

¹⁹² *The Daily Worker* (New York), August 13, 1931, p. 5.

¹⁹³ Valtin, *op. cit.*, pp. 236-37.

¹⁹⁴ *International Press Correspondence*, XI, No. 66 (December 31, 1931), 1194.

¹⁹⁵ J. Montenes, "On the Events in Chile," *Ibid.*, No. 52 (October 8, 1931), 943.

¹⁹⁶ *Ibid.*

¹⁹⁷ G. Sinani, "The First Lessons of the Revolt in Chile," *Ibid.*, No. 50 (September 24, 1931), 910-11.

¹⁹⁸ *The Daily Worker* (New Yorker), September 5, 1931, p. 5.

¹⁹⁹ *International Press Correspondence*, II, No. 32 (June 18, 1931), 587.

²⁰⁰ Davenport was also the home port of H.M.S. *Rodney*, the British battleship which the mutineers called the "directing ship" of the sailors' soviet during the mutiny of Invergordon. (Kenneth Edwards, *The Mutiny at Invergordon* (London: The Camelot Press, Ltd., 1937), pp. 115-16).

²⁰¹ *The Times* (London), September 16, 1931, p. 12.

²⁰² Edwards, *loc. cit.*

²⁰³ *Reason in Revolt* (London: Blandford Press, Ltd., 1948), pp. 52-53.

²⁰⁴ *Ibid.*

²⁰⁵ Wincott, who became active in the Communist party's militant front, the International Labor Defense, immediately after his discharge from the Royal Navy, had been in contact with the Communist Party of Germany two months before Invergordon in July, 1931, when units of the British Atlantic Fleet visited Kiel. (Edwards, *op. cit.*, pp. 117-21).

²⁰⁶ *The Daily Worker* (New York), September 17, 1931, p. 5.

²⁰⁷ *International Press Correspondence*, IX, No. 50 (September 24, 1931), 911-12.

²⁰⁸ *The Times* (London), September 22, 1931, p. 9.

²⁰⁹ *The Daily Worker* (New York), September 17, 1931, p. 1.

²¹⁰ *Ibid.*

²¹¹ *Ibid.*, p. 5.

²¹² *International Press Correspondence*, XI, No. 59 (November 19, 1931), 1057.

PRAYER AMENDMENT—THREATENED WITH DEFEAT BY ORGANIZED CHURCH GROUPS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. RARICK. Mr. Speaker, tentatively, the vote on House Joint Resolution 191, the Wylie prayer amendment, will be held on November 8, 1971.

House Joint Resolution 191 reads:

Nothing contained in this Constitution shall abridge the right of persons lawfully assembled, in any public building which is supported in whole or in part through the expenditure of public funds, to participate in nondenominational prayer.

With full recognition to the gentleman from Ohio (Mr. WYLIE) for his untiring efforts, it was the activity of grassroots American people who by letters and personal contact influenced 218 Congressmen to sign the discharge petition. The victory in achieving a record vote belongs only to the people.

Tragically, those many dedicated Americans who gave so unselfishly of their time to force the prayer amendment to a vote in the House underestimate the present situation or have been induced to believe that the battle is over. Nothing could be further from the truth, for while the original impetus has slackened off, the powerful forces of organized opposition to the prayer amendment are now in full swing using every advanced lobbying technique and distortion to sway Members, including some of the original discharge signers.

In contrast to the original supporters of the prayer amendment who were mostly individual citizens, the prayer opponents use organization stationery and appear as spokesmen of national groups claiming to represent large memberships. The American people will be shocked to realize that the powerful force

lobbying against the prayer amendment comes from the organized church leaders of our Nation.

Some of the opposition letters suggest that organized clerical leaders have dropped preaching against sin to sermonize against the prayer amendment. These letters impugn the integrity and intelligence of those of us who signed the discharge petition and who will support the prayer amendment on the record vote. The most frequent statement in opposition is that we should be intelligent enough to know that children now have the right to pray in school—that the Supreme Court only outlawed State-prepared or State-led prayer, but in no way affected the right of any individual to pray anywhere.

If these contentions are correct, one questions why the clerics are so vocal in their lobbying against the prayer amendment which only protects this right.

Is it really fear of the effect of the prayer amendment, which our religious leaders say the people already have, or is it rather a massive organized fear by the minority that makes up the controlling mechanism of our country now being reflected through the politico-clerical lobbyists, that the American people have awakened and made their Representatives in Congress listen to them?

Is it a fear over the prayer amendment or a fear that once the people realize that they can reach into this Chamber and influence their Congressmen to bring the prayer amendment for a vote, then the people will realize that they are the power of this country and can also compel their Representatives to take similar action with other unwanted laws as well as unjust Supreme Court rulings such as busing, tax-free foundations, subversion and excessive taxation.

Is it fear over the prayer amendment which concerns the opposition—or a fear that the Congress will awaken to the realization that the true power in our country is not in political parties and pressure groups, but the people at home?

When the Members of this body fear and respect their constituents more than they do the manipulated leaders and controlled bureaucrats in Washington, those presently all-powerful will be reduced to the level of other struggling dedicated Americans who are trying to save our country and teach their children reverence to a Supreme Being, respect for their parents, and love for their country.

Barring resumption of renewed vitality and activity by the prayer enthusiasts, the prayer amendment will fail to receive the required two-thirds vote on November 8.

Should the prayer amendment be defeated, I am reluctant to speculate on public reaction when the people learn that their prayer amendment was defeated by a concerted lobbying effort by the overwhelming majority, if not all, of the organized religious bodies in our country. Should this happen, it would not be unrealistic for the people to then hold their church leaders and their Congressmen, as well as the Supreme Court, responsible for suppression of prayer. This is an issue of faith, not of detailed explanations. The American people want their children to pray in schools. The

organized churches are trying to stop them.

James Madison, a principal architect of the Constitution, pointed out early in our history that "It is proper to take offense at the first experiment on our liberties." The American people have rightfully responded to his counsel and have worked tirelessly to correct the evil and encroachment precipitated by Supreme Court decisions. Those learned in the law realize that the Bill of Rights was adopted to protect the people and the States from Federal usurpation of their powers. The 1st amendment was never intended to apply to the States.

There are independent and fearless religious spokesmen who support the Wylie prayer amendment, and who have taken the time to answer the confused charges and misinterpretation of their fellow men of the cloth. These men realize the true meaning of our constitutional protection of the people's right to pray.

Examples of such support for the prayer amendment have been in letters from a pastor, Dr. Samuel A. Jeanes, and excerpts of a statement by Rabbi Menachem M. Schneerson, which I insert in the Record at this point.

The material follows:

FIRST BAPTIST CHURCH,
Merchantville, N.J. October 27, 1971.

Re HJR 171.

Hon. CHALMERS P. WYLIE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WYLIE: It is time that the muddled confusion created by court rulings on prayer in tax supported schools be ended. The polls that are taken clearly indicate that the American people, in overwhelming numbers, want to permit voluntary prayer in their schools.

Perhaps, the confusion has been caused because there are those who believe that the courts have said more than they really said and have hastily rushed us into a "prayer vacuum" in public education. The United States Supreme Court in the Board of Regents case ruled against the use of a prayer that was officially recommended by that Board with a directive that it be recited aloud in the presence of a teacher. In a second decision the United States Supreme Court, in the Abington, Pennsylvania School District case ruled against a Pennsylvania law requirement that ten verses be read from the Bible without comment at the opening of each school day. A third case never reached the United States Supreme Court but the U.S. District Court of Appeals for New York State ruled that little children could not recite a simple ancient prayer with their morning milk and cookies which went as follows:

"God is great, God is good,
And we thank Him for this food."

All the American people want is the opportunity for their children to offer voluntary prayer in their schools which was the practice for many, many years. The passage of HJR 191 could grant this permission and certainly bring an end to the misunderstandings which have led to many excesses.

It is unfortunate that some religious bodies have been mounting pressure upon the Congress to thwart the will of the majority of the people. My attention has been called to statements from the American Baptist Convention of which I am a member. Such statements of opposition to voluntary prayer in our tax support institutions supposedly are based upon resolutions passed by the Convention itself. May I call your attention to the fact that such resolutions

are followed by a statement of explanation which says:

WHAT DO AMERICAN BAPTIST RESOLUTIONS REPRESENT?

"American Baptist resolutions are the attempt to help Baptists express a Christian view of crucial issues. To be sure resolutions passed by the American Baptist Convention cannot be said to represent the conclusions of all American Baptists or even all the American Baptists attending the Convention. They do, however, represent the careful thinking of a large number of people."

To illustrate the limited extent of representation reflected by such resolutions let me quote from the June 4, 1971 issue of Christianity Today which says:

"During debate over a controversial statement on non-traditional 'family life styles' that could have been interpreted as endorsing pre-marital sex and homosexual practices, ABC Treasurer, Milton Bennett—a Toledo restaurant operator—invoked the parliamentary law requiring that a majority of delegates be present when business is transacted. Only a fourth of the 2,800 were on hand, bringing automatic adjournment . . . Bennett's ploy was the first such call in the memories of ABC officials. It will not be the last; delegates spoke privately of using it next year (many of the ABC's most controversial resolutions over the years have been passed by a fraction of a quorum)."

The American Baptist Convention claims about 6,100 individual churches with an approximate total membership of 1,500,000 people. There is no reason to believe that even half of the churches had delegates at the Convention session when this resolution against prayer in the schools was adopted. Furthermore, as a rule the delegates who do go to Convention sessions have no authority whatsoever to commit their congregations on any issues. Neither are any scientific efforts made to poll the thinking of the churches or their membership on such questions.

I trust that the members of the Congress will exercise seasoned judgment by accepting such sweeping statements from large organizations for what they are . . . expressions of men based upon very incomplete findings and voted, often by bodies that do not represent even a very small fraction of their total constituency.

The proposal before you does not require prayer, but it certainly does not prohibit it. Neither does it grant authority of any official body to determine the form or content of the prayer.

It should be remembered that the prayer decision of the Supreme Court was based upon their interpretation of the Constitution. However, the Constitution is an instrument ordained, not by the courts, but by the people. The courts may interpret it, but the people have a right to amend it. It should say clearly what the people want it to say.

If public prayer can be offered in the Halls of Congress at each opening session, in military camps and on board ship for our service men, at the inauguration of the President of the United States, at national political conventions, at social, civic and public functions, and even in our penal institutions, why should prayer be banned from the lips of our children and young people in the schools of the nation?

The passage of HJR 191 will give the world a moral witness that declares that for Americans God is important. And it will reaffirm what the Supreme Court itself has said that "we are a religious people whose institutions presuppose a Supreme Being."

Sincerely yours,
SAMUEL A. JEANES, Pastor.

CONGREGATION MISHKAN
ISRAEL NUSACH H'ARI,
LUBAVITCHER CENTER,
Oak Park, Mich., October 10, 1971.

HONORED CONGRESSMAN: H.J. Res. 191, the amendment concerning non-denominational

prayer in the public schools, has been discharged from the Judiciary Committee through petition, and will come before the House for a vote.

We respectfully bring to your attention the views on this matter of Rabbi Menachem M. Schneerson (the Lubavitcher Rabbi), world Jewish leader.

Sincerely yours,

J. N. KRANZ,
Rabbi.
Y. M. KAGAN,
Associate Rabbi.

EXCERPTS OF A LETTER BY THE LUBAVITCHER RABBI, RABBI MENACHEM MENDEL SCHNEERSON

On the contrary, if there could have been any change at all (in my views), it was to reinforce my conviction of the vital need that the children in the public schools should be allowed to begin their day at school with the recitation of a non-denominational prayer, acknowledging the existence of a Creator and Master of the Universe, and our dependence upon Him. In my opinion, this acknowledgment is absolutely necessary in order to impress upon the minds of our growing-up generation that the world in which they live is not a jungle, where brute force, cunning and unbridled passion rule supreme, but that it has a Master Who is not an abstraction, but a personal G-d; that this Supreme Being takes a "personal interest" in the affairs of each and every individual, and to Him everyone is accountable for one's daily conduct.

Juvenile delinquency, the tragic symptom of the disillusionment, insecurity and confusion of the young generation, has not abated; rather the reverse is the case. Obviously, it is hard to believe that the police and law-enforcing agencies will succeed in deterring delinquency and crime, not to mention completely eliminating them at the root, even if there were enough police officers to keep an eye on every recalcitrant child. Besides, this would not be the right way to remedy the situation. The remedy lies in removing the cause, not in merely treating the symptoms. It will not suffice to tell the juvenile delinquent that crime does not pay, and that he will eventually land in jail (if he is not smart enough). Nor will he be particularly impressed if he is admonished that law-breaking is an offense against society. It is necessary to engrave upon the child's mind the idea that any wrongdoing is an offense against the Divine authority and order.

At first glance this seems to be the essential function of a house of prayer and of the spiritual leaders. However, anyone who does not wish to delude himself about the facts of house of prayer attendance, both in regard to the number of worshippers and the frequency of their visits, etc., etc., must admit that shifting the responsibility to the house of prayer will not correct the situation. Nor can we wait until the house of prayer will attain its fitting place in our society, and in the life of our youth in particular, for the young generation will not wait with its growing-up process.

Children have to be "trained" from their earliest youth to be constantly aware of "the Eye that seeth and the Ear that heareth". We cannot leave it to the law-enforcing agencies to be the keepers of the ethics and morals of our young generation. The boy or girl who has embarked upon a course of truancy will not be intimidated by the policeman, teacher or parent, whom he or she thinks fair game to "outsmart". Furthermore, the crux of the problem lies in the success or failure of bringing up the children to an awareness of a Supreme Authority, Who is not only to be feared, but also loved. Under existing conditions in this country, a daily prayer in the public schools is for a vast number of boys and girls the only opportunity of cultivating such an awareness.

On the other hand, as I have emphasized

on more than one occasion, only a strictly non-denominational prayer, and no other, should be introduced into the public schools. Any denominational prayer or religious exercise in the public schools must be resolutely opposed on various grounds, including also the fact that this would create divisiveness and ill-feeling. Likewise must Bible reading in the public schools be resolutely opposed for various reasons, including the obvious reason that the reading of Koran and the New Testament will arouse dissension and strife. Moreover, the essential objective is a religious expression that would cultivate reverence and love for G-d, and this can best be accomplished by prayer, while Bible reading is not so important in this instance.

1. It has been argued that the child attending public school is in the category of a "captive", since his refusal to participate in a prayer would "stigmatize" him. His participation would therefore be involuntary and an encroachment on his freedom.

In my opinion, the notion of "capacity" as applied in this case should lead to a conclusion which is quite the reverse, for the following reasons:

The child attending public school knows that his attendance is compulsory, because his parents and the government consider his education of the utmost importance. Together with this comes the recognition that what is really important and essential to his education is taken care of in the school. The child's instinctive feeling and inference from this is that anything that is not included in the school curriculum is of secondary importance if, indeed, of any importance at all. Hence, if religion (prayer) is excluded from the school, the child would inevitably regard it in the same category as an extra foreign language, or dancing, or music lessons, which are not required by the school but are left to the parents' free choice, and which the child, not illogically, considers a burden or even a nuisance. In other words, the present system of the public school education is such that it impresses upon the pupil the belief that everything connected with religion, such as knowledge of God's existence, etc., is of little consequence, or of no importance whatever.

It will neither interest nor impress the child if he were told that the exclusion of prayer from the school is due to the principle of the separation of State and Church, or to a constitutional technicality. The reasons or explanations, even if they be actually conveyed to the child from time to time will not nearly impress him as much as the plain fact itself, which reasserts itself *each and every day*, that nothing can be very important to his education if it is not included in the school program. Such a situation can only reinforce the child's attitude of indifference, or even disdain, to any religious beliefs.

The above would be true even in the case of a child who comes from a religious home and background. How much more so in the case of children whose parents and homes are not permeated with the religious spirit, or where religion is something which is practiced once a week, on the day of rest, or only on holidays and special occasions. This, after all, is the kind of home from which the vast majority of the public school children come, inasmuch as the truly religious parents make every sacrifice in order to provide their children with the religious education and environment of a parochial school.

2. To oppose non-denominational prayer "on constitutional grounds" is, in my opinion, altogether a misunderstanding or misrepresentation of the problem.

The issue is: Whether a non-denominational prayer wherewith to inaugurate the school day is, or is not, in the best interests of the children. If the answer is "yes", then obviously it should be made constitutional, for there can be no difference of opinion as to the fact that the Constitution has been created to serve the people, not vice versa.

It may be pertinent to add here that the approach that the Constitution of the U.S.A. must not be touched or amended under any circumstances, is in itself a flagrant violation of the letter and spirit of the Constitution, which has its own built-in machinery for future amendments that may be required in the public interest; machinery which has been used in the past to incorporate into the Constitution a number of amendments.

3. It is argued that the principle of separation of Church and State is the only safeguard for freedom of religion, equal rights for minorities, etc.

Without going into the question whether there actually exists a strict separation between State and Church in this country (for there are undeniable facts to the contrary, e.g. the institution of Chaplaincy in the armed forces; the opening of Congress with a prayer; the motto "In G-d we trust" on American currency, the emphasis on Divine Providence in the Declaration of Independence; etc., etc.), I submit that the validity of the argument is contingent upon the question who is behind this principle, and how it is to be interpreted and applied? Suffice it to cite an illustration from two representative States now in existence, in one of which the said principle is in full operational force, while in the other it is not. In the first, as the daily press reports, there is a calculated war on religion and religious practices, with the suppression of all religious freedom, etc. Incidentally (and perhaps it is quite relevant to our discussion) it all started there with a ban on religious instruction to young children. In other countries, for example England, there is no separation of Church and State, there is religious instruction in the public schools, yet you find there complete religious freedom for all religious denominations.

4. Some argue further that the principle of separation of State and Church must be maintained at all costs, in order to prevent a resurgence of religious persecution so prevalent in the Middle Ages, when an established state-religion denied equal, or any, rights to other religions, etc.

The fallacy of this argument should be quite obvious. By way of illustration: Suppose a person was ill at one time and doctors prescribed certain medication and treatment. Suppose that years later the same person became ill again, but with an entirely different, in fact quite contrary, malady. Would it be reasonable to recommend the same medication and treatment as formerly?

In Medieval times the world suffered from an "excess" of religious zeal and intolerance. In our day the world is suffering from an excessive indifference to religion, or even from a growing materialism and atheism. Even where religion is practiced, it often lacks depth and inspiration. (The subject is too painful to discuss in detail). Thus, if separation of Church and State was necessary, it is *not at all* the answer to the problems of our contemporary youth. Besides, the preservation of the principle is not at stake here, and the introduction of a non-denominational prayer in the public school will not endanger it in the least. Moreover a special clause to this effect can be included in the amendment.

5. It has also been argued that if a non-denominational prayer were permitted and left to the discretion of every school board in the country, this practice could lead to abuse.

I do not consider this a valid argument. Firstly, we are talking here about a *strictly non-denominational* prayer, and agreement should not be difficult on this point. Nor could there be room for any undercover abuse, since prayer would be recited openly in the school. Besides, a proviso could be made which would require the unanimous approval by the representatives of religious denominations before the particular non-denominational prayer is introduced into the

school. Moreover, there is no need to compose new non-denominational prayers, as there are already such.

6. The argument that a short non-denominational prayer would have no effect on the child reciting it, could not be considered as a serious argument by anyone who has knowledge or experience in child education. On the contrary, the fact that prayer will be recited in the school and classroom, and day after day, will *inevitably* become an integral part of the child's thinking and is bound to be a factor which could be further cultivated to the child's advantage in terms of spiritual and psychological development.

Summarizing the above-said, my standpoint indicates the following course:

a. All efforts, petitions, etc., should be brought to bear towards the introduction of a constitutional amendment which would permit the recitation of a strictly non-denominational prayer in all public schools.

b. At the same time it should be clearly emphasized that any other kind of prayer or religious exercise, including Bible reading, is not desirable in the public schools because of the friction and divisiveness which such a practice would inevitably entail. It would surely be detrimental to introduce an amendment which would do just that.

c. I am gratified to see that there are representatives in Congress who expressed their support for an amendment that would permit a non-denominational prayer in the public schools, while opposing sectarian prayer and Bible reading.

d. The whole controversy as to the constitutionality of such a non-denominational prayer is of little, if any consequence to the problem itself. The crucial problem is how to build the ethical and moral fibre of the young generation which is educated in the public school system: Is the American child to grow up under an educational system, which excludes all mention of the Divine Name, so that he (or she) will inevitably regard the world around him (or her) as a Godless jungle; or is he (or she) to be encouraged to think that there is a Supreme Being, the Creator and Master of the World, Who ordains justice and liberty for all, and Who is the source of true blessing.

Certainly a non-denominational prayer in the public schools will not, in itself, provide an adequate basis for the right and complete world-outlook, but it is an indispensable first step in this direction, considering the state of our society as it is at present, and as it is likely to remain for quite a long time, insofar as it can be judged from the prevailing conditions and factors.

ARMS LIMITATION—THE PRE-REQUISITE OF JUSTICE

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 28, 1971

Mr. DRINAN. Mr. Speaker, I attach herewith a most significant statement in which John Cardinal Krol, of Philadelphia, speaking in the name of the Episcopal Conference of the United States, urges in the strongest terms the limitations of the arms race.

Never before has a spokesman on behalf of the more than 200 Roman Catholic bishops in America spoken so strongly about the supreme tragedy of the arms race.

I commend this moving and enormously significant statement, made at the Bishops Synod in Rome, by Cardinal Krol:

ARMS LIMITATION—THE PREREQUISITE OF JUSTICE

(Remarks of John Cardinal Krol)

I speak in the name of the episcopal conference of the United States. The opening synodal report dealing with justice in the world mentions many instances of injustice. It explains the Church's role in the struggle to right them and suggests radical means of self-defense which the natural law allows. Warning that progress will come only through sacrifice and suffering it notes that the word of hope is more than purely descriptive. It is provocative and is not heard or followed without some danger.

While speaking of all this, that report omits explicit reference to a serious cause of injustice, namely the stockpiling of arms that grows year by year. Precisely why this is omitted is not clear since conciliar and papal documents and the synodal *lineamenta de iustitia in mundo* deals with the present state of affairs in which immense sums of money are spent to initiate or repel the hostilities of war, while much smaller amounts are allocated for the alleviation of hunger and other human miseries.

I am speaking of course of the arms race which threatens mankind with universal devastation of the earth.

This race is unjust for three reasons:

(1) First, it violates the rights of citizens of the nations that are involved in it because of the heavy burden of taxation they must bear.

(2) It has adverse effects on the citizens of other nations who are thereby deprived of the aid and assistance required for economic and social progress.

(3) It offends against the rights of all men who may as a result become the victims of some unforeseen disaster and who live always in the fearful shadow of the third world war.

Moreover, the arms race violates the rights of the world's poor in a way that is fruitless and intolerable. The reason is that it is not the way to protect human life or foster peace but on the contrary the causes of war are thereby aggravated little by little.

Disarmament is a continuing imperative—an indispensable prerequisite of justice. Current directions must be reversed. New attitudes must be developed. A relentless effort must be made to promote reciprocal and collective disarmament at an equal pace, by agreement, with authentic and workable safeguards. The strategic arms limitation talks deserve greater interest, encouragement and support.

Peace is no excuse for the arms race for it cannot be built or maintained by violence or terror. That contemporary human spirit which rejects the use of violence is permeated with the charity of the Gospel. In its light, war or recourse to physical force in

solving international problems is seen as an exercise of futility. For the Prince of Peace affirmed that those who live by the sword will die by it as well.

The right to legitimate self-defense, once all means of peaceful settlement have been exhausted, cannot be denied. Peace cannot be invoked to give permanence and respectability to the violation of human rights and human dignity. The genuine convictions of persons who insist on the principles of non-violent solutions of conflicts among nations must be respected, regardless of whether their conscientious objection is total or selective.

According to the *World Military Expenditures 1970* report of the United States Arms Control and Disarmament Agency, world military expenditures reached a peak record of \$204 billion. This amount is equivalent to the total annual income of the 1.8 billion people in the poorer half of the world population and 6.4 percent of the world gross national product.

In the United States, military expenditures were \$80.5 billion; expenditures for education was \$46.5 billion for a total of \$127 billion. This disproportionate spending for military purposes took place in an affluent society in which nevertheless some 34 million people or 10.5 million families received an income less than the government-designated poverty level of \$4,000.

The tragedy of military expenditure is that developing nations are suffering most from the arms race. While military spending during the past six years increased 50 percent in the world, the percentage of increase in developing nations was 145 percent. From 1964 to 1968, the percentage of military spending increased 36.6 percent in the world, 57 percent in the United States, but in a number of developing countries the increase ranged from 100 to as high as 333.3 percent. In 1966 one of the developing nations which has an 80 percent illiteracy rate, spent \$103 million on military and only \$99 million on education.

The rate of increase in military spending in developing countries since 1964 exceeds the advance in the gross national product at the expense of populations (73 percent of the world), whose average income per capita is still barely \$200 a year.

The arms race is indeed a plague to all humanity in both developed and developing nations. The supreme tragedy of the race is that it is irrational as well as unjust. Today strategic arsenals are loaded with nuclear power capable of destroying all life with the over-kill equivalent of 15 tons of dynamite for every human person.

The two major powers have sufficient power to destroy each other five or six times over. We are told that in an all-out missile attack, some 120 million people in the United States might die. Even the ABM Safeguard System

would at best reduce the casualties to from 40 to 60 million people. Current production of the MIRV (Multiple Independently-Targeted Reentry Vehicles) is supposed to increase the striking power of the major nuclear nations up to 20 fold.

The irony of it all is that even today we read arguments why it is necessary to increase military expenditure to maintain a balance of power. The fact is that the destructive power in the arsenals of the world cannot prevent mass destruction of life. It can at best retaliate causing a greater loss of life. Even after such a destructive exchange, the problem of negotiating a just and lasting peace by removing the injustices which led to war would be as urgent as ever.

What can the Church do in a practical and positive way to retard and reverse the accumulations of armaments—to develop new attitudes and directions?

The Church does not exercise direct power over nations, over political and economic life within nations nor over the military-industrial complex, which promotes arms production. The mission of the Church is to teach the social principles of the gospel and apply those principles to existing nations.

The Church should find no difficulty in finding a benevolent audience. Reasonable men are opposed to wars and to the enormous taxes imposed for military expenses. The Church should find no trouble in convincing the audience that all the stockpiling of armaments did not preclude the 40 wars that have occurred since 1945, or that in the 5,560 years of recorded history, some 14,000 wars have taken place with only 292 years of relative peace.

The Church should be relentless in its efforts to shape public opinion and to create a climate in which theology and not technology would give directions to the course of human events. Then men would understand why arms limitation is a necessary step to general disarmament, which is a prerequisite to international justice, in which men, convinced that the arms race is a treacherous trap and war a tragic folly, would direct their efforts and resources toward removing the causes of war—injustice.

In 1968 the bishops' conference of the United States issued an urgent call for international peace and questioned the values of the policy of maintaining nuclear superiority. This voice together with many others including the World Council of Churches led to the ABM debate of 1969—the ABM was in doubt for some time and was approved by a margin of one vote. Since then the percentage of increase of military expenditures has levelled off. Let the Church proceed proclaiming the gospel tirelessly against efforts to develop new weapons of destruction. In this way it will do what it can to remove the causes of war and serious injustice.

SENATE—Monday, November 1, 1971

The Senate met at 9:30 a.m. and was called to order by Hon. JOHN V. TUNNEY, a Senator from the State of California.

PRAYER

The Reverend George L. Fletcher, pastor, First Baptist Church of Grady, Ark., and chaplain, the American Legion, Arkansas, offered the following prayer:

Our Father, help us this day to realize that You have blessed our Nation with a double portion of Thy Holy Spirit. Because of this we are ever mindful that You want us to put love before hate, humility before pride, and You before all things.

Thank You, Our Father, for freedom. Bless, O God, these leaders with the knowledge to carry out Your purpose.

Make this God's country by making us to live like people of God. We ask these things in the name of Jesus Christ, our Lord. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., November 1, 1971.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JOHN V. TUNNEY, a Senator from the State of California, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. TUNNEY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the