

## EXTENSIONS OF REMARKS

SUSAN B. ANTHONY

## HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mrs. GRASSO. Mr. Speaker, February is the month in which we commemorate the birthdays of great Americans. On February 15 we honored the birthday of a gallant patriot and crusader, Susan B. Anthony, who was a great leader in the movement for equal rights for women which early in this century culminated in the passage of the 19th amendment to the Constitution granting women the vote.

Armed with great intellectual capabilities, stanch principals, and a solid education, Susan Anthony ventured into early reform activities through the temperance movement. However, on September 8, 1852, she attended her first convention on women's rights which promised to determine her course of action for the remainder of her life. In accordance with her highly moralistic outlook of life, she was an ardent abolitionist who believed in immediate and unconditional emancipation of black people and worked toward that end during the Civil War.

With the end of the war, Susan Anthony began to campaign in earnest for the women's suffrage. Her courage and devotion to the cause soon placed her in the leading ranks of those who dreamed of the day when "the rights of the United States to vote shall not be abridged by the United States or by any State on account of sex."

Though often attacked and derided for her "radical" views, she was regarded by those who knew her best as a woman of great honesty, high moral standards, quick wit, and a hearty sense of humor. Her actions were often dramatic and militant in nature; however, until her death in 1906, she retained a positive outlook toward the future decisionmaking role women would make in our Nation. She felt that women were increasing in strength, self-reliance, independence, perception, and energy.

The day will come when men will recognize women as their peers, not only at the fireside, but in the councils of the nation. Then, and not until then, will there be the perfect comradeship, the ideal union between the sexes, that shall result in the highest development of the—human—race.

The contributions of Susan B. Anthony to equal rights for all our people are immeasurable. Her final goal was not women's suffrage; but she hoped the franchise would serve as a catalyst toward the time when women, and all other people in our society, obtain complete equality. That time has not yet come. Those of us today who are concerned with social, economic, and personal equality will do well to be mindful

of Susan B. Anthony's fearless dedication and strong will as we embark on a future course filled with anxiety but laden with promise.

## CONSUMER PROTECTION AGENCY

## HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. ROSENTHAL. Mr. Speaker, I have reintroduced today, with 133 Democratic cosponsors, my bill to establish an independent Consumer Protection Agency. Today's bills are identical with H.R. 14, H.R. 15, and H.R. 16 introduced on January 21, 1971, by me, Mrs. FLORENCE DWYER, of New Jersey, and Mr. HOLIFIELD, of California, respectively. These bills, in turn, are identical to the version considered late last Congress by the House Rules Committee.

I expect the Government Operations Committee, of which I am a member, to act positively once again on this legislation early in this session. I am confident that the committee will approve this bill very rapidly and send it to the floor of the House for final action.

The needs of the American consumer have been delayed too long, Mr. Speaker. Yet until he has proper representation in Washington, the consumer will never receive the fair treatment by Government agencies which he merits. The testimony today of a majority of House Democrats who cosponsor this bill confirms my own judgment that the time has arrived with the 92d Congress for decisive action on the consumer's behalf.

Mrs. DWYER, ranking minority member of the Government Operations Committee, is seeking Republican support for this bill also. Our bipartisan effort of the last Congress will be carried forward in this session of the 92d Congress.

I include below a summary of this legislation, a background paper on its development, and a list of today's cosponsors:

## SUMMARY OF THE CONSUMER PROTECTION ORGANIZATION ACT OF 1971, H.R. 18214 IN THE 91ST CONGRESS

To establish an Office of Consumer Affairs in the Executive Office of the President and a Consumer Protection Agency, in order to secure within the federal government effective protection and representation of the interests of consumers.

[H.R. 18214 was a clean bill ordered reported by the House Committee on Government Operations in the second session of the 91st Congress. It was introduced by Representatives Benjamin S. Rosenthal and Florence P. Dwyer and co-sponsored by 31 members of the Committee. Hearings were held by the Subcommittee on Executive and Legislative Reorganization in September and November 1969 and in April 1970 and published under the title "Organizing Federal Consumer Activities" (Parts I and II).]

## STATEMENT OF FINDINGS

The Congress finds that the interests of the American consumer are inadequately represented and protected within the federal government; and that vigorous representation and protection of consumer interests are essential to the fair and efficient functioning of a free market economy.

## Title I—Office of Consumer Affairs

An Office of Consumer Affairs, headed by a Director appointed by the President and confirmed by the Senate, is established in the Executive Office of the President.

## Functions:

Coordinate the consumer programs and activities of all federal agencies in order to achieve effectiveness and avoid duplication; Advise the President and assist in the development of consumer programs;

Assure that the interests of consumers are taken into consideration by federal agencies in the formulation of policies and in the operation of programs;

Submit recommendations to the Congress and the President on improvement of consumer programs and activities;

Conduct conferences and studies concerning the needs of consumers;

Encourage and coordinate consumer education programs;

Publish information of value to consumers;

Publish a Consumer Federal Register in advance of federal agency actions of importance to the consuming public.

## Title II—Consumer Protection Agency

An Independent Consumer Protection Agency, headed by an Administrator appointed by the President and confirmed by the Senate, is established in the Executive Branch.

## Functions:

Formally represent the interest of consumers in proceedings before federal agencies and courts;

Encourage and support research, studies and testing leading to a better public understanding of consumer products and consumer information;

Submit recommendations to the Congress and the President on improving the operation of federal consumer programs;

Conduct surveys and investigations concerning the needs and problems of consumers which do not duplicate activities of other federal agencies;

Continue the work of the National Commission on Product Safety.

Representation of Consumers: Before federal agencies, the Consumer Protection Agency is authorized to represent consumers as a party on matters which do not involve an adjudication solely for the purpose of imposing a fine, penalty or forfeiture for an alleged violation of any statute of the United States. On matters which do involve an adjudication for such a sole purpose, the Agency may certify evidence and information, but not as a party to the proceedings.

Before federal courts, the Agency may only certify evidence and information, but not intervene as a party. But the Agency may initiate a judicial review of an agency proceeding to which it was a party, when a right of review is otherwise accorded by statute.

The Agency is authorized to request a federal agency to initiate an investigation, hearing or other proceeding as may be authorized by law with respect to such agency.

Consumer Complaints: When consumer complaints are received or developed by the Office or Agency, such action may be taken

as is within the authority of each. If the complaint is referred to another federal agency, the nature of the action taken thereon shall be ascertained. Duplication by the Agency and the Office in the handling of complaints is specifically prohibited.

A public document room will be maintained by the Agency alone for public inspection of complaints. The Agency shall promptly notify producers and vendors of all complaints concerning them received or developed. A complaint can only be made available for public inspection with the permission of the complainant and after the party complained against has had a reasonable time, but not less than 60 days, to comment.

**Consumer Information and Testing:** The Agency and the Office shall develop on their own initiative, gather from other sources and disseminate to the public, information of general value to consumers.

The Agency shall have primary responsibility for disseminating to the public, consumer information in the possession of other federal agencies, including the results of relevant tests performed by those agencies on consumer products.

The Agency alone can request other federal agencies with testing capabilities to test consumer products for performance, but only when the results of those tests relate (1) to matters of product safety and (2) to data needed by the Agency for purposes of representing the interests of consumers before other federal agencies.

The Agency may not declare one product to be better, or a better buy than any other product. In the dissemination of any test results which disclose product names, it shall be made clear, if such is the case, that not all products of a competitive nature have been tested and that there is no intent or purpose to rate products tested over those not tested or to imply that those tested are superior or preferable in quality over those not tested.

**Consumer Safety:** The Agency alone is directed to carry out on a continuing basis the functions and duties exercised by the now-defunct National Commission on Product Safety.

**Consumer Advisory Council:** A 15-member Council composed of private citizens, knowledgeable and experienced in the area of consumer affairs, is established. Members appointed shall be paid on a per diem basis only for those days on which they actively serve.

The Council will assure citizen participation in the federal consumer protection apparatus and will advise the Agency and Office on consumer matters.

#### BACKGROUND OF THE CONSUMER PROTECTION ACT OF 1971

##### I. HISTORY OF THE BILL

A. In the early 1960's, Senator Estes Kefauver proposed the establishment of a cabinet-level Department of Consumer Affairs which would have assumed, under one roof, many of the major consumer programs now administered elsewhere. Kefauver's proposal enjoyed the support of Senator Hubert Humphrey and Speaker John McCormack.

In the 88th Congress, Congressman Benjamin S. Rosenthal introduced a Department of Consumer Affairs Bill with approximately a dozen cosponsors. By the 91st Congress, close to 100 members had cosponsored the legislation. Extensive hearings were held in September and October 1969 and April 1970.

B. After hearings were concluded in the 91st Congress, Congressman Rosenthal created, together with a substantial number of outside experts, a new bill to establish an independent Consumer Protection Agency and a White House Consumer Office. The cabinet-level department approach was abandoned because of convincing evidence

that such a department would focus the activities of industry and special-interest lobbyists on the single agency and would generate needless opposition by other federal agencies who would oppose transfer of some of their functions to the new department.

Also, a cabinet Department with regulatory functions could not *advocate* the consumer's interest; instead, it would, like other regulatory consumer agencies, be required to balance consumers' interests with those of other groups. Advocacy before all agencies is now the heart of the new proposal.

##### II. HOW THE CONSUMER AGENCY AND OFFICE WILL HELP THE AMERICAN CONSUMER

Establishing both an independent Consumer Protection Agency and a White House Consumer Office (but with explicit provisions against duplication and overlap) recognizes the need for a different institutional response to the two major weaknesses of federal consumer protection—

First, the almost total absence of spokesmen for the consumer before federal agencies and courts when decisions are made affecting the consumer interest (An example: AT&T's lawyers, economists, and statisticians presented the request to the FCC for an increase in long distance telephone rates. Consumers had no such representation when FCC approved a \$250 annual increase);

Second, the incredible lack of coordination and overview of the 500 fragmented consumer programs administered by 36 federal departments and agencies.

Only an independent Consumer Protection Agency, insulated from the political pressures and considerations found inside the White House, can successfully intervene before federal agencies on controversial matters. Only an independent Agency could successfully release product test information to the public and continue the vital work of the National Commission on Product Safety.

On the other hand, only a White House Office, speaking for the President and his managers, could successfully coordinate programs administered by cabinet officers and agency heads.

##### III. WHO IS FOR THE CONSUMER PROTECTION ACT OF 1971?

This bill has the support of educators, State and local consumer officials, of Ralph Nader, Betty Furness, Esther Peterson, Bess Meyerson Grant, and of progressive corporate leaders. Consumers Union, publisher of *Consumer Reports*, Consumer Federation of America, and many other consumer groups support the measure.

##### IV. EDITORIAL SUPPORT FOR THE CPA BILL

"The Washington Post, 10/30/70: The President blamed certain unnamed congressmen for blocking consumer legislation. Actually, the two most important pieces of consumer help now in the works are the Rosenthal-Dwyer bill and one on class action suits; the administration has been working against both."

"Editorial, 'Consumer Crossroads,' the New York Times, 6/29/70: 'The failure for many years . . . to turn out safe products, and the inability of traditional Government Agencies to protect the public from resultant accidents and deaths, are leading to a legislative crossroad.'"

"Sponsored by Representatives Rosenthal of New York and Dwyer of New Jersey, the House bill would create an independent Consumer Protection Agency, encompassing product safety and other aspects of consumer affairs . . . Now there is a chance for Congress to establish an independent Agency with full powers to represent all Americans

in their year-round role, regardless of income or station, as consumers."

"Editorial, 'Consumer Victory,' St. Louis (Mo.) Post Dispatch, 7/29/70: 'After a nine month deadlock, a House subcommittee has finally reported out a consumer protection bill that ranks as one of the most promising pieces of legislation in the field . . . The Nixon Administration is opposed to the measure, which is not surprising; its consumer advocacy has been pretty well confined to rhetoric.'"

##### DEMOCRATIC COSPONSORS OF CONSUMER PROTECTION ACT OF 1971, FEBRUARY 17, 1971 REPRESENTATIVES

Abourezk of South Dakota, Abzug of New York, Adams of Washington, Addabbo of New York, Anderson of California, Anderson of Tennessee, Annunzio of Illinois, Ashley of Ohio, Aspin of Wisconsin, Badillo of New York, Barrett of Pennsylvania, Begich of Alaska, Bergland of Minnesota, Biaggi of New York, and Bingham of New York.

Blatnik of Minnesota, Boland of Massachusetts, Brademas of Indiana, Brasco of New York, Brooks of Texas, Burke of Massachusetts, Burton of California, Carey of New York, Carney of Ohio, Celler of New York, Chisholm of New York, Clark of Pennsylvania, Clay of Missouri, Collins of Illinois, and Conyers of Michigan.

Corman of California, Cotter of Connecticut, Culver of Iowa, Daniels of New Jersey, Danielson of California, Denholm of South Dakota, Dellums of California, Dent of Pennsylvania, Diggs of Michigan, Dingell of Michigan, Donohue of Massachusetts, Dow of New York, Drinan of Massachusetts, Dulski of New York, and Eckhardt of Texas.

Edwards of California, Ellberg of Pennsylvania, Fascell of Florida, Flood of Pennsylvania, Ford of Michigan, Fraser of Minnesota, Fulton of Tennessee, Gallagher of New Jersey, Garmatz of Maryland, Gaydos of Pennsylvania, Gibbons of Florida, Gonzalez of Texas, Grasso of Connecticut, Gray of Illinois, and Green of Pennsylvania.

Hanley of New York, Hansen of Washington, Harrington of Massachusetts, Hathaway of Maine, Hawkins of California, Hechler of West Virginia, Helstoski of New Jersey, Hicks of Massachusetts, Hollifield of California, Howard of New Jersey, Jacobs of Indiana, Johnson of California, Karth of Minnesota, Kastenmeier of Wisconsin, and Kluczynski of Illinois.

Koch of New York, Leggett of California, Link of North Dakota, Long of Maryland, Macdonald of Massachusetts, Madden of Indiana, Matsunaga of Hawaii, Mazzoli of Kentucky, McFall of California, McCormack of Washington, Meeds of Washington, Mikva of Illinois, Minish of New Jersey, and Mink of Hawaii.

Mitchell of Maryland, Moorhead of Pennsylvania, Morgan of Pennsylvania, Moss of California, Murphy of New York, Murphy of Illinois, Nedzi of Michigan, Nix of Pennsylvania, O'Neill of Massachusetts, Patten of New Jersey, Pepper of Florida, Perkins of Kentucky, Pike of New York, Podell of New York, and Price of Illinois.

Pucinski of Illinois, Rangel of New York, Rees of California, Reuss of Wisconsin, Roldino of New Jersey, Roe of New Jersey, Ronaldo of Wyoming, Rooney of Pennsylvania, Rosenthal of New York, Rostenkowski of Illinois, Roybal of California, Ryan of New York, Sarbanes of Maryland, Scheuer of New York, and Seiberling of Ohio.

Smith of Iowa, Stanton of Ohio, Stokes of Ohio, Symington of Missouri, Thompson of New Jersey, Tiernan of Rhode Island, Udall of Arizona, Van Deerlin of California, Vanik of Ohio, Waidle of California, Charles Wilson of California, Wolff of New York, Yates of Illinois, Yatron of Pennsylvania, and Zablocki of Wisconsin.

U.S. ARMY SURRENDERING TO  
INFILTRATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. RARICK. Mr. Speaker, the way things are going, President Nixon may not only be the first President in the history of the United States to lose a war, but he will be the first President in our history to lose an army.

The Army has already lost its mission. Its primary function now appears to be a sensitivity training exercise to bring about the new American revolution of racial equality, brotherhood, and tolerance. Afro-American haircuts, Communist clenched fist salutes, human relations staff officers, and guidelines for dissent, even servicemen's unions are all sought as justified under the permissive philosophy of making the Army more acceptable to the derelicts of our society.

From the Secretary of Defense and the Chief of Staff on down through the Judge Advocate General, the wars in Vietnam and Korea take second place to the new race wars caused by a handful of undisciplined soldiers who not only are ineffective as fighting men but who damage the entire morale of our military force. Yet our commanders, if they are still in command, seem only determined to further reduce the effectiveness of our troops by appearing and surrendering to this motley minority. The more control they surrender and the more insubordination they tolerate, the less effective the Army becomes. Yet those in command who should know better, in their dedicated efforts for change, must now share in the responsibility of destroying the morale and acceptability of military life to the dedicated soldier. They cannot suppress all the reports. Nor can they correct a situation when thus far every retreat from discipline but provokes new problems rather than offer solutions.

The Army now announces that, because of the lack of control over its command, it is going to spend \$3 million defense dollars in network television time. Yet, at the same time the Continental Army Command—Conarc—last month issued a message to all departments that, first, consider leadership in operating successful equal opportunity programs as a criterion in the evaluation for promotion of military and civilian officials; and, second, impose effective sanctions for noncompliance against officials who fail to produce satisfactory results, that good performance or bad performance in the equal opportunity area is a basis for promotion or nonpromotion of the individual.

Integrated housing, including off-base and integrated public facilities, also seem to be the order of the day. Even when the soldier is off duty he is to be denied his constitutional right of freedom of association.

While this stringent deprivation of the constitutional rights of service personnel is being imposed under the veneer of

equal employment opportunity, in the Army, the white-led NAACP shows up in Germany demanding that grievances of black enlisted men in the U.S. Army must be redressed if the United States is going to maintain an effective force in Europe. This is being done with full knowledge that there has been no effective force in Europe since the services were integrated and the men's cultural differences thrown into conflict by close contact.

A more thorough understanding of the background of the race problem confronting every unit commander must necessarily entail a study of the infamous report compiled by Abe Fortas, once a Federal judge, and by Chairman Gesell, still a Federal judge in Washington, D.C., for the then Secretary of Defense Robert Strange McNamara—(see E9749 Nov. 18, 1969)—and the ridiculous military order of the Secretary of the Army, Stanley Resor. Mr. Resor's philosophy on how to destroy a competent military force must be shared by both the present and preceding Presidents since he remains in power. Yet, the guidelines of dissent and new freedoms, a young southerner, Capt. Jerry Lane Finley, discovered does not extend the privilege of freedom of association secured under the U.S. Constitution which a soldier must swear to uphold and defend.

The present policies and practices being undertaken by the Defense Department and Chief of Staff down through and including his Judge Advocate General, Kenneth J. Hodson, may well recruit them a new Army if they only seek numbers of bodies, but it will not be an Army of soldiers interested in defending the United States and continuing the individual liberties secured by the Constitution. It is fast deteriorating into an ineffective mass, composed of pinks, perverts, panty waists, and punks.

It is a sad day for the American people who are faced with the greatest external and internal enemies in our history, when those in leadership positions would surrender their own army by allowing themselves to become infiltrated, thus losing their capability.

A volunteer army? What thinking, decent, patriotic American would want to freely join such a degenerate organization?

I include newsclippings and related documents, as follows:

ARMY BUYS TV TIME TO ATTRACT ENLISTEES

New York, February 12.—The U.S. Army is making heavy and unprecedented purchases of network commercial time for a recruiting campaign aimed at this spring's graduates.

The purchases at ABC, CBS and NBC are estimated to exceed \$3 million.

No network or advertising source could recall the Army ever before buying network time. In the past the Army had relied upon public service donations of time by local stations.

The Army purchased over \$1 million in time at CBS for commercials on the air from March 9 through the end of May. The shows include "Mannix," "Mission: Impossible," "Gunsmoke," "Hee Haw," the Thursday and Friday Night Movies and various sports coverage.

At ABC, an estimated \$750,000 in time includes the Sunday and Monday night movies,

the Movie of the Week, "Room 222," "Love American Style" and sports.

The purchases at NBC were said to be comparable to the other networks, but the only confirmed show was "The Bold Ones" for 30 seconds May 23.

[From the San Francisco Chronicle, Jan. 9, 1971]

EQUALITY MOVE ON GI PROMOTIONS

Bonn.—The U.S. Army in Europe said yesterday it has issued an order insuring racial balance on boards deciding whether enlisted men are promoted.

The order was issued to meet black GIs' complaints they find it hard to get noncommissioned officer rank.

An Army spokesman said that 14 percent of the 185,000 troops in the command are black and that minority representation on promotion review boards was ordered to equalize the system.

A team led by Frank W. Render, deputy assistant defense secretary for equal opportunity, made a tour of army bases in Germany, Britain, Spain and Italy last year and reported black GIs were dissatisfied with their rate of promotion.

"Statistics indicate there are some obvious discrepancies in numbers and percentages of blacks and their distribution at various levels even when comparing individuals with similar records and equal time in service," Render reported.

The boards affected are those selecting men for promotion to grades E-5 and E-6—sergeant and staff sergeant. Men proposed for promotion appear in person before such boards, which are made up of both officers and noncommissioned officers.

[From the Washington Post, Feb. 13, 1971]

NAACP DECRIES DISCRIMINATION IN  
W. GERMANY

FRANKFURT, WEST GERMANY, February 12.—An investigating team of the National Association for the Advancement of Colored People reported today that the grievances of black enlisted men in the U.S. Army "must be redressed if the United States is going to maintain an effective force in Europe."

It had harsh words for the racial attitude of many Germans and the discrimination suffered by black soldiers here. It also reported favorably about the attitudes of many senior U.S. officers.

The three-man panel released preliminary conclusions at the end of a 2½ week tour of nearly a dozen Army and Air Force installations throughout West Germany and in West Berlin.

Nathaniel Jones, general counsel for the NAACP and the leader of the group, told a news conference a more comprehensive statement and recommendations would be released later by the association's executive director, Roy Wilkins.

DEPARTMENT OF THE ARMY,

Fort Sheridan, Ill., January 13, 1971.  
Subject: Department of Defense Policy on Equal Opportunity.

CONARC message, DTG 052215Z, January 1971, is quoted, in part, for information and compliance.

"A new Department of Defense directive now gives authority to commanders at military installations in the Continental United States to initiate action to oppose and overcome discriminatory practices and impose appropriate restrictions in housing discrimination cases. They can also impose the off-limits sanction in other discrimination cases including clubs or retail establishments that cater to service personnel. The Department of Defense directive (1100.15, dated December 14, 1970), reinforces the strong feeling of Secretary of Defense Melvin R. Laird on the subject of equal opportunity and makes clear

where the responsibility lies, as well as those who are accountable for results. Assistant Secretary of Defense for Manpower and Reserve Affairs, Roger T. Kelley, and Deputy Assistant Secretary of Defense for Equal Opportunity, Frank Render II, explained the new directive at a Pentagon news conference about two weeks ago (December 17, 1970).

"The first question asked was: In regards to base housing . . . Does that mean that commanders in the overseas areas, for example, Germany, would be able to declare housing in a German community off-limits?" Secretary Kelley's answer was, "No, it does not. This pertains to CONUS." He added, "It is a significant problem and it is a problem that has to be dealt with, with a great deal of consciousness to national mores and customs which are not always compatible with ours in the United States. The base commander, in the case of overseas commander, would be expected to consult with his superiors before taking any such action."

"Mr. Kelly said he was directed to examine defense policies in the field of equal opportunity and minority employment and to make recommendations and such changes as were needed to make equal opportunity a reality and not just an ideal in the Defense Department. He said he found several things in need of correction. 'For one, I found the need to develop in a single statement the policy positions of the Department relative to the various dimensions of equal opportunity: equal opportunity in the military membership of the armed forces; equal opportunity in the civilian employment and, finally, the standards of equal opportunity relative to contracts compliance, those contractors—over 10,000—employing over 15 million people who do business with the Department. We found also a need to establish, with a directive, the requirement that both within the military and the civilian organization there should be strong, positive, affirmative action programs, and that a special feature of those affirmative action programs would be the utilization of numerical goals and timetables. We believe that to be effective managers in the area of equal opportunity we have to qualify our goals relative to minority employment in areas that we find ourselves to be deficient, that is to say, areas in which we under-employ minorities. We believe, we don't drift aimlessly from one year to the next without accomplishing things and without making clear progress. A third and very important need that I found in the examination of our policies was to hold the service secretaries and the directors of the principal agencies of defense responsible for results and accountable for results . . . Finally, the new directive incorporates an authority which enables base commanders to act on their own authority to declare off-limits any housing unit, any club or retail establishment that caters to service personnel which is found to discriminate on racial grounds against any military members. Under previous authorities it was necessary for base commanders to refer such problems to the Secretary of Defense. This caused unnecessary delays in acting, it was explained, and it clearly weakened the authority and the clout that the base commander would otherwise have in dealing with these matters. The new directive contains two new policies:

"1. Consider leadership in operating successful equal opportunity programs as a criterion in the evaluation for promotion of military and civilian officials.

"2. Impose effective sanctions for non-compliance against officials who fail to produce satisfactory results, and for similar failures by business firms, recommend the imposition of sanctions as prescribed by existing directives. Secretary Kelley noted . . . they were incorporated in the directive to make it perfectly clear that good performance or bad performance in the equal op-

portunity area is a basis for promotion or non-promotion of the individual. And to make it additionally clear that failure to step up to the responsibilities that are defined in this directive (1100.15) would be cause for taking appropriate action against the individual. Appropriate action could mean removal of the individual from his command post. Regarding the equal opportunity situation overseas, a report by Mr. Render to the Secretary of Defense explained what a task group had found during a visit to European military installation between September 12-October 7.

"The visit was termed successful and its purpose was to chronicle the facts concerning US Military race relations in Europe. More than 5,600 military personnel and dependents were involved in seminars, open discussion groups, and personal conversations during the visit, the report states. In the report, Mr. Render said a dramatic turnaround of behavior and attitudes in the area of race relations is imperative in the military services if we are to maintain highly effective combat and support-oriented units that are prepared for their primary mission. At another point in his letter to the Secretary of Defense, Mr. Render noted the situation as critical and said at this point in time the problems that we do find among our service personnel related to human rights, equal opportunity, and race relations are critical and must be addressed with unusual expedience. We recognize the fact that our personnel, to a great degree, reflect the attitudes and mores of our civilian society.

"However, with the type of control and the structure of the military establishment, we should again take the lead in providing for the rest of the country the methodology and performance in this area which will result in the obliteration of the problems. . . . Mr. Render made two suggestions—one a long range plan and the other short-range. Long range—an all-service educational program in race relations should go into effect sometime in 1971. Instruction should be provided for all military personnel from generals to recruits in this very sensitive area. There is general agreement on the need for such a massive program. Time would be required to work out such a program jointly with the services. Short range—there is an immediate requirement for direction in no uncertain terms in all of the services to provide for an aggressive, affirmative operation in the area of equal opportunity which will affect all personnel in a positive way. There is an immediate requirement to eliminate known discrepancies in promotions of personnel, in the administration of military justice, in job assignments, and to eliminate discrimination in housing and public accommodations and in other areas of keen sensitivity. There is also an immediate requirement to open and strengthen communications in all directions."

BLOUNT J. HALL.

[From the CONGRESSIONAL RECORD, Oct. 2, 1970]

#### GUIDANCE ON DISSENT

1. In the past few weeks there have been press reports suggesting a growth in dissent among military personnel. Questions have been raised concerning the proper treatment of manifestations of soldier dissent when they occur. The purpose of this letter is to provide general guidance on this matter. Specific dissent problems can, of course, be resolved only on the basis of the particular facts of the situation and in accordance with provisions of applicable Army regulations.

2. It is important to recognize that the question of "soldier dissent" is linked with the Constitutional right of free speech and that the Army's reaction to such dissent

will—quite properly—continue to receive much attention in the news media. Any action taken at any level may therefore reflect—either favorably or adversely—on the image and standing of the Army with the American public. Many cases involve difficult legal questions, requiring careful development of the factual situation and application of various constitutional, statutory, and regulatory provisions (See Appendix A). Consequently, commanders should consult with their Staff Judge Advocates and may in appropriate cases confer with higher authority before initiating any disciplinary or administrative action in response to manifestations of dissent. The maintenance of good order and discipline and the performance of military missions remains, of course, the responsibility of commanders.

3. "Dissent," in the literal sense of disagreement with policies of the Government, is a right of every citizen. In our system of government, we do not ask that every citizen or every soldier agree with every policy of the Government. Indeed, the First Amendment to the Constitution requires that one be permitted to believe what he will. Nevertheless, the Government and our citizens are entitled to expect that, regardless of disagreement, every citizen and every soldier will obey the law of the land.

4. The right to express opinions on matters of public and personal concern is secured to soldier and civilian alike by the Constitution and laws of the United States. This right, however, is not absolute for either soldier or civilian. Other functions and interests of the Government and the public, which are also sanctioned and protected by the Constitution, and are also important to a free, democratic and lawful society, may require reasonable limitations on the exercise of the right of expression in certain circumstances. In particular, the interest of the Government and the public in the maintenance of an effective and disciplined Army for the purpose of National defense justifies certain restraints upon the activities of military personnel which need not be imposed on similar activities by civilians.

5. The following general guidelines are provided to cover some of the manifestations of dissent which the Army has encountered.

(a) *Possession and distribution of political materials.*—(1) In the case of publications distributed through official outlets such as Post Exchanges and Post Libraries, a commander is authorized to delay distribution of a specific issue of a publication in accordance with the provisions of para. 5-5 of AR 210-10. Concurrently with the delay, a commander must submit a report to the Department of the Army, ATTN: CINFO. A commander may delay distribution only if he determines that the specific publication presents a clear danger to the loyalty, discipline, or morale of his troops.

(2) In the case of distribution of publications through other than official outlets, a commander may require that prior approval be obtained for any distribution on post. Distribution without prior approval may be prohibited. A commander's denial of authority to distribute a publication on post is subject to the procedures of para. 5-5, AR 210-10, discussed above.

(3) A commander may not prevent distribution of a publication simply because he does not like its contents. All denials of permission for distribution must be in accordance with the provisions of para. 5-5, AR 210-10. For example, a commander may prohibit distribution of publications which are obscene or otherwise unlawful (e.g., counselling disloyalty, mutiny, or refusal of duty). A commander may also prohibit distribution if the manner of accomplishing the distribution materially interferes with the accomplishment of a military mission (e.g., interference with training or troop formation).

In any event, a commander must have cogent reasons, with supporting evidence, for any denial of distribution privileges. The fact that a publication is critical—even unfairly critical—of government policies or officials is not in itself, a grounds for denial.

(4) Mere possession of a publication may not be prohibited; however, possession of an unauthorized publication coupled with an attempt to distribute in violation of post regulations may constitute an offense. Accordingly, cases involving the possession of several copies of an unauthorized publication or other circumstances indicating an intent to distribute should be investigated.

(b) *Coffee Houses.*—The Army should not use its off-limits power to restrict soldiers in the exercise of their Constitutional rights of freedom of speech and freedom of association by barring attendance at coffee houses, unless it can be shown, for example, that activities taking place in the coffee houses include counselling soldiers to refuse to perform duty or to desert, or otherwise involve illegal acts with a significant adverse effect on soldier health, morale or welfare. In such circumstances, commanders have the authority to place such establishments "off limits" in accordance with the standards and procedures of AR 15-3. As indicated, such action should be taken only on the basis of cogent reasons, supported by evidence.

(c) *"Servicemen's Union."*—Commanders are not authorized to recognize or to bargain with a "servicemen's union." In view of the constitutional right to freedom of association, it is unlikely that mere membership in a "servicemen's union" can constitutionally be prohibited, and current regulations do not prohibit such membership. However, specific actions by individual members of a "servicemen's union" which in themselves constitute offenses under the Uniform Code of Military Justice or Army regulations may be dealt with appropriately. Collective or individual refusals to obey orders are one example of conduct which may constitute an offense under the Uniform Code.

(d) *Publication of "Underground Newspapers."*—Army regulations provide that personal literary efforts may not be pursued during duty hours or accomplished by the use of Army property. However, the publication of "underground newspapers" by soldiers off-post, on their own time, and with their own money and equipment is generally protected under the First Amendment's guarantees of freedom of speech and freedom of the press. Unless such a newspaper contains language, the utterance of which is punishable under Federal law (e.g., 10 U.S.C. Sec. 2387 or the Uniform Code of Military Justice), authors of an "underground newspaper" may not be disciplined for mere publication. Distribution of such newspapers on post is governed by para. 5-5, AR 210-10, discussed in para. 5a above.

(e) *On-Post Demonstrations by Civilians.*—A commander may legally bar individuals from entry on a military reservation for any purpose prohibited by law or lawful regulation, and it is a crime for any person who has been removed and barred from a post by order of the commander to re-enter. However, a specific request for a permit to conduct an on-post demonstration in an area to which the public has generally been granted access should not be denied on an arbitrary basis. Such a permit may be denied on a reasonable basis such as a showing that the demonstration may result in a clear interference with or prevention of orderly accomplishment of the mission of the post, or present a clear danger to loyalty, discipline, and morale of the troops.

(f) *On-Post Demonstrations by Soldiers.*—AR 600-20 and 600-21 prohibit all on-post demonstrations by members of the Army. The validity of these provisions is currently being litigated. Commanders will be advised of the results of this litigation.

(g) *Off-Post Demonstrations by Soldiers.*—AR 600-20 and 600-21 prohibit members of the Army from participating in off-post demonstrations when they are in uniform, or on duty, or in a foreign country, or when their activities constitute a breach of law and order, or when violence is likely to result.

(h) *Grievances.*—The right of members to complain and request redress of grievances against actions of their superiors is protected by the Inspector General system (AR 20-1) and Article 138, UCMJ. In addition, a soldier may petition or present any grievance to any member of Congress (10 U.S.C. Sec. 1034). An open door policy for complaints is a basic principle of good leadership, and commanders should personally assure themselves that adequate procedure exist for identifying valid complaints and taking corrective action. Complaining personnel must not be treated as "enemies of the system." Even when complaints are unfounded, the fact that one was made may signal a misunderstanding, or a lack of communication, which should be corrected. In any system as large as the Army, it is inevitable that situations will occur giving rise to valid complaints, and over the years such complaints have helped to make the Army stronger while assuring compliance with proper policies and procedures.

6. It is the policy of the Department of the Army to safeguard the service member's right of expression to the maximum extent possible, and to impose only such minimum restraints as are necessary to enable the Army to perform its mission, in the interest of National defense. The statutes and regulations referred to above (as well as some other provisions of law and regulations) are concerned with these permissible restraints and authorize a commander to impose restrictions on the military members right of expression and dissent, under certain circumstances. However, in applying any such statutes and regulations in particular situations, it is important to remember that freedom of expression is a fundamental right secured by the Constitution. Furthermore, it is important to remember that the Commander's responsibility is for the good order, loyalty and discipline of all his men. Severe disciplinary action in response to a relatively insignificant manifestation of dissent can have a counter productive effect on other members of the Command, because the reaction appears out of proportion to the threat which the dissent represents. Thus, rather than serving as a deterrent, such disproportionate actions may stimulate further breaches of discipline. On the other hand, no Commander should be indifferent to conduct which, if allowed to proceed unchecked, would destroy the effectiveness of his unit. In the final analysis no regulations or guidelines are an adequate substitute for the calm and prudent judgment of the responsible commander.

7. The mission of the Army is to execute faithfully, as ordered, policies and programs established in accordance with law by duly elected and appointed Government officials. Unquestionably, the vast majority of service members are prepared to do what is required of them to perform that mission, whether or not they agree in every instance with the policies the mission reflects.

By order of the Secretary of the Army.

KENNETH G. WICKHAM,  
Major General, USA,  
The Adjutant General.

(Sent to Commanders in Chief, U.S. Army, Europe, U.S. Army, Pacific; Commanding Generals, U.S. Continental Army Command, U.S. Army Materiel Command, U.S. Army Air Defense Command, U.S. Army, Alaska; Commander, U.S. Army Forces Southern Command; copies furnished to Commanding Generals, CONUS Armies, Military District of Washington, U.S. Army.)

## UNIFORMED SERVICES RETIREMENT PAY EQUALIZATION ACT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. ANDERSON of California. Mr. Speaker, in 1969, I introduced a bill in behalf of our military retirees which would amend title 10 of the United States Code to equalize the retirement pay of members of the uniform services of equal rank and years of service.

Today, I am introducing an identical bill, H.R. 4330, which would allow the armed services of the United States to honor a moral obligation to retired servicemen.

Equalization of retired pay would reinstate the pre-1958 system of basing retired pay on current active duty pay scales. Ever since 1958, when the system was switched, a serviceman who retires keeps getting the same pay as long as he lives, except for periodic cost-of-living adjustments.

As a consequence, a tremendous gap in retired pay has grown over the past 12 years between retirees of the same grade and years of service. In short, it has created a marked inequality among peers—an inequality that will continue to widen unless Congress restores the traditional system of computing retired pay on the basis of current active duty rates.

Until 1958, retired pay was tied directly to active duty pay and when active duty members received a pay increase, retired members did likewise. In 1958, Congress increased active duty pay by 10 percent, but retired pay by only 6 percent. Then in 1963, Congress tied future retired pay increases to a raise in the cost-of-living index as maintained by the Department of Labor.

Since each retired member's pay is based upon the pay scale at the time of his retirement, a situation arises whereby retirees at the same grade and years of service draw different rates of pay, depending upon the date of retirement.

The ironic twist to this situation is that these men and women enlisted over the years on the assurance of the pre-1958 retirement system. They were promised that, although active duty pay was low, a meaningful retired pay system would help offset the cleavage between civilian and military pay. These service veterans surely fulfilled their part of the bargain—they gave long years of faithful, devoted service in war and peace.

Last year, the late Chairman Mendel Rivers requested departmental reports on the bills which would reestablish a more liberal statutory formula for providing increases in military retired pay. Upon receiving the administration's negative response, Chairman Rivers stated that—

The report of the Department has killed the last hope military retirees had for return to the recomputation principle.

Mr. Speaker, I, too, was disappointed in the administration's refusal to support reestablishment of the recomputation principle in military retired pay. How-

ever, this is a new year, and the President has presented a new budget. Thus, I am hopeful that the administration will change its position and endorse H.R. 4330 which is so necessary to remedy this injustice to our retired military personnel.

#### NATIONAL NEGRO HISTORY WEEK

### HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mrs. GRASSO. Mr. Speaker, to have a sense of identity, to take pride in that identity, and to help others understand the sources of that pride—these alone would justify the annual observance of National Negro History Week. This celebration each year of the significant achievements of black Americans occurs during the week surrounding February 14, the birthday of one of the great champions of the Negro in America, Frederick Douglass. Belatedly, Americans have come to recognize the vital part played not only in our own national history but in the history of the larger world community by the black man and woman, a part which deserves to be known and honored by all our people.

Nearly half a century has passed since Carter G. Woodson, an ex-coal miner and schoolteacher whose life was dedicated to the cause of black history, initiated Negro History Week in 1926. Its chief proponent has been the Association for the Study of Negro Life and History, which Woodson had founded as early as 1915.

In the years of struggle since the first celebration of Negro History Week, blacks in America have inched closer to the fulfillment of our national ideals of liberty and justice. There is still much more to be done. However, a significant element in this movement has been the growing recognition by all Americans of the achievements of black men and women from early human progress through modern civilization.

Negro History Week has emphasized both the tragic and hopeful aspects of the black experience in America—the role of blacks in the building of American society, a role long neglected and often ignored. We have seen the Negro as a presence in this land from the very beginning, in 1619 at Jamestown. We have become increasingly aware of black contributions to the arts and sciences and to every area of human life. Black pioneers, explorers, and scholars have taken their rightful, if belated, place in American legend and lore. A new respect, born of understanding, has marked our common awareness of the black American heritage in the rich cultural history of Africa.

The purpose of National Negro History Week, then, is not only to set the record straight, to redress past grievance, but also to inspire all Americans, black and white, with a new sense of the richness and diversity of America. The elements of abiding strength which black Americans—more secure in their rights, proud

of their identity, informed of their heritage—persistently demonstrate, continue to contribute to the quality of life in our land.

#### FREEDOM—OUR HERITAGE

### HON. FRED SCHWENDEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. SCHWENDEL. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts a Voice of Democracy Contest. This year's theme was entitled, "Freedom—Our Heritage." The winner from the State of Iowa was a resident of my district, Miss Teresa Wozniak of Muscatine, Iowa. Miss Wozniak is a senior at Muscatine High School, and plans to attend Iowa State University.

After reading Miss Wozniak's excellent speech, which follows, one can readily see why she won the Iowa portion of the contest:

#### FREEDOM IS OUR HERITAGE

(By Teresa Wozniak)

I am very fortunate to live in America. Here I can live and grow . . . with very few restrictions. I can worship, or choose not to worship. I can learn or work, or do nothing. I have the opportunity to accept or reject. I have. Yet I must ask myself, how fortunate are the East Berliners who can't even cross their own city? And the Czechoslovakians? They lost their fight for freedom. How lucky are the little children of war torn Southeast Asia, whose eyes are filled not with smiles and children's games, but the game of war, hunger, and fear.

These people are different from me; they are not as fortunate. Yet there must be a link between us . . . a common bond to bind us as human beings. That bond must be the desire for freedom. Where did it begin? What does it mean to us? And more important, what does it mean to these other people.

Many people believe that freedom began in America. I don't. Many feel that as this is their home, and their life, that this is where freedom began, is, and the only place for it. I don't! I feel we cannot neglect the role people before our time and outside our country, have played in America's heritage. Some consider America a beginning, and some an end to democracy. I consider it a continuum.

Let's begin . . . of course at the beginning, and that's not when we fired the "shot heard 'round the world", or when Thomas Jefferson wrote the Declaration of Independence. Ideas of freedom began when the first stone age man was clunked in the head, forced to leave his home, and realized this wasn't fair. Freedom began when the English created the Magna Carta to protect a few basic rights. It began in the history before America, for it was this history and these ideas which were preserved, strengthened, and entrusted to our colonists to bring to these shores. It was these concepts that began our land, for together with the men a powerful idea was built—called freedom.

America's spark gained momentum from the heroic efforts put forth in the War for Independence, the Civil War, and other global wars. Freedom was led to a firm foundation and brilliantly inspired by such great men as Abraham Lincoln, the man who led us out of the Depression—Franklin Roosevelt, and John Kennedy who so recently sacrificed his life. Yet while we were growing and learning, other nations and individuals were changing

and learning, also. We gained our heritage of freedom from people like Anne Frank, whose brave spirit said, "I am afraid, but I will not give up!" We grew because of the Royal Air Force who bravely withstood the German blitz of London. We drew strength from the French underground. Just as we have contributed to the freedom of others, they have given to help make America free.

Today we see communism in South America, Laos and Cambodia. We can feel the suppression of a people locked behind an iron curtain. Will we help? We must follow the examples of leaders, such as Tom Dooley, who didn't sit and stare at things. He fought for what he cared, and he cared to help. He went to Southeast Asia and built hospitals, and schools and a system by which to continue his actions. Our men in Southeast Asia, now, see freedom hanging in Balance and offer their lives to maintain that balance. Men such as these build ideas—ideas no less than those which formed our nation. I believe we can help to build such ideas everywhere! We must help replace eyes peering at us from bamboo walls of hunger and isolation, and replace them with the smile of freedom.

#### THE CONTINUING UNEMPLOYMENT CRISIS

### HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. O'HARA. Mr. Speaker, last October 6, I inserted in the CONGRESSIONAL RECORD an analysis, undertaken by Common Cause, of unemployment statistics on a congressional district basis. That analysis showed the June 1970 unemployment rate in major labor market areas, and also showed smaller areas of persistent unemployment—at the 6 percent or higher rate.

That list was not an encouraging one, Mr. Speaker. But it may have been of some use in persuading this House to give its approval to legislation which could have made some contribution toward reducing the unemployment rate. That legislation, as we all know, was subsequently vetoed by the President.

Now, Mr. Speaker, Common Cause has produced another congressional district analysis of unemployment rates. A very small number of districts which were on the earlier list are not on this one. A much larger number of districts which were not on the earlier list have the dubious distinction of being on this new list. The new list indicates that there was a net gain of nine congressional districts "enjoying" serious unemployment between June and November of 1970. What today's congressional district figures are, we do not know, but we do know that the national unemployment figures have grown month by month since November.

Mr. Speaker, it is without much enthusiasm that I include the continuing bad news of the unemployment crisis at this point in the RECORD:

#### UNEMPLOYMENT BY CONGRESSIONAL DISTRICT

The following table lists Members of the House of Representatives who represent areas with high unemployment. The table is divided into major labor areas. It is compiled from figures gathered by the Depart-

ment of Labor and published in the Department's "Area Trends in Employment and Unemployment, January 1971".

**Major Labor Areas.** The Department of Labor each month classifies 150 major employment centers according to their labor supply. The following table shows the unemployment rate in these areas for November 1970 (the most recent figures) and for a year earlier. (A few areas with unemployment rates below 3.0 percent have been omitted.)

**Smaller Labor Areas.** The right-hand column in the table lists smaller labor areas, as classified by the Department of Labor, which have experienced persistent or substantial unemployment. Persistent unemployment means unemployment has averaged 6 percent or more of the work force in the preceding calendar year and has exceeded the national average rate by 50 to 100 percent in the preceding two to four years. Substantial unemployment means unemployment of 6 percent or more of the work

force plus the expectation that the rate will remain at 6 percent or more for the following two months. Classifications are effective for January 1971.

Note: The labor area designations are sometimes larger and sometimes smaller than Congressional districts. Thus, some areas will appear by the names of several Congressmen; in other areas, a single Congressman will be listed with numerous labor areas.

| State and Representative | Major labor area                      | Unemployment rate (percent) |               | Smaller areas—Persistent unemployment 6 percent or more   |
|--------------------------|---------------------------------------|-----------------------------|---------------|---|
|                          |                                       | November 1970               | November 1969 |   |
| Alabama:                 |                                       |                             |               |   |
| Buchanan.....            | Birmingham.....                       | 4.8                         | 3.7           | Centre (Cherokee County), Cullman (Cullman County), Gadsden (Etowah County).  |
| Bevill.....              | .....                                 | .....                       | .....         | .....   |
| Edwards.....             | Mobile.....                           | 5.2                         | 4.3           | Eutaw (Greene County), Pell City (St. Clair County).  |
| Flowers.....             | .....                                 | .....                       | .....         | .....   |
| Jones.....               | .....                                 | .....                       | .....         | .....   |
| Alaska: Begich.....      | .....                                 | .....                       | .....         | Florence-Sheffield (Colbert, Franklin, Lauderdale Counties), Lawrence County, Aleutian Islands, Anchorage, Barrow, Bethel, Bristol Bay, Cordova-McCarthy, Fairbanks, Kenai-Cook Inlet, Ketchikan, Kobuk, Kodiak, Kuskokwim, Lynn Canal-Icy Straits, Nome, Palmer-Talkeetna, Prince of Wales, Seward, Sitka, Upper Yukon, Valdez-Whittier, Wade Hampton, Wrangell-Petersburg, Yokon-Koyukuk. |
| Arizona:                 |                                       |                             |               |   |
| Rhodes.....              | Phoenix.....                          | 4.7                         | 2.7           | McNary (Apache County), Winslow (Navajo County).  |
| Steiger.....             | .....                                 | .....                       | .....         | .....   |
| Arkansas:                |                                       |                             |               |   |
| Alexander.....           | .....                                 | .....                       | .....         | Pocahontas (Randolph County), Walnut Ridge (Lawrence County).   |
| Hammerschmidt.....       | .....                                 | .....                       | .....         | Berryville (Carroll County), Clarksville (Johnson County), Crawford County, Marshall (Searcy County), Miller County, Ozark (Franklin County), Paris (Logan County).   |
| Mills.....               | Little Rock/North Little Rock.....    | 3.6                         | 2.6           | Batesville (Independence County), Hardy (Sharp County), Melbourne (Izard County), Mountain View (Stone County), Searcy (White County).  |
| Pryor.....               | .....                                 | .....                       | .....         | Camden (Calhoun, Ouachita Counties), Malvern (Hot Spring County).   |
| California:              |                                       |                             |               |   |
| Anderson.....            | Los Angeles/Long Beach.....           | 6.6                         | 4.1           | .....   |
| Bell.....                | do.....                               | 6.6                         | 4.1           | .....   |
| Danielson.....           | do.....                               | 6.6                         | 4.1           | .....   |
| Corman.....              | do.....                               | 6.6                         | 4.1           | .....   |
| Goldwater, Jr.....       | do.....                               | 6.6                         | 4.1           | .....   |
| Hawkins.....             | do.....                               | 6.6                         | 4.1           | .....   |
| Hosmer.....              | do.....                               | 6.6                         | 4.1           | .....   |
| Rousselot.....           | do.....                               | 6.6                         | 4.1           | .....   |
| Rees.....                | do.....                               | 6.6                         | 4.1           | .....   |
| Roybal.....              | do.....                               | 6.6                         | 4.1           | .....   |
| Smith.....               | do.....                               | 6.6                         | 4.1           | .....   |
| Wilson, C.....           | do.....                               | 6.6                         | 4.1           | .....   |
| Hanna.....               | do.....                               | 6.6                         | 4.1           | .....   |
| .....                    | Anaheim/Santa Ana/Garden Grove.....   | 7.1                         | 4.1           | .....   |
| Burton.....              | San Francisco/Oakland.....            | 5.4                         | 3.9           | .....   |
| Dellums.....             | do.....                               | 5.4                         | 3.9           | .....   |
| Mailliard.....           | do.....                               | 5.4                         | 3.9           | .....   |
| Miller.....              | do.....                               | 5.4                         | 3.9           | .....   |
| Edwards.....             | San Jose.....                         | 6.2                         | 4.1           | .....   |
| Gubser.....              | do.....                               | 6.2                         | 4.1           | Hollister (San Benito County), Lakeport (Lake County), Willows (Glenn County), Yuba City (Sutter, Yuba Counties).   |
| Leggett.....             | Sacramento.....                       | 5.8                         | 4.8           | .....   |
| Moss.....                | do.....                               | 5.8                         | 5.2           | .....   |
| Schmitz.....             | Anaheim/Santa Ana/Garden Grove.....   | 7.1                         | 3.9           | .....   |
| .....                    | San Diego.....                        | 6.4                         | 3.9           | .....   |
| Van Deerlin.....         | San Diego.....                        | 6.4                         | 3.9           | .....   |
| Wilson, B.....           | do.....                               | 6.4                         | 3.9           | .....   |
| McFall.....              | Stockton.....                         | 8.9                         | 8.1           | Modesto (Stanislaus County).  |
| Pettis.....              | San Bernardino/Riverside/Ontario..... | 6.7                         | 4.8           | .....   |
| Sisk.....                | Fresno.....                           | 5.7                         | 4.6           | Merced (Merced County), Crescent City (Del Norte County), Eureka (Humboldt County), Santa Rosa (Sonoma County), Ukiah (Mendocino County).   |
| Clausen, Don.....        | .....                                 | .....                       | .....         | Alturas (Modoc County), Chico-Oroville (Butte County), Grass Valley (Nevada County), Madera (Madera County), Mariposa (Mariposa County), Placer County, Placerville (Eldorado County), Quincy (Plumas County), Red Bluff (Tehama County), Redding (Shasta County), Sonora (Tuolumne County), Susanville (Lassen County), Weaverville (Trinity County), Yreka (Siskiyou County).             |
| Johnson.....             | .....                                 | .....                       | .....         | Salinas-Monterey (Monterey County), Santa Cruz (Santa Cruz County), Oxnard (Ventura County), El Centro (Imperial County), Bakersfield (Kern County).  |
| Talcott.....             | .....                                 | .....                       | .....         | .....   |
| Teague.....              | .....                                 | .....                       | .....         | .....   |
| Veysey.....              | .....                                 | .....                       | .....         | .....   |
| Mathias.....             | .....                                 | .....                       | .....         | .....   |
| Colorado:                |                                       |                             |               |   |
| Aspinall.....            | .....                                 | .....                       | .....         | Antonito (Conejos County), Center (Saguache County), Pagosa Springs (Archuleta County).   |
| Evans.....               | .....                                 | .....                       | .....         | Blanca (Costilla County), Ordway (Crowley County), Trinidad (Las Animas County), Walsenburg (Huerfano County).  |
| McKevitt.....            | Denver.....                           | 3.5                         | 3.3           | .....   |
| Connecticut:             |                                       |                             |               |   |
| Cotter.....              | Hartford.....                         | 4.6                         | 3.0           | .....   |
| Giamio.....              | New Haven.....                        | 5.5                         | 3.5           | .....   |
| Monegan.....             | Waterbury.....                        | 10.0                        | 4.8           | Ansonia (towns of Ansonia, Derby, Oxford and Seymour, New Haven County), Danielson (Brooklyn, Canterbury, Eastford, Killingley, Plainfield, Pomfret, Putnam, Sterling, Thompson, Woodstock in Windham County), Bristol/Plymouth/Torrington/Litchfield/Winchester.   |
| Steele.....              | .....                                 | .....                       | .....         | .....   |
| Grasso.....              | New Britain.....                      | 8.9                         | 4.6           | .....   |
| McKinney.....            | Bridgeport.....                       | 8.2                         | 3.9           | .....   |
| .....                    | Stamford.....                         | 4.8                         | 3.0           | .....   |
| Delaware: DuPont.....    | Wilmington.....                       | 4.1                         | 2.7           | .....   |
| Florida:                 |                                       |                             |               |   |
| Fascel.....              | Miami.....                            | 5.1                         | 3.4           | .....   |
| Pepper.....              | do.....                               | 5.1                         | 3.4           | Apalachicola (Franklin County), Blountstown (Calhoun County), Lakeland (Polk County), Bonifay (Holmes County).  |
| Fuqua.....               | .....                                 | .....                       | .....         | .....   |
| Haley.....               | .....                                 | .....                       | .....         | .....   |
| Sikes.....               | .....                                 | .....                       | .....         | .....   |
| Gibbons.....             | Tampa/St. Petersburg.....             | 3.2                         | 2.0           | .....   |
| Young.....               | do.....                               | 3.2                         | 2.0           | .....   |
| Frey, Jr.....            | .....                                 | .....                       | .....         | Cocoa (Brevard County).   |

| State and Representative | Major labor area               | Unemployment rate (percent) |               | Smaller areas—Persistent unemployment 6 percent or more   |
|--------------------------|--------------------------------|-----------------------------|---------------|---|
|                          |                                | November 1970               | November 1969 |   |
| <b>Georgia:</b>          |                                |                             |               |   |
| Brinkley                 | Columbus                       | 5.4                         | 4.0           | Hawkinsville (Pulaski County), Chatsworth (Murray County), Gedartown (Polk County), Dallas (Paulding County), Douglasville (Douglas County).  |
| Davis                    |                                |                             |               |   |
| Flynt                    | Macon                          | 4.1                         | 3.1           | Manchester (Meriwether County), Zebulon (Pike County).  |
| Hagan                    | Savannah                       | 4.7                         | 4.0           | Ludowici (Long County), Pembroke (Bryan County), Soperton (Treutlen County), Blairsville (Union County), Cleveland (White County), Cumming (Forsyth County), McCaysville (Fannin County), Young Harris (Towns County).  |
| Landrum                  |                                |                             |               | Camilla (Mitchell County), Colquitt (Miller County), Fort Gaines (Clay County).   |
| Mathis                   | Augusta                        | 5.4                         | 3.9           | Gibson (Glascock County).   |
| Stephens                 |                                |                             |               | Blackshear (Pierce County), Eastman (Dodge County), Fitzgerald (Ben Hill County), Homerville (Clinch County), Lakeland (Lanier County), Nahunta (Brantley County).  |
| Stuckey                  |                                |                             |               |   |
| Thompson                 | Atlanta                        | 3.7                         | 2.7           |   |
| <b>Hawaii:</b>           |                                |                             |               |   |
| Matsunaga                | Honolulu                       | 4.3                         | 3.0           |   |
| Mink                     | do                             | 4.3                         | 3.0           |   |
| <b>Idaho:</b>            |                                |                             |               |   |
| Hansen                   |                                |                             |               | Driggs (Teton County), Jerome (Jerome County).  |
| McClure                  |                                |                             |               | Council (Adams County), Grangeville (Idaho County), Horseshoe Bend (Boise County), McCall (Valley County), Orofino (Clearwater County), St. Maries (Benewah County), Sandpoint (Bonner County).   |
| <b>Illinois:</b>         |                                |                             |               |   |
| Anderson                 | Rockford                       | 5.5                         | 3.4           |   |
| Anunzio                  | Chicago                        | 3.7                         | 2.7           |   |
| Collier                  | do                             | 3.7                         | 2.7           |   |
| Crane                    | do                             | 3.7                         | 2.7           |   |
| Metcalfe                 | do                             | 3.7                         | 2.7           |   |
| Derwinski                | do                             | 3.7                         | 2.7           |   |
| Kluczynski               | do                             | 3.7                         | 2.7           |   |
| Mikva                    | do                             | 3.7                         | 2.7           |   |
| Murphy Jr.               | do                             | 3.7                         | 2.7           |   |
| Pucinski                 | do                             | 3.7                         | 2.7           |   |
| Rostenkowski             | do                             | 3.7                         | 2.7           |   |
| Yates                    | do                             | 3.7                         | 2.7           |   |
| Michel                   | Peoria                         | 3.4                         | 3.5           |   |
| Price                    |                                |                             |               | St. Clair County.   |
| Railsback                | Davenport/Rock Island/Moline 1 | 5.7                         | 4.3           |   |
| Findley                  |                                |                             |               | Hardin (Calhoun County), Jerseyville (Jersey County).   |
| Gray                     |                                |                             |               | Anna (Union County), Cairo (Alexander, Pulaski Counties), Carmi (White County), DuQuoin (Perry County), Golconda (Pope County), Harrisburg-West Frankfort-Herrin (Franklin, Johnson, Saline, Williamson Counties), McLeansboro (Hamilton County), Rosiclare (Hardin County), Shawneetown (Gallatin County).   |
| <b>Indiana:</b>          |                                |                             |               |   |
| Roush                    | Fort Wayne                     | 4.8                         | 2.2           |   |
| Brademas                 | South Bend                     | 7.0                         | 3.5           |   |
| Bray                     | Indianapolis                   | 4.8                         | 2.5           |   |
| Hamilton                 |                                |                             |               | Bedford (Lawrence County), Lawrenceburg (Dearborn, Ohio Counties), Scottsburg (Scott County)  |
| Jacobs                   | Indianapolis                   | 4.8                         | 2.5           |   |
| Landgrebe                |                                |                             |               | Knox (Starke County), Michigan City-La Porte (La Porte County).   |
| Madden                   | Gary                           | 4.7                         | 2.8           |   |
| Myers                    | Terre Haute                    | 5.1                         | 2.6           | Clay County, Linton (Greene County), Vermillion County.   |
| Zion                     | Evansville                     | 4.8                         | 3.2           | Marengo (Crawford County).  |
| <b>Iowa:</b>             |                                |                             |               |   |
| Culver                   | Cedar Rapids                   | 4.2                         | 1.8           |   |
| Smith                    | Des Moines                     | 3.0                         | 2.4           |   |
| Schwengel                | Davenport/Rock Island/Moline 1 | 5.7                         | 4.3           |   |
| Gross                    |                                |                             |               | Waterloo (Black Hawk County).   |
| <b>Kansas:</b>           |                                |                             |               |   |
| Shriver                  | Wichita                        | 10.1                        | 4.0           |   |
| Skubitz                  |                                |                             |               | Coffeyville (Montgomery County), Parsons (Labette County), Wellington (Sumner County).  |
| <b>Kentucky:</b>         |                                |                             |               |   |
| Carter                   |                                |                             |               | Albany (Clinton County), Barbourville (Knox County), Booneville (Owsley County), Harlan County), Hyden (Leslie County), Manchester (Clay County), Middlesboro (Bell County), Monticello (Wayne County), Russell Springs (Russell County), Stanford (Lincoln County), Whitley City (McCreary County).  |
| Mazzoli                  | Louisville                     | 4.3                         | 2.8           |   |
| Natcher                  |                                |                             |               | Bardstown (Nelson County), Brownsville (Edmonson County), Hardinsburg (Breckinridge County), Hartford (Ohio County), Lebanon (Marion County), Leitchfield (Grayson County), Springfield (Washington County).  |
| Perkins                  |                                |                             |               | Campton (Wolfe County), Flatwoods (Greenup County), Grayson (Carter, Elliot Counties), Hazard (Knott, Perry Counties), Inez (Martin County), Jackson (Breathitt County), Jenkins (Letcher County), Louisa (Lawrence County), Morehead (Bath, Menifee, Rowan Counties), Paintsville (Johnson County), Pikeville (Pike County), Prestonburg (Floyd County), Salyersville (Magoffin County), West Liberty (Morgan County). |
| Stubblefield             |                                |                             |               | Bardwell (Carlisle County), Cadiz (Trigg County), Dixon (Webster County), Eddyville (Lyon County), Mayfield (Graves County), MacLean County, Morgantown (Butler County), Princeton (Caldwell County), Smithland (Livingston County), Fulton (Fulton & Hickman Counties).  |
| Watts                    |                                |                             |               | Georgetown (Scott County), Lancaster (Garrard County), Nicholasville (Jessamin County), Richmond (Estill, Jackson, Madison, Rockcastle Counties), Stanton (Powell County).  |
| <b>Louisiana:</b>        |                                |                             |               |   |
| Hébert                   | New Orleans                    | 6.2                         | 4.5           |   |
| Boggs                    | do                             | 6.2                         | 4.5           |   |
| Caffery                  |                                |                             |               | Napoleonville (Assumption Parish), Reserve (St. John the Baptist Parish), St. Martinville (St. Martin Parish).  |
| Edwards                  |                                |                             |               | Abbeville (Vermilion Parish), Crowley (Acadia Parish), Jennings (Jefferson Davis Parish), Lake Charles (Calcasieu Parish), Opelousa (St. Landry Parish), Ville Platte (Evangeline Parish).  |
| Long                     |                                |                             |               | Alexandria (Avoyelles, Grant, Rapides Parishes), DeRidder (Beauregard Parish), Leesville (Vernon Parish), Many (Sabine Parish), Natchitoches (Natchitoches Parish), New Roads (Pointe Coupee Parish), Oakdale (Allen Parish), Plaquemine (Iberville Parish).  |
| Passman                  |                                |                             |               | Columbia (Caldwell Parish), Ferriday (Catahoula, Concordia Parishes), Greensburg (St. Helena Parish), Monroe (Ouachita Parish), Oak Grove (West Carroll Parish), Rayville (Richland Parish), St. Francisville (West Feliciana Parish), Winnsboro (Franklin Parish).   |
| Rarick                   | Baton Rouge                    | 6.6                         | 5.5           | Denham Springs (Livingston Parish), Donaldsonville (Ascension Parish), Hammond (Tangipahoa Parish).   |
| Waggonner                | Shreveport                     | 5.7                         | 3.7           | Arcadia (Bienville Parish), Mansfield (DeSoto Parish), Minden (Webster Parish).   |
| <b>Maine:</b>            |                                |                             |               |   |
| Hathaway                 |                                |                             |               | Calais-Eastport (Washington County), Ellsworth (Hancock County), Fort Kent, Madawaska-Van Buren, Greenville (Piscataqua County), Lewiston-Auburn.   |
| Kyros                    | Portland                       | 4.0                         | 3.2           | Biddeford-Sanford (York County), Rockland (Knox County), Waldoboro (Lincoln County).  |

Footnotes at end of table.

| State and Representative     | Major labor area          | Unemployment rate<br>(percent) |                  | Smaller areas—Persistent unemployment 6 percent or more  |
|------------------------------|---------------------------|--------------------------------|------------------|--|
|                              |                           | November<br>1970               | November<br>1969 |  |
| <b>Maryland:</b>             |                           |                                |                  |  |
| Byron                        |                           |                                |                  | Hagerstown (Washington County), Oakland (Garrett County).  |
| Garmatz                      | Baltimore                 | 4.1                            | 2.5              |  |
| Sarbanes                     | do                        | 4.1                            | 2.5              |  |
| Mitchell                     | do                        | 4.1                            | 2.5              |  |
| Vacant                       |                           |                                |                  | Cambridge (Dorchester County), Crisfield (Somerset County), Pocomoke City (Worcester County)<br>Prince Frederick (Calvert County).   |
| <b>Massachusetts:</b>        |                           |                                |                  |  |
| Harrington                   | Lawrence-Haverhill        | 8.5                            | 5.1              | Gloucester/Essex/Rockport, Newburyport/Amesbury/Ipswich/Salisbury (Essex County).  |
| Morse                        | do                        | 8.5                            | 5.1              |  |
| Do                           | Lowell                    | 9.5                            | 5.1              |  |
| Boland                       | Springfield-Holyoke       | 6.8                            | 4.6              | Ware/Belchertown (Hampshire County),<br>Fitchburg-Leominster (Worcester County).   |
| Drinan                       |                           |                                |                  | Greenfield (Franklin County), North Adams (Franklin County).   |
| Conte                        | Springfield-Holyoke       | 6.8                            | 4.6              | Millford/Uxbridge (Worcester County).  |
| Donohue                      | Worcester                 | 5.6                            | 4.6              | Taunton (Plymouth County).   |
| Heckler                      | Fall River                | 6.4                            | 5.2              | Bourne/Wareham (Barnstable, Plymouth Counties), Plymouth/Kingston/Plympton/Carver (Plymouth County), Provincetown/Truro (Barnstable County).   |
| Keith                        | New Bedford               | 10.4                           | 6.1              |  |
| Hicks                        | Boston                    | 4.9                            | 3.2              |  |
| O'Neill                      | do                        | 4.9                            | 3.2              |  |
| Burke                        | do                        | 4.9                            | 3.2              |  |
| Do                           | Brockton                  | 6.9                            | 4.4              |  |
| <b>Michigan:</b>             |                           |                                |                  |  |
| Conyers                      | Detroit                   | 7.3                            | 3.1              |  |
| Diggs                        | do                        | 7.3                            | 3.1              |  |
| Dingell                      | do                        | 7.3                            | 3.1              |  |
| Griffiths                    | do                        | 7.3                            | 3.1              |  |
| Nedzi                        | do                        | 7.3                            | 3.1              |  |
| O'Hara                       | do                        | 7.3                            | 3.1              |  |
| Brown                        | Battle Creek              | 7.7                            | 3.6              | Ionia/Belding/Greenville.  |
| Do                           | Kalamazoo                 | 7.1                            | 2.9              |  |
| Cederberg                    |                           |                                |                  | Alma (Griatiot County), Bay City (Bay County), Clare (Clare County), East Tawas (Alcona-Iosco Counties), Grayling (Crawford County), Ionia/Belding/Greenville, Mancelona (Antrim County), Mio (Oscoda County), Roscommon (Roscommon County), Standish (Arenac County), West Branch (Ogemaw County).  |
| Chamberlain                  | Lansing                   | 6.0                            | 2.8              | Jackson, Owosso (Shiawassee County).   |
| Esch                         |                           |                                |                  | Adrian (Lenawee County), Wayne County (part).  |
| Ford G.                      | Grand Rapids              | 6.8                            | 4.0              | Ionia/Belding/Greenville.  |
| Ford, W.                     |                           |                                |                  | Wayne County (part).   |
| Harvey                       | Saginaw                   | 6.6                            | 3.0              | Bad Axe (Huron County), Caro (Tuscola County), Port Huron (St. Clair County), Sanilac (Sanilac County).  |
| Hutchinson                   |                           |                                |                  | Benton Harbor (Berrien County), Coldwater (Branch County), Hillsdale (Hillsdale County).   |
| Riegle                       | Flint                     | 10.4                           | 3.9              | Alger County, Alpena (Alpena County), Boyne City (Charlevoix County), Cheboygan (Cheboygan County), Escanaba (Delta County), Gaylord (Osego County), Hancock (Houghton, Keweenaw Counties), Hillman (Montmorency County), Iron Mountain (Dickinson County), Iron River (Iron County), Ironwood (Gogebic County), L'Anse (Baraga County), Manistique (Schoolcraft County), Marquette (Alger, Marquette Counties), Newberry (Luce County), Petoskey (Emmet County), Rogers City (Presque Isle County), St. Ignace (Mackinac County), Sault Ste. Marie (Chippewa County). |
| Ruppe                        |                           |                                |                  |  |
| Vander Jagt                  | Muskegon                  | 11.6                           | 4.8              | Baldwin (Lake County), Cadillac (Missaukee, Osceola, Wexford Counties), Elberta (Benzie County), Fremont (Newaygo County), Hart (Oceana County), Ludington (Mason County), Manistee (Manistee County), Traverse City (Grand Traverse, Kalkaska, Leelanau Counties).  |
| <b>Minnesota:</b>            |                           |                                |                  |  |
| Quie                         |                           |                                |                  | Fairbault (Rice County).   |
| Blatnik                      | Duluth-Superior           | 4.9                            | 4.0              | Aitkin (Aitkin County), Grand Rapids (Itaska County), Cambridge (Isanti County), Mora (Kanabec County), Pine City (Pine County), Rush City (Chisago County).   |
| Fraser                       | Minneapolis-St. Paul      | 4.2                            | 2.1              |  |
| Karh                         | do                        | 4.2                            | 2.1              |  |
| Frenzel                      | do                        | 4.2                            | 2.1              |  |
| Bergland                     |                           |                                |                  | Bagley (Clearwater County), Baudette (Lake of the Woods County), Bemidji (Beltrami County), Crookston (Polk County), Detroit Lakes (Becker County), Hallock (Kittson County), Mahanomen County), Park Rapids (Hubbard County), Red Lake Falls (Red Lake County), Roseau (Roseau County), Walker (Cass County), Wadena (Wadena County), Warren (Marshall County), Buffalo (Wright County), Brainerd (Crow Wing County).   |
| Zwach                        |                           |                                |                  | Little Falls (Morrison County), Princeton (Mille Lacs County).   |
| <b>Mississippi:</b>          |                           |                                |                  |  |
| Abernethy                    |                           |                                |                  | Kosciusko (Attala County).   |
| Colmer                       |                           |                                |                  | Columbia (Marion County), Leakesville (Greene County), Lucedale (George County), Lumberton (Lamar County), Waynesboro (Wayne County).  |
| Griffin                      | Jackson                   | 3.8                            | 3.4              |  |
| <b>Missouri:</b>             |                           |                                |                  |  |
| Bolling                      | Kansas City               | 5.7                            | 3.6              | Charleston (Mississippi County), Doniphan (Ripley County), Flat River (St. Francois County), Greenville (Wayne County).  |
| Burlison                     |                           |                                |                  |  |
| Clay                         | St. Louis                 | 5.6                            | 3.4              | Branson (Taney County), Buffalo (Dallas County).   |
| Hall                         |                           |                                |                  | Eldon (Miller County), Eminence (Shannon County), Potosi (Washington County).  |
| Ichord                       |                           |                                |                  |  |
| Randall                      | Kansas City               | 5.7                            | 3.6              |  |
| Sullivan                     | St. Louis                 | 5.6                            | 3.4              |  |
| <b>Montana:</b>              |                           |                                |                  |  |
| Melcher                      |                           |                                |                  | Glasgow (Valley County), Red Lodge (Carbon County), Roundup (Musselshell County).  |
| Shoup                        |                           |                                |                  | Butte (Silver Bow County), Livingston (Park County), Phillipsburg (Granite County), Sheridan (Madison County), White Sulphur Springs (Meagher County).   |
| <b>Nebraska: McCollister</b> |                           |                                |                  |  |
|                              | Omaha                     | 3.6                            | 2.5              | Caliente (Lincoln County).   |
| <b>Nevada: Baring</b>        |                           |                                |                  |  |
|                              | Manchester                | 3.4                            | 2.7              |  |
| <b>New Hampshire: Wyman</b>  |                           |                                |                  |  |
|                              |                           |                                |                  |  |
| <b>New Jersey:</b>           |                           |                                |                  |  |
| Sandman                      | Atlantic City             | 8.3                            | 7.2              | Ocean City/Wildwood/Cape May (Cape May County), Vineland (Cumberland County).  |
| Daniels                      | Jersey City               | 7.0                            | 4.6              |  |
| Gallagher                    | do                        | 7.0                            | 4.6              |  |
| Rodino                       | Newark                    | 5.2                            | 3.4              |  |
| Patten                       | New Brunswick/Perth Amboy | 6.0                            | 4.0              |  |
| Roe                          | Paterson/Clifton/Passaic  | 5.4                            | 4.3              |  |
| Thompson                     | Trenton                   | 4.6                            | 2.9              |  |
| <b>New Mexico:</b>           |                           |                                |                  |  |
| Lujan                        | Albuquerque               | 5.5                            | 4.3              | Bernalillo (Sandoval County), Las Vegas (San Miguel County), Espanola (Rio Arriba County), Mountainair (Torrance County), Raton (Colfax County), Santa Rosa (Guadalupe County), Taos (Taos County), Wagon Mound (Mora County).   |
| Runnels                      |                           |                                |                  | Carlsbad (Eddy County), Deming (Luna County), Farmington (San Juan County), Gallup (McKinley County), Grants (Valencia County), Alamogordo (Otero County), Socorro (Socorro County).   |

| State and Representative     | Major labor area                    | Unemployment rate (percent) |               | Smaller areas—Persistent unemployment 6 percent or more  |
|------------------------------|-------------------------------------|-----------------------------|---------------|--|
|                              |                                     | November 1970               | November 1969 |  |
| <b>New York:</b>             |                                     |                             |               |  |
| Scheuer                      | New York City                       | 4.4                         | 3.3           |  |
| Badillo                      | do                                  | 4.4                         | 3.3           |  |
| Bingham                      | do                                  | 4.4                         | 3.3           |  |
| Biaggi                       | do                                  | 4.4                         | 3.3           |  |
| Celler                       | do                                  | 4.4                         | 3.3           |  |
| Brasco                       | do                                  | 4.4                         | 3.3           |  |
| Chisholm                     | do                                  | 4.4                         | 3.3           |  |
| Podell                       | do                                  | 4.4                         | 3.3           |  |
| Rooney                       | do                                  | 4.4                         | 3.3           |  |
| Carey                        | do                                  | 4.4                         | 3.3           |  |
| Murphy                       | do                                  | 4.4                         | 3.3           |  |
| Koch                         | do                                  | 4.4                         | 3.3           |  |
| Rangel                       | do                                  | 4.4                         | 3.3           |  |
| Abzug                        | do                                  | 4.4                         | 3.3           |  |
| Ryan                         | do                                  | 4.4                         | 3.3           |  |
| Halpern                      | do                                  | 4.4                         | 3.3           |  |
| Addabbo                      | do                                  | 4.4                         | 3.3           |  |
| Rosenthal                    | do                                  | 4.4                         | 3.3           |  |
| Delaney                      | do                                  | 4.4                         | 3.3           |  |
| King                         | Albany/Schenectady/Troy             | 3.9                         | 3.2           | Gloversville (Fulton County), Speculator (Hamilton County), Ticonderoga (Essex County), Warren County.   |
| Robison                      | Binghamton                          | 5.7                         | 3.7           |  |
| Dulski                       | Buffalo                             | 5.0                         | 3.8           |  |
| Kemp                         | do                                  | 5.0                         | 3.8           |  |
| Smith                        | do                                  | 5.0                         | 3.8           |  |
| Conable                      | Rochester                           | 5.3                         | 2.3           | Orleans County, Perry (Wyoming County).  |
| Hanley                       | Syracuse                            | 5.9                         | 3.6           |  |
| Horton                       | Rochester                           | 5.3                         | 2.3           |  |
| Pirnie                       | Utica/Rome                          | 6.2                         | 4.1           |  |
| Fish                         |                                     |                             |               | Catskill (Greene County), Cobleskill (Schoharie County).   |
| McEwen                       |                                     |                             |               | Ogdensburg/Massena/Malone (Franklin, St. Lawrence Counties), Oswego County, Plattsburgh (Clinton County), Watertown (Jefferson County).  |
| Dow                          |                                     |                             |               | Sidney (Delaware County).  |
| Stratton                     |                                     |                             |               | Auburn (Cayuga County), Norwich (Chenango County), Oneonta (Otsego County).  |
| <b>North Carolina:</b>       |                                     |                             |               |  |
| Preyer                       | Greensboro/Winston-Salem/High Point | 3.1                         | 2.3           |  |
| Mizell                       | do                                  | 3.1                         | 2.3           |  |
| Galifianakis                 | Durham                              | 3.8                         | 3.4           |  |
| Jonas                        | Charlotte                           | 3.2                         | 2.0           |  |
| Taylor                       | Asheville                           | 3.8                         | 2.5           | Bryson City (Swain County), Hayesville (Clay County), Marshall (Madison County), Robbinsville (Graham County).   |
| Fountain                     |                                     |                             |               | Roxboro (Person County), Snow Hill (Greene County), Wilson (Wilson County).  |
| Jones                        |                                     |                             |               | Ahoskie (Hertford County), Camden County, Columbia (Tyrrell County), Greenville (Pitt County), Manteo (Dare County), Moyock (Currituck County), Pamlico County, Windsor (Bertie County).   |
| Lennon                       |                                     |                             |               | Elizabethtown (Bladen County), Lumberton (Robeson County), Whiteville (Columbus County).   |
| <b>North Dakota: Andrews</b> |                                     |                             |               |  |
| <b>Ohio:</b>                 |                                     |                             |               |  |
| Stanton                      | Cleveland                           | 4.6                         | 3.1           |  |
| Stokes                       | do                                  | 4.6                         | 3.1           |  |
| Vanik                        | do                                  | 4.6                         | 3.1           |  |
| Minshall                     | do                                  | 4.6                         | 3.1           |  |
| Ashley                       | Toledo                              | 5.4                         | 3.7           |  |
| Latta                        | do                                  | 5.4                         | 3.7           |  |
| Bow                          | Canton                              | 5.5                         | 3.2           |  |
| Seiberling                   | Akron                               | 4.4                         | 3.3           |  |
| Keating                      | Cincinnati                          | 4.3                         | 3.6           |  |
| Clancy                       | do                                  | 4.3                         | 3.6           |  |
| Carney                       | Youngstown/Warren                   | 6.5                         | 3.3           | Warren County.   |
| Powell                       | Hamilton/Middletown                 | 5.9                         | 4.5           |  |
| Mosher                       | Lorain/Elyria                       | 5.5                         | 2.9           |  |
| Hays                         | Stuebenville/Weirton                | 3.4                         | 3.1           | Carrollton (Carroll County).   |
| Harsha                       |                                     |                             |               | Clermont (Lawrence County), Manchester (Adams County), Waverly (Pike County).  |
| Miller                       |                                     |                             |               | Gallipolis (Gallia County), Jackson (Jackson County), New Lexington (Perry County), Pomeroy (Meigs County).  |
| Whalen                       | Dayton                              | 4.6                         | 4.3           |  |
| Devine                       | Columbus                            | 3.3                         | 2.9           |  |
| Wylie                        | do                                  | 3.3                         | 2.9           |  |
| <b>Oklahoma:</b>             |                                     |                             |               |  |
| Jarman                       | Oklahoma City                       | 3.8                         | 3.0           |  |
| Steed                        | do                                  | 3.8                         | 3.0           | Altus (Jackson County), Anadarko (Oado County), Cordele (Washita County), Purcell (McClain County), Shawnee (Pottawatomie County).   |
| Belcher                      | Tulsa                               | 4.9                         | 3.6           |  |
| Edmondson                    | do                                  | 4.9                         | 3.6           | Claremore (Rogers County), Jay (Delaware County), Miami (Ottawa County), Muskogee (Muskogee County), Okemah (Okfuskee County), Okmulgee-Henryetta (Okmulgee County), Pawnee (Pawnee County), Pryor Creek (Mayes County), Sequoyah County, Stilwell (Adair County), Tahlequah (Cherokee County), Wagoner (Wagoner County), Ada (Pontotoc County). |
| <b>Albert:</b>               |                                     |                             |               |  |
|                              |                                     |                             |               | Atoka (Atoka County), Coalgate (Coal County), Holdenville (Hughes County), Hugo (Choctaw County), Idabel (McCurtain County), LeFlore County, Marietta (Love County), McAlester (Pittsburgh County), Stigler (Haskell County), Tishomingo (Johnston County), Wilburton (Latimer County).  |
| <b>Oregon:</b>               |                                     |                             |               |  |
| Green                        | Portland                            | 5.8                         | 4.2           |  |
| Wyatt                        | do                                  | 5.8                         | 4.2           | McMinnville (Yamhill County), Tillamook (Tillamook County), Toledo (Lincoln County).   |
| Dellenback                   |                                     |                             |               | Gold Beach (Curry County), Grants Pass (Josephine County), Medford (Jackson County), North Bend/Coos Bay (Coos Bay County), Roseburg (Douglas County).   |
| Ullman                       |                                     |                             |               | Condon (Gilliam County), Enterprise (Walla County), Fossil (Wheeler County), Hood River (Hood River County), Lakeview (Lake County), Madras (Jefferson County), Pendleton (Umatilla County), The Dallas (Sherman, Wasco Counties).   |
| <b>Pennsylvania:</b>         |                                     |                             |               |  |
| Barrett                      | Philadelphia                        | 4.6                         | 2.8           |  |
| Byrne                        | do                                  | 4.6                         | 2.8           |  |
| Eilberg                      | do                                  | 4.6                         | 2.8           |  |
| Green                        | do                                  | 4.6                         | 2.8           |  |
| Nix                          | do                                  | 4.6                         | 2.8           |  |
| Fulton                       | Pittsburgh                          | 4.3                         | 2.5           |  |
| Gaydos                       | do                                  | 4.3                         | 2.5           |  |
| Moorhead                     | do                                  | 4.3                         | 2.5           |  |
| Whalley                      | Altoona                             | 5.0                         | 3.8           | Bedford (Bedford County).  |
| Vigorito                     | Erie                                | 4.3                         | 2.3           |  |
| Saylor                       | Johnstown                           | 7.3                         | 4.1           | Kittanning/Ford City (Armstrong County).   |
| McDade                       | Scranton                            | 5.6                         | 3.6           | Tunkhannock (Wyoming County), Sayre/Athens/ Towanda (Bradford County), Wellsboro (Tioga County).   |
| Flood                        | Wilkes-Barre/Hazleton               | 4.7                         | 3.9           |  |
| Morgan                       |                                     |                             |               | Uniontown/Connellsville (Fayette County).  |

| State and Representative | Major labor area             | Unemployment rate (percent) |               | Smaller areas—Persistent unemployment 6 percent or more  |
|--------------------------|------------------------------|-----------------------------|---------------|--|
|                          |                              | November 1970               | November 1969 |  |
| Johnson                  |                              |                             |               | Bradford (McKean County), Clearfield/DuBois (Clearfield/Centre Counties), Coudersport (Potter County), Lock Haven/Renovo (Clinton County).   |
| Rooney                   | Allenstown/Bethlehem/Easton  | 3.0                         | 1.6           |  |
| Rhode Island:            |                              |                             |               |  |
| St Germain               | Providence                   | 6.0                         | 3.5           |  |
| Tiernan                  | do                           | 6.0                         | 3.5           |  |
| South Carolina:          |                              |                             |               |  |
| Vacant                   | Charleston                   | 5.7                         | 4.3           | Berkeley County.   |
| Mann                     | Greenville                   | 4.4                         | 3.0           |  |
| Dorn                     |                              |                             |               | McCormick (McCormick County), Saluda (Saluda County).  |
| Gettys                   |                              |                             |               | Winnsboro (Fairfield County), Cheraw (Chesterfield County), Union (Union County).  |
| McMillan                 |                              |                             |               | Bennetsville (Marlboro County), Bishopville (Lee County), Georgetown (Georgetown County), Marion (Marion County).  |
| Spence                   |                              |                             |               | Barnwell (Barnwell County), Orangeburg (Orangeburg County).  |
| Tennessee:               |                              |                             |               |  |
| Kuykendall               | Memphis                      | 3.9                         | 3.0           |  |
| Jones                    | do                           | 3.9                         | 3.0           | Erin (Houston County).   |
| Blaton                   | do                           | 3.9                         | 3.0           | Hardin County, Lawrenceburg (Lawrence County).   |
| Fulton                   | Nashville                    | 3.6                         | 2.4           |  |
| Baker                    | Chattanooga                  | 4.0                         | 2.8           | Dayton (Rhea County), Decatur (Meigs County), Dunlap (Sequatchie County), Sweetwater (Monroe County).  |
| Duncan                   | Knoxville                    | 3.3                         | 2.8           | Maynardville (Union County), Rutledge (Grainger County).   |
| Evans                    |                              |                             |               | LaFollette/Jelico (Campbell County), Morgan County, Oneida (Scott County), Sparta (White County).  |
| Quillen                  |                              |                             |               | Greeneville (Greene County), Newport (Cocke County), Sevierville (Sevier County).  |
| Texas:                   |                              |                             |               |  |
| Cabell                   | Dallas                       | 3.5                         | 1.5           |  |
| Collins                  | do                           | 3.5                         | 1.5           |  |
| Purcell                  | Dallas                       | 3.5                         | 1.5           |  |
| Teague                   | do                           | 3.5                         | 1.5           |  |
| Do                       | Fort Worth                   | 4.5                         | 2.4           |  |
| Wright                   | do                           | 4.5                         | 2.4           |  |
| Gonzalez                 | San Antonio                  | 5.4                         | 4.1           |  |
| Fisher                   | do                           | 5.4                         | 4.1           | Brackettville (Kinney County), Del Rio (Val Verde County), Uvalde (Uvalde County).   |
| Kazen                    | do                           | 5.4                         | 4.1           | Carrizo Springs (Dimmit County), Cotulla (La Salle County), Crystal City (Zavala County), Eagle Pass (Maverick County), Floresville (Wilson County), Hondo (Medina County), Laredo (Webb County), Pearsall (Frio County).  |
| Brooks                   | Beaumont/Port Arthur         | 4.8                         | 4.1           |  |
| Young                    | Corpus Christi               | 5.0                         | 4.2           |  |
| White                    | El Paso                      | 5.3                         | 4.5           |  |
| De la Garza              |                              |                             |               | Brownsville/Harlingen/San Benito (Cameron County), Hebbronville (Jim Hogg County), Raymondville (Willacy County), McAllen (Hidalgo County), Rio Grande City (Starr County), Zapata (Zapata County).  |
| Dowdy                    |                              |                             |               | Newton (Newton County), San Augustine (San Augustine County).  |
| Patman                   |                              |                             |               | Atlanta (Cass County), Texarkana (Bowie County).   |
| Utah:                    |                              |                             |               |  |
| Lloyd                    | Salt Lake City               | 5.3                         | 4.2           | Beaver (Beaver County), Nephi (Juab County), St. George (Washington County).   |
| McKay                    |                              |                             |               | Brigham City (Box Elder County), Heber City (Wasatch County), Kanab (Kane County), Manti (Sanpete County), Moab (Grand, San Juan Counties), Ogden (Weber County), Panguitch (Garfield County), Park City (Summit County), Price (Carbon, Emery Counties), Provo-Orem (Utah County), Richfield (Sevier County), Roosevelt (Duchesne County).  |
| Vermont: Stafford        |                              |                             |               | Springfield (Windsor County).  |
| Virginia:                |                              |                             |               |  |
| Downing                  | Newport News/Hampton         | 3.8                         | 3.3           | Chincoteague (Accomack, Northampton Counties).   |
| Whitehurst               | Norfolk/Portsmouth           | 3.9                         | 3.4           |  |
| Scott                    |                              |                             |               | Colonial Beach (Lancaster, Northumberland, Richmond, Westmoreland Counties).   |
| Wampler                  |                              |                             |               | Bristol (Washington County), Grundy (Buchanan County), Lebanon (Dickenson, Russell Counties), Norton/Big Stone Gap (Wise County), Richlands (Tazewell County).   |
| Washington:              |                              |                             |               |  |
| Adams                    | Seattle                      | 11.3                        | 5.2           |  |
| Foley                    | Spokane                      | 7.8                         | 4.7           | Colville (Stevens County), Newport (Pend Oreille County), Okanogan (Okanogan County), Republic (Ferry County), Wenatchee (Chelan, Douglas Counties).   |
| Hansen                   |                              |                             |               | Aberdeen (Grays Harbor County), Centralia (Lewis County), Port Townsend (Jefferson County), Raymond (Pacific County), Stevenson (Skamania County).   |
| Hicks                    | Tacoma                       | 9.8                         | 5.7           | Bremerton (Kitsap County), Dayton (Columbia County), Ellensburg (Kittitas County), Goldendale (Klickitat County), Moses Lake (Grant County), Tri-City (Benton, Franklin Counties), Yakima (Yakima County).   |
| McCormack                |                              |                             |               | Anacortas (Skagit County), Port Angeles (Clallam County).  |
| Meeds                    | Seattle                      | 11.3                        | 5.2           |  |
| Pelly                    |                              |                             |               |  |
| West Virginia:           |                              |                             |               |  |
| Hechler                  | Huntington-Ashland           | 6.3                         | 5.2           | Hamlin (Lincoln County), Pennsboro (Richie County), Logan-Madison (Boone, Logan Counties), Point Pleasant (Mason County), Wayne County.  |
| Kee                      |                              |                             |               | Beckley (Raleigh County), Bluefield (Mercer County), Hinton (Summers County), Oak Hill-Montgomery (Fayette County), Welch (McDowell County), Williamson (Mingo County).  |
| Mollohan                 | Wheeling                     | 4.8                         | 3.6           | Clarksburg (Doddridge, Harrison Counties), Glenville (Gilmer County), Grantsville (Calhoun County), New Martinsville (Wetzel County), Sistersville (Tyler County).   |
| Slack                    | Charleston                   | 4.5                         | 4.5           | Clay (Clay County), Gassaway (Braxton County), Logan Madison (Boone, Logan Counties), Richmond (Nicholas County), Spencer (Roane County).  |
| Staggers                 |                              |                             |               | Berkeley Springs (Morgan County), Elkins (Randolph County), Franklin (Pendleton County), Grafton (Taylor County), Kingwood (Preston County), Marlinton (Pocahontas County), Martinsburg (Berkeley, Jefferson Counties), Mineral County, Moorefield (Hardy County), Parsons (Tucker County), Petersburg (Grant County), Romney (Hampshire County), Ronceverte-White Sulphur Springs (Greenbrier, Monroe Counties), Webster Springs (Webster County), Weston (Lewis County). |
| Wisconsin:               |                              |                             |               |  |
| Zablocki                 | Milwaukee                    | 4.9                         | 2.9           |  |
| Reuss                    | do                           | 4.9                         | 2.9           |  |
| Davis                    | do                           | 4.9                         | 2.9           |  |
| Kastenmeier              | Madison                      | 3.2                         | 2.2           |  |
| Aspin                    | Kenosha                      | 4.7                         | 3.6           |  |
| Do                       | Racine                       | 7.3                         | 3.8           |  |
| O'Byrne                  |                              |                             |               | Adams (Adams County), Antigo (Langlade County), Crandon (Forest County), Florence (Florence County), Medford (Taylor County), Neopit (Menominee County), Shawano (Shawano County).   |
| O'Konski                 | Duluth, Minn./Superior, Wis. | 4.9                         | 4.0           | Ashland (Ashland County), Bayfield (Bayfield County), Douglas County, Eagle River (Vilas County), Grantsburg (Burnett County), Hayward (Sawyer County), Hurley (Iron County), Ladysmith (Rusk County), Spooner (Washburn County).  |
| Byrnes                   |                              |                             |               | Oconto (Oconto County).  |
| Thompson                 |                              |                             |               | Arcadia (Trempealeau County), Black River Falls (Jackson County), Dodgeville (Iowa County), La Crosse (La Crosse County), Mauston (Luna County), Prairie du Chien (Crawford County), Sparta (Monroe County), Viroqua (Vernon County).  |

<sup>1</sup> Figures for Davenport/Rock Island/Moline are October figures.

## RUSSIAN GENOCIDE IN UKRAINE

## HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. DERWINSKI. Mr. Speaker, anyone who knows the history of Ukraine, understands full well the meaning of Russification as a form of cultural genocide. The current Russification policy and actions of Moscow are not new to the people of Ukraine. And, let it be stressed, that the use of the term "genocide" in this respect is its accurate use, which is strikingly contrary to its flagrant misuse by the fake revolutionaries here and abroad. Moreover, as will be shown in the forthcoming book "U.S.A. and the Soviet Myth," authored by Dr. Lev E. Dobriansky of Georgetown University, it should be maturely noted that Russian genocide in Ukraine, the largest non-Russian nation in Eastern Europe, is also an instrument for Moscow's current imperial consolidation in preparation for its bolder aggressive moves in the future.

As shown in the communication below, the Jews in the Soviet Union are not the only ones being systematically subjected to Russian genocide. The non-Russian nations in the U.S.S.R. are under similar attack, particularly the strategically placed Ukraine. The current case of Valentyn Moroz is well described in this communication of the Ukrainian Congress Committee of America to both the General Secretary of the United Nations and our Secretary of State. It will be interesting to note their replies and courses of action. I commend the contents of this factually packed letter to the studied consideration of my colleagues and to all of our people who are concerned with present developments in the imperial domain of our chief enemy.

UKRAINIAN CONGRESS COMMITTEE  
OF AMERICA, INC.

New York, N.Y., January 27, 1971.

HON. U THANT,  
General Secretary, United Nations,  
United Nations, N.Y.

YOUR EXCELLENCY: The Ukrainian Congress Committee of America, an American organization of over 2 million American citizens of Ukrainian background and descent, brings again to your attention the tragic plight of Ukrainian intellectuals in Ukraine and their persecution and oppression by the Soviet government.

It is to be recalled that in 1968, when the entire world community observed the 20th anniversary of the Universal Declaration of Human Rights, a series of violations of human rights by the Soviet government in Ukraine was brought to the fore at various international conferences and the U.N. Commission on Human Rights as well.

In our Memorandum, submitted to the U.N. Conference on Human Rights, held between April 22 and May 13, 1968, in Teheran, Iran, we stressed that the Soviet government in Ukraine was engaged in a systematic genocidal campaign, inflicting severe and inhuman persecution upon Catholic, Orthodox, Jewish and Moslem religious believers. Above all, it was stressed that over 200 Ukrainian intellectuals in such cities as Kiev, Lviv, Odessa, Ivano-Frankivsk, Zhytomyr, Lutsk and Ternopil were arrested, tried secretly and condemned to long terms at hard labor.

This was a veritable pogrom, which in scope and intensity far surpassed the trials of Russian intellectuals, such as Sinyavsky and Daniel or Andrey Amalrik, more recently.

This campaign of the Soviet government against the cultural life of the Ukrainian people is conducted by various means and under different guises and subterfuges: arrests and trials of Ukrainian intellectuals, burning and deliberate destruction of Ukrainian libraries and historical archives—for instance, the burning of the library of the Ukrainian Academy of Sciences in Kiev in 1964, the destruction by fire of the Ukrainian historical archives at the Vyduhetsky Monastery in Kiev, the destruction by fire of the Ukrainian historical archives in the city of Ternopil on May 5, 1969. These are only the most outstanding instances and which were reported by the Soviet government.

This campaign of Moscow is part and parcel of the overall policy of Russification whereby the Soviet government intends to Russify over 100 million non-Russian peoples in the USSR and thus make the Soviet Union a "one and indivisible" Russian empire.

The persecution of the Ukrainian Catholic Church has been intensified, as indicated by the arrest and sentencing of Archbishop Vasyly Welychkovsky on January 23, 1969 in Lviv. Likewise, Baptists, Evangelists, Seventh Day Adventists and Jehovah's Witnesses are harassed and persecuted, as are Jewish communicants.

## THE CASE OF VALENTYN MOROZ

We call your attention. Your Excellency, to the case of Valentyn Moroz, a young Ukrainian historian, who was resented last November in Ukraine for his writing.

V. Moroz is one of the prominent Ukrainian writers and intellectuals who have been and are being victimized by the Soviet government. His case is well described in *The Chernovil Papers*, pp. 150-151 (McGraw-Hill). Born in 1936, he attended the University of Lviv, from which he graduated in 1958; he taught history and geography in Lutsk and Ivano-Frankivsk, and did historical research. In August, 1965 he was arrested, and in January, 1966 he was tried and sentenced by the Regional Court of Volhynia to five years at hard labor on the charge of "anti-Soviet propaganda and agitation." While in the Mordovian slave labor camp (in Yavas), he met several other Ukrainian intellectuals incarcerated for the same "crime" as he was. There he allegedly wrote the *Report from the Beria Preserve*, which was an appeal to the Supreme Soviet of the Ukrainian SSR, describing the present-day concentration camp system in the USSR and the inhuman conditions and treatment of political prisoners in the Mordovian labor camp compound. This report was widely and clandestinely circulated in Ukraine and abroad. Furthermore, he had reportedly written another report, *A Chronicle of Resistance in Ukraine*, in which he described how the Russians were destroying Ukrainian historical monuments, artifacts and church icons in the Ukrainian village of Kosmach in the Carpathian Mountains.

For "good behavior" Moroz was released in August, 1969. But on June 1, 1970, he was arrested again and brought to trial in the city of Ivano-Frankivsk. In a secret trial, held on September 20, 1970, Moroz was sentenced to 9 years at hard labor on an unspecified charge, covered generally by the article on "anti-Soviet propaganda and agitation."

The Soviet Union and the Ukrainian SSR are signatories to the *Universal Declaration of Human Rights*, boasting loudly of this fact in massive propaganda drives outside the Soviet Union.

That Moroz's sentencing is a crass violation of the *Declaration* is beyond any doubt.

Article 18 of the *Declaration* reads:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The Soviet government has unabashedly violated all these lofty principles whose observance it undertook to respect by signing the *Declaration*.

The sentencing of Valentyn Moroz for his writing is not only a violation of the *Universal Declaration of Human Rights*, but of the Soviet Constitution as well.

Chapter X, Art. 125 of the Soviet Constitution states expressly:

In accordance with the workers interest and with the aim of strengthening the Socialist system, the citizens of the USSR are guaranteed by law: a) Freedom of speech; b) Freedom of the press; c) Freedom of assembly and d) Freedom of processions and demonstrations on the street.

Even more explicit is the provision in the *Declaration on Human Rights* on the same subject:

Article 19, for instance, states:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Moroz, as well as other Ukrainian intellectuals, were tried in camera and sentenced to long terms at hard labor under Art. 62 of the Penal Code of the Ukrainian SSR, which is a direct contradiction of both the Soviet Constitution and the *Universal Declaration on Human Rights*.

This article reads:

Any agitation or propaganda with the intent to undermine or subvert the Soviet regime, the participation in certain specific and particularly dangerous crimes against the state, the dissemination with the same intent of slanderous inventions against the Soviet State and its social system, as well as distribution, preparation of possession to the above end of literature with such content, are punishable by loss of freedom to terms from six months to seven years, or banishment for terms from two to five years . . .

In the case of Valentyn Moroz even this harsh Soviet Penal Code was violated, because he was sentenced to 9 years at hard labor, two years more than the maximum penalty specified in the Soviet Penal Code.

## OTHER IMPRISONED UKRAINIAN INTELLECTUALS

Furthermore, it is known that there are at least 40 Ukrainian intellectuals serving long terms at hard labor, whose sole "crimes" were "anti-Soviet propaganda and agitation." Of course, there are hundreds and thousands of other Ukrainian political prisoners who were tried and sentenced secretly and whose names have never been revealed by the Soviet judicial authorities.

Among the best known Ukrainian political prisoners are:

Syatoslav Karavansky, journalist, sentenced in 1944 to 25 years, but amnestied in 1960; in 1965 he was sentenced to 9 years to complete the original sentence of 25 years;

Mykhailo Soroka, sentenced to 25 years for participation in the Ukrainian liberation movement; Mykhailo Horyn, psychologist—6 years; Mykhailo Masyutko, literary critic—6 years; Mykhailo Ozerny, teacher—6 years; Opanas Zalyvakha, painter—5 years; Volodymyr Leoniuk, sentenced to 25 years for participating in the Ukrainian liberation movement; Yaroslav Hasyuk and Maria Pelchan, sentenced 12 to 15 years, respectively, for "Ukrainian nationalism"; Halyna

Selynoch, sentenced in 1969 to 13 years at hard labor for trying to escape from Ukraine; Eugenia Kyslarchuk, sentenced to 10 years as a member of the "Jehovah's Witnesses" group in Ukraine; Kateryna Zarytska, Odarka Husiak and Halyna Didyk, all three sentenced to 25 years at hard labor for being members of the Ukrainian Red Cross (nationalist) during World War II.

There is also a group of members of the Ukrainian Workers' and Peasants' Union, which advocated more political and social freedom in Ukraine within the framework of the Soviet constitution; Lev Lukyanenko—15 years (sentenced originally to be shot); Ivan Kandyba, lawyer—15 years; Alexander Libovych, agriculturalist—10 years; Vasyl Lutskiv, cultural worker—10 years; S. Virun, Communist Party propagandist—11 years, and Yosyp Borovnytsky, lawyer—10 years.

Moreover, 13 members of the Ukrainian National Committee, which advocated the legal and legitimate secession of Ukraine from the USSR—as provided by the Soviet and Ukrainian constitutions—received heavy sentences ranging from 12 to 15 years at hard labor. Two of the group, Ivan Koval and Bohdan Hrytsyna, were executed.

#### "CRIMES" OF UKRAINIAN INTELLECTUALS

It is unquestionable that most of these and other Ukrainian intellectuals were tried and sentenced because they were Ukrainian patriots and saw injustices committed by the Soviet government upon the Ukrainian people. None of them was engaged in any violent and revolutionary act against the Soviet Union.

Their "crimes" were best defined by Edward Crankshaw, noted British expert on Soviet affairs, who wrote in *The Observer* of London, on February 11, 1968 on the secret trials in Ukraine:

What have these men done? They had discussed among themselves and among their friends, ways and means of legally resisting the forcible Russification of Ukraine and the continued destruction of its culture. They possessed books dealing with this problem, some of them written in Czarist times. They possessed notebooks with quotations from the great Ukrainian patriots.

No evidence whatsoever was produced to show that they agreed with these opinions or were contemplating subversive action. Unlike some who had gone before (and others still active) they were not advocating secession in any form and even had they done so, there would be no violation of the constitution. They were deeply concerned because the Moscow government was still persisting in its efforts to blot out Ukrainian consciousness, which even Stalin with his massive deportations and brutal killing had failed to do . . .

It is clear that the oppression of Ukrainian intellectuals by Moscow is directed by the overall policy of the Kremlin to stifle all opposition in Ukraine. This opposition stems not only from the desire of the Ukrainian people to have a greater measure of freedom and personal liberty. One of these intellectuals, Svyatoslav Karavansky, wrote well-documented petitions to the government of the Ukrainian SSR protesting the practices by the Russians not only against the Ukrainians, but against the Jews as well. He denounced the forcible deportations of the Crimean Tartars, Chechen-Ingushes, Kalmyks and Karachais; he assailed the uprooting of the peoples of the Balkan republics of Estonia, Latvia and Lithuania.

In describing the policy of Russification in Ukraine and in other non-Russian countries, John Kolasky, Canadian author of *Education in Soviet Ukraine*, states:

The aim of Russian policy is to maintain a tight control over education in Ukraine and other national republics, to restrict Ukrainians and other nationals from progressing be-

yond the elementary and general secondary level . . . to denationalize them . . . to increase the continuous influx of Russians to occupy posts in government, education, science and other fields . . .

This, in essence, is the policy of Moscow against which Ukrainian intellectuals protest and for which they are being arrested, tried and sentenced at harsh prison and labor camp sentences.

#### YOUR EXCELLENCY!

This information is imparted to you for the purpose that you be fully acquainted with the suppression of human rights in Ukraine. We beg you, Sir, to forward this letter to the U.N. Commission on Human Rights so that it may study and examine it and make appropriate recommendations to the United Nations which, after all, was set to safeguard and protect human rights everywhere, including the USSR and its republics.

The recent trial of Jewish would-be plane hijackers in Leningrad, the workers' riots in Poland and the harassment of Russian intellectuals have aroused world public opinion and condemnation of Soviet practices, Soviet authorities, to be sure, are not entirely immune to what the world thinks or says about them.

Therefore, on behalf of our organization, which has been dedicated to the defense of human rights for over three decades of its existence, we kindly request you to take earnestly into consideration the violation of human rights in Ukraine.

The Ukrainian history teacher, Valentyn Moroz, who is being unjustly victimized by the Soviet government, is a symbol of the enslaved peoples in the USSR. In pleading for him, we also plead for the millions of peoples who are reduced to faceless and soulless robots of the communist regimes.

The United States stands to gain in prestige and recognition if it raises its voice in defense of the persecuted and the downtrodden.

Respectfully yours,

LEV E. DOBRIANSKY,  
President.

#### RESOLUTION COMMEMORATING LITHUANIAN INDEPENDENCE

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. FORSYTHE. Mr. Speaker, elsewhere in the Record I have spoken about the meaning of the 53d anniversary of the independence of Lithuania.

A resolution adopted by the Lithuanian Council of New Jersey, meanwhile, has been brought to my attention. I insert the resolution at this point:

#### RESOLUTION

On the occasion of the 53rd Anniversary of the Restoration of Lithuania's independence, we the representatives of the Lithuanian ethnic community of New Jersey, assembled here on February 13, 1971, in Newark, New Jersey to:

Commemorate Lithuania's Declaration of Independence proclaimed on February 16th, 1918, in Vilnius, whereby a sovereign Lithuanian State, having antecedents in the Lithuanian Kingdom established in 1251, was restored;

Honor the memory of the generations of Lithuanian freedom fighters who fought to defend Lithuania's national aspirations and values against foreign oppressors;

Recall with pride the political, cultural,

economic and social achievements of the Lithuanian Republic during the independence era of 1918-1940;

Express our indignation over the interruption of Lithuania's sovereign functions as a result of the military occupation of our homeland by the Soviet Union on June 15, 1940, during the course of which national traditions and values were trampled, the personal freedom of the people were suppressed and hundreds of thousands of people were liquidated by the Soviet genocidal practices;

And to emphasize once again our confidence that, regardless of what methods the Soviet oppressors devise, they will, in the end, be unable to suppress the aspirations of the Lithuanian people for freedom and the exercise of their human rights. These hopes were made most evident in the recent successful hijacking of a Soviet aircraft to Turkey by Pranas and Algirdas Brazinskas, as well as in Simas Kudirkas's heroic attempt at defection,

Gravely concerned with the present plight of Soviet-occupied Lithuania and animated by a spirit of solidarity we, the members of the Lithuanian ethnic community of New Jersey,

Demand that Soviet Russia immediately withdraw its armed forces, administrative apparatus, and the imported Communist "colons" from Lithuania, thus permitting the Lithuanian nation to freely exercise sovereign rights to self-determination.

We call upon our Senators and Representatives to make use of every opportunity to urge that President Nixon once again publicly reiterates the long standing United States position of non-recognition of the incorporation of the Baltic States of Estonia, Latvia, and Lithuania into the Soviet Union and to raise this issue in the United Nations and at various international conferences.

#### LITHUANIAN INDEPENDENCE DAY

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. PEYSER. Mr. Speaker, on February 16, 1918, a 20 member National council, proclaimed Lithuanian Independence. On its first birthday, Lithuania, finding itself in juxtaposition with Nazi armies then in Poland, granted the U.S.S.R. garrison privileges. This proved to be but the first step towards Soviet domination. Following the war Lithuania was incorporated into the Soviet Union as its 14th "republic."

As we pause each year in solemn tribute to the silent and subjugated status of 3 million of our fellow human beings, we offer hope and not despair, faith, and not resignation.

The plight of the Lithuanian people must remind us of the growth and devices of totalitarian power in this century. Lithuania is not just a captive nation because I believe that "captive" is an inadequate description for the cruel and deceptive machinations of unprincipled, absolute power. Totalitarianism is a phenomenon which found its underpinnings in the Hitler and Stalin era of the 1930's, became a sophisticated tool in the 1940's, and left us in the 1950's and 1960's with tidy regimes which now accumulate their respectability and our acquiescence.

But our story, I regret to say, does not end here. The early development of totalitarianism in the 1930's, 1940's, and 1950's, horrible as it is, would be incomplete in its terrible significance were it not for its marriage to the terroristic guerrilla warfare of the 1950's and 1960's.

Lithuania is not merely a captive nation. It is a daily reminder of the fact that we are living in an epoch in which one evil leads inexorably to another. We cannot forget Lithuania, because to do so might allow us to fall victim to the other horrors which lie before us in this unhappy century.

To the proud Lithuanian-American while this day causes pause and empathy for his fellow countryman in his home country, he should also recall the glorious history and tradition of an independent Lithuanian State which can trace its history back to the 11th century, A.D.

#### REASONS FOR INVASIONS: CHEAPER BY THE DOZEN

### HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. HARRINGTON. Mr. Speaker, on Wednesday, February 10, 1971, Mr. Bud Collins, of the Boston Globe, presented as cogent a list of reasons for the invasions of Laos and Cambodia as I have read. I offer it for the enlightenment of the whole House:

#### LAOS EXCUSES

(By Bud Collins)

For those of you who are puzzled, possibly even disturbed, here are one dozen good reasons for invading Laos and Cambodia:

1—To build the South Vietnamese army's confidence by giving them experience on the road. Sometimes an outfit that tries too hard when performing for home crowds, and loses consistently, can be straightened out by a road trip.

2—To strengthen the morale of South Vietnamese citizens by sending their army somewhere else.

3—To provide a wider range of foliage targets for the US Air Force, which has just about run out of them in South Vietnam.

4—To widen the scope and range of American journalists and other members of the world press corps, for whom Vietnam is written-out.

5—To broaden the travel opportunities of American soldiers, who find that by this time Vietnam is too Americanized, and no longer has the aura of the exotic.

6—To spread US Post Exchange culture to Vientiane and Phnom Penh, and other areas that aren't Americanized enough.

7—To give the South Vietnamese a chance to shoot at Cambodians as well as North Vietnamese. Vietnamese dislike Cambodians because Cambodians have darker skin. (I suspect we could learn to dislike Cambodians, too, don't you?)

8—To keep the National Guard at home on their toes.

9—To introduce young Americans to perhaps the most diverting barroom, etc., in the Orient, the White Rose in Vientiane. After they've seen the White Rose, neither the Playboy Club nor Trader Vic's will hold any fascination.

10—To confuse the protesters by giving them more wars than they can possibly organize and demonstrate against.

11—To wipe out the memories of My Lai by providing the opportunities for bigger and better atrocities.

12—To keep Joe Alsop happy.

### JACKSONVILLE CHAMBER OF COMMERCE AND JAYCEES SUPPORT CROSS-FLORIDA BARGE CANAL

### HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. BENNETT. Mr. Speaker, the Jacksonville Area Chamber of Commerce and the Jacksonville Junior Chamber of Commerce have recently issued statements supporting the continued construction of the Cross-Florida Barge Canal.

The statement presented by Jack W. Lucas, chairman of the Port and Waterways Development Committee of the Jacksonville Chamber of Commerce, has urged completion of the project halted by the President after the Congress had appropriated almost \$60 million for its construction. It also calls for a congressional investigation of the constitutionality of the action by the President.

The Jacksonville Area Jaycees, of which I am a former president, has passed a resolution requesting that the President rescind his order stopping construction of the Cross-Florida Barge Canal, and that full public hearings be held on the project, which is one-third complete.

Mr. Speaker, the Cross-Florida Barge Canal was authorized for national defense reasons. It is also economically justified and would add greatly to outdoor recreation values. It would benefit millions of Americans and should be completed.

I enclose in the CONGRESSIONAL RECORD the statements by these two important civic-minded groups in Jacksonville, Fla.:

#### STATEMENT BY JACK W. LUCAS

It has now become appallingly clear that President Nixon has been thoroughly insulated from the true facts in regard to the Cross-Florida Barge Canal and the chaos that will result from his edict to halt construction.

The President referred to two things adverse to the Canal route, endangering unique wildlife and destroying a region of beauty. Even a glance at the map of Florida and the tiny strip of land along the Canal route will show that the acreage involved cannot really protect wildlife. It requires 25 square miles of wild land to sustain the life of one panther, 5 square miles for a bobcat, 15 square miles for one black bear, all of these requirements being wild land removed from civilization. This fact, coupled with the realization that the nearby Ocala National Forest provides over 430,000 acres to sustain the space requirements of wildlife, conclusively shows the extreme degree of mis-information furnished to the President.

The other concern voiced by the President in regard to completion of the Canal was that it would destroy a region of beauty. Again, apparently the President was not advised of the fact that a large percentage of

the perimeter of the Oklawaha River, as well as other lands involved, was acquired under orders of takings with reversionary rights to the land owners if the Canal was not built. Halting the Canal would only result in much of the beautiful riverfront property reverting to private ownership and exploitation. On both counts that the President relied upon for stopping the Canal he was obviously misadvised.

Completion of the Canal along an alternate route, avoiding the Oklawaha Valley, offers the best approach to preserving the ecology and natural beauty of the Oklawaha River. The Oklawaha Valley and the Ocala National Forest could constitute a new Oklawaha National Park. The new Canal route would not be subject to development because of the strip of public land separating the Waterway from private land. If the Canal is not built, massive lawsuits from affected parties will result and will be in the courts for many years to come. All sorts of new problems, such as flood control, stagnation, and other complications will emerge. The choice is not Canal versus Scenic River; the choice is Canal versus chaos.

The Cross-Florida Barge Canal once was considered a large federal project and its legendary size has long been controversial, but this is inconsistent with the realities of 1971 when we have no such controversy being raised concerning the needed 492 million dollar Central and South Florida Flood Control Project and the worthy 1.2 billion dollar Arkansas River (Tulsa) Navigation Project to be dedicated in June of this year.

The circumstances surrounding this matter, wherein a Congressionally enacted law providing for a public works project, in a contract with the people of a state, also duly enacted, was arbitrarily halted, wherein members of Congress from the affected state were denied an opportunity to confer about the matter, both before and after the edict, and wherein members of the three-man Council on Environmental Quality flatly refuse to provide members of Congress with the material upon which their recommendation was based, must give all thinking Americans chilling pause and apprehension.

The reasons cited in the edict to justify stoppage are fallacious as documented herein. To deny elected members of Congress the right to even discuss the matter, even though strenuous efforts were made to secure appointments, thus relying on three non-elected advisors who are apparently biased in the extreme, is most unfair. This is not the fair play that all good Americans deserve and expect.

For the President to, in effect, repeal a federal law properly enacted by the Congress without consulting Congress or even allowing Congress to consult with him is clearly unconstitutional. This matter is of such great national import to the democratic process of a representative form of government, as well as being a matter of vital importance to Florida and Jacksonville, we are hereby asking Congressman Charles E. Bennett and others in Congress to secure a congressional investigation of the constitutionality of this unprecedented action.

#### RESOLUTION OF THE JACKSONVILLE AREA JAYCEES—FEBRUARY 8, 1971

Whereas, there has been no conclusive evidence of the ecological dangers of the construction of the Florida Barge Canal and,

Whereas, there has never been a full public hearing where both the proponents and opponents of the canal could give all evidence in a public forum and,

Whereas, such a canal would open up vast spaces of interior Florida so our many residents could enjoy the beauty of the region as opposed to the current situation where only a privileged few have enjoyed access, and,

Whereas, such a canal would make Jacksonville a port serving the Mississippi Valley and thus lower the cost of moving goods and be of great economic benefit to the citizens of Jacksonville, and,

Whereas, members of the Jacksonville Jaycees and others in the age group 21-35 could benefit the most by increased economic activity in Jacksonville and would participate in the leadership of this expansion, and,

Whereas, greater economic activity means more tax dollars to support social reform programs, pollution protection, and education, and,

Whereas, the expenditure of local and federal funds for the canal has been authorized and approved by the vote of our duly elected representatives locally, statewide, and federally, and,

Whereas, economic progress and environmental protection do not always prove a choice of either or, but maybe both can be achieved, and,

Whereas, water resource projects can contribute far more to a favorable environment than the harm done by the changes in the ecological balance; flood control programs reduce the erosion of soil, navigation improvements help keep the rivers from clogging up with sediment; the system of reservoirs conserved water for domestic and industrial use and provides more recreational facilities, and,

Whereas, the canal could prove to be a model for pollution control since it would be the first inland waterway built since environmental protection has been the concern of citizens and lawmakers, now, therefore be it, *Resolved:*

1. The Jacksonville Jaycees hereby request the President of the United States to rescind his permanent order stopping construction of the canal and replace it with a temporary halt.

2. A panel of experts be convened to hear all arguments for and against the canal in a full public forum in order that a final decision be made based on facts.

3. All parties interested in the outcome of the professional review would agree in advance to abide by the outcome without further pleas for consideration.

#### H.R. 4331, A PENSION FOR WORLD WAR I VETERANS

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. ANDERSON of California. Mr. Speaker nearly 5 million Americans served—and served valiantly—during World War I. Today, only 1.6 million are still alive and their average age is 74 years.

These men have contributed greatly to our country—not only during World War I, but also through the years as private citizens. We cannot thank them enough for their efforts in preserving our democracy and in sustaining our Nation.

Yet, an injustice exists. While these veterans receive disability compensation and death benefits similar to those provided for U.S. servicemen of other wars, the fact remains that World War I veterans do not qualify for a true pension. What we do have—incorrectly called a pension—is a special kind of welfare program.

Under current law, if a World War I veteran, who has no dependents, has an income exceeding \$2,300 a year, he is ineligible for the pension.

There are now about 765,000 surviving World War I veterans receiving this pension—almost 50 percent of the 1.6 million who have survived—and the average annual income from all sources for these men is less than \$2,500 per year. We should recall that some years ago the poverty level was established at \$3,000.

Today, in order to correct this injustice, I am reintroducing a bill, H.R. 4331, to provide a \$100 a month pension for our veterans of World War I. This would be paid without regard to the annual income of the recipient.

Mr. Speaker, the World War I veterans of this country deserve a pension; not as a matter of need, but as a matter of right. They fought to preserve our flag; they earned our respect and they earned our thanks. Now, we should give them what they have long deserved.

#### RECOGNIZE THE IMPOSSIBLE

### HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. DERWINSKI. Mr. Speaker, a great deal of nonsense has been written on the subject of pollution. It was, therefore, a welcome relief to read an editorial that appeared in the February 6 issue of the Polish American.

The following editorial, which is entitled "Recognize the Impossible," is full of commonsense and deserving of republication in the RECORD:

#### RECOGNIZE THE IMPOSSIBLE

Landing a man on the moon capped a century or more of technological wonders that collectively have had an unfortunate psychological impact. We have reached the point where we take literally the observation that the U.S. can do anything it sets its mind to. Maybe it can, but there are some things that are obviously impracticable or impossible. A lot of them have to do with the irrational approach to various environmental problems.

As is well known, the automobile is a major polluter of the atmosphere, so there are those who would remove tens of millions of gasoline-engine driven vehicles and replace them with vehicles powered by some other form of energy. The executive of a large oil company brings the technological dreamers down to earth in a few words. He says, "To try to substitute electricity or natural gas for gasoline and diesel fuels in the quantities needed is manifestly beyond our capacities. In addition, any attempt to replace the internal combustion engine with an electric version would simply transfer the source of pollution to an off-highway location. By most reliable calculations, conventional generation of the needed amounts of additional electric power would add considerably more to the pollution of our atmosphere than do our present vehicles."

A century of technological wonders have evidently led to a tendency to confuse the scientifically possible with pure sorcery.

#### METHADONE DRUG TREATMENT

### HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. WYATT. Mr. Speaker, during the past several years I have been extremely interested in the methadone treatment for heroin addicts, and have followed it very carefully. I was particularly interested in the efforts made in the District of Columbia during the past months as a member of the Appropriations Subcommittee for the District of Columbia. It is apparent that there is some controversy over the use of this drug, but I have been encouraged by rather widespread reports of real progress in the heroin fight by the substitution of methadone.

In view of the fact that some controversy does exist, I was most interested in an article on the front page of the Los Angeles Times on last December 22, detailing the experience of one heroin addict with the methadone cure. I am submitting it herewith for whatever interest it may have for my colleagues:

ADDICT'S ROAD BACK PAVED IN METHADONE  
(By David Lamb)

Al Wearing—washed up at 17, reborn at 33—talking about the warmth of sunshine and the faith of children and the sound of laughter, and "Holy Jesus" he said, wide-eyed, they're all so beautiful.

"Where've I been?" he asked, knowing exactly where he had been. "I mean it's like I just been sitting on a dark shelf all this time, just sitting there nodding, just waiting for time to pass.

"Then someone takes me down and they dust me off, and wow, I don't want to hide inside that little dark bubble anymore. I think of all those big black clouds that hung over me and I just shudder.

"That's why all this is so beautiful. Like I hear people complaining about the smog and I say what, I don't see nothing like that. I walk out on the street and the sun shines and I think it's so nice.

"There are kids playing together and I want to sit down with them and tell them how bad it really is. 'Cause I know in three, four, five years, if the wrong things happen in the right combination, they may go through all the misery I did.

#### LOOKING GOOD, THESE DAYS

"Sometimes, when I'm just feeling proud and want to show the guys I'm making it, I drive through the old neighborhoods—I just got my license—and the addicts come over and they say, 'Geez, Al, you're looking good. You're really clean.'"

And Al Wearing—retired burglar and con man, former robber, ex-heroin addict—laughed. It was a small, smug, happy laugh that, like his words, came with a sudden, uncontrolled rush of enthusiasm.

For six months now, ever since he started in the controversial methadone program, Wearing has been clean—free from the \$50-a-day heroin habit that after 16 years made him feel "like my brain was going to blow up inside my head."

Methadone, a water-clear, slightly bitter-tasting liquid, is a synthetic narcotic developed by Germany in World War II as a pain killer. It also is a cheap, and as far as is known relatively harmless substitute for heroin.

## THIMBLE-SIZED DOSAGE

So each morning promptly at 10, Wearing, instead of shooting heroin, gulps his thimble-sized dosage of methadone diluted in an orange drink. He feels no euphoria, no tranquilization, no heroin-like reponses.

Methadone is being used in at least seven states to treat about 9,000 hard-core addicts. Some areas, like New York City where the treatment was first used in 1963, report about 70% of their patients no longer use heroin. The normal "effective response" to most other heroin-control measures is about 1%, doctors say.

Frequently reported side effects of methadone include mild drowsiness, decreased sexual interest, nausea and constipation. Doctors, however, point out that the symptoms often were present before patients began the program and thus are not necessarily related to the drug.

Wearing's doctor at the Orange County Medical Center, E. M. Gherman, calls his work with the methadone program the "most exciting, gratifying" experience of his professional life. He says that as long as Wearing continues to use methadone, there is every reason to believe he will not need, want or use heroin again.

Not only does a dose of methadone block an addict's craving for up to 48 hours, it thwarts drug-produced responses from patients who "experiment" with heroin. Wearing said most of his addict friends have taken heroin once or twice since being on methadone, but they get no "high," and have stayed clean afterwards.

"I was scared to death when I first got into this program," Wearing said the other day after taking his dose at the County Medical Center. "I came in here the first time and I was raggedy and hurting and I needed a fix and I needed it bad right then."

"So I took the methadone, just like I have every day since, and there was no withdrawals, no high, no nothing. It was like I never had a habit. It killed my obsession. And for the first time in maybe 20 years, I'm a person again, a human being."

## SEARCH FOR WORDS

Wearing, 33 and still gaunt from his years of self-torture, reached for another nonfilter cigaret. He is a lanky, pleasant man with sideburns and long black hair that curls over his collar. He still occasionally stutters and has to search for simple words and he knows that not all the hard times are behind him.

Therapists, he says, have told him he became an addict because his father did this to him or his mother did that.

"And that's crap," he snorts. "It was me who blew it. Me. I had my chances."

His uncle is a wealthy land developer and Wearing was raised in a normal middle-class family and environment.

But he started having trouble with the police at 13. He was popping uppers (amphetamines) at 15, smoking marijuana at 16 and using heroin at 17, although needles scared him so much that he had to turn his head while two friends injected the first dose.

By the time he was 23, he had been married three times and had fathered four children. His teeth were decaying, he didn't care that his clothes were always dirty and that a fix represented everything—money, sex, new shoes, strength, brains.

At 33, just before he started on methadone, he thought he was going insane. He slept fitfully, if at all. He ate little. He was often up at 2 a.m. "mainlining" the heroin he had set aside for the morning. Eight of his previous 10 years had been spent in jail for drug-related offenses.

Wearing first heard about methadone during a lecture at the California Rehabilitation Center at Norco. He was skeptical. He had reached for dreams before.

## FOURTH WIFE URGES

But this time, the urging of his wife—his fourth wife, whom he married in 1967—Wearing applied for treatment at the Orange County Medical Center. Several Fridays later, a doctor called and said a patient space would be open the following Monday, June 20. Could he make it through the weekend? Wearing had enough dope on hand and said he could.

At first Wearing went to the center every day. Now he goes twice a week and is given enough methadone to carry him through his nonvisiting days. Eventually, as his rehabilitation progresses, his outpatient treatment will be weekly, because methadone, unlike heroin, does not increase one's tolerance level with constant use.

Wearing may, however, have to continue taking methadone, whose long-range effects are unknown, the rest of his life. If he stops, the chances are that he will again become a heroin addict, doctors say.

## CALLED A CRUTCH

Some critics say this dependency proves men like Wearing have merely substituted one addiction for another. They say methadone is a crutch, not a miracle drug—to which Wearing says, so what?

For the first time in his adult life, he says, he is clean. His hangups are not gone, but his habit is. He's not robbing and he's not "using" and he's not marking time until his next prison sentence. He walks out his door every morning and his neighbors say good morning and "they don't know I'm any different than anyone else."

Supporters of the program counter their critics with state-provided estimates that California's 25,000 heroin addicts steal about \$200 million annually to finance their habits.

## METHADONE 9 CENTS

The figures are dramatic when stacked against the cost of a patient's daily methadone dosage—about 9 cents—and the consideration that most methadone patients no longer represent a law enforcement problem.

In California, where it is illegal for a physician to treat addicts with methadone unless he is an approved investigator in a research project, the program is being operated on a small scale. About 50 addicts are under treatment in Orange County, 15 in Los Angeles and there are other small groups in San Francisco, Santa Clara, Fresno, Tulare and San Diego counties.

## PROGRAM EXPANSION

Oregon is treating more than half its estimated 300 to 400 addicts with methadone. Last February the state instituted a two-year residency requirement for participation in the program, to end the influx of Californians seeking treatment.

Three months ago, Gov. Reagan signed a bill expanding California's methadone pilot programs and permitting county officials to establish treatment facilities in local health centers.

## THE WELSH IN AMERICA

## HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. REES. Mr. Speaker, the birth of St. David, the Welsh patron saint, will be commemorated on March 1 by Welsh Americans throughout America—nothing like the St. Patrick gatherings, though St. Patrick was born in Wales and grew up speaking Welsh, not Latin.

Very little has been written of what the Welsh have contributed in all walks of life in the shaping of American history. Twenty percent of the Pilgrim Fathers were Welsh, as was the Captain of the Mayflower.

How many know that almost 50 percent of the signers of the American Declaration of Independence were Welsh or of Welsh descent—as were nine of the Presidents of the United States—and that many of the universities and colleges such as Yale, Princeton, Brown, William and Mary, Virginia, Johns Hopkins, and Andover, were founded by Welshmen.

The man who financed the War of Independence was Robert Morris, Pennsylvania was founded by William Penn, and Rhode Island by Roger Williams—all were Welsh. It is strange indeed that such a small country—as Wales, so many people are hardly aware of its existence—has contributed so much more in proportion to its size than any other nation, and stranger still that so little has been written of it. Oh yes. The next time you are in the Capitol and feel like climbing the Washington Monument stairway, about halfway up there is a stone inscribed:

"FY IAITH, FY NGWLAD, FY NGHENEDEL WALES—CYMRU AM BYTH." \*

Thomas Jefferson would have placed it where more people would see it, for he was very proud of his Welsh origin.

It would take many pages to name the great Welsh Americans since the Founding Fathers, who have helped build America—in government, industry, labor, finance, law, architecture, music, religion, literature.

Yes, the Welsh in America can be very proud of their heritage. And it is to be hoped that as each St. David Day comes around more people will remember how much good has come from so small a country, where the greatest honor each year is to be crowned "Poet of the Year."

## THE WHITE HOUSE CONFERENCE ON CHILDREN

## HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mrs. MINK. Mr. Speaker, as a participant in the recent White House Conference on Children, I have that its recommendations result in many benefits to our children.

Mr. Leo Perlis, director of community services for the AFL-CIO, was interviewed on the radio program, "Labor News Conference," and expressed his views on the Conference. Members of the press taking part in this Mutual Broadcasting System program were Nan Robertson of the New York Times, and John Matthews of the Washington Evening Star. The moderator was Frank Harden and the program was broadcast on January 19, 1971.

\*My Language, My Country, My Race, Wales, Wales Forever.

Because of the wide interest in Mr. Perlis' remarks, I am inserting the interview at this point in the RECORD:

**HARDEN.** Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL-CIO. Labor News Conference brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is Leo Perlis, director of the AFL-CIO's Department of Community Services.

To many observers, the 1970 White House Conference on Children, held last month in Washington, faced challenges far greater than those presented to any earlier Conference. Many of the delegates feel that the Conference was a failure. Mr. Perlis led the AFL-CIO delegation to the Conference. Here to question him about the 1970 White House Conference on Children, what it accomplished, what it failed to accomplish, and, how he views the upcoming White House Conference on Youth, are Nan Robertson, of the New York Times' Washington Bureau, and John Matthews, of the Washington Evening Star. Your moderator, Frank Harden.

And now, Miss Robertson, I believe you have the first question?

**ROBERTSON.** Mr. Perlis, what do you think about the White House Conference on Children? Do you believe it was a success or a failure, and, why?

**PERLIS.** Well, Miss Robertson, I think the White House Conference on Children was a failure.

I think it was a failure for two major reasons.

First, it didn't accomplish its mission. By that I mean, they didn't come through with any specific, concrete and tangible recommendations.

The second reason is equally important. The Conference's own procedures were so limited and so circumscribed that they did not allow participation of citizens in the formulation of the policies, and programs, and decisions of the Conference.

**ROBERTSON.** I don't understand what you mean by "citizens."

**PERLIS.** By "citizens" I mean people who have been working for many, many years in organizations devoted to children; those agencies, for example, which have been associated with the National Assembly on Social Policy and Development—agencies that have been associated with the Council of National Agencies.

Organizations that have offered their services, their brains and their hearts, have been rejected, time and time again, by the people who have been running the White House Conference on Children and Youth.

**MATTHEWS.** President Nixon's chairman for the Conference, Stephen Hess—who is also a White House Aide—has argued that the format of this Conference was shaped so that the establishment in the social welfare field would not control the Conference. What do you say to that? And, who was in control of the Conference—who were these 4,000 people?

**PERLIS.** The Conference, Mr. Matthews, was controlled—lock, stock and barrel—by Mr. Hess and his staff.

I am not sure what he means when he calls the Child Welfare League, or the Family Service Association, or the National Assembly, or even the AFL-CIO, "the establishment." I'm not so sure that "establishment", in this instance, is necessarily a bad term. I'm not so sure that he means what he's saying, because my impression is, the Conference was conceived in fear and concluded in futility.

I think that one reason, for example, for the division of the White House Conference into two separate sessions—one on children and one on youth—is the fear that Mr. Hess and his associates must have had, when they rejected the ideas of inviting young people

to come to Washington for one, overall conference.

Let me point out, Mr. Matthews, that they have a National Technical Advisory Committee. I happen to be a member of it. The National Technical Advisory Committee consists of something like 100 citizens. Its purpose is exactly that—advisory. Yet, we have never been consulted on the size of the Conference, the site of the Conference, the time of the Conference, on the forum leaders, on the discussion leaders, on the format. We have never been officially and collectively consulted on any of the issues relating to either the White House Conference on Children or the White House Conference on Youth.

**MATTHEWS.** Well, what—zeroing-back on the Children's Conference—what do you think the President and the Administration had to fear from the Conference? What do they have to fear from the Youth Conference?

**PERLIS.** I really don't know—I wish I did. But, it seems to me that we do face confrontations here and there—we do live in a period of turmoil and strife. I think that the experience of the White House Conference on Hunger, a year or so ago, must have persuaded some of the people running this Conference that they ought not risk confrontation—especially, confrontation by the young.

Now mind you, the separation of these two conferences—the hiding of the Conference on Youth on the ski slopes of Estes Park, Colorado—the attempt to spread it over a period of six weeks . . .

**ROBERTSON.** That's not going to happen, by the way. It's going to be one event—one gathering.

**PERLIS.** One gathering now—yes—but, still on the ski slopes of Estes Park, Colorado.

**ROBERTSON.** That is correct.

**PERLIS.** All of these things seem to suggest that there was a lack of courage to face up to the realities of the situation in this country, and to face up to the issues confronting the American people and a positive job of giving the people an opportunity to express themselves through plenary sessions—which was absent, incidentally, from the White House Conference on Children.

**ROBERTSON.** There were two sessions to which everybody was invited, if they wished to come, as you well know, held in the headquarters hotel of the White House Conference on Children. They were finally allowed by Stephen Hess. The second one, as you also well know, was disrupted by, I believe, the leaders of those who formed the first one.

**PERLIS.** Miss Robertson, as a matter of fact, there were three sessions; one on Sunday night, one on Wednesday night, and one on Thursday night. None of these three sessions were official plenary sessions of the White House Conference on Children. Mr. Hess ruled out all plenary sessions.

**ROBERTSON.** All "official" plenary sessions.

**PERLIS.** All "official" plenary sessions, yes. So, these "rump" plenary sessions had to be held in the absence of official plenary sessions.

**ROBERTSON.** And what did they accomplish, do you think?

**PERLIS.** Well, two of the rump plenary sessions were held by the Council of National Organizations. The third was held by the black caucus, the Spanish-speaking caucus, and the women's caucus.

Now, what the first rump session accomplished obviously, was very valid. It was not disrupted. It was a session to give the delegates the opportunity to express their concerns—their feelings about the way the White House Conference on Children was organized. It went off rather well. People had the opportunity to express themselves. There were over 1000 people there, resolutions were adopted, there were six speakers on the major clusters. Everything went off very well. It was an informative session—an effective session—a harmonious session.

Now, that kind of session, as a matter of fact, could have been held by Mr. Hess himself, but, that was not done. I did not attend the black caucus session, but I'm informed that there was an opportunity for many of the minority groups to express their feelings and concerns, in which they did rather well. It was not disrupted.

**ROBERTSON.** That was harmonious also.

**PERLIS.** Harmonious.

**ROBERTSON.** I agree with you.

**PERLIS.** Here again, I was told that if there were opportunities for the delegates to express themselves officially, there would have been no need, obviously, for these rump sessions.

Now, the Thursday night session—which I attended, and from which, we all walked out—was sponsored by the Council of National Organizations, but it was disrupted by the black caucus. This is nothing new. Similar disruptions have occurred elsewhere around the country.

If I had been in the chair, I would have either called the cops or adjourned the meeting. You simply don't permit—in a democratic society—black shirts, or brown shirts, or red shirts, or any other kind of shirts, to get control of a democratic meeting and convert it to their own use, for either political or other purposes.

Unfortunately, I was not in the chair. I happened to be on the platform, and I simply walked off in disgust.

But, the disruption was not the fault of the National Council, and it was certainly not the fault of the agencies associated with the Council. But, in the absence of a plenary session—an official session—this was made possible. The black caucus must bear full responsibility for disrupting this meeting. When I say black caucus, I really mean the extremists who were in control, because I know that many members of the black caucus didn't agree with the tactics of the extremists.

**MATTHEWS.** There were a lot of charges floating around the Conference that the blacks had, in fact, been manipulated by Mr. Hess—that there was an agreement with Mr. Hess that they could have their own plenary session, to which Reverend Ralph Abernathy came—and that subsequently, there was some conspiracy to disrupt the second plenary rump session.

**PERLIS.** I've heard these charges, Mr. Matthews, but I have no evidence, know nothing about them.

I have heard that Doctor Hurst had met with Mr. Hess, and that some agreement was reached. But, I have seen no evidence—and I have no personal knowledge of any such meeting.

I do know, however, that the only two people who came out after the Conference with "laud" comments about it were Mr. Hess, who said, "this is an unqualified success," and Dr. Hurst, who said "this is the best Conference ever."

**ROBERTSON.** To get away, for a moment, from the politics of this Conference and into the results, to sort of paraphrase a very famous saying, how does this White House Conference on Children differ from all others? Senator Walter Mondale (D-Minn.), in a speech on the Senate floor a few days before the Conference began, reminded the delegates and the Senate that the White House Conference on Children and Youth held under President Herbert Hoover 40 years ago—and I quote—"produced a children's charter comprehensive enough, and still unfulfilled enough, to be a fine agenda for action today." These conferences, as you know, have been held every 10 years since President Theodore Roosevelt called the first one in 1909.

**PERLIS.** The first Conference was held under Mr. Roosevelt. I have attended two, in 1950 and 1960, so I know a little bit about the White House Conference.

Personally, I have no strong feeling about the holiness of a White House Conference

on Children and Youth. For all I know, a White House Conference on Children and Youth could be conceived in different ways. For example, some of us recommended in 1960, that it ought to be converted into a White House Conference on Family Life—that perhaps that is the way to do it.

But, in any event, it has been our feeling—in the AFL-CIO and in the organizations with which we are associated—that this is a conference which could produce some recommendations; it could focus attention on some of the problems facing our youth and our children; it could inspire Congress and the White House to act positively on some of the problems and some of the issues; it could encourage many of the voluntary organizations to exert greater effort in the direction of assisting children and youth—in many specific areas, such as health, education, welfare, day-care, and, values—and in many other areas.

It could also help our state organizations, state governments, and local governments, in doing a better job.

Certainly, many of the issues raised at the Conferences since 1909, have been implemented, in some fashion or another, in Executive Orders, in law, in specific local and national actions.

So, certain things could have been done.

Our job, as we saw it, was to offer our support, which we did offer, to Mr. Hess and to all the others.

We offered our cooperation and our support. We didn't conceive of it as a "Nixon Conference" or a "Hess Conference," but a Conference, sponsored by the White House, among all the people, for the children and youth—and all people would include young people—and, all colors and races.

We offered our cooperation. We offered our advice. We offered our support.

But at every turn, not only our cooperation went unsolicited, but our advice, as well—our advice was rejected almost at every turn—not only our advice, but that of many other agencies, too.

It seemed to us, at one point, that what they wanted was bodies—black and white, young and old—to come forward and to fill the halls in clusters—in forums, in workshops, in sensitivity courses, in play-acting, in film-watching—in all of these things.

I recall a delegate at one of our sessions referring to it as "the White House Festival of Films and Fun."

That was the impression that many of our delegates had.

ROBERTSON. Mr. Perlis, the White House Conference on Children and Youth you attended in 1960, came up with 670 proposals to then-President Eisenhower. This one ended with 25 recommendations for President Nixon, topped by more than a dozen overriding concerns, which were overlapping, as you know, with many of the specific recommendations. I contend that perhaps this boiling down, as general as some of the recommendations were, might have had something to recommend it, in fact, they were more condensed—there were fewer. I don't know what's going to happen to these overriding concerns and recommendations. But, what came out of the 1960 Conference and its 670 proposals to President Eisenhower? What specific legislation, what specific results came out of that Conference?

PERLIS. I don't recall, offhand, what specific results came out of Mr. Eisenhower's 1960 Conference.

I do know that the delegates had a chance to express themselves. I do know that the delegates had a chance to hear what happened at the whole Conference—the total Conference—in plenary sessions.

Also, those more than 600 recommendations or proposals were quite specific.

At this Conference, the recommendations were quite general. For example, the recom-

mendations included such things as the "development of programs to eliminate the racism which cripples all children." Well, we're all for that. But, what about specific programs? What about, for example, the desegregation of our school system? What kind of legislation do we want, and what kind of orders do we want from our courts to do this kind of a job?

Another was for "a national priority of children and families first, at all levels of American life." Now—what does "children and families first, at all levels of American life" mean, for example, in terms of infant mortality rates and the need for a national health insurance program? We weren't really given an opportunity in this Conference to come up with something specific and concrete.

MATTHEWS. Well, there were some specifics, weren't there—like a National Child Health Insurance program and the Child Advocate, approach?

PERLIS. Yes, the major thing that was pushed at this Conference was the Child Advocate, and it was pushed in all of the workshops.

I'm not sure what that means, and I'm not sure that many of the delegates know what it really means.

ROBERTSON. I think that day-care was obviously one of the most important and really relevant issues. Those forums were just packed with people aware of the need for more centers. There has been a dramatic increase in the number of working-mothers—from 10% in 1940, to 40%, as of last count. That is something really specific, and it was high on the agenda of priorities.

PERLIS. Well, this is really nothing new—it's simply a repetition of things that many of the organizations and some of the previous White House Conferences have been saying about the need for day-care, since the Lanham Act of the 1930's. Much more has been done.

As a matter of fact, the national agency on day-care was extremely dissatisfied with this Conference, because it felt that the specific issues relative to day-care did not come forth, in terms of legislation, and appropriations, and things of that sort.

MATTHEWS. If we could turn a minute to the Youth Conference, which is going to be held from April 18-22, as we said before, in Estes Park, Colorado—which is 70 miles outside Denver—how do you think the Conference could be improved—what do you think, Mr. Hess, the chairman, is planning for it?

PERLIS. Well, I think the Conference should be called to Washington.

This is the place where the White House Conference on Youth should be held. This is where the political power is. This is where the resources of public relations are. This is where the focus needs to be made.

I see no point in removing the White House Conference on Youth from Washington, D.C., to Colorado. I have no idea what Mr. Hess intends to do.

It is being planned right now. It seems to be going down the line of the White House Conference on children, which is not going to be a very successful approach.

MATTHEWS. Well, there are some reports that the youths planning the Conference favored the idea of holding it away from Washington, too. In a way, disassociate themselves from the White House.

ROBERTSON. And perhaps, from confrontation or disruption.

PERLIS. Well, I don't know who picked the youth. Was it Mr. Hess?

ROBERTSON. You got me, Mr. Perlis, I don't know either.

MATTHEWS. So basically, you're not very hopeful for the Youth Conference?

PERLIS. No, I'm not very hopeful, at this point.

MATTHEWS. Besides moving the Youth Conference to Washington, Mr. Perlis, how

else do you think it could be made into a more useful Conference?

PERLIS. Well, I think the move to Washington is very essential.

Number two, one session, instead of dividing it up over a period of six weeks. I'm glad to see that Mr. Hess is doing just that now, after considerable toying with the idea of holding it over a period of six weeks.

Number three, there should be provision for plenary sessions—at least one or two—so that people have the opportunity to express themselves. Number four, invite citizen organizations to participate in the development of the format, and the speakers, and all the rest.

Number five, see to it that working youths be invited—and that labor organizations be invited—to participate in the development of this kind of arrangement.

HARDEN. Thank you, Miss Robertson, and thank you, Mr. Perlis and Mr. Matthews. Today's Labor News Conference guest was Leo Perlis, director of the AFL-CIO's Department of Community Services. Representing the press were John Matthews, of the Washington Evening Star, and Nan Robertson, of the New York Times. This is your moderator, Frank Harden, inviting you to listen again next week. Labor News Conference is a public affair production of the AFL-CIO, produced in cooperation with the Mutual Broadcasting System.

#### A SALUTE TO MR. SOL KEST

#### HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. REES. Mr. Speaker, on Sunday evening, February 21, one of the great schools in Los Angeles, the Yeshivath Torath Emeth Academy, will honor its president, Mr. Sol Kest. Mr. Kest, a local prominent businessman in the construction industry, has been most active in the life of the Yeshivath Torath Emeth Academy since its inception, and has truly earned the honors that are being bestowed upon him.

In recognition of Mr. Kest's accomplishments and dedication to the school, I would like to call the following resolution to the attention of my colleagues. They will agree, I am sure, that Mr. Kest is certainly deserving of such commendation.

The resolution follows:

#### RESOLUTION

Whereas Mr. Sol Kest came to this country as a poor refugee of the Nazi concentration camps,

Whereas Mr. Kest has become a prominent businessman and a dynamic force in the development of Southern California,

Whereas he is an outstanding example of American democracy and way of life,

Whereas he is donating much of his valuable time and energy to the service of his community vis-a-vis education,

Whereas he has served so nobly as president of the Yeshivath Torath Emeth Academy for many years,

Whereas Mr. Sol Kest is being honored for his outstanding devotion and self-sacrifice for the cause of Jewish and general education through Yeshivath Torath Emeth education at the Ambassador Hotel, Los Angeles, on Sunday, February 21, 1971,

Now therefore, be it resolved that Mr. Sol Kest be heartily commended upon his achievements and may he always set an example of the highest American ideals.

## EARLY CHILDHOOD EDUCATION IN AMERICAN SAMOA

## HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mrs. HANSEN of Washington. Mr. Speaker, the education and related program developments in our territories, I know, are of continuing interest to the Members of this Congress. In Samoa, under the direction of Dr. Betty Johnson, director of the Early Childhood Division of the Samoan Department of Education, and her assistant, Iutita Savali, a fascinating program is underway and since there are few Americans who are not interested at this point in time in preschool and school learning centers, I am placing the text of her report in the RECORD:

EARLY CHILDHOOD EDUCATION IN AMERICAN SAMOA REPORT FOR YEARS 1969 AND 1970; THE INITIATION AND DEVELOPMENT OF EDUCATIONAL PROGRAMS FOR 3-, 4-, AND 5-YEAR-OLD CHILDREN AND THEIR PARENTS

(By Betty Johnston and Iutita Savali)

## INTRODUCTION

The education of three, four and five-year-old children in village early childhood centers and the training of parents as their teachers is a unique and recent development in American Samoa and has grown from only a dream in January 1969 to the December 1970 reality of over 3000 children in 135 centers located in all of the villages on the Islands of American Samoa—Tutuila, Ofu, Olosega, Tau and Aunu'u.

That attention should be paid to young children and their parents is in line with present knowledge of human development and the learning process, as well as the April 1970 request from the Office of the President of the United States urging that new approaches be found to work with parents in their homes, in order to better assist all children in their first five years. It is during this period that a child's development is most subject to modification; his feelings and attitudes are formed; his language and ways of communicating are developed; and his habits and ways of behaving and coping with life are learned. There is well documented evidence that early environment and experience do indeed effect emotional, social and physical growth and well-being and are most critical to language and intellectual development.

Benjamin Bloom's<sup>1</sup> classical summarization of over a thousand studies notes that between birth and four years of age nearly 50% of all growth in human intelligence takes place, with up to 80% in the next three or four years and concludes that one would expect variations in the environment to have a marked effect before the age of eight, with the greatest likely to take place between the age of one and five. McVicker Hunt<sup>2</sup>, assessing the relationship between early experience and intelligence, emphasizes the importance of reaching children early for it is at this period that they acquire the abilities on which later abilities are based. Urie Bronfenbrenner<sup>3</sup> stresses that the most potent forces fostering the development of the child

<sup>1</sup> Bloom, Benjamin S. *Stability and Change in Human Characteristics*. New York: John Wiley and Sons, Inc., 1964

<sup>2</sup> Hunt, J. McVicker *Intelligence and Experience*. New York: Ronald, 1961

<sup>3</sup> Bronfenbrenner, Urie *Two Worlds of Childhood—U.S. and U.S.S.R.* New York: Russell Sage Foundation, 1970.

are the persons with whom he has developed intensive and enduring emotional relationships—namely his parents, relatives and other persons with whom he becomes closely involved on a one-to-one, day-to-day basis and that enduring improvement in the child's development can be effected only through appreciable and enduring change in the behavior of the persons intimately associated with him. He urges parent involvement not only in the home, but at children's centers and schools as well. Charles Silberman<sup>4</sup>, discussing the relationship between active involvement and learning, emphasizes the power of play and how through it young children begin to discriminate, to make judgments, to gradually develop concepts of casual relationships and to begin to reconcile their inner lives with external reality—particularly when sensitive adults are nearby to maximize the occasion by response or intervention with appropriate "feedback" of language, gesture, or materials.

If what has happened to a child in his early years has set a pattern as well as a capacity for future learning, then it is upon this that all later learning builds. If the experiences have been marginal or damaging, one is confronted with a continuing remedial task. To be able to kindle a delight in learning during children's most formative years is a challenge and an accomplishment that could return more knowledge for less dollars than at any subsequent age level.

## GOALS AND RATIONALE FOR EARLY CHILDHOOD PROGRAM

What happens in an educational environment is the curriculum and it may be prescribed, emergent, or accidental and unidentified. A suitable curriculum for early childhood should not be rigid, or tightly prescribed by workbook, textbook, kit, or program guide; however, it cannot afford to be hit or miss, or unplanned—for the grouping of children in an uncontrolled environment, without teacher guidance and planning, is no assurance of reaching any of the educational goals sought.

The broad goals of the Early Childhood program are to promote as far as possible the physical, mental, emotional and social well-being of all the children under six. This requires the cooperative effort of teachers, village personnel and all related community agencies, public health in particular. The more specific goals of the Village Early Childhood Centers are to help each child grow in:

- Personal autonomy.
- Confidence in the self and the ability to learn.
- Language and concept development.
- Gradual symbolization of experience.
- Creative thinking, decision making and problem finding/solving.

In order to achieve those goals these conditions should prevail:

- A friendly, supportive teacher.
- A classroom climate, free from fear, and conducive to positive social and emotional growth.
- A regular pattern of daily program—stories, songs, activities, to build security and timing, but flexible enough for change when necessary.

Learning centers, carefully planned, with materials available to children with a minimum of teacher direction.

Enough space and time to move around, explore, try-out, discover create.

A variety of materials and equipment for sensory experiences, motor manipulation and aesthetic enjoyment, requiring a minimum of adult assistance.

Easy verbal interaction between children and between teacher and child, or children.

<sup>4</sup> Silberman, Charles E. *Crisis in the Classroom. The Remarkings of American Education*. New York: Random House, 1970

Introduction of new materials to meet growing needs of child.

Short directed activities planned by the teacher for specific learning purposes for one or a few children.

There would be particular emphasis upon: The development of oral/aural language of the country.

The use of language in functional, natural conversation and discussion as children and teacher interact with the environment and with each other.

The opportunity to reproduce and talk about what has been experienced in a variety of ways: block building, drawing, sculpturing, doll play, dancing, telling stories.

Concrete, problem finding/solving experience to further sensory perception and development of concepts—number, measurement, special relationships, classification, order etc.

In summary, the program is built on the rationale that the most effective learning is that which proceeds on the basis of the child's own motivation and personal involvement; and the effective teacher is the one who provides the child with choices; enables him to consolidate his learning at his own rate and in his own style through play and exploration of materials and ideas. The teacher plans the environment for learning and acts as a catalyst, facilitator and resource person to extend the child's learning in a "caring" and encouraging manner.

## BACKGROUND

In late November 1967, in response to reports of elementary school principals that children entering First Level were limited in their use of Samoan language, the Department of Education employed a stateside early childhood specialist with particular knowledge of children's language development to investigate and suggest a possible course of action. The need for a Samoan advisor was clear to the investigator and by good fortune a Samoan curriculum specialist with a college degree in early childhood education was discovered. She joined the staff in December 1967 and since then the two have worked closely together on all program plans and evaluations. A report was prepared suggesting various combinations of program designs, with each analyzed as to feasibility in light of relevant information gathered on child population; number, location and accessibility of villages; and professional personnel and education facilities.

The Director of Education chose to develop part of one plan—a brief educational program directed to the five-year-olds and to begin with a four-week orientation for the children just before entrance to First Level. (Children of American Samoa enter First Level of the Consolidated Elementary Schools in September, if six years of age by December 31.) The curriculum design, content and learning materials appropriate to Samoan children were planned and implemented; a Samoan teacher selected and trained for a projected fifteen-minute televised component to introduce the children to television, since it was the vehicle of teaching at First Level; a four-week pilot study held in May to test the program and materials with five-year-olds; a five-week education workshop in June and July for 111 Samoan assistant principals and teachers—directed observation of a master teacher, Iutita Savali, working with five-year-olds; and in August all of the children who would enter the First Level of the Consolidated Elementary Schools in September attended a four-week activity-centered, language-eliciting program in the schools they would attend.

Classroom desks were removed, or stacked to one side, permitting the arrangement of inviting learning centers that drew the children to self-selected activities of investigation and discovery, with the teacher, a catalyst-facilitator, freed to interact with children individually, or in groups. The chil-

dren, teachers and parents responded enthusiastically to the program which did indeed elicit oral language, as well as good feelings about the self, zest for learning and going to school. Two statements, one by a bus driver and one by teacher are revealing. The bus driver took the trouble to go into the Principal's office to ask what was happening, saying, ". . . all the years before, when I took little children to school, they cried and didn't want to leave home, but now they don't cry at all and cannot wait to get to school." And the teacher, "I used to get mad and hit the children, but now I try to understand why they act like they do and I'm not mad any more and I don't hit. I'm glad."

However, some questions were raised by elementary administrators as to how children and teachers would adapt to the tightly television-structured curriculum of the elementary school, beginning at First Level, after experiencing a lively activity-centered program. This, coupled with a severe curtailment of the budget for both personnel and building construction stopped plans for a full year program for the five-year-olds and left only another short orientation period for the following August 1969. Realizing that this span of time was too short and with no prospect of lengthening it, coupled with the fact that age five is too late to begin a program of child development for modification, new approaches to reaching the young children were studied.

Two new, but complementary programs emerged—one to place the three, four and five-year-old children in early childhood centers located in their own villages employing village men or women as teachers, after initial and then continuing training; the other, to make use of the existing educational television facilities to develop a televised program to be directed to the young children and their parents in their homes. Since television had been used as a small component of the Early Childhood summer program for five-year-olds in 1968, and, since major teacher education, as well as the making and assembling of learning materials, would need to precede any opening of village centers, it seemed expedient to shape the televised program first as a means of reaching a large number of children quickly. A description of the two programs follows.

#### THE TELEVISSED PROGRAM

The televised program, *Talofa Tamaiti* (Hello Children), directed to the children below six, was inaugurated on January 2, 1969 and since that date has been viewed twice daily, morning and evening, on the two major channels in American Samoa. The program is taped by Toeso Faatili, a native Samoan, who uses clearly enunciated Samoan speech. The content deals with familiar Samoan village life—people, animals, plants, activities—through which the children can relate their own experiences and grow in understanding and language power. The setting for *Talofa Tamaiti* is a Samoan "fale" (home) with a back drop of posts woven "pola" (blinds) and mats and the "Mother-Teacher" is identified by the children as a warm smiling family member. All the songs, rhymes and stories are written and composed, as there have been almost none for young Samoan children—to date 50 songs, 30 rhymes and innumerable stories. The songs are now heard being sung by both children and adults on all the Islands of American Samoa—Tutuila, Ofu, Olosega, Tau and Aunu'u—as well as in Western Samoa. Toeso has become a well-loved personality—little children walk up to touch her to see if she is real. This program has been successful as observed by the kinds of responses it has elicited from both children and adults and will be continued in 1971. A radio version of *Talofa Tamaiti*, for songs, stories and rhymes, will be added.

#### VILLAGE EARLY CHILDHOOD CENTERS

After launching the *Talofa Tamaiti* program, plans were immediately started to develop village centers for three, four and five-year-old children. The community was involved from the beginning, and the people of American Samoa were asked if they wished to have children's learning centers in their villages. This was done early in January over television and radio on a "Report to the People" by the Samoan and stateside administrators of the Early Childhood program in conjunction with Samoan District Governors, High Chiefs and the Department of Education Samoan advisor. The program envisioned for the children was described and the announcement made that mothers and fathers would be trained, then employed as teachers and the village would be asked to contribute the use of a "fale" (home) for three hours on each weekday morning as the center for the children. Budget funds would permit beginning with only 40 groups on Tutuila, however, if successful and money were available, the program would be expanded to include the outer islands, as well as more villages on Tutuila. If these plans interested the people they were to come to the Early Childhood office to apply for teacher training. Over 200 applicants came, even some over 85 miles of rough sea. That they were interested was evident. The rationale for locating the early childhood centers in the villages and the selection of village mothers and fathers as teachers follows.

#### Location of early childhood centers in villages

Several factors entered into the decision to place the children's centers in the villages. It is often desirable to have schools for young children within walking distance of their homes, but in American Samoa it is almost imperative, for not only is transportation limited, but many villages are extremely isolated. Out of a total 66 villages on the Islands of Tutuila, Aunu'u, Ofu, Olosega and Tau, 53 lie along the fringes between sea and mountain, twelve are more or less inland and one is on a mountain top. Even small villages only a few hundred feet apart can be completely separated by pounding surf on steep, jagged cliffs. While fifty of the villages are "fairly" accessible by car or jeep, sixteen can be reached only by boat or trail. Public transportation is meager, unscheduled, or non-existent.

Secondly, the location gives high visibility of the program to the total village, not only because of the open architecture of a "fale", but because parents, grandparents and others often walk to school with the children, carrying one or two younger children. They are invited to stay to watch, and do, sitting around the perimeter, holding the young ones on their laps—so not only the adults observe, but the infants and one- and two-year-olds enjoy stimulating auditory and visual experiences. The teacher's influence becomes an ever-expanding circle—from the children and parents at the center to village as a whole.

The donation of the use of a village "fale" for the children's center not only gives tangible evidence of interest, cooperation and participation, but in fact makes the program possible, as there are no funds for structures, set at a conservative estimate of over a million dollars.

#### Teaching personnel

The training of village mothers and fathers to be the teachers in the early childhood centers was advisable on several counts. In the first place, there simply were no professional personnel available—even in elementary schools many teachers were still working toward their high school equivalency diploma. Secondly, and even more important, these persons were village parents, so the training could serve a double purpose—knowledge about young children

and how they grow and learn, which could be used not only with children in the village centers, but in their homes as well—with carry-over of ideas reaching downward to the two-year-olds, one-year-olds and infants. Recent research reports that young children who make the most gains are those whose parents are intensely involved in meaningful interaction with them—both in school and at home.

#### Criteria for selection of candidates

Qualities of humaneness, personality and behavior should be of high priority in the selection of teaching personnel for any age level, but are of top priority for those in contact with young children. The criteria for the selection of candidates for teachers of the Village Early Childhood Centers were: warmth of personality; clearly enunciated Samoan speech; desire to learn; interaction with children; respect of their village; and good health (medical clearance).

#### Description of the teacher education program

Over the two year period covered by this report, which marks the beginning of the plan to place three, four and five-year-old children in village centers, three separate early childhood teacher education training sessions have been held for a total of 375 village men and women. The first, for sixteen weeks from March through July, 1969 for 100 men and women, from whom 40 were selected as teachers for the opening of 40 Village Early Childhood Centers; the second, ten weeks from January through March, 1970 for another 100 for a selection of 45 teachers for 45 more Centers; and the third for ten weeks, October through December 1970 for 175. The large group of trainees for the last period reflected the budgetary possibility of adding teacher-aides to the centers, in addition to 50 new teachers for 50 new centers to open January 4, 1971. Many of the second and most of third group had the advantage of observing and/or assisting in the on-going centers. It might be well to note here why the number of trainees in each session has exceeded the number of centers to be opened. This was purposely done, to allow for better selection of teachers and to permit some substitutes, as maternity leave is frequent, as well as "malagas" (trips) to Hawaii, or the United States.

In addition to the pre-service program listed above, all of the village early childhood teachers attended a two-week training period prior to opening of the village centers in September 1970. During the school year, three-hour in-service meetings are held bi-weekly for all teachers and individual conferences the same day a supervisor visits the center. Teacher education, therefore, is continuing and on-going.

The training program has been designed to meet the specific needs of both the Samoan trainees and the children they expect to teach. The content, drawn from current findings in the field of human development, includes attention to maturity and behavioral characteristics of children and the conditions believed to augment feelings of self-worth and autonomy; language and concept development and progressive symbolization of experience. In addition, attention is directed to the inheritance and integration of the discrete subject areas of science, mathematics, social studies and language arts in the self-selected activities planned for the children.

All the training is directly and practically related to actual village teaching. No materials or equipment are used that cannot be replicated or provided for in all centers. For example, tables and chairs are not used, as they are rarely used in the Samoan "fale". Woven mats are placed on the floor to sit upon and most work is done in this position. This becomes a "built-in" advantage for eye-level talking-with children. Plants, seeds,

flowers, feathers, shells, rocks, etc. are used for sensory experiences of many kinds. Much attention is given to developing imagination and resourcefulness on the part of the teacher in the use of indigenous materials for children's learning—making balls from coconut fronds, musical instruments from coconut shells, ulas (stringing necklaces) from shells, seeds; using leaves, flowers, shells, etc. for discrimination of shape, size, color.

The major vehicle for teacher training is demonstration teaching, preceded and followed by discussion. The Samoan trainees could not profit from a lecture-type course, even if it were in the Samoan language, as there would be little understanding of abstract ideas presented. This was found to be equally true of the 111 Samoan elementary teachers and principals in the five-week workshop in 1968.

The training is conducted in several ways: Observation of master teaching of a beginning group of young children, similar in composition and setting to a village group, over a period of several weeks with trainees acting as assistants after initial weeks of observation. Discussion preceding and following all demonstration teaching.

Observation of village teachers in actual village centers (Following opening of initial 40 groups).

Observation and discussion of prepared television tapes.

Assisting village early childhood teachers in village centers.

Workshops for making learning materials—dolls and manipulative toys and "games" for sensory preception and motor coordination; composing and telling stories; singing the *Talofo Tamaiti* songs and rhymes; practicing manuscript writing; keeping of records—attendance anecdotal, etc.

#### *Physical description of the Village Early Childhood Center*

The Village Early Childhood Centers are located in "fales" provided by the villagers. For the most part these are the homes of the teachers and run the gamut of local architecture. One of the most pleasant is the typical Samoan "fale", an open structure with a thatched roof supported by round posts and well adapted to a warm humid climate, allowing all the breezes to blow through. Other homes may have supporting walls, with open space for windows, while a few look like conventional stateside cottages—some large, some small. However, the inside space for the children is better than one would find stateside, for there is no clutter of furniture and paraphernalia. A large woven mat covers the wooden, or white coral floor—sometimes there is a table, or chest to one side, sometimes not. That the space is clean and large enough and within walking distance for the children is the essential.

A wooden cabinet 4'x5'x20", painted rosy red on the outside and sunshine yellow inside, is built to house the learning materials and equipment. There are never ceasing sounds of delight when the two wide doors swing open revealing the wonders inside: 50 building blocks stacked by size; small wooden animals and people of Samoa; Polynesian-like cloth dolls, dressed in Samoan "puletasi" and "lava lava"; sea shells for doll dishes; fau bark for stringing seeds, flowers and shells for "ula" (necklace); crayons, paste, scissors, paper; printed photograph books of animals, people and village activities; percussion instruments—coconut shells and "pate" (hollowed stick drum); balls, both rubber and made from coconut fronds, "bean" bags filled with small shells; plus a wide variety of teacher collected materials for creative invention.

#### *The choice and procurement of learning materials*

A number of factors entered into the choice of learning materials—suitability, availability and cost. Many things important

to children's learning were not available in Samoa; many things available stateside were not suitable for Samoan children's use; while some things that were both suitable and available were too costly for a limited budget. It is our belief that learning materials of great value can and should be made, whenever possible, in order that they can be duplicated with little cost by parents in the homes. It was necessary to import some articles, for example—scissors and crayons, but many of the basic learning materials were planned and made locally, which proved to be well worth the effort, for not only were they "right" for Samoan children, but the total cost was cut by thousands of dollars. A brief description of what was made and why, follows:

**Building Blocks**—Blocks could be purchased stateside, but the cost added to freight charges prompted us to search out ways of having them made locally. Around 70,000 unit blocks—10" and 5" oblongs, 2½" squares and triangles—were cut from 2x3 inch lumber. As funds permit, round columns will be doweling—particularly useful as posts in building child-size "fales".

**Wooden Figures**—Miniature figures add imaginative dimension to block building and story telling, however, there were no commercial ones available that resembled Polynesians, while sets of animals contained many not found in Samoa, i.e. sheep, goats and "zoo" groups. Templates of a Samoan family and the most prevalent animals were made and over 2000 "stand-up" figures, ranging in height from one to six inches, were cut from ¾ inch plywood. Each set consisted of a mother, father, brother, sister and baby and their animals—dogs, cats, pigs, chickens and an occasional horse.

**Dolls**—As dolls manufactured by stateside houses do not resemble Polynesian children, over 1000 fifteen inch washable dolls have been made from sturdy golden-tan colored cloth and stuffed with nylon stockings (factory rejects). Facial features were embroidered and hair was made from wool. A small group from the Samoan Women's Cultural Association sewed the first dolls and since then the teacher trainees have made their own. In this way, they can teach the village mother. The dolls are dressed in gay, removable cotton "lava lava" and "puletasi", the Samoan national dress.

**Wooden Irons**—To add to housekeeping play, some 200 wooden irons have been made.

**Books**—In order to talk about pictures in a book, children need to identify with the content and the illustrations. Since there were no Samoan picture books, six books have been printed on white index paper—a stock heavy enough to resist tearing. The photographs are of Samoan people, animals and village life. As funds permit, more books are planned. For example, boats, cars, airplanes and one of children in a Village Center.

**Balls and Bean bags**—In addition to a large rubber ball, balls are also woven from coconut fronds, and small pebbles or shells put in cloth bags for tossing (beans would sprout and are too valuable for food).

**Beads for Stringing**—Instead of buying wooden beads, indigenous materials were used—tifa and pua seeds, cowrie shells, flowers, discarded spools, etc.

**Percussion Instruments**—The Samoan people are full of rhythm and there is no problem in finding suitable local materials for instruments—half coconut shells; smoothed sticks, hollowed logs, metal cans, two stones, etc.

**Paper**—Some paper was purchased, but most of the paper is used mimeograph sheets, gathered from the various offices and trimmings from print shop.

**Songs and Rhymes**—These were all composed by the staff for the *Talofo Tamaiti* program.

#### *Description of a morning in a village center*

A typical morning begins with the teacher getting the fale ready for the children. Out of the cabinet come materials to be arranged in inviting learning centers—spaced over the mat covered floor: the doll area, with clothes, pieces of cloth, a wooden iron, clam shell dishes, plastic bottle, etc.; and stringing area—with baskets (Samoan made) of tifa seeds (large, flat seeds that look like chocolate mints), round pua seeds, cowrie shells—all with holes punched through for stringing on the fau bark strings nearby; and a large basket filled with hibiscus and frangipani flowers—all to be made into "ula" (Samoan necklace, like lei); three more separated areas for drawing, crayons separated as to color, with a stack of paper, often held down by a smooth rock to keep from blowing away should the Trade Winds gust; baskets of scissors; of colorful discarded Christmas cards of "beautiful junk" (small shells, leaves, bottle caps, etc.); and round balls of molding clay—each area with a stack of work "boards", made from the ends of cardboard boxes. Separated from the "artists" is a book area—photograph books of Samoan people, animals and village activities, stacked according to cover picture. Inside the cabinet and stacked on the shelves according to size and shape are all the building blocks (oblongs, squares and triangles) with small size wooden animals and people, boats and cars nearby. Also in one side of the cupboard are balls and percussion "instruments", plus innumerable objects collected by the teacher for particular planned lessons on size, shape, color, feel, sound, taste, etc.

With the "fale" ready, the teacher greets the children and parents at the door—if there is one or by one of the posts of the fale. She knows each child by name and takes time to say something pleasant. The children run to the middle of the mat, with the parents sitting around the edge. Many children hold bunches of flowers, which they help arrange in a vase (usually the lower part of a gallon clorox bottle)—the teacher and children sit together on the mat talking about things they saw on the way from home or something that has happened, they sing a song or two, then usually engage in a special learning "game" the teacher has planned, and after this, the choice of "work activities"—blocks, dolls, etc.

After the children have made their choices, they scamper to the areas, knowing how to get what is needed and how to proceed. (This is demonstrated at the beginning of school, as each new material is introduced.) The teacher then moves quietly from group to group, or child to child, talking with them about what they are doing; listening to what they have to say about the buildings or designs they are making from blocks; the stories they may be telling using the wooden figure; or writing down on their drawings the words the children use in describing what they have drawn, or cut, or pasted. The child's name and the date goes on, with the child observing and the work is put up on the walls or posts for all to enjoy. These pictures are later assembled in "books" which are added to the book corner for all to look at and for that one child to know he has "also made a book." As a child finishes one activity and puts it away, he is free to move to another.

When the activity period has ended—and this lasts over an hour (the children are busy with self-selected/directed activities and their attention span is long) the teacher taps a "pate" (hollowed wooden drum) to let them know it is almost time to "put away". The children know where to put the materials but the teacher is there to assist when necessary—it becomes a pleasant cooperating activity. The putting away is not considered a chore, but rather as part of the learning and fun—to see that each size block is with

the other of that size—that the same books are stacked together, with the pictures right side up. The "putting away" adds built-in learning of ordering, classification, number, size, special relationship. When all looks the way the teacher and group decide is good, they sit together—usually for a story; or for looking at a particular book with the teacher; or for some special "learning game" she has planned—perhaps rolling a ball to a particular place or tossing it into a basket; walking a rope line placed on the floor; or separating objects as to likenesses and differences, etc. Sometimes a child will tell a story that he has thought out, often using the wooden animals and people. The end of the morning is spent in singing songs and saying rhymes—these are the ones composed for the children and are about the animals, the plants and village life of Samoa. They are sung with gusto and much rhythmic beat, then, with the music of a ukulele or only the percussion "instruments" (sticks, shells, stone), the children and teacher "siva" (dance) gally. It is time to say goodbye to children reluctant to leave.

## SUMMARY

The growth of the Early Childhood Centers from none in January 1969 to 135 by January 1971 for some 3200 three, four and five-year-old children, is objective evidence of the interest in the program. The staff has grown from the original two to twelve, with six more supervising teachers to be added. All the teachers and supervising teachers are Samoan and are drawn from non-professional ranks. The quality of their work is amazingly good and should give encouragement to other states or countries in considering the training of non-degree personnel. Possibly less than 5% have completed high school.

When the 40 centers opened in September 1969, it was necessary to schedule the older four and five-year-olds on Monday, Wednesday and Friday and the younger children on Tuesday and Thursday, in order to try to accommodate the number of children. Even so, the groups were too large for one teacher. When 45 more centers were added in March, 1970 to include more villages, it was still necessary to operate 45 of the 85 on a split week schedule. This is a very possible plan stateside, but difficult of operation in American Samoa. The parents are used to sending the children "to school" five days a week, and no matter what was said, the children came. It is also difficult to refuse a crying child entrance into an open "fale"—what is more, it denies what we were striving to achieve—to have children want to go to school. Because of a most appreciated teacher-training grant it has been possible to add 50 more teachers and groups, in addition to some teacher-aides, beginning January 4, 1971. Even so there will still need to be a few split-session groups in the crowded bay area of Pago Pago.

The televised program, *Talofa Tamaiti*, continues twice each weekday, with a Saturday telecast added recently. In January 1971, the songs, rhymes and stories of *Talofa Tamaiti* will be broadcast over radio. The televised program is seen in Western Samoa, as well as all the Islands of American Samoa and the radio will extend over the South Pacific.

The most urgent need as we approach 1971 is construction of a central Early Childhood Center, where continuing in-service teacher training can be held for some 200 persons; where large groups can observe a master teacher working with a group of children, or particular techniques demonstrated for teaching children with hearing, sight, or other impairment; where the administrative staff can be accommodated; where the supervising teachers can conference each afternoon with the village teachers they have been with in the morning; where learning mate-

rials can be made; where radio programs can be taped etc.

The present space of less than 1000 square feet is too small for implementation of the program. The teacher training for 175 persons has been held this last ten weeks in the public park of Pago Pago, under most trying conditions. With 135 centers in the homes of the teachers, scattered throughout the villages of American Samoa, a central meeting place is necessary not only for administration and teacher training, but for building and retaining esprit de corps and a sense of belonging to the total education plan. There will be need for continuing teacher education for years to come.

The program has remained viable to date only by exercising the most stringent economy. The cost per child now averages about \$60 per year, as compared to over \$1000 stateside. The amount of \$100 per year would not be excessive and would permit a better wage for the teachers as well as more learning materials and equipment for the children.

Plans are underway to work cooperatively with the Public Health Division of the Department of Medical Services of American Samoa, to screen all the children in the centers for hearing, eyesight and all other areas where there might be some physical handicap.

In the long view ahead, the Village Early Childhood Centers could emerge as true Parent-Child and Community Centers, not only for the little children, but where all might come at scheduled times throughout the day for recreation, or continuing education in health, nutrition, arts, crafts, making of play equipment etc.

A last thought. If man can be sent to the moon, then surely someone can make a *nourishing, good tasting cookie, packed full of protein, calcium and vitamins and requiring no refrigeration.*

Our population needs it!

## RESERVE FORCES WEEK

## HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. CARNEY. Mr. Speaker, I would like to take the opportunity to mention Reserve Forces Week. One week out of every year we take time to pay tribute to our spirited men who make up the U.S. Reserve Forces. Perhaps no finer tribute can be made then to point to the Reserve Force utilization in international crises. Indeed, this in itself is the most eloquent and definitive statement of their importance—for this importance has been proven and is grounded in U.S. history. Let us first consider post-World War II history; second, let us think of three major foreign crises which faced the United States in this period. The three crises that come to mind are the 1950 Korean conflict, 1961 Berlin crisis, and the October 1962 Cuban crisis. Of these three major crises, what was the United States' common response in terms of defense from the standpoint of strategic necessity? The answer is of course, that in all three cases there occurred reserve calls to active Federal service.

The time is December 16, 1950, and President Truman, in response to the Korean crisis, has just issued a Presidential proclamation proclaiming the existence of a national emergency. Under

this proclamation reservists were called to active duty for a period of 24 months. No less than 938,379 reservists went on active duty, of which between 600,000 and 700,000 were veterans of World War II. Indeed by the end of the first year of the Korean war, reservists on active duty constituted 22 percent of our Armed Forces.

The time is August 1, 1961, and a joint resolution has just been passed by the Congress, in response to the Berlin crisis, authorizing the President to call ready reservists to active duty for 1 year. No less than 147,849 reservists went on active duty. Defense Secretary McNamara stated in an address in 1961:

I think you should realize how extremely important this (call-up) has been. Chancellor Adenauer wrote President Kennedy that, in his opinion, the prime factor influencing Khrushchev in his showdown on Berlin was the swift decisive build-up of the American forces.

The time is October 3, 1962, and a joint resolution has just been passed by Congress, in response to the Cuban crisis, authorizing the President to call ready reservists for 12 months. No less than 14,025 reservists reported in 9 hours. Again, the importance of the reserve military forces was demonstrated.

Three major crises in two decades of turbulent history—and in each crisis Reserve Forces were utilized. The relevance, indeed, the paramount importance of these reserve military forces is, therefore, fundamental to any consideration of U.S. national security.

The importance of the reserve military forces to the national security of the United States is obvious. Indeed so obvious that there is a danger of our taking it for granted. If we are aware of its importance in American history, we will better understand both its relevance and its importance in the complex age in which we live. George Fielding Elliot, a noted military analyst has stated:

For the first time in history (referring to the 1961 Berlin Crisis), a President of the United States found it possible to rely on trained citizen soldiers to support his foreign policy objectives—because for the first time in our history, citizen reserve forces had attained a level of peacetime readiness which enabled them to respond to the call of arms without extensive additional training and preparation.

May I say in conclusion that I consider it both an honor and a privilege to salute the Reserve Forces of the United States of America. It is not really I who should be so honored—but the men and the organization. Thank you for your dedicated and loyal service.

## FREEDOM—OUR HERITAGE

## HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. WYMAN. Mr. Speaker, all too often we hear of the irresponsible activity of our young people in this Nation: the burning of American flags; and

ROTC buildings; the incantations of SDS and the Black Panthers to violence; ad nauseam. Certainly, however, such actions are simply not representative of America's youth. Rather, they are the actions of a small, misguided faction who are encouraged in the belief tearing down is more progressive than building up.

Craig L. Staples of Derry, N.H., is evidence of the constructive attitude of the great majority of our future leaders. Craig is the New Hampshire State winner of the Veterans of Foreign Wars "Voice of Democracy Contest." Speaking on the theme "Freedom—Our Heritage," he asks that heated rhetoric be replaced by cooperation in the search for solutions to the problems confronting us. His is a commonsense approach that I believe merits a few moments reflection by all readers of the CONGRESSIONAL RECORD:

**FREEDOM—OUR HERITAGE**

(By Craig L. Staples)

So many words have been written about our heritage. So many phrases have been echoed about our freedoms. It is difficult to pay original tribute to a theme that has so often been honored in the past.

What then is the best way for one concerned about his country to pay it tribute? Does he best honor it by adding to the oft-repeated rhetoric of the past? No, today that is not enough. Our institutions are under attack. Often those institutions do not work as effectively as they should. Violence has become a part of life for many. Our country is on many fronts torn by hate and distrust and fear. Rhetoric alone will not solve these problems.

The best way to honor our American heritage is to tackle our problems, to face up to our fears. That a nation might recognize for itself where it is lacking and where it is not is perhaps the highest tribute that can be paid to those who fostered such a nation. Rather than speak of our forefathers' high minded idealism, we must employ that same idealism to meet the problems facing us today. Rather than defend our system blindly, we must analyze it coolly to recognize its faults so we can correct them.

It is not necessary that we always agree, for Democracy does not require consensus. On the contrary, Democracy demands dissent. But our dissent must be of the kind that builds rather than crumbles. We must not let our disagreements collapse into disunity.

We can best serve America by listening to every voice, harsh or subtle. For only when every opinion is aired can the best course be plotted.

It is just to criticize a man's idea if one feels that idea is wrong. But we must not attack *each other* because that is disunity not discourse. In the end, name calling hurts all of us. For one American to criticize another American's motives simply for personal or political gain is an affront to the basic concept of our Democracy. Jefferson and Hamilton attacked each other's politics vehemently. But their purpose was to serve America and not themselves. Our purpose must be the same.

Of course, it is only just for us to despise those who may desecrate our flag but we can best serve freedom by realizing that it is their flag too.

It is only human for us to be angered at demonstrations. They upset our sense of order and make us uncomfortable. But rather than hear just the demonstrator's shouts, we should honestly appraise their grievances. If we can do that, then perhaps the need for demonstrations will be lessened.

We can best honor our heritage and those men who conceived our Democracy by taking

the same approach as they did close to 200 years ago.

Just as they did, we must develop a positive national attitude resolving to put aside our personal animosities in order to attack those problems that plague America today.

If we can do that, then this Nation, where the outspoken are not hushed and the soft spoken are still heard will continue to stand for generations to come. We owe our heritage and ourselves no less.

**KISSINGER'S CREDIBILITY GAP—  
NO RED NAVAL BASE IN CUBA**

**HON. JOHN R. RARICK**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. RARICK. Mr. Speaker, U.S. Naval Intelligence reports that the Russians now have a naval base at Cienfuegos, Cuba, capable of servicing a missile-firing nuclear submarine. The evidence reveals that the base is now operational and is being used to service Soviet submarines operating in the Caribbean and in the Atlantic Ocean.

This information was known prior to a nationwide TV appearance of the President. In his TV discussion of Cuba and Soviet naval activities in that area, the Commander in Chief affirmed that the Russians had no naval base in Cuba. The President assured the four network correspondents and the Nation that air surveillance provided certain proof that no Russian naval base exists in Cuba. The President added that the Russians had promised President Kennedy in 1962 that they would not place offensive missiles in Cuba and promised on October 11, 1970, that they would not establish a military naval base in Cuba. Moreover, the President expressed his belief that the Russians would keep their promise. In view of the fact that the Russians have broken almost every treaty they have ever made and that one Soviet leader stated that, "Promises are like pie crusts—made to be broken," one wonders why the President is so trustful of the word of the Russians—especially over the reports of his own naval experts.

The reason that the Commander in Chief and the U.S. Naval Intelligence hold opposite assessments concerning a Russian naval base in Cuba is a matter for speculation.

That concrete evidence gathered by Naval Intelligence is in error seems unlikely. The late Congressman L. Mendel Rivers clearly stated on the floor of the House of Representatives on October 8, 1970—see CONGRESSIONAL RECORD, volume 116, part 26, pages 35785-35792—that the Soviets at that time were building a nuclear submarine base in Cuba at Cienfuegos. Mr. Rivers challenged any official of the executive branch to issue an outright denial. There was only silence from the executive branch. Also, many Cubans in this country with firsthand personal information testify that the Russians have been building a naval base at Cienfuegos.

Could the variance of opinion between the Commander in Chief and U.S. Naval

Intelligence as to their estimate of the situation in Cuba be due to the fact that a public acknowledgement by the President of the existence of a Russian naval base in Cuba might stir up public indignation to demand action to oust the Russians from Cuba?

This seems plausible since the Kissinger foreign policy calls for the United States to avoid any direct confrontation with the Soviets; for if we ever had it out with our enemy, the Soviet Union, we might lose the phoney "peace" between the two superpowers but win the confrontation with a victory. The Russians have always backed down when their bluff was called.

Those Americans interested in preserving this great Nation, if informed of the threat, will demand that their Congressmen and Senators reveal the full truth of Soviet activities in Cuba and that we help the Cuban exiles give back power to the people of Cuba. Restoration of Cuba once again to the status of a free nation is in the best interest of our national security.

I insert following my remarks a very informative Review of the News article entitled "The Coming Cuban Crisis" by the noted columnist Paul Scott, a news clipping, and a resolution by the New Orleans Chamber of Commerce:

[From the Review of the News, Jan. 27, 1971]

**THE COMING CUBAN CRISIS**

(By Paul Scott)

There is a difference as great as night and day between that highly reassuring public statement of President Nixon on Soviet naval activities in and around Cuba and the information gathered by U.S. Naval Intelligence.

While the President sees no Russian naval base in Cuba, our Navy is privately warning that for all intent and purpose the Soviets now have a base at Cienfuegos, Cuba, capable of handling missile-firing, nuclear submarines. The U.S. Navy also gathered hard evidence that the Cienfuegos base is partly operational and was used recently to service Russian submarines operating in the Caribbean.

This is the ominous conclusion of the latest Naval Intelligence estimate of Soviet naval capabilities and intentions in Cuba waters now being circulated at the highest levels of the Nixon Administration.

The highly classified document was prepared before President Nixon made his astonishing statement over nationwide TV while being interviewed by four network correspondents. In discussing Cuba and Soviet naval activities in the area, the President stated:

"Well, I can tell you everything our Intelligence tells us, and we think it's very good in that area because as you know, we have surveillance from air, which in this case is foolproof, we believe.

"First, let's look at what the understanding is. President Kennedy worked out an understanding in 1962 that the Russians would not put any offensive missiles into Cuba. That understanding was expanded on October 11, this year, by the Russians when they said that it would include a military base in Cuba and a military Naval base. They, in effect, said that they would not put a military Naval base into Cuba on October the 11th.

"Now in the event that nuclear submarines were serviced either in Cuba or from Cuba, that would be a violation of the understanding. That has not happened yet. We are watching the situation closely. The Soviet

Union is aware of the fact that we are watching closely. We expect them to abide by the understanding. I believe they will.

"I don't believe that they want a crisis in the Caribbean and I don't believe that one is going to occur, particularly since the understanding has been clearly laid out and has been so clearly relied on by us, as I stated here today."

In sharp contrast to this Presidential "fig leaf," the highly classified Naval Intelligence document reveals that late in December a Soviet submarine tender operating from Cienfuegos, Cuba, carried out "servicing exercises" with three Russian submarines. The operational rendezvous of the Soviet surface ship with the submarines, including one nuclear powered sub, was the first of its kind for the Russians in Cuban waters. The bold "servicing exercises," photographed by U.S. reconnaissance aircraft, took approximately two hours and included the loading of supplies from the Soviet tender to one of the three submarines.

At least a dozen members of the submarine crew were exchanged during the operation. Those leaving the submarine were taken to Cienfuegos for "rest and recreation" or flown from Cuba back to the Soviet Union. Several high-ranking Soviet naval officers who had been flown to Cuba from the Soviet Union took part in the exercise.

Naval submarine analysts who studied the Intelligence estimate say the "servicing exercises" definitely show that the Soviets can and are planning to use Cienfuegos as a submarine operating base.

Although the actual rendezvous took place outside of Cienfuegos Harbor, all supplies transferred to the submarine from the Russian tender were first picked up at the Cuban port. This clearly indicates that the Kremlin plans to use Cuba as a major supply base in the Western Hemisphere. Soviet naval crews housed in barracks at Cienfuegos Harbor were used to load the supplies on the Soviet submarine tender. Several members of the Soviet land-based crew went aboard the tender and took part in the "servicing exercises."

In addition to the carefully planned supply operation, the submarine tender and the submarines were in direct radio contact with a newly built naval communication center at Cienfuegos. Cuban refugees report that the center is completely manned by Russians. The high-powered radio at Cienfuegos is already being used to transmit weather and coded messages to Soviet missile-firing submarines now believed to be stationed off the Atlantic Coast as well as in the Caribbean and Gulf of Mexico.

The original copy of this Naval Intelligence estimate was forwarded to the White House during the recent holidays where Dr. Henry Kissinger, the President's National Security Advisor, indicated that it would be carefully used in the formation of any Cuban action deemed necessary. Yet, while the Intelligence finding leaves no doubt that the Russians are using the Port of Cienfuegos as a submarine base, there has been no official determination of this at the White House policy-making level. All Naval officials involved in the drafting of the estimate have been able to learn is that the estimate is now in the hands of Kissinger's foreign policy staff in the White House for "further analysis and study." *No National Security Council meeting has been called to discuss its ominous implications.*

President Nixon's unexpected TV statement on Cuba not only surprised and shocked Naval Intelligence officials, but they had no inkling that the President would discount the Soviet naval activities in the Cuba area, nor could they fathom his reasons for doing so. The President's statement highlights the often frightening gap that exists at times between those who have responsibility for gathering the facts and those who interpret them for use in policy-making.

The position the President is taking has been interpreted by these Naval officials as an indication that President Nixon and his policy-makers haven't been able to agree on what to do about the new Soviet threat. If they accept the hard facts of the Naval Intelligence estimate, it is pointed out, the President and his advisors must conclude that the Russians have double-crossed them and violated the "understanding" not to use Cuban ports or bases for their submarines. That finding might trigger a new U.S.-Soviet "confrontation" over the use of Cuba as a base for offensive weapons—a "confrontation" that the Nixon Administration apparently is not willing or ready to face at this time, or which it wants delayed for reasons that are only known at the White House level.

Significantly, Mr. Kissinger recently asked Secretary of State Rogers again to sound out the Soviets on whether the submarine tender now operating in Cuba's waters will permanently use Cuban ports. Naval intelligence officials say the answer is clear by the fact that the submarine tender has been operating out of Cuban ports for the past three months and another is en route to replace it.

Two other parts of President Nixon's statement on Cuba also bother officials at Naval Intelligence. One was his pronouncement that he believed the Russians would keep the "understanding" not to put a naval military base in Cuba. In effect, the President by saying this publicly was accepting the private assurances of Soviet Foreign Minister Gromyko and Ambassador Dobrynin over the hard facts gathered by the Navy. Yet, Gromyko and Dobrynin are both known to have lied to the late President Kennedy during the 1962 Cuban missile crisis. At the time the Russians were sneaking I.R.B.M.s and medium-range bombers into Cuba, Gromyko and Dobrynin were assuring Kennedy that the Soviets had no intention of putting offensive weapons on the island.

To most military Intelligence experts it is a little frightening that President Nixon would even consider discussing Cuba with the two Soviet diplomats after their earlier deceptions. And to accept their word now, as the President says he has, is considered folly of the most dangerous kind. Especially in light of the Intelligence that the President has access to on Soviet activities in Cuba.

The other disturbing statement by the President was his contention that U.S. surveillance of Cuba from the air is foolproof. None of the Intelligence services have claimed that. For months, Defense Intelligence officials have been urging that more use be made of Cuban refugees so that the government wouldn't be caught "off guard" as it was before the 1962 Cuban crisis. Despite the high degree of accuracy of new U.S. reconnaissance cameras and devices, they still can't determine what is hidden under camouflage facilities and in storage areas. It is pointed out that daily reconnaissance flights would be needed over Cuban ports to determine if any Soviet submarines were using them. Now, if there are two reconnaissance flights a week this is considered high. And still unknown to U.S. officials is what the Russians have succeeded in hiding in the hundreds of caves being used as military storage areas on the island.

This lack of vital intelligence about Soviet activities in Cuba is privately admitted by rank and file American Intelligence officers. They claim it is the result of policy restrictions placed on the methods they can use to gather information on Cuba. An example of these restrictions is the White House bar against financing Cuban refugee operations to gather firsthand data on Soviet activities on the island. White House aides take the position that this type of intelligence gathering is prohibited by the 1962 "under-

standing" on Cuba reached by U.S. and Soviet officials.

The only sure way that the U.S. can learn the full Soviet capability in Cuba, these Intelligence officials say, is to use anti-Castro refugees to do the spying. "As long as the policy-makers have the preconceived idea that Russia has no plans to use Cuba as a military base," stated one military Intelligence officer, "it is impossible to convince them that a round-the-clock surveillance of Cuba is needed."

There are increasing signs that the President's handling of Cuba is closely tied to his strategy for the Strategic Arms Limitations Talks (S.A.L.T.) with the Russians. Drafted by Presidential Aide Kissinger, the S.A.L.T. strategy calls for the U.S. to avoid any direct confrontation with the Soviets until it can be determined if the Russians are serious about curbing defensive and offensive weapons delivery systems. Kissinger privately takes the position that a U.S. admission that the Russians now have an operational naval base in Cuba could trigger demands in Congress that immediate action be taken to force the Soviets out of Cuba.

Such a U.S.-Soviet confrontation in turn would force a complete breakdown of the S.A.L.T. negotiations, which have been given the Administration's highest foreign policy priority. President Nixon is counting on reaching a missile agreement with the Soviets before the 1972 Presidential campaign.

During the recent Helsinki round of the S.A.L.T. negotiations (November 2 to December 19), the Soviet delegation showed its diplomatic interest in Cuba. The Soviet negotiators noted that Russia had every right to put a military base in Cuba if she so desired. They contrasted a Soviet base in Cuba to U.S. bases in Europe or the Mediterranean. The inference was that the Russians would be willing to forego any Cuban base if the U.S. pulled its aircraft carriers out of the Mediterranean or gave up its air and naval bases in Spain. The Soviet negotiators' argument is in line with the main Russian S.A.L.T. demand. It states that the U.S. must include its aircraft bases in Europe and aircraft carriers in the Mediterranean in any over-all agreement covering both offensive and defensive weapons.

This use of Cuba as a S.A.L.T. bargaining weapon clearly highlights the importance that the Kremlin attaches to its naval activities on that strategic Caribbean island. In light of this use of Cuba, Intelligence officials would like to see President Nixon adopt a more realistic view of what the Russians are up to in the Caribbean. Unless the President acts quickly, they see the Kremlin using Cuba to blackmail this country into either pulling its Naval forces out of the Mediterranean area or forcing the U.S. to make other concessions.

The American Intelligence community sees the Soviet naval base in Cuba as part of a network of naval bases the Russians are now establishing around the world. These include Mersa Matruh, and Alexandria, in Egypt; the Socotra Islands at the mouth of the Red Sea; and a former French base in Algeria. The expanding Soviet navy also has acquired the right to use the Port of Modisio in Somaliland, Trincomalee in Ceylon, the Mauritius Islands in the Indian Ocean, and one or more ports in Nigeria.

The establishment of this network of bases by the Soviets is being cited by Intelligence officials as evidence that the Kremlin has adopted a forward military strategy designed to control the strategic waterways of the world. This forward strategy also will permit the Soviet's missile-firing nuclear submarines to remain on stations constantly within the defenses of the U.S. and other N.A.T.O. nations. Its potential for blackmail, alone, is enormous!

If viewed in this light, the construction of the Cienfuegos base in Cuba is an even more

ominous development than the attempted deployment of Soviet nuclear missiles on Cuban bases in 1962.

The Cienfuegos base would be needed if really large numbers of nuclear submarines were to be continuously off the coast of the United States. That is the true threat of the base. Which suggests, in turn, that the Soviets are now planning continuous deployment of very large numbers of "Yankee" class and other nuclear submarines in the Caribbean and along the American coast. The Cienfuegos operation reveals an undoubted Soviet intention to gain a solid "capability" to knock out the Panama Canal and the entire land-based bomber component of the U.S. deterrent, plus the controls of the "Safeguard" A.B.M. system.

The most horrifying single aspect of the story of the Cienfuegos base is still the response with which the bad news was met at the White House and in Congress. Consider a simple comparison. In 1962, the Congress was in flames over reports of Soviet missiles in Cuba, even before the presence of those missiles was confirmed by U-2 reconnaissance photographs. Contrast this with the near Congressional silence that has engulfed the news from Cienfuegos ever since it first came out that the Russians were building a base there.

And then think of the Nixon Administration's response to *this* news, that is even more alarming! Consider President Nixon's reassuring statement that the Russians have no plans of doing what our Intelligence people say they are doing.

The obvious intent was, and is, to prevent the American public from growing alarmed, when we should be deeply alarmed. The question each of us should personally ask the White House and our Representatives in Congress is: Why is the full story of Soviet activities in Cuba being withheld from the public?

If enough of us raise our voices, we can force the Nixon Administration to take the necessary measures to dismantle the Soviet nuclear submarine base in Cuba before it is used as a serious *blackmail* threat!

One wonders what the outcome of the first Cuban missile crisis would have been if the late president Kennedy had delayed the Naval blockade of Cuba and warning to the Russians until after the Soviets had their missiles operational. How serious would Soviet blackmail have become? Intelligence leaks, some of them by the same sources that provided information for this article, forced Kennedy to act sooner than he originally had planned. Many involved in the first Cuban missile crisis believed that had Mr. Kennedy delayed his blockade decision a week or ten days the outcome would have been different.

What *does* Mr. Nixon's procrastination mean? Certainly no answer comforting to those concerned about American security is possible!

[From the Washington Star, Feb. 5, 1971]

#### SOVIET NAVY SUB TENDER NEARS CUBA

A Soviet submarine tender is headed for Cuba, the Pentagon said today.

The tender, accompanied by a guided-missile cruiser and a tanker, is not the one that left Cuban waters late last year after provoking fears that the Russians intended to begin operating their new Yankee class submarines from a base at Cienfuegos, Cuba.

The Yankee class submarine is similar to the U.S. Polaris nuclear powered submarine. Both carry 16 long range nuclear missiles.

Pentagon press spokesman Jerry W. Friedhelm declined to characterize the movement of the tender. The three vessels were south of Bermuda today, he said.

He was somewhat evasive when asked whether the small task force was accompanied by any submarines.

"I don't have any submarine reports we can discuss here this morning," he said.

The practice in the past has been to discuss Soviet submarines when they are seen on the surface, but not when they are detected when traveling submerged.

#### RESOLUTION ON NATIONAL DEFENSE PASSED BY THE CHAMBER OF COMMERCE OF THE NEW ORLEANS AREA ON DECEMBER 22, 1970

Whereas, the United States is today confronted with an extremely serious foreign crisis as a result of the aggressively expansionist policies and acts of the Soviet Union in several regional areas of the world, i.e., (1) Soviet forces constitute a major political and military presence in the Mediterranean Sea, the Middle East and the Indian Ocean; (2) Soviet submarines and warships, equipped with missiles, operate off the coasts of the United States, as well as in the Caribbean; and

Whereas, the dimensions of the Soviet challenge are scarcely realized by the American people and the ordinary citizen is unaware that the U.S. has lost world leadership in nuclear weapons and strategic arms since the Soviet Union in the space of five years—from 1965 to 1970—has virtually quadrupled the total megatonnage in its strategic offensive force while in that same period the United States has reduced its megatonnage by more than 40%; and

Whereas, the United States is a maritime nation in a world heavily dependent on the oceans from an economic standpoint and from the end of World War II until recent times, the capability of American seapower to control the seas was unchallenged; and

Whereas, Russian seapower, which includes the largest submarine force the world has ever known, now challenges our capability to control the seas, and Russian military power in general and Russian seapower in particular, continue to grow at a rapid rate and their expenditures on defense-related Research and Development, which will determine the weaponry of the future, exceed ours by 20 percent; and

Whereas, the Nixon Doctrine increases our dependence on American seapower to satisfy those treaty commitments vital to our national interests, and every plan for the defense of the Free World depends on control of the seas; and

Whereas, the U.S. Navy during the past two years has deactivated some 300 ships while our replacement program, based on the premise of providing fewer but more effective ships, is proceeding slowly, and the FY 71 budget provides less than \$3 billion for shipbuilding, while it is estimated that \$5 billion annually for five years is required; and

Whereas, the U.S. ballistic missile submarine force will very soon be inferior to the Russian force in numbers and capability, and Russian submarine construction capability already exceeds ours by 300%; and

Whereas, the President's ABM program will, at best, give us a limited capability by about 1974, while an ABM system is in place and operational now around Moscow and it is anticipated that their anti-aircraft system, which protects the rest of the country, will soon have an anti-missile capability; and

Whereas, the Honorable L. Mendel Rivers, Chairman of the House Armed Services Committee, has stated: "... the future of this nation hangs by a thread. We are in a far more serious situation than many would have you believe. Our way of life is not only being challenged from within, it is being very definitely threatened from without... The issue, therefore is very simply how much money must we spend to insure our survival—since if we fail to demonstrate to the Soviet Union our determination to survive—the amount of money we spend for domestic programs will become merely an academic exercise."

Now, therefore, be it resolved, that the

Chamber of Commerce of the New Orleans Area strongly urges that the 92nd Congress immediately undertake to provide the Defense Department with whatever monies, authority and guidance is deemed necessary to obtain the naval and military power required to guarantee our survival as a Free Nation in a Free World, and

Be it further resolved, that copies of this resolution be distributed to: the President of the United States, the Vice President, the Secretary of Defense, all Members of the United States Senate and the House of Representatives, the news media, and the Chamber of Commerce of the United States.

#### THE "TREND" IN GREECE

#### HON. J. W. FULBRIGHT

OF ARKANSAS

IN THE SENATE OF THE UNITED STATES

Thursday, February 18, 1971

Mr. FULBRIGHT. Mr. President, recently the distinguished observer Clayton Fritchey wrote an article entitled "The 'Trend' in Greece." The article is worthy of the special attention of the Senate and the country. I ask unanimous consent that it be printed in the Extensions of Remarks.

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

#### THE "TREND" IN GREECE

(By Clayton Fritchey)

WASHINGTON.—When if the tenuous truce in the Middle East breaks down—as it could in the near future—the Administration inevitably will have to review the security of the American position in the Mediterranean.

Presumably, the southern anchor of NATO is Greece, and if that is so, the United States is relying on a weak and unreliable reed. Why, it may be asked, should the Greek people support a nation (the U.S.A.) that is arming its oppressors, the Greek military junta?

Anyone who has been in Greece recently knows that the universal question is why America, supposedly fighting in Indochina to preserve democracy and the right of self-determination, is at the same time backing a military dictatorship in Athens.

The Truman Doctrine (to save Greece for democracy) is about to have its 24th birthday—and what a discouraging one it is. For over two decades the United States has poured billions of dollars into Greece for military and economic aid so that the people supposedly could enjoy the right to choose their own government. Yet the end result of all this effort is now one of the harshest dictatorships in the world.

Back in 1947, the great idea was to save Greece from the fate of countries like Yugoslavia and Romania, which had been taken over by Communist governments allied with Russia. Today, however, most Greeks would be only too happy to have as much freedom and security as the Romanians and the Yugoslavs presently enjoy.

No American President would presently dream of visiting Greece, but it is a noticeable fact that Nixon has gone out of his way to visit both Belgrade and Bucharest. Actually, these are among the few capitals in which Nixon has felt secure enough to ride in an open car.

Nevertheless, month by month the Administration steps up its backing of the Greek generals, regardless of their ever harsher suppression of democracy. It is all done, of course, in the name of NATO and saving Europe from the real or fancied threat of totalitarian aggression.

It is significant, though, that our partners in NATO—the free countries of Western Europe—do not seem to think the Greek militarists are essential to their security. The Council of Europe, comprising all the democratic countries of that continent, has not hesitated to denounce the junta for torturing its political prisoners. Rather than face expulsion from the council, the junta withdrew.

When the United States resumed full shipment of arms to Greece some months ago, a State Department spokesman tried to justify it by seeing what nobody else could see—a new "trend" toward constitutional government. The spokesman predicted implementation of the Greek constitution "by the end of this calendar year," meaning 1970.

Instead, the junta wound up the year with a rash of fresh arrests. It turned its back on an agreement which was to give the International Red Cross access to its political prisoners. It also was blasted by an International Labor Organization commission for suppressing 250 trade unions without cause.

Does the United States—the world's greatest power—really need to kowtow to these militarists? European opinion on this score has been well summed up by The Guardian of England. That distinguished paper called the American resumption of arms "a heavy setback to a return to a democratic form of government." And it added:

"It strengthens the generals in their illusion about just how vital they are to Europe and to NATO. They overrate their importance . . . The vital point is that Greece needs NATO far more than NATO needs Greece." It could hardly be better said.

#### THE SOVIET DESTRUCTION OF A NATION'S HERITAGE

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. LANDGREBE. Mr. Speaker, in recent months we have heard protests about the treatment of the Jewish people in the Soviet Union. These protests are justified, by all means, but we would do well to remember that Soviet Jewry is not the only culture marked for extinction by the Soviet slavemasters.

The Soviet Union, as we all know, is not a single nation, but a grouping of various nationalities, only one of which is Russian. Even today, in the "enlightened" post-Stalin era, these nationalities and their cultures are being brutalized in the name of the almighty Soviet.

The Jewish people in the Soviet Union bear a double burden of a Communist hierarchy, a religious heritage. Organized religion is considered to be an outmoded nationality.

When we protest Soviet inhumanity to those of the Jewish faith living behind the Iron Curtain, let us expand our cries to include protests for the Catholic, Lutheran, and Orthodox faiths, together with the eviscerated nations of Latvia, Estonia, Lithuania, Ukraine, Georgia, Byelorussia, and Armenia.

Mr. Speaker, an excellent article on this subject was recently brought to my attention. It was written by Peter Worthington and appeared in the Toronto Telegram. I insert the article at this point in the RECORD:

#### HIJACK CASE TURNS SPOTLIGHT ON MANY SOVIET INJUSTICES

(By Peter Worthington)

The case of the Leningrad Jews has stirred the indignation of the world.

Individuals and governments ranging from Pope Paul to Prime Minister Trudeau protested against the death sentence given two Soviet Jews accused of plotting to hijack a plane to Israel.

Although the Soviets commuted the death sentences to 15 years imprisonment, protests around the world against Soviet anti-Semitism (and anti-Israel policies) have increased.

But the Soviets appear unimpressed and recalcitrant.

Whatever the merits of the world-reaction on behalf of Soviet Jewry, it is only part of the overall internal situation in the USSR. And not necessarily the most significant part at that.

There are other groups and individuals inside the Soviet Union who have suffered—and are enduring—far greater indignities and injustices than are Jews in Leningrad, or elsewhere.

Without denying the right, or moral duty, of Jews around the world to protest on behalf of their brethren, there has been an uncanny silence over the years by the rest of the world on the plight of other victims of Sovietism. And this excludes, for a moment, the fate of the "lost peoples"—the Chechen-Ingush, the Crimean Tartars, and Balts who were deported and annihilated in the past.

A deep and resounding silence greets the fate, say, of Yuri Shukhevych, a Ukrainian who was arrested in 1948 at age 15, because his father, General Roman Shukhevych, was commander-in-chief of the Ukrainian Insurgent Army until he was killed in 1950.

Yuri Shukhevych has been imprisoned ever since in Siberia, paying for the "crimes" of his father. His original 10-year sentence is being renewed every decade because, according to the Soviets, he "refuses to be re-educated." This means he refuses to acknowledge his guilt or to renounce his background. Yuri Shukhevych is doomed, it seems, to spend the rest of his life in custody. The 15-year-old boy is now a 37-year-old adult: More than half his life has been one of imprisonment, just for being his father's son.

But no world leader appeals for justice—or compassion—for him. Only his fellow prisoners, occasionally, write petitions on his behalf—and promptly wind up in solitary confinement for their efforts.

Still, Shukhevych's plight is not as cruel as that of Volodymyr Horbovy's, an old man today whose first visit to Soviet soil occurred when he was imprisoned for "betraying the homeland."

Horbovy used to be a judge in Czechoslovakia. He was imprisoned by the Nazis during the war. In 1947 he was extradited to Poland and put on trial for alleged war crimes. But the Warsaw court found him not guilty. Then the Polish secret police delivered him to the Russians who sentenced him to 25 years on an administrative decree. That was 23 years ago. He has been in the camps all this time, and still no suggestion of a formal trial.

Horbovy is now 73 and in frail health. Yet according to Gerald Brooke, the British teacher who was in Soviet custody and exchanged for Soviet spies Peter and Helen Kroger—and who is the last known Westerner to have seen Horbovy—the old man is possessed of such dignity, integrity and courage that even his captors respect and fear him. Horbovy has become a living symbol to other prisoners, and a legend throughout the Soviet camp network.

Horbovy's greatest (and only) sin against the USSR was that as a young lawyer he defended the Ukrainian nationalist leader, Stepan Bandera, at his trial in 1935. Bandera

was subsequently assassinated in Germany by the KGB.

Again no one, except fellow prisoners and Ukrainians abroad, has ever protested the Soviet state's crimes against Volodymyr Horbovy.

Then there is a man named Andreyev, who could qualify as the most unjustly imprisoned man on earth today. Andreyev was a witness at an international commission that investigated the mass graves of Polish officers found at Katyn Forest in 1943.

The Germans claimed the Soviets had murdered some 15,000 Polish officers, and 4,000 of these were in the graves at Katyn, near Smolensk. The Soviets, when they recaptured the area, held their own investigation and counter-claimed that the Germans did the deed and that 15,000 Poles were buried there.

#### RUSSIANS RESPONSIBLE

Today with the exception of Soviet propaganda, the world accepts the fact that the NKVD executed the Poles.

Andreyev, who was a prisoner of the Germans and a witness to events at Katyn, was sentenced to a lifetime at solitary, confinement in Vladimir prison when the Russians got him back. Vladimir prison is infamous in that few of its inhabitants are ever seen again. It is almost inconceivable that Andreyev is still sane. But he's still alive, and still in solitary. That much is known.

The Ukrainian writer Vyacheslav Chornovil, who himself was imprisoned for chronicling the fate of others, has wondered wryly why such a harsh sentence was given for "false testimony."

"Is false testimony under duress really such a terrible 'war' crime to justify 25 years in a stone grave?" he asks.

Again there has never been international or U.N. protest on Andreyev's behalf.

There is also M. Soroka who was arrested in 1949 on a trumped up charge. On his release in 1949 he was rearrested for the original "crime," and sent into exile. In 1952 he was given 25 years for allegedly organizing Ukrainian nationalist groups in the camps.

In 1957, after the 20th Congress "exposed" some of Stalin's crimes, Soroka was rehabilitated with respect to the original frame-up in 1940—yet he was kept in custody. If he survives to the completion of his present sentence, he will have served 38 years imprisonment—all for committing no offense.

No international voice has ever been raised on his behalf.

A couple of years ago a large number of hitherto unpublished documents from Ukraine reached The Toronto Telegram and were duly published. They constituted extraordinary and irrefutable testimony to the policies of Russification and the repression of dissent under way in the USSR.

Now another of these documents has come to the West—this time a 15-page "chronicle of resistance" by Valentyn Moroz, a 34-year-old history teacher who was sentenced to five years of hard labor in 1966 for alleged anti-Soviet propaganda.

On his release for good behavior he wrote an impassioned story about the historic Ukrainian village of Kosmach, and the fate of that community's religious artifacts.

Apparently a Soviet film team "borrowed" about 100 icons from Dovbush church for the movie *Shadows of Forgotten Ancestors*. At the conclusion of filming the icons were not returned—were, in fact, confiscated by the state. Petitions, pleas, requests and demands by the village for their return were unanswered.

Moroz wrote an account of the events, replete with pithy observations about why the icons were "stolen." He noted that in today's Soviet lexicon anyone who speaks Ukrainian, or is concerned about cultural heritage, is regarded as a potential "nationalist"—the most damaging indictment under Sovietism.

## THE "SABOTEUR" BLAMED

"In Western Ukraine 'nationalist' is a synonym for 'saboteur,'" writes Moroz. "The 'saboteur' is officially responsible for all the obscenities of Stalin and Khrushchev. Whenever there is a bread shortage, or when cattle have disease—it is the 'saboteur' who is to blame. All evil in Western Ukraine is done by nationalist saboteurs. Even the flood in the Carpathian mountains in 1969 was the work of 'saboteurs!'"

Moroz, like others, is not pro-West, as such, or even anti-Communist. He is devoted to Ukrainian culture and traditions—a sin the Jews of Russia are also guilty of, and seemingly must be punished for. Says Moroz, with insight: "It is impossible to break a people or to make slaves of them until you destroy their traditions and trample their temples."

"Enlightenment, by Soviet terms, happens when a person is deprived of his traditions and heritage—and then given education. Enlightenment is when culture is not allowed to develop naturally from its core, but is stuffed into people under some five-year plan."

"The Ukrainian of our day is being made insensitive to his history, is being culturally devastated, and is being driven into a state of somnambulism: Apathy takes over the intelligentsia."

Moroz is speaking in universal terms. While he is referring specifically to Ukraine, Jews everywhere probably would not disagree. He writes: "The 'creation' of traditions is just as ridiculous as the promotion of 'cultural revolution.' They are incompatible and conflicting phenomena. Culture represents centuries of maturation, which is impossible to speed up. Any kind of revolutionary interference is destructive. You cannot 'create' traditions. They are created by themselves, through the centuries."

Valentyn Moroz wrote this assessment early in 1970.

Because of it, in November, he was put on trial and sentenced to nine years of hard labor for spreading anti-Soviet propaganda.

But no foreign government or international body is protesting today on his behalf.

Few people would disagree that the injustices being meted out to Jews in the Soviet Union should be protested. But it would be more constructive, perhaps, if the protests were carried out on behalf of all those being denied the basic tenets of the UN Declaration of Human Rights, common justice and individual dignity.

Sadly, to some, the impression is given that Soviet Jews are the only ones for whom the rest of the world is prepared to express its collective indignation.

And this, in its way, is an injustice too.

## THE PROPOSED ALL-VOLUNTEER ARMY

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, February 18, 1971

Mr. BYRD of Virginia. Mr. President, I invite the attention of the Senate to an article published in the Washington Post of February 14, 1971. The article deals with the problems of a proposed all-volunteer armed service and was written by Col. Donald F. Bletz, U.S. Army, and Capt. Robert J. Hanks, U.S. Navy.

The two authors thoughtfully pointed out the many problems entailed in the creation of a volunteer service. I feel that their remarks should be studied closely as we consider this proposal. I

have had many reservations about the creation of a purely professional army, and I believe that a very searching study must be made.

The article notes the past contribution of the citizen-soldier in the past and wars against the dangers inherent in a purely professional service.

The authors point out the many values to the service by the inclusion of a broad base of the citizenry.

I ask unanimous consent that the article be printed in Extensions of Remarks.

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

"PRO" ARMY CAN CREATE MILITARY CASTE  
(By Col. Donald F. Bletz, USA and Capt. Robert J. Hanks, USN)

The idea of an all-volunteer armed force for the United States has rocketed into orbit atop the antidraft flames which continue to burn brightly across the land. Unfortunately, too few citizens are examining all of the concept's ramifications, caught up as many of them are in the euphoric prospect of a draft-free future.

Most reservations about an all-volunteer force have so far centered mainly on its prospective cost. But there are additional, and some potentially disastrous, consequences. Foremost among them is the danger that we will develop what we have never before seen in America: a large standing defense force composed entirely of career military men who are isolated, even alienated, from the people they have sworn to defend. It is possible that this kind of force would lose touch with and sympathy for the aspirations of the American people.

Only since World War II has it been necessary to maintain a huge military establishment to discharge the world-power responsibilities which America inherited and to protect her from the vastly expanded uncertainties of the nuclear-electronic age. To do this, it has been necessary to rely on a device which heretofore was called into operation solely to meet wartime needs—the draft.

Today we find the draft and its inherent inequities called into question. The resultant clamor has shoved the all-volunteer force to the forefront as the best solution to the problem. Before the American people opt for this answer, however, they would be well advised to ponder two basic considerations: the impact the all-volunteer concept would have on the enlisted ranks, particularly in the lower levels, and its more indirect effect on the officer corps.

Filling the ranks of a nation's armed forces is not a unique problem. For the last three decades, the United States has relied on conscription to do the job, and it has seen us through the greatest declared war in the history of mankind, an unprecedented cold war and two bitter but undeclared limited wars.

While the Army has perennially been the primary user of draftees and has thus taken the brunt of the criticism associated with conscription, the other services also have been affected by it. They have, of course, resorted at times to the direct use of draftees. But the draft's greatest effect on them has been manifested in the rise and fall of voluntary enlistment rates, geared directly as they are to the size of the draft call.

## CAUSE AND EFFECT

For example, several months before the elections of 1964, President Johnson let it be known that he seriously hoped to eliminate the Selective Service program in the near future. Enlistments in all the services dropped off sharply when, as a result of the

announcement, the probability of being drafted fell, or seemed about to fall. Many young men under threat of being drafted into the Army and sent to Vietnam had been "volunteering" for the Air Force or the Navy as a more desirable alternative.

This is in no way intended as criticism of those who chose that particular course of action. It was and continues to be a perfectly legitimate alternative, and its adoption was and is a legal prerogative of the individual.

These men brought with them to their respective services the same basic philosophical outlook as did the draftee, offering to their respective services the same individual strengths and weaknesses as the draftee. The Navy is used here as an example, but the same holds for the Air Force. The men who enlisted in the Marine Corps or the Special Forces or Airborne units in the Army are a bit different. Many of them, too, volunteered rather than being drafted, but they exercised their option to serve in the more adventurous organizations. They fall somewhere between the career man and the civilian-in-uniform in their outlook and, therefore, in their impact on the services.

Elimination of conscription would affect each of the services by removing the civilian soldier, sailor, airman and marine from the ranks. Whether this is a good thing is open to question.

If the armed forces of the United States are reduced to token or caretaker status, then we need not concern ourselves about the loss of the citizen soldier from the ranks, because the impact of the military profession on American society as a whole will be insignificant. If, on the other hand, the nation's armed forces are maintained at a level reasonably commensurate with great-power status, the loss of the citizen soldier is a quite different matter.

Past experience suggests that the citizen soldier would not necessarily bring to the armed forces significantly greater technical expertise or higher intelligence than would the volunteer we could "hire" if the price were right. What he has brought to the armed forces in the past is a bit of American liberal democratic philosophy which he has not been about to give up. In this respect, he has been a positive influence.

On the negative side, the citizen soldier has also brought along an ambivalent outlook toward his military obligation, in the sense that he sees it as a great inconvenience to him and a disruption of his life which he would much prefer to avoid.

In any event, this ambivalence places a burden on the military establishment, since the task of the career officer and noncommissioned officer is made infinitely more difficult by the citizen soldier who constantly questions and stretches the system to the breaking point. At times, especially in an operational combat environment, this ambivalence can have disastrous results—lives can be lost because of it.

This, however, is part of the price a democracy must pay. For the most part, the strains the citizen soldier places on the system are the most positive contribution he makes. While many of his questions and complaints are superficial and pointless, more valid ones do call attention to weaknesses and shortcomings in the military profession and the national military system. Thus the citizen soldier helps to ensure dynamism in the system.

Emphasis on the positive contributions of the citizen soldier is by no means intended to detract in any way from the many regulars who constitute the bulk of the noncommissioned officer corps in all the services. Their professional expertise and devotion to their respective services and to the nation are the strongest possible combination any democratic society could ask for. But the touch of the citizen soldier provides a balance.

## A REFLECTION OF SOCIETY

Never in its 200-year history has the United States possessed a military officer caste. The officer corps, ashore and afloat, has been broadly representative of the national body politic from which it was drawn and with which it generally remained in touch. Whatever "militaristic" caste influences emerged were never cause for alarm, because of the small size of the services and the necessarily limited power base they constituted.

The greatly expanded officer corps of today has been fueled from sources which span the nation's regional and educational spectrum. This broad base of intellectual persuasion, coupled with the relatively large proportion of Reservists on active duty (and the concomitant turnover rates as they come and go), has discouraged formation of a military officer caste—even had the Regular structure shown any proclivity to develop one.

Thus, the officer corps, despite its huge size has remained basically a reflection of the society it serves. But the antidraft-antiwar influences now actively promoting the all-volunteer concept threaten to upset this inherent balance in two ways.

First, the demise of conscription would remove those pressures which now encourage many bright young men to seek a short-term commission rather than a shorter term as an enlisted draftee. This essentially skeptical, questioning young officer at once brings his own unique point of view into the officer corps and helps to prevent homogeneity—the first requisite of any caste system.

Secondly, the drive to eliminate ROTC units from the nation's campuses would eliminate this disparate source of officers which has promoted diversification, not only in the ethnic and regional background of the officer corps, but in its educational base as well.

So long as national security requirements dictate the maintenance of armed forces in the order of magnitude which prevails today, it will still be necessary to recruit college graduates via some form of officer candidate program. But as the all-volunteer officer corps takes shape, turnover rates can be expected to decrease dramatically, the size of this leavening input will shrink proportionately, and those who so elect a life in uniform will, quite likely, shed their differences rather quickly as they adapt to the military ethic.

If the United States is to remain a powerful and democratic nation it will require a military establishment well beyond the caretaker or token level. The armed forces can be expected, therefore, to continue to be a meaningful part of the American scene. Moreover, the armed forces of a democracy must be as representative of that democracy as is reasonably possible.

The citizen soldier is an ever-present force for dynamism, and he serves as the conscience of the nation in the services—a conscience that should not be removed. It is ironic that those who are opposed to the draft and all it stands for—particularly those of liberal persuasion—may very well foster the development of a militaristic defense system.

The ogre of militarism has haunted the United States from its birth, and the fear of it has been accentuated since World War II as the dictates of national security produced the largest standing military force in our history. That we have eluded the tyranny of militaristic control—be it civilian or uniformed—is due in no small measure to the way in which we have structured and manned the armed services.

Despite the siren call of the all-volunteer force, this neat solution carries inherent dangers which must not be ignored. And though professionalism and technical competence within the armed services will continue to suffer from the constant personnel instability, inevitably caused by the draft and

reserve programs, in the long run they may very well be a far better bargain for the nation.

## INTRODUCTION OF WAGERING TAX AMENDMENTS

## HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. FASCELL. Mr. Speaker, slightly more than three years ago the Supreme Court of the United States ruled that persons accused of failure to comply with the requirements of the wagering tax law could invoke their constitutional, or fifth amendment, privilege against self-incrimination. The practical result of the Court's ruling on the constitutional infirmities in the wagering tax law was that the gambling enforcement activities of the Internal Revenue Service were brought to a virtual halt. As a consequence, organized crime continues to derive fantastically huge profits from its illegal gambling operations unimpeded by any Federal enforcement activities except for those instituted under the recently passed Organized Crime Control Act of 1970, especially title VIII which relates to syndicated gambling.

I recently indicated, and the record is convincing, that the previous Congress compiled an unequalled record in fashioning an all-out legislative attack on organized crime. While the Federal effort against organized crime is still burdened by certain operational deficiencies, namely the lack of operational guidelines from the Attorney General to other Federal agencies and a lack of optimum coordination and cooperation among Federal agencies. I have hope that with the new tools that have been provided by Congress, the Justice Department can lead a more effective and coordinated effort in the future.

Congress, however, has one unfinished legislative task if it is to optimize the participation of Federal investigative agencies in the overall Federal effort. I refer to the wagering tax amendments which I introduce today. The amendments remove the constitutional infirmities in the provisions which were struck down by the Supreme Court.

Specifically, this bill places statutory restrictions upon the disclosure and use of information obtained through taxpayer compliance with the wagering tax laws; it increases the occupational taxes under the wagering tax laws from \$50 to \$1,000 for principals and agents; it imposes a \$100 occupational tax upon pickup men, employees, and punchboard operators; it provides a credit against both the tax on wagers and the occupational tax, in the case of those persons who pay similar taxes to State and local governments; and it increases the criminal penalties of the existing law.

Both in this and the preceding Congress, this proposal has received broad bipartisan support, and its enactment is recommended by both the Treasury Department and the Justice Department. I urge my colleagues to give this measure prompt and favorable consideration.

## BOAZ WINS THIRD NATIONAL CLEAN-UP AWARD

## HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BEVILL. Mr. Speaker, for the third year in a row, Boaz, Ala., in my congressional district has been named a winner in the national clean-up, paint-up, fix-up contest. The city of Albertville received an honorable mention.

We are proud of these two outstanding Marshall County cities and at this time, Mr. Speaker, I would like to have placed in the RECORD, a newspaper article which tells of their recognition:

For the third year in a row, Boaz has been named a winner in the National Clean-Up-Paint-Up-Fix Up Contest. Boaz Beautification Association president, Ray Holder, was notified Wednesday that Boaz has been named the winner of a distinguished achievement award in the 1970 National Clean-Up Contest. Albertville will receive a certificate of Honorable Mention.

Both cities are one of 10 in the nation, with populations of 25,000 and under, to receive commendations in their categories. Ten top trophy winners were named in three different population divisions. The Distinguished Achievement Award winners were ranked just below the trophy winners and the Certificates of Honorable Mention were next.

Each city which entered the Contest was required to submit a scrapbook showing evidence of all civic improvement activities undertaken during 1970, along with a written report outlining the specifics involved. For judging, the entries were divided into three population categories representing the total number of people covered by their programs: under 25,000; between 25,000 and 250,000; and over 250,000. Using a point system, the entries were graded by a panel of seven judges based on the degree of achievement and scope of participation in such areas as community-wide beautification. . . . Based on the total number of points earned entries were chosen to receive national Trophies, Distinguished Achievement Awards, or Certificates of Honorable Mention.

Judges in this year's Contest were: William B. Pond (chairman), executive officer, National Recreation and Park Association; Mrs. Earle A. Brown, president, General Federation of Women's Clubs; Robert W. Maffin, executive director, National Association of Housing and Redevelopment Officials; Mrs. Donald E. Clusen, national director, League of Women Voters of the United States; Christopher Mould, director, Office of Volunteer Action, National Program for Voluntary Action; Roger L. Alley, director, Build America Better Program, National Association of Real Estate Boards; and Thomas P. Walsh, senior associate, Community and Regional Development Group, Chamber of Commerce of the United States.

The National Clean-Up Contest, which is the oldest and largest such competition of its kind in the nation, has been co-sponsored annually by the National Clean Up Paint Up-Fix Up Bureau, a non-profit foundation and Union Carbide Corporation. This year's distinguished panel of judges was most impressed by the scope and variety of the city's achievements and the close cooperation shown by various participating groups.

"The achievements of the people of this city are indicative of their deep concern about their community and their dedication to fighting the forces of filth and neglect which threaten our entire country," said Richard H. Hackendahl, director of the National Clean Up Bureau.

Albertville and Boaz plan to send representatives to Washington to accept awards on Tuesday, February 23, at the Statler Hilton Hotel. Mrs. Richard M. Nixon will present trophies to the 30 top national winners and announce the name of the one city selected as having the best overall program during 1970. The awards presentation will conclude a three-day Clean-Up Congress.

Boaz Beautification Association President Roy Holder said that three persons will attend from Boaz but he wasn't sure who they will be. Mrs. Charles Formby was chairman of the BBA scrapbook committee and other members were her daughter, Connie, Mrs. Edgar Amos, Mrs. Frank P. Mastin, Jr., and Mrs. H. H. Camp.

Albertville's Project Pride chairman, J. J. Benford said that he will not make the trip to Washington but will suggest that next year's Project Pride head (if selected by then) make the trip. He said he hopes that Mrs. Paul Bolt, who headed Albertville's scrapbook committee, will be able to make the trip. Other members of the scrapbook committee are Mrs. Trent Whitten and Mrs. Ed Corbin.

Albertville Mayor Norman Darden expressed his appreciation and congratulations to Benford and the Project Pride committee for their fine work. "We feel we have a cleaner and better city as a result of their efforts," the mayor said.

TRIBUTE TO SGT. EARL A.  
JOHANSEN

HON. GLENN M. ANDERSON  
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 18, 1971

Mr. ANDERSON of California. Mr. Speaker, the honor which we pay tonight to Sgt. Earl A. Johansen tends to confirm a belief that I have long held—that police officers are a special breed of men who spend their working hours in service to the community and then often devote their precious off-duty hours to other community service projects.

Sergeant Johansen is well deserving of his selection as Man of the Year by the Lions Club of San Pedro and the San Pedro Sea Lions because of just this type of unselfish dedication to community service.

For 28 years he has been a member of the Los Angeles Police Department spending nearly all of his distinguished career assigned to the harbor division. He is currently a member of the juvenile division and is a member of the California Juvenile Officers Association, the Southern California Juvenile Officers' Association, Harbor Investigators, and South Bay Investigators.

During World War II, Earl served in the U.S. Army Transportation Corps and rose to the rank of first lieutenant while stationed in Brazil, Alaska, and the continental United States. He is a member of the American Legion Police Post.

An active member of his church, Sergeant Johansen has served for many years as a trustee of La Rambla Presbyterian Church and was cochairman of the building committee which supervised the construction of its educational facility. He is presently skipper of the La Rambla Mariners married couples' club.

Sergeant Johansen was elected to the board of directors of the Bay Harbor Hospital in Harbor City on April 4, 1964, and is now serving his second term as board president.

He is a member of the San Pedro Coordinating Council and other harbor area organizations devoted to improving conditions in San Pedro.

An example of his diligent approach to service in such organizations is the fact that within 6 months of having joined San Pedro Lodge No. 966 of the Benevolent and Protective Order of Elks, he was selected as Elk of the Month.

For more than 30 years he has been a member of San Pedro's Lodge Ula-Brand, Sons of Norway. Although I have not had the opportunity to sample his dishes, I understand that he is also an excellent cook with a special flair for Scandinavian foods.

IS IT REALLY IMPORTANT?

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 18, 1971

Mr. ZWACH. Mr. Speaker, in all of the dialog we have been having on the protection of the environment, I have seen none containing more down-to-earth commonsense than a recent column by Margery Burns who writes for a number of our Minnesota Sixth Congressional District newspapers.

Here are words on this subject that all of us should keep in mind:

IS IT REALLY IMPORTANT?

All right, you're concerned about our environment, about pollution and about saving our world for future living. Everyone is talking about it; you are, your friends, all politicians, scientists, everyone.

Don't you wonder what will be done about it? We know that politicians will pass laws about it which will effect industry and a few others. But what about all the rest of us? It's easy to scream about industrial pollution. And all of us agree that something must be done about industrial pollution. About all pollution. Absolutely.

But what are you doing about it? That's the sticker, isn't it? We're all worked up about everyone else helping stamp out pollution, but we aren't so sure what we should do ourselves or even if we want to.

For instance, we know that the power companies are having a bad time right now because of their coal burning plants which send up all that smoke and because of the government is cracking down on their atomic power plants. And yet we all want more and more electricity delivered to our homes. Are you willing to give up some of your electrical equipment in order to save on electricity? Your air conditioner? Your electric shaver? Or can opener? (I'm writing this on an electric typewriter!) Or do you think it's all up to the power companies to clean up the pollution?

What else can you do besides stop using your electric toothbrush for a while?

How about using the right kind of detergents, the ones that don't pollute the water? Or don't you like the other kinds? Have you ever tried using plain old soap? A good friend of mine, Edna Halling, has been making her own soap for years because she thinks it does a better job than any detergent.

Then we all wrestle with tons of paper every year. Is there anything you can do about that? One suggestion was to take products out of their boxes right at the stores instead of carting them all home with you. (Depends on the products, naturally!) How about taking your own shopping bag to carry your groceries and other things home instead of using paper sacks every time?

But still the junk would pile up in every town even if we cut down on paper and plastic containers. So, why can't towns hire trucks to haul all the loads of junk to the companies which are buying up this junk now? This would be a lot cheaper than finding new places around the countryside to bury all this stuff. And it would keep from polluting the country.

Why don't all the clubs and organizations in all the towns start their own pollution control committees to prod all of us into taking part in this necessary effort?

All right. These are a few suggestions. What can you come up with? Just how concerned are you about pollution?

CHARLES BLUM WINS NEW JERSEY  
VFW VOICE OF DEMOCRACY CONTEST

HON. CHARLES W. SANDMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES  
Thursday, February 18, 1971

Mr. SANDMAN. Mr. Speaker, I am very proud that Charles Blum, a 17-year-old resident of my district, is this year's New Jersey State winner in the annual Voice of Democracy Contest sponsored by the Veterans of Foreign Wars.

Charles, who resides in Ventnor, N.J., and attends Atlantic City High School, started out as only one of some 400,000 students participating in this most worthwhile contest. Now, he is one of only 50 State winners.

His winning speech is an excellent example of some of the straight thinking of today's young people. The insight Charles shows in his brief speech is worthy of attention and praise.

Mr. Speaker, I want to commend the Veterans of Foreign Wars of the United States and its ladies auxiliary for conducting this excellent contest each year.

The full text of the New Jersey Voice of Democracy winning speech follows:

FREEDOM—OUR HERITAGE

Freedom is the excitement which comes to a man when he finds he can do something on his own. In its initial form it is the baby discovering his toes, the child exhilarated on finding he can ride a bike, the surfer, thrilled at racing down the face of his first really big wave. In noble conception, freedom is the vision of what man can do. It is a Martin Luther King spellbinding people with a dream. It is a George Washington Carver, believing a peanut can solve problems of poverty and purposelessness. It is a John Kennedy striving for a new frontier. Freedom is the dimension within each man in which he not only is, but in which he decides what he will become. So long as he desires it, man cannot be deprived of his freedom, for freedom is the chance a man has, regardless of circumstances, to live his highest.

Recently, at the speed of a rocket, man searches for new frontiers. On the campuses, many students and faculty are seeking freedom where it will not be found. Where the demand for liberty begins to destroy order:

the consequent demand for order may well destroy liberty. For liberty unguarded can be defeated by its own triumphs.

The movement of freedom is dangerous, but a civilization or society that gives all its energy to taking out the risks and reducing life to comfort and convenience cannot long remain free. For it bleaches from the human spirit the force that takes man forward.

When he sees a vision of the world as it could be, and sets out to do something about it, man knows that he is not the victim of mere chance—that he has a place in the pattern and perfection of the universe. Aspiration is the great emancipator. Franklin D. Roosevelt demonstrated that if he aspired to it, a polio victim could become President. A blind deaf-mute became a Helen Keller. The free man should look toward the unknown as if to become an explorer and adventurer. Mankind has as many faces as there are people, and the man who knows he is unique—that there is no one born like him and never will be—finds his purpose and freedom. A man is set free when he takes a chance—as America has always dreamed—of building something entirely new, every man with his task. So, he thrusts forward from his dream, testing and trying the new, falling and trying again. A man is set free when he sees opportunity everywhere—when he discovers he is surrounded by new frontiers. A man is set free when he looks upward and outward—outward to his fellow man for whom he must care—and like the astronauts, upward to the promise of space and a widening concept of Creation. With this newfound freedom, our heritage, man's role in the universe has scarcely begun.

You and I must realize that freedom is what we as individuals make it. In a world so powerfully governed by materialistic values, one cannot put a price on freedom, and as a result it is frequently overlooked. It cannot hold to be overlooked any longer.

#### CORRECT THE RECORD

### HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MICHEL. Mr. Speaker, I deeply regret that one of our colleagues has chosen to attack President Nixon by completely misquoting him.

On January 29 in the Extensions of Remarks of the CONGRESSIONAL RECORD, Representative WILLIAM CLAY of Missouri referring to the recent "Conversation With the President"—which was televised live over all networks—said, and I quote:

And then Mr. Nixon asserted that Mr. Moynihan was so committed to racial justice that he was called the White House Negro by fellow staff members.

Mr. Speaker, when I read Mr. CLAY's statement I simply could not believe that this or any President would use those words. So I checked the transcript of that program and found that the President said nothing of the sort.

What he did say and I am quoting from the transcript was—

Dr. Moynihan is one of the most dedicated men to racial justice and to justice for all people that I have ever known. He was referred to when he was on the White House Staff as the White House liberal. Well, as a

matter of fact, we have others who perhaps can also be so categorized. But he was enthusiastic.

The accusation that President Nixon would demean black Americans by referring to one of his advisers as the "White House Negro" cannot be allowed to stand unchallenged. I hope this will serve to correct the RECORD.

#### CONGRESSMAN RANGEL FIGHTS INTERNATIONAL NARCOTICS TRAFFIC

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. RANGEL. Mr. Speaker, today, I am introducing legislation whose aim is to take some affirmative action in dealing with this great Nation's No. 1 problem—the illegal importation and sale of narcotics.

The terrible and growing statistics of drug abuse in Harlem are well known:

It has been estimated that there are 35,000 addicts in Harlem.

Of the total number of addicts in Harlem, 12,000 are adolescents.

In the last 5 years, heroin addiction has claimed the lives of more than 2,000 people in Harlem. This is greater than another tragic statistic, the number of Harlem youth killed in Vietnam.

The statistics do not begin to reveal the true magnitude of the drug epidemic. According to Claude Brown, the gifted black writer:

Heroin had just about taken over Harlem. Every time I went uptown, somebody else was hooked; somebody else was dead from overdose. . . . It seemed as though drugs had crawled into all the houses, the churches, the good schools and pulled some nice people right out. You couldn't close all of the doors and all the windows and keep it out. It was a plague. It was getting to everybody. Claude Brown, "Manchild in the Promised Land."

This passage was written 5 years ago. Today, the situation is even worse. Last April, Dr. Stanley Yolles, the then National Director of Mental Health, told a House appropriations subcommittee that a recent study found that 18,000 out of 58,000 people living in a 40-block area in central Harlem were addicted. Of this 18,000, approximately 6,000 were adolescents between the ages of 16 and 21 and 2,000 were children between the ages of 7 and 15.

Statistics do not reveal the destruction of the individual and his community:

Children who will never reach adulthood.

Men and women maimed just as surely as if they were the victims of an accident or crippling disease.

The sorrow and despair of parents who must witness the destruction of their children.

The devastation of the very civic fabric of the community.

The vast resources communities must spend to fight the spread of narcotics and the crime it produces.

The amount of crime directly attributable to narcotics addiction is staggering. In some communities nearly 70 percent of all reported crimes were committed by addicts.

The plight of Harlem is being repeated throughout the country in urban and rural communities and among both the affluent and poor alike. The monster is everywhere. We are all vulnerable to the results of drug addiction: Wasted lives, despair, and increase in crime.

For these reasons, I am asking this House to enact the International Opium Control Act, the Crime and Drug Commission resolution, and my proposed amendment to the Foreign Assistance Act of 1961.

The International Opium Control Act authorizes the President to enter into negotiations with foreign countries for the purpose of forming an international treaty and organization. This organization, under the guidance and leadership of the President, will work for the coordination of the investigative and law enforcement procedures of the member States for the control of opium production, processing, transportation, and sale. Member States can request, and the organization will expedite, the extradition of any person known to be engaged in the production, processing, transportation, or sale of opium.

In addition, the President is given the authority to give financial and other types of assistance to opium producing countries for the purpose of, first, developing alternative crops or commodities; second, improving employment opportunities for those who become unemployed as a result of the change in production; and, third, increasing the country's capacities for law enforcement.

If the country involved refuses to cooperate, the President is authorized to cut off all forms of assistance, both military and economic.

If the country further refuses to cooperate, the President is directed to seek United Nation's sanctions against such country.

The proposed amendment to the Foreign Assistance Act of 1961 authorizes the President to suspend in whole or in part economic or military assistance from any country engaging in the unlawful production or processing of opium and to any country who is felt not to be taking the appropriate steps to prevent narcotics from entering the United States. The President is further authorized to use the appropriate agencies and facilities of the Federal Government in assisting the country in preventing the unlawful entry of narcotics into this country.

Finally, the Crime and Drug Commission resolution provides for the formation of a commission to come up with specific recommendations for the control and treatment of drug addiction. The commission will be made up of physicians, law enforcement, and criminal justice officials and other experts. The Commission would work for a year to:

Identify exactly what kind of drug addiction leads to crime.

Reveal the nature and extent of that crime throughout the country.

Recommend a nationwide program to control that addiction and thus the crime that results from it.

The war against narcotics must be won. The time for a "holding action" or stand-off is past—action must be taken and taken now.

#### WHERE IS DADDY?

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. KEMP. Mr. Speaker, I recently had the opportunity to read an article which appeared in the Los Angeles Times of January 27, written by John Hall regarding the POW/MIA controversy. I would like this article inserted in the RECORD to share with my colleagues, since it deals with a matter which deeply concerns us all:

#### WHERE IS DADDY?

(By John Hall)

Flip Wilson was doing his thing the other night, cheering up the world on his weekly television show. It is the theory here that most of the ills of society could be permanently erased by just a few minutes' exposure to the unstoppable warmth and wit of the bubbling comic.

Muhammad Ali happened to be one of his guests on this particular show. "Muhammad, I got to ask you something," Flip bubbled to the fighter. "Everybody knows your high moral standards. You don't drink, you don't smoke and you don't fool around with wild women . . . When you go into training, what do you have to give up?"

It was a time for smiles, no troubles, a pleasant night at home. The outside world was just that, laid aside and locked out for the moment. The fire was going good just as it should, my daughter was stretched out on the floor in front of it attacking her homework, and I was slicing through the daily mail as Flip and Ali did the talking.

Ali was in one of his subdued moods, at his human best, and he's always very likable when he's that way. His charm can win most anybody when he chooses, and then, just as the thought was occurring that maybe society has been cruel to this man who rose from the slums of Louisville to the world heavyweight championship, one of those little ironies of the everyday came into play.

A letter postmarked "Irvine, Calif." popped upon top of the pile. It was signed by a woman named Janice Lyon. The words leaped out and pushed in alongside Ali on the screen.

"The inspiration of writing came to me as I was reading a clipping written by you two years ago," she began. "The column is entitled 'Was It Nothing?' and is about a friend of my husband's and mine, Bob Cameron. Bob had then been recently killed in Vietnam while taking off in his aircraft on a mission.

"My husband, Maj. Don Lyon, is also an Air Force pilot. I have been saving the column for my husband, who does not yet know of Bob's death.

"The reason Don does not know of this is that he has been missing in action in Vietnam for three years—hopefully a prisoner of war.

"Families of these men who are POWs have been heartened by the interest taken by the sports world in our men in such instances as the recent tributes to them at halftimes of the post-season bowl games.

"We can only mourn and honor men like Bob Cameron, but we can all do something to help men like my husband in captivity in Southeast Asia.

#### FOOTBALL CAPTAIN AT OXY

"Don grew up in Los Angeles. He was captain of the football team both at Hollywood High and Occidental College. He was all-conference fullback for the SCIAC in 1955 and since has been selected for the Oxy football Hall of Fame.

"Please understand that I am not looking for sympathy or personal publicity for Don. He wouldn't want that. I am only hoping to have the public become more aware of our guys who are POWs and missing in action and to encourage more public pressure to bear in their behalf.

"The recent list of prisoners released by the North Vietnamese is not a complete list as claimed by Hanoi.

"Don and I have three young children (Suzanne, 11; Scott, 8, and Donna, 6) who miss their dad very much. They ask me constantly for news of him. Just one letter from Don would mean so much to us.

"Like Bob Cameron, Don was shot down in an F-4 aircraft. This was in March of 1968, his first mission. His co-pilot is listed by our government as a prisoner of war . . . We are told by ex-POWs who have been released of the wretched treatment . . . The years of isolation is the hardest thing they have to bear.

#### IS THE WORLD TOO BUSY?

"We hope to put more pressure on their captors to allow these men to at least receive mail from us. Some of these men have been held in these conditions for over six years, longer than any other American has ever been held in any war before.

"The International Red Cross has never been allowed to inspect the POW camps, a violation of standards set by the Geneva Convention.

"Your readers could influence this situation by writing letters of concern to Washington, D.C., or Hanoi. Letters of this nature have definitely proved effective already and more letters now could possibly complete the job.

"We live in a busy world, but surely all of us can find a moment to write such a letter for a group of American brothers who have nothing but time on their hands . . ."

With admirable restraint and dignity, Janice Lyon said it all. A brochure entitled "Dear Hanoi—Is My Daddy Alive?" was enclosed. As it suggests, this POW situation does not involve politics or ideology or any part of the debate whether Vietnam is right or wrong.

Finishing the letter, I was ashamed of the trivia that clogs our brains.

How seldom we pause to count our blessings. How lucky Muhammad Ali is to live in a society where a convicted draft dodger can be a hero on television and be preparing for a \$10 million prizefight while the men who have sacrificed most to keep it that way are almost forgotten.

I'm going to write and keep writing to Hanoi.

It's nothing.

But I'm not going to forget again and I'm going to keep reminding you of all the Scott Lyons. Where is Scott's daddy?

#### VFW VOICE OF DEMOCRACY CONTEST

### HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. JONES of North Carolina. Mr. Speaker, I am indeed proud and honored to call to the attention of the Members

of the House the following essay, the title of which is "Freedom—Our Heritage." I am especially proud inasmuch as this was submitted by Mr. Daniel C. Grady of Kinston, N.C., a city which I have the honor of representing, and more important, I am convinced that he expresses the feelings of the majority of our young citizens. I am happy to further advise that Daniel received first prize in the State of North Carolina in the national contest by the Veterans of Foreign Wars, and will sometime in the near future, compete here in Washington, D.C., with winners from other States.

I hope that each Member will find the time to read carefully this inspiring article.

The essay follows:

#### FREEDOM—OUR HERITAGE

Freedom—it is our heritage, a right bequeathed to us by our God-inspired forefathers. Let's examine just what freedom is and how we can better preserve it in our troubled world of today.

The greatest outcry for freedom in our country's history occurred in Congress on July 4, 1776, in Philadelphia. There in Congress, fifty hardy, brave men signed their names to the Declaration of Independence and risked their lives for the freedom and rights they believed in—"certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

However, the key to their feelings can be seen in the Preamble to the Constitution. Here our forefathers stated the aims of democracy: "to form a more perfect Union, to establish justice, to insure domestic tranquility, to provide for a common defense, to promote the general welfare, and to secure the blessings of liberty." If we study these aims, we can see that behind each of them is the basic idea of freedom and equal rights for all. Our forefathers valued their freedom because they had to fight for it.

In addition, in the first amendment to the Constitution, the basic freedoms of government are expressed. There shall be no restrictions on religion, nor any abridgment of the freedom of the press or freedom of speech. Indeed, these three basic rights amply deserve the title of the "cornerstone of democracy." They truly are the most important rights inspired by God for man.

Today Americans seem to often take these rights for granted which our ancestors had to fight for so hard. Our forefathers knew that freedom was not the right to do what they pleased, but it was the right to do what was right as long as it did not violate the lives and rights of their fellow man. They knew that freedom was a right granted to all men—the right to do what they pleased as long as it was within the law—and the right to peacefully challenge a law if they believed it wrong.

Today we need to be aware of the importance of maintaining our rights of freedom. As an individual, I must strive to exhibit a democratic fairness in all my thoughts and actions. In daily life, I must make others realize the importance of the democratic process. And we must all realize that freedom gives a man the right to choose his own life standard—to run his life as he sees fit as long as he does not interfere with the lives and rights of others; for freedom gives a man equal rights with his fellow brethren.

Under our democratic government today, an individual is free to develop his talents and abilities in the vocation and fields which he enjoys. He is free to live his own life, say and write what he wants to say and write, and worship God the way he wants to—the three freedoms of religion, speech, and the press. He is still guaranteed the "certain inalienable rights"—(1) freedom from the

fear of repression of life; (2) the liberty which is basic to democracy; and (3) the pursuit of happiness in all his endeavors.

As long as each individual will respect these rights; as long as he will realize they are granted to all men—not only himself but to all; as long as he will stand up and fight for the protection of these rights from alien forces; as long as he himself will realize he does not have the right to do what he pleases, but that freedom gives him the right to do what is lawful—then freedom, our heritage, will continue to be the inspiring force today that it was 200 years ago, and it will never fail.

#### NATIONAL PRAYER BREAKFAST

### HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. NICHOLS. Mr. Speaker, as always, I was impressed with the National Prayer Breakfast held February 2. I feel this annual meeting is very important and points out that people in America do attach significance to religion. For my colleagues who may not have been able to attend, I would like to share the remarks made by Congressman MONTGOMERY in his capacity as chairman of the House Prayer Breakfast Group. He did a very commendable job in bringing greetings from this body.

The remarks of Congressman MONTGOMERY follow:

#### NATIONAL PRAYER BREAKFAST

(Remarks by Representative G. V. MONTGOMERY)

Good morning, Mr. President, Mrs. Nixon, my colleagues in the Congress and guests of the 1971 National Prayer Breakfast. It is my pleasure to bring you warm greetings from the House of Representatives Prayer Breakfast Group.

Our meetings each Thursday morning while the Congress is in session, which is most of the time, are quite informal, non-nominational and bipartisan. In fact, we do not even maintain a membership roster. The meetings are open to all Members of Congress, former members, and elected officials of foreign government. Seeing Mrs. Mendel Rivers in the audience brings to mind the contributions made to our prayer group by her late husband, Congressman Mendel Rivers of South Carolina, as well as the late Congressman Bob Watkins of Pennsylvania. Both of these Members are deeply missed by our group.

At each meeting, following our opening prayer, a fellow Member who has volunteered to do so delivers the remarks. A general discussion concerning the topic presented follows; and the meeting concludes with prayer. The remarks are always excellent. Some are thought-provoking and soul searching, some amusing and some sad, but they are all sincere. Topics range from personal testimonies, to politics and religion, to the subject that prayer and religion bring men together mentally and physically.

Messages from the members generally have a common factor. With a great deal of affection and feeling, each refers to the spiritual guidance provided him by his parents in his early years. One member recalls how his mother would go into the closet, close the door, and ask God for strength during family crises.

There are many benefits to be derived from the prayer breakfast group, and one of these is contact with people of good will in other parts of the Nation and other countries of

the world. Our Capitol prayer groups have helped organize prayer groups among government leaders in well over 70 countries.

Because of the prayer breakfast, Thursday is always the best day of the week for me. I have a great feeling of personal renewal because I have been provided an opportunity to experience religious fellowship with my colleagues that would not be possible in any other situation, especially not on the House floor during some of our heated debates.

We who attend the prayer group know we are better Congressmen and individuals because of the meetings.

Congressman DAN KUYKENDALL of Tennessee has often remarked that the prayer breakfast is the only meeting in Washington for which he does not mind arriving 15 minutes early and remaining late. However, to our friends who are thinking of starting a prayer group in your area, we would certainly recommend beginning and ending the meetings on time.

We have some good laughs at our meetings and in fact, the prayer group is my best source of jokes suitable for telling at home.

Congressman WILMER MIZELL of North Carolina enjoys telling the story about his church during one of its regular meetings. The board of deacons had recommended that the church buy a chandelier. Everyone was in agreement but one man who stood up and said he was against buying a chandelier for three reasons. First, no one could spell the word. Secondly, no one could play it, and thirdly, what the church needed was more light.

(P-a-u-s-e)

There is a brighter light on Capitol Hill today because of our weekly prayer breakfast meetings.

#### REVENUE SHARING

### HON. BARBER B. CONABLE, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. CONABLE. Mr. Speaker, the President has submitted to Congress the first part of his revenue sharing plan to provide financial aid to the hard-pressed States and localities in a manner which will enable them to meet their problems with greater flexibility and effectiveness. There are arguments being raised here against the plan and alternatives being advanced as more appropriate to the needs.

Much has been written and said, but I believe none of the commentary has been more pertinent and balanced than that presented this week by Prof. Henry C. Wallich of Yale University, writing in Newsweek magazine of February 22. I hope all my colleagues concerned with the course of our system of Government will read Professor Wallich's article, and I include it in the RECORD for that purpose:

#### REVENUE SHARING

(By Henry C. Wallich)

We have come to the Moment of Truth. Everybody talks about local involvement and concern. Does anyone want to do something about it?

Giving the spending power back to the people amounts to an act of faith. If you believe in grass-roots democracy, you will be for revenue sharing. Sophisticated skepticism concerning the people's ability to deal with their own affairs argues against it. Other arguments are also used to question revenue

sharing, but for the most part they do not survive close inspection.

Everybody knows that state and local governments are imperfect. Many are less than totally competent, some probably less than quite honest. The Federal government is competent and trustworthy and in any event well audited. Hence, it has been argued, the purse and the power should remain in Washington.

Unfortunately, to be competent and honest is not enough. To do full justice to the infinite variety of local needs, one must also be omniscient. Lacking this faculty, the Federal government finds itself making honest and efficient highway grants to states and localities that need parks, grants for school buildings to places that need teachers, for hospitals where medical training facilities should have priority. Do these misallocations induce the local recipients to look their gift horse in the mouth? Of course not. The local highway department argues that unless a highway is built, the Federal money will be lost. Obviously better to pour concrete over some local park or scenery than tolerate such frightful waste.

#### NO STRINGS

That is the nature of the categorical grants that Washington solicitude has now parlayed to about \$30 billion annually. What would happen if the strings were united from any part of this money? Contrary to what the critics seem to think, it would take a good deal of incompetence or worse to get less use from the money by spending it according to local preferences. It is the matching-grant dollar, with its strings attached, that is at a discount, like any blocked currency. The untied dollar offers full value.

Fear that the money will be spent less carefully is equally misplaced. It is the money with strings that invites carelessness. "When you are operating with 10-cent dollars, because the Federal government gives you the other 90 cents, what can you lose?" That is the kind of fiscal wisdom of which revenue sharing is trying to cure the states.

President Nixon has shocked some people by suggesting that the untied grants might even be used to reduce the local tax load. Why shouldn't it? If the people prefer tax relief to a salary increase for the local bureaucracy, why shouldn't they have it? The failure of some critics to understand any use of money not masterminded from Washington is the best argument for giving the mastermind a rest.

#### CONGRESSIONAL OPPOSITION

At the bottom of the opposition to revenue sharing is the reluctance of many Washington legislators to take the onus of levying taxes without getting the political benefits of spending the revenues. Put more sympathetically, those who must decide about taxes feel a responsibility for the use of the money. Hence the attacks on the proposal as a form of "deficit sharing." Hence the prospect that Congressional reception of the legislation will amount to open hearings with a closed mind.

Opposition to revenue sharing has produced a number of alternative proposals. Tax credits for state income taxes might be given against the Federal tax, or the Federal government might collect state income taxes on behalf of the states. Or states might simply make their tax a percentage of the Federal tax.

Some alternative proposals contain ideas that are intrinsically good. Some differ rather drastically from the original revenue-sharing plan. But what is good in these alternative proposals is not really different. What is different is not very good.

The basic issue remains: how much of a chance do we want to take on people? As the population grows, so does the difficulty of managing its affairs from one single center. By trying to do ever more for this

ever-growing number, Washington compounds its difficulties. Its administrative grasp increasingly falls short of its political reach. At some point in time, the mounting cost of centralization and the growing dissatisfaction of the reluctantly centralized citizenry demand decentralization. That point in time, I believe, is now.

## VOICE OF DEMOCRACY

### HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. ULLMAN. Mr. Speaker, the 1971 Voice of Democracy Contest finals are scheduled to be held in Washington, D.C., on March 2. The Veterans of Foreign Wars and its ladies auxiliary annually sponsors the event which brings the 50 State winners together to compete for college scholarships, including a \$10,000 first prize. This year, the theme of the contest was "Freedom—Our Heritage" and over 400,000 senior high school students competed throughout the Nation.

Among the outstanding entries in this year's contest is the speech submitted by the State of Oregon winner, Miss Kathryn Ann Walling of Salem, Ore. Miss Walling's speech follows:

#### VOICE OF DEMOCRACY

America—arsenal of democracy—and repository of freedom's heritage is a vast land of contrasts: from the industrial north, to the agrarian south, from the sophisticated east to the relaxed west—contrasts reign, possible only in this great land of ours.

One of the enduring phenomena of our history has been this endless series of contrasts and repetitions of events. No country in the world has ever enjoyed so many economic benefits, yet no other country has ever had so much legislation dictated in order to curb abuses of these benefits. We are the indisputed leader of the western cultural world, and yet the government refuses to subsidize a national theater, musical conservatory or opera, or even elect a poet laureate. No other nation has ever seen a greater parade of brilliant young men since our country's founding, but no other country has ever seen so many of its important statesmen assassinated at the height of their prime. Contrast, both great and tragic is a part of our national heritage.

Charles Dickens, in *A Tale of Two Cities*, tells us of France in the days of their great revolution. But the most interesting thing about the manner in which he describes this chaotic situation is the fact that it is very much applicable to the times of today:

"It was the best of times; it was the worst of times.

It was the age of wisdom; it was the age of foolishness.

It was the epoch of light; it was the season of darkness.

It was the spring of hope; it was the winter of despair.

We had everything before us; we had nothing before us."

We are a nation that continually leans on its contrasting history for inspiration, guidance, and precedent. Our heritage continually brings to mind well learned lessons of the past and forms a base of history to come.

In these days when we citizens are concerned about our problems at home and abroad—and there are many . . . we would do well to consider our blessings, opportunities and advantages—for there are many. The

contrast of our national heritage gives us a firm base to consider both sides of each situation as it occurs and to determine our national course as prudence sees fit.

The great author and philosopher, Bernard Shaw, stated, "All truly rational men agree that we must not become too unreasonably bound to the traditions of the past, not too radical in our acceptance of the unseasoned future, but to pick the best of both dispensations."

In viewing our heritage, we must learn as our ancestors did; that *moderation in all things* is the prudent course. What is more, we must believe in our country and we must believe in ourselves and our abilities. For this prudent action can avoid many heartaches and mistakes in the future.

A dying man's last words:

"To dream the impossible dream; to fight the unbeatable foe . . .

To bear with unbearable sorrow; to run where the brave dare not go . . ."

These words, spoken on stage by Don Quixote, were not simple words of rhyme. To this man, they were a way of life. Even as he lay on his deathbed, he incessantly repeated these very lines—these contrasting lines—Quixote, like many of us did not achieve perfection—he did not even come close—but one may safely say that he tried. He tried with every breath and with availability resource and with every moment of time until the last hour of his life. He was a *believer*, and that, ladies and gentlemen, is what we may learn from our heritage; not to be afraid to believe . . . to learn from our contrasts . . . to learn from our strengths as well as our weaknesses. Freedom's heritage never ends—it sustains, it uplifts, it reaches even that—unreachable star . . .

## A BILL TO AMEND THE NATURAL GAS ACT

### HON. OMAR BURLESON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BURLESON of Texas. Mr. Speaker, on January 22 of this year, I introduced H.R. 616, a bill to amend the Natural Gas Act. Because the serious difficulties within the natural gas pipeline industry, which this proposal is designed to alleviate, have been of such long duration, I earlier introduced similar bills in the two previous Congresses. I have re-introduced this bill in the current session of the Congress because developments during the past 2 years have confirmed the chronic nature of these difficulties confronting the industry, with no adequate rectification yet forthcoming.

Before detailing my proposal, I would like to review the circumstances which make it, in my view, essential.

First of all, I want to emphasize that the difficulties which my proposal seeks to alleviate have not been, and are not now, peculiar to the natural gas pipeline industry. With relatively unimportant variations, these difficulties have confronted for a number of years, and still confront, the regulated public utilities in general, whether subject to Federal or state regulatory processes, and extend from initial production to ultimate distribution.

Nor have these difficulties confronting the regulated public utilities been hurt-

ful to them alone. Far more importantly, they have already been hurtful to the entire consuming public. This damage is sure to augment greatly in the very near future, if a prompt and suitable remedy is not applied. One need not be an expert to know that power shortages in varying degrees, including dimouts, blackouts, and exhortations for voluntary reduction of power use, have already appeared in some important areas from coast to coast, including the more heavily populated metropolitan area in the Nation. Aside from quantitative and qualitative shortages of housing and medical care which extend to one-quarter or less of the total population, it is hard to think of a shortage, actual and prospective, more serious than a shortage of power. In addition, power shortages, unlike the others which I have mentioned, are all-pervasive in that they threaten practically every industry and every consumer, regardless of income. And further still, while extensive efforts have been made for many years to remedy these other shortages, with indications of added efforts in the President's recent state of the Union message, a nationwide and cogent attempt to deal with actual and prospective power shortages has lagged greatly, and is still hardly on the threshold of adequate action.

The damage which power shortages, induced largely by inadequate investment in plant and equipment, do to our total economic performance goes far beyond the importance of power as such. During recent years, investment by the utilities in plant and equipment has ranged between one-seventh and one-sixth of total nationwide private investment of this type. Thus, I do not see how we can get back to nationwide full employment and full production, unless such investment by the utilities is encouraged to expand at a sufficiently rapid rate. Indeed, practically all experts are in agreement that, due to technological factors, the changing nature of the industrial process itself, and shifts in the pattern of consumption as standards of living rise, investment by the utilities needs to grow even more rapidly than total private investment or the total economy, in order to underpin adequate economic growth in general. As I shall indicate shortly, recent trends and current performance among the public utilities offer no possibility of this development, without a remedy essentially the same in substance as that which I am now proposing for the third time.

For these reasons, I trust that the Congress will not regard my proposal as sectional in nature, nor as limited to the interests of any one industry or group. I trust that, in view of delay which has already been far too long, this session of the Congress will witness enactment of my bill in its current form, or in such altered form as may develop in the course of its consideration.

I shall not attempt here today to range over all the reasons for the difficulties confronting the regulated utilities in general, and the natural gas pipeline industry in particular. Some of them, as always, have been due to slowness of action and lack of adequate foresight on the part of fallible men, both within the

industries directly involved and elsewhere. But there has been one dominant and increasingly clear central reason for these difficulties, and it is toward this that my proposal is addressed.

This dominant and central reason is that the changes in prices received by the regulated utilities in general, and also by the natural gas pipeline industry, have lagged far and increasingly behind the upward movement of prices in general, including money costs. The inevitable consequence has been that the dollars received by the utilities in general, and by the natural gas pipeline companies, have not kept pace with the rising costs for what they must pay for, in order to do business. This has put them in a seriously and increasingly disadvantageous competitive position when compared with key nonregulated industries. In contrast, it has always been the declared purpose of the regulatory process, affirmed by the courts, to maintain competitive equilibrium or equality between the regulated and nonregulated sectors. Far more important, the growing disparity between prices and dollars received by the utilities on the one hand, and those needed on the other hand to make the investments and to finance the many other business activities required for maintenance of optimum or even adequate service to the consuming public, points up the basic reason for the current and prospective power shortages.

In the factual data which I shall now detail in support of what I have thus far said, I shall limit myself to the natural gas pipeline industry in the main, although it should be borne in mind that similarly telling data could easily be set forth for the regulated public utilities in general.

Let me start with the disparities in prices and dollars received, as these have trended over the years, because, as I have already stated, this is clearly the dominant reason for the difficulties confronting the utilities, and threatening the entire public well-being.

From 1960 to 1969—comprehensive data for 1970 not available—the prices received by the natural gas pipeline companies declined at an average annual rate of 0.3 percent. Meanwhile, the Consumer Price Index, which is the best single measurement of the inflationary process in general, increased at an average annual rate of 2.4 percent. From December 1969 to December 1970, the consumer price advance was 5.5 percent, and from September 1970 to December 1970, it was 5.7 percent at a seasonally adjusted rate.

Large price advances have also been characteristic within the nonregulated industrial sectors. From 1960 to 1969, when, as I have stated, the prices received by A and B natural gas pipeline companies declined at an average annual rate of 0.3 percent, the average annual rate of price advance was 1.2 percent in all U.S. industries, and 1.1 percent in total manufacturing. Looking at specific industries, it was 1.1 percent in iron and steel, 0.5 percent in refined petroleum products, 2.3 percent in nonelectrical machinery, and 3.2 percent in nonferrous metals. It was 0.6 percent even in motor

vehicles and equipment, despite the well-known profit leadership in this industry. And we all know that there have been substantial price increases during 1970 and early 1971, notoriously in iron and steel, and also in automobiles and chemicals.

The disparate and inequitable relative trends in prices received have naturally impacted upon profit trends. Comparing 1953-60 with 1960, third quarter 1970, the average annual rate of growth, among the major A and B natural gas pipelines, declined from 3.2 to 0.3 percent for per unit revenues; declined from 9.4 to 5.4 percent for income before taxes; and declined from 11.4 to 6.4 percent for income after taxes. From 1960 to 1969, the average annual increase of profits after taxes was 6 percent for the A and B natural gas pipelines, contrasted with 7.3 percent in all U.S. industries, 9.1 percent in total manufacturing, 6.1 percent in motor vehicles and equipment, 10.6 percent in refined petroleum products, 12.4 percent in nonferrous metals, and 13.5 percent in nonelectric machinery. These trends are all expressed in current dollars, which are satisfactory for comparative purposes. But the rates of growth would be shown to be very much less satisfactory, if translated into constant dollars by taking account of inflation and the declining purchasing power of the dollar—partial data for 1970 exceedingly erratic.

Due mainly if not entirely to these adverse profit trends, the process of investment in plant and equipment has been seriously affected. The average annual rate of investment in plant and equipment among the gas pipelines A and B, expressed in constant dollars, declined from 6.6 percent during 1953-60 to 4.1 percent during the longer period 1953-69, and was only 2.3 percent during 1960-69—1970 data not available. Expressed in current dollars, the average annual growth rate of investment in plant and equipment during 1960-69 was 4.5 percent for the gas pipelines, 8.3 percent for all U.S. industries, 8.6 percent for total manufacturing, 7.7 percent for refined petroleum products, 8.5 percent for motor vehicles and equipment, 9.5 percent for electrical machinery, 11.9 percent for nonelectrical machinery, and 14.8 percent for nonferrous metals.

Although it is difficult to appraise all causes and effects with precision, it must be manifest that the adverse trends in both income and investment have militated against optimum service to consumers, and the arrival of the shortage problem indicates that these trends have militated even against adequate service in many instances. Among the major A and B natural gas pipelines, the growth rate in physical sales declined from an average annual rate of 15.8 percent during 1947-53 to 8 percent during 1953-60, and 5.5 percent during 1960, third quarter 1970. The decline from the second to the third period mentioned is especially indicative, in that our total national product in real terms grew at an average annual rate of only 2.4 percent during 1953-60, but at 4 percent during 1960, third quarter 1970. Even more important is the very clear indication that the rate

of sales expansion during 1960, third quarter 1970, inadequate though it appears to have been, cannot be maintained during the years immediately ahead, without quick and decisive reversal of the adverse trends in prices received, income, and investment in plant and equipment.

Another factor operating very adversely to the natural gas pipeline industry has been the rise in the cost of money. This is particularly true because the ratio of long-term debt to capitalization in 1969 was 58.4 percent for the gas pipelines, contrasted with only 27.2 percent in manufacturing, and 16.4 percent in motor vehicles and equipment. These ratios do not vary much from year to year.

The average interest rate on new bonds issued by natural gas companies—both pipeline and distribution—rose from 3.78 percent in 1952 to 5.36 percent in 1960, and 7.09 percent in 1968; the embedded debt cost of gas pipelines rose from 3.37 percent in 1953 to 4.35 percent in 1960, and then to 5.92 percent in 1969; and these trends imposed upon the gas pipelines an increased interest cost 1953-69 estimated at \$932 million—later comprehensive data not available. The situation has become much worse since then, as indicated by trends among the utilities generally. The average interest rates on newly issued public utility corporate bonds rose from 3.45 percent in 1953 to 4.57 percent in 1961, 7.49 percent in 1969, and 8.77 percent in November 1970. From 1961 to November 1970, these interest rates rose 91.9 percent.

In this connection, we should not be misled by the salutary reductions in the prime rate and in some interest rates during recent months. Comparing 1969 with November 1970, the interest rates on newly issued public utility corporate bonds rose from 7.49 to 8.77 percent, as already indicated; for AAA corporate bonds, the rise was from 7.03 to 8.05 percent; and even for U.S. long-term bonds, there was a rise from 6.12 to 6.24 percent, compared with 3.90 percent in 1961 and 2.94 percent in 1953. We may all hope that the downward movement in some interest rates will proceed at an accelerated pace. But even if this should happen, of which there is as yet no guarantee, the embedded debt cost among the utilities in general, and the natural gas pipelines in particular, will continue to rise until the rate on new borrowings is as low as the embedded debt costs at such time. This prospect is not in the foreseeable future.

All of these adverse trends have had their impact upon the evaluation of common stocks by prudent and knowledgeable investors. Among seven natural gas pipelines from 1960 to November 1970, average common stock prices appreciated by 58.2 percent, compared with 65.9 percent for the stocks of nine New York City banks, and 73.9 percent for 181 consumer goods stocks. Because of the limited data available with respect to the natural gas pipelines, it should be noted that the common stock prices of 55 public utilities increased only 39.0 percent during this period.

As an indication of the adjustment

needed by the natural gas pipeline industry to reverse these adverse trends, and to put the industry in a position to render optimum service to the consumer in future, account should be taken of a comprehensive study issued by the Independent Natural Gas Association of America in May 1970, entitled *The Natural Gas Pipeline Industry: A Study of Regulatory Policy in Terms of the Public Interest*. This study indicated that compared with operating income of 814.4 million dollars in 1969, the industry will need operating income of 1,953.5 million dollars in 1977, assuming from 1969 to 1977 an average annual increase in the Consumer Price Index of only 4.0 percent—which by now we all know is a conservative assumption in the extreme. In contrast, it was estimated that operating income which would be yielded in 1977 at the 1969 level of prices received would be only 1,171 million dollars, or 782.5 million dollars below the level needed for optimum service.

Further, even if the formula contained in my current proposal had been in effect from 1969 forward, it was estimated that actual operating income in 1977 would come to only \$1,602.6 million, or \$350.9 million below the needed level, again assuming a 4.0 percent average annual increase in the Consumer Price Index. This reveals rather dramatically the conservative nature of my proposal. But it is anticipated that the practical application of this proposal would bring gains in plant, technology, and efficiency which would cover a substantial part, if not all, of the gap between actual and needed operating income which I have just stated.

Essentially then, my proposal is designed to yield to the natural gas pipelines industry a fair and reasonable participation in the progress of the U.S. economy generally, by bringing their prices received and incomes more into line with general trends. To be sure, this involves some increases in prices received in the short run. But never, not even during the period of absolute controls during World War II, did we fail to recognize the necessity for advancing those prices which were too low in terms of public need, even while seeking to maintain a generally stable price level, and forcing some prices downward.

This process, as my bill would apply it, is not only fair and necessary, but is also in accord with current thought and action in increasingly significant portions of the national economy. Insurance companies are moving more and more toward the practice of adjustable benefits, taking account of the inflationary process and the declining purchasing power of the dollar. Interest rates on Federal obligations have been lifted for the same reason, and despite some recent reductions are still enormously higher than they were some years ago. To illustrate, the interest rate on newly issued long-term Federal bonds rose from 2.94 percent in 1953 to 3.90 percent in 1961, 6.12 percent in 1969, and 6.24 percent in November 1970. Our social insurance systems, during the most recent years, have several times been adjusted specifically to reflect the declining pur-

chasing power of the dollar. During 1970 alone, newly negotiated wage contracts have embodied increases running as high as 20 percent and more, most of these increases being designed to compensate for the declining purchasing power of the dollar as reflected in the rising cost of living. Public employees at all levels of government have similarly received wage increases for the same reason. This is also true of corporate executives.

While we of course recognize the desirability of policies to reduce, if not to hold steady, the general upward trend in prices, we have come to reject the inequitable and economically unsound proposition that the economy or people will benefit when the prices and incomes of some trend so far below those received by others that the necessary services rendered by those left far behind are seriously jeopardized. Moreover, it is inequitable and economically unsound for the regulatory process to deny to the utilities those sensible and essential price adjustments which nonregulated industries have the power—and exert the power—to attain through their own managerial decisions.

I recognize that enactment of my bill will require that the regulatory commission adjust upward the prices received by the pipelines, and that this will have some effect upon ultimate consumer prices. But this essential problem cannot be avoided by burying one's head in the sand. Even today, substantial price and rate adjustments are being granted by many regulatory commissions—although generally inadequate, and not sufficient to bring the remedy I propose and deem essential. In the long run, the consumer will be hurt if these adjustments are insufficient to spark the amount of growth in investment required for optimum or even adequate service. To neglect this obvious principle would lead to the conclusion that it would be good for consumers to reduce the prices received by the utilities gradually toward zero.

This principle has been very amply recognized by the extent to which tax legislation by the Congress during the past decade has granted great benefits to the investment processes. It is further illustrated by the very recent action of the Treasury, in enlarging depreciation allowances. Theoretically, a large portion of these tax benefits granted during the past decade or so have applied to the regulated utilities. But in their case, unlike the case of others, these tax benefits have been largely counteracted by the disparate trends in prices received, and by the almost unique burden imposed upon the utilities by truly fantastic increases in the cost of money.

The conservative nature of my proposal, from the viewpoint of the consumer, is further illustrated by the comparatively low cost of gas to the consumer. The comprehensive study to which I have already referred showed data for 1968, which can now be shown for 1969. In Brooklyn, N.Y., the cost of gas was exceeded by 35 percent for fuel oil, 48 percent for coal, and 133 percent for electricity. In Detroit, the cost of gas was exceeded by 69 percent for fuel

oil, 34 percent for coal, and 266 percent for electricity. In Washington, D.C., the cost of gas was exceeded by 21 percent for fuel oil, and 116 percent for electricity, with coal data not available. In Seattle, the cost of gas was exceeded by 37 percent for fuel oil, 5 percent for coal, and 42 percent for electricity. In Memphis, the cost of gas was exceeded by 50 percent for electricity, with fuel oil and coal data not available. In Atlanta, the cost of gas was exceeded by 42 percent for fuel oil, and 233 percent for electricity, with coal data not available. Looking at fuels used for electrical generation in 1969, the cost of coal was 4 percent above the cost of gas, and the cost of oil was 32 percent above the cost of gas.

Further, the adoption and application of my bill would not interfere with maintenance of a very wide margin of cost advantage to the consumer through the use of gas, as compared with other fuels. On the assumption of an average annual increase of 4 percent in the Consumer Price Index from the base year 1969 through 1977—an assumption which may be, and we all hope it is, reasonable despite the higher average annual increase in the Consumer Price Index from 1968 to date—the average weekly cost to the consumer, spread over a period of 52 weeks, would rise from year to year by only approximately 2 to 4 cents, depending upon the city. Thus, in 1977, the average weekly cost would be only approximately 7 to 33 cents higher than in 1969. On this basis, it would take about 6 years for the prices received by the gas pipeline companies to return to the 1961 level. And by that time, consumer prices in general—assuming from 1969 forward an average annual increase of 4 percent in the Consumer Price Index—would be about 55 percent higher than they were in 1961.

The content of my bill, as introduced, has been indicated by what I have already said. Specifically, from the end of 1968 forward, the Federal Power Commission, in determining the rate base of a regulated public utility, shall use the actual legitimate cost of the utility plant existing as of December 31, 1968, less the accumulated reserve for depreciation as of such date, which net investment in utility plant shall be adjusted for any decline in the purchasing power of the dollar, as measured by the Consumer Price Index, from December 31, 1968, to the date as of which the rate base is determined.

The conservative nature of my proposal is strongly indicated by the fact that the process of adjustment which it embodies would be applied only from the end of 1968 forward. Actually, the serious lag in the prices received by the natural gas pipeline companies behind the inflationary process in general persisted for many years before the end of 1968, and this today has had a cumulative adverse effect upon natural gas pipeline companies. The limitation of my proposed adjustment to the period from the end of 1968 forward is therefore a compromise which really goes only a part of the way toward full remedial action.

When the so-called "historic" original cost method was enunciated by Mr. Jus-

tice Brandeis in Southwestern Bell Telephone almost 50 years ago—1923, he assumed a declining trend in prices in the U.S. economy. This forecast has become completely outmoded by developments since then. In December 1970, the price level, measured by the Consumer Price Index, was 133-percent higher than in 1923, and 138-percent higher than in 1930. The time is late for the regulatory processes to be brought into line with this reality. Therefore, I am proposing to modify somewhat the "historic" original cost method, in order to achieve a substantial although not complete remedy of the recent and current situation.

Mr. Speaker, my proposal is fair, essential, and long overdue. I trust that it will receive full and careful consideration by the appropriate committees of the Congress, and be enacted this year. A great service would thus be rendered to a vital industry, to the consumer, to the economy at large, and to the entire public interest.

#### CONGRESS MUST TAKE ACTION TO HELP OUR PARALYZED VETERANS

Hon. G. V. (SONNY) MONTGOMERY  
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MONTGOMERY. Mr. Speaker, last week members of the Paralyzed Veterans of America appeared before the House Committee on Veterans' Affairs. The testimony they presented was quite informative and pointed out the need for Congress to take action in several areas in order to help our paralyzed veterans to once again become productive members of society.

I recommend this testimony and the legislative program of the PVA for thoughtful consideration by my colleagues. I include the material at this point in the RECORD:

FEBRUARY 10, 1971.

Mr. Chairman and Distinguished Members of this Committee:

On behalf of the Paralyzed Veterans of America, its 7,000 members and 24 Chapters, I am both pleased and honored to appear before you today to present our annual legislative program.

We have many goals, which we would like to see become law, with regard to the severely disabled veteran—too many, in fact, to try to read into the record here today. So, with your permission, Mr. Chairman, I shall only refer to them, and I respectfully request that the full body of these recommendations be entered in the record.

Primarily through the efforts of this Committee, its Chairman and members, the 91st Congress compiled an impressive record in the field of veterans affairs. An increase in compensation and the amount awarded for the automobile grant, as well as a nonservice-connected pension raise, were all enacted into law. Laws providing for mobile home purchase, direct loans, and expanded outpatient treatment for veterans also were passed. The 91st Congress compiled one of the best records in veterans' legislation of any Congress in history.

Yet, as with every deliberative body, the Congress left some vital work undone. As I speak today, your able Chairman and other members of the Committee have already

begun the process of reintroduction of these measures. For this we are grateful, since early introduction will hopefully mean early passage.

The Paralyzed Veterans of America have always concerned themselves with the basic areas of medical care and rehabilitation, the service-connected veteran survivors benefits, and the nonservice-connected veteran who has suffered this catastrophic injury or disease. I would like to speak on each of these areas today. Some of the things I may say will not fall into the specific province of this Committee. But you, as members of Congress, deserve to know of all our areas of concern. You, perhaps more than others, since your assignment to this Committee gives you the unique knowledge and experience necessary to deal with veterans' affairs in all aspects. Nearly 50% of the population is directly or indirectly affected by veterans' legislation. The distinguished members of this Committee are the Congressional watchdogs for that large segment of our society.

We have always maintained that nothing can ever replace the proper, total, and complete rehabilitation of the spinal cord injured. Nothing short of this can be accepted. Nothing less should ever be allowed. The Veterans Administration is not providing a dynamic rehabilitation program for the spinal cord injured. The reasons are many. Apathetic supervisory personnel who have grown too tired to care, or too old to learn, effectively block the way for those few vital elements who wish to expand and improve existing programs within the Spinal Cord Injury Centers. Because of salary restrictions placed upon the Veterans Administration's Department of Medicine and Surgery personnel, and the continued use of the GS ratings for paramedical personnel, the Veterans Administration cannot compete with the private sector hospitals. Nurses must be given shift differential if we ever expect to adequately staff our hospitals. Doctors' salary scales must be reviewed and upgraded. Nursing Assistants, who play such a vital role—a truly unique role—in the rehabilitation aspect of the spinal cord injured, must be given additional monetary consideration for working with these patients and for performing this unique care.

Medical care must be, unfortunately, a continuous process for a spinal cord injured veteran. It must be continuous and it must be effective if they are to retain a place in society and be productive taxpaying members of that society. This care and attention requires staff. But, sadly, staff is the largest deficiency now facing the Veterans Administration's hospitals and outpatient clinics. All the new drugs, all the new machinery, and all the new patient aid devices in the world can do *nothing* if there are no people there who are trained to use them. They will never replace *people* as the truly basic ingredient for the proper care and rehabilitation of the spinal cord injured.

The Veterans Administration has given a commitment to the PVA to reach a staffing ratio of 2 to 1. They allege to be mightily attempting to reach that goal. We would be willing to accept that if it were not for the haunting spectre of the field reports we receive indicating that the new faces cannot be found. Indeed, as retirement takes its toll among the dedicated personnel who have remained with us for so many years, they are not being replaced. Quite frankly, Mr. Chairman, we cannot find the people to back up the figures we see.

There are some truly progressive programs now in their initial stages which are constructive attempts to remedy some of the crisis situations that exist. The Administrator, his Chief Medical Director, and the Director of the Spinal Cord Injury Service are continuing to search for remedies. The National Consultants, a group of Veterans Administration and private sector physi-

cians, continue to shape the directions that the Spinal Cord Injury program will take in the future. The Chief Medical Director, Dr. Musser, has appointed an Ad Hoc Advisory Committee to better explain the consumer point of view, and discuss the plans and problems of the Spinal Cord Injury Service. These and other achievements we of the PVA loudly applaud. It is a beginning in gaining the knowledge that must be learned in order to provide optimum care. *This* is our goal; to assist the Veterans Administration in reaching optimum performance in rehabilitation and continued medical care. But these national level programs and discussions must activate those who actually provide the services. They must be directed, not just allowed to filter down to the patient in the beds, on the wards, in the hospitals. For this is what it's all about. This is where it counts. All the rhetoric in Washington will not help that patient unless the valuable lessons learned here are translated into action at the very basic level in the field. It is the charge of the Veterans Administration to accomplish this, yet there are fears that it is not being accomplished. We hope at future subcommittee hearings we might expand on the reasons for these fears for they are with us, and they are very real.

Of equal importance to the spinal cord injured veteran is a dynamic program of educational and vocational training. Unless the United States Government wishes to assume custodial care of spinal cord injured veterans, every effort must be expended by the Veterans Administration to reintegrate these individuals into society. *They* must open the doors; *they* must provide the impetus and even the motivation where that is lacking. We realize that this is no mean feat. But it *must* be tried. It must be pursued vigorously and diligently. No one is unsalvageable. In everyone there is a key, and it must be found. If Congress will appropriate the funds and the Veterans Administration is willing to expend these funds and the effort, it can be done. We should not be satisfied with anything else.

Living is the most basic thing a person does in this world. It is difficult for the severely disabled, but not impossible.

If increased emphasis is placed on home and community environment training for every paraplegic veteran to physically cope with his environment, it becomes quite possible. But they must be required to undergo such training, and only through increased staffing can the Veterans Administration achieve such a requirement.

The PVA recognizes, also, that no medical program can long exist without the proper research facilities and expenditures. Those provided by the Veterans Administration for the cure of paraplegia and urinary and renal research now, we submit, are totally inadequate. Urinary and renal research is most vital, for kidney dysfunction is the prime killer of paraplegics today. The search for a cure for paraplegia is of equal importance for what we feel are the most obvious reasons.

What we have dealt with above merely outlines our attitudes regarding medical care. We sincerely hope that we will have the opportunity to testify to the subcommittees responsible when bills are brought to them for hearing on these subjects.

The 91st Congress was not generous in regard to the need of the service-connected veteran, as I have previously noted. It only serves to prove again that Congress cares about the veterans who were disabled in the service of their country. But there was some business left unfinished. A bill providing mortgage insurance for specially adapted housing reported favorably by this Committee and passed by the House of Representatives unanimously under a suspension of rules, was left to die at the end of the session in Committee by the other body. We regret,

naturally, this valuable loss of time, but are indeed delighted by Chairman Teague's prompt reintroduction of this bill in this Congress. We fully support H.R. 464 and urge your prompt consideration and early passage of this measure.

There is an inequity which yet remains for the service-connected veteran. I refer to those so-called "peacetime" periods in which a veteran catastrophically disabled while in military service receives only 80% of the rate which a similarly disabled veteran in a "wartime" period is eligible for. We are in favor of the removal of such a distinction. The Veterans Administration has reported favorably upon the removal of it also. We petition you to consider such legislation as would be necessary to remove this inequity which is discriminating and unrealistic.

In addition, due to the extreme complexity of the injury his body has suffered, and the dysfunction of vital organs caused by the resultant nerve damage, we urge that the death of any veteran, who has suffered spinal cord injury or disease as a result of his military service, be considered to be of service-connected origin.

The plight of a widow or surviving dependent of totally disabled veterans is not a pretty one. Where once their home and family environment were safe from peril because of their husband's compensation, his death brings a drastic reduction of income. So drastic, in fact, it may approach poverty level. They stand an excellent chance of losing their home and the integrity to the family it may provide. In the case of those veterans given medical discharge prior to the Career Compensation Act of 1949, all medical and commissary privileges are lost to the widow. Unless the widow is young and has a skill employment is difficult to find. To give them time to adjust, valuable time to reorganize their lives without the additional burden of financial worry, we propose that the survivors of a spinal cord injured service-connected veteran receive his full compensation for one full year following his death. This will give some small comfort for those who have for so long provided aid to their now deceased loved one.

The PVA is most grateful that H.R. 15911, which was reported favorably by this Committee and passed by the House of Representatives, has now become the law regarding veterans' pension. Most grateful are we that the other body had the wisdom to approve this bill over the alternative offered. However, gentlemen, I strongly feel that this pension law does not go far enough for the totally disabled non-service-connected veteran. These are not old men who need basic support. More and more they are young, vital people who have served honorably in battle in Vietnam only to suffer the disaster of paraplegia or quadriplegia after they are discharged. These men, some not yet 21, are increasingly the ones who are admitted to our Veterans Administration hospitals. They need incentive, not welfare. They need training and a proper productive system of aid suited to their need not those of the aged and infirmed. Only you can provide such a system. Only you can turn these young people back into taxpaying members of our society. Exclusion of Social Security and a percentage of the rest of their income would be a step in the right direction, and I urge all of you to consider such a step. A rehabilitation allowance granted these men to help them live outside our hospitals and nursing homes would be a step in the right direction. I urge you also to consider taking that step.

Our present pension system is forcing young men, mentally vital and physically capable, to remain in the Veterans Administration hospitals or, worse yet, to be sent to nursing homes. I ask each of you to think of yourselves as a 24-year old quadriplegic whose mind and limited physical abilities are

capable of wondrous contributions to our society being sent to live in the typical environment of a nursing home because you are without sufficient incentive-producing means of support. The prospect is a bleak one, one that should give all of us sleepless nights wondering how we can do it better. I believe it can be done better, and I firmly believe you do too. I urge you to consider an alternate pension plan for these catastrophically disabled individuals.

In order to achieve the goals I have mentioned, we need both the legislative action and administrative cooperation. The distinguished members of this Committee must assist in the initiation of this vital legislation and the Veterans Administration must provide the cooperation. I have no doubt that each of you will seriously study and weigh our proposals and then follow the course you feel will best protect and provide for the spinal cord injured. I would like to believe the Veterans Administration will do their part in attending to our needs. They are, I am sure honorable men who truly wish "to care for him who shall have borne the battle . . ." But it is our duty as well as yours to be watchful, ever vigilant, in aiding them in attaining the goal of providing the best hospitalization, benefits, and training for all of America's veterans.

Thank you very, very much for your time and kind consideration today. Thank you for giving the Paralyzed Veterans of America the chance to make our voices heard.

**THE PARALYZED VETERANS OF AMERICA SUBMIT FOR THE RECORD THE FOLLOWING LEGISLATIVE PROPOSALS REGARDING MEDICAL CARE, THE SERVICE CONNECTED VETERAN, SURVIVORS BENEFITS, AND THE NONSERVICE CONNECTED VETERAN**

**MEDICAL CARE AND REHABILITATION**

1. We support fully the provisions of H.R. 813, which would provide shift differential for nurses in the Veterans Administration hospitals. We believe this is the only way the VA will ever be able to compete with private sector hospitals for able nurses.

2. Due to their unique contribution to the total rehabilitation program of the spinal cord injured, Patient Care Technicians assigned to the Spinal Cord Injury Service should be given pay incentive higher than the normal GS grade rating.

3. Appropriation of funds as necessary to provide the Spinal Cord Injury Centers in the Veterans Administration with a 2:1 staff to patient ratio held to be necessary for consistent quality care of this type of patient.

4. Appropriation of not less than one million dollars annually, as a line item in the Veterans Administration budget, to insure continued effective attempts to find a cure for paraplegia and provide the critically necessary medical maintenance research in urinary and renal dysfunction in paraplegics.

5. Uniform mandatory driver training courses at all Spinal Cord Injury Centers for all severely disabled deemed capable of benefiting from such training.

**THE SERVICE-CONNECTED VETERAN**

1. We support fully the provisions of H.R. 482 to amend section 802, title 38, United States Code, which would raise the Housing Grant to severely disabled eligible under P.L. 80-702 from \$12,500 to \$18,000.

2. We support fully the provisions of H.R. 464, which would provide mortgage insurance otherwise unavailable, to the severely disabled for homes built under Public Law 80-702. This bill would remove a serious financial burden from the families or widows of those severely disabled eligible and allow them to retain their home, despite the drastic reduction in income resultant on the death of the veteran.

3. Discontinuance of the differential in the rates of compensation between "peacetime"

and "wartime" service-connected veterans who are totally disabled as a result of their military service.

4. Due to the complexity of the physical impairments caused by spinal cord injury, we submit that the death of any veteran who suffered spinal cord injury as a result of his military service be considered of service-connected origin.

5. We request immediate amendment of P.L. 91-666, the auto grant law, to remove the requirement that the disability must have occurred during the direct performance of duty for Vietnam-era veterans and substitution of the less restrictive line of duty requirements imposed upon the same category of veterans of World War II and the Korean Conflict.

**SURVIVORS' BENEFITS**

1. Enactment of legislation which would provide, upon the death of a veteran with a service-connected spinal cord injury or disease, that his widow or dependents shall continue to receive, for one full year, the total of all monetary benefits due to the veteran prior to his death.

**THE NON-SERVICE CONNECTED VETERAN**

1. The Paralyzed Veterans of America strongly urge the adoption of a separate pension program for the catastrophically disabled veteran, and that this program be extended to "peacetime" veterans in need of regular aid and attendance.

2. Until the above can be enacted or in lieu of it, a special rehabilitation allowance of \$100 a month be adopted to enable these non-service connected individuals to maintain lives outside the Veterans Administration hospitals and nursing homes. This allowance would be paid over and above any other benefits to which the veteran might be entitled so long as they are not hospitalized at government expense.

3. An increase in the Aid and Attendance Allowance to \$300 for non-service connected veterans should be enacted in lieu of number (1) above or until a new pension system can be devised.

4. That a spinal cord injured veteran without wife or child, shall continue to receive full pension benefits until the seventh month following admission to a Veterans Administration Hospital, and that any reduction that shall be made be limited to that portion received for aid and attendance.

5. That Social Security benefits and 10% of all other income received by non-service connected veterans be excluded from consideration as taxable income.

6. That an additional \$600 income tax exclusion be given to all totally disabled who are paying income tax on wages earned or pensions received.

7. That legislation be enacted to enable the non-service connected veteran, who is otherwise eligible for outpatient care and medical supplies, to receive such medical supplies deemed necessary through the U.S. Consulate in any country where they may be temporarily residing.

**CONSUMER PROTECTION ACT OF 1971**

**HON. JOHN N. ERLBORN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. ERLBORN. Mr. Speaker, Mr. BROWN of Ohio and I are today reintroducing a bill identical to H.R. 3809, which would make the Federal Trade Commission the Federal friend of the consumer. This time, we have 16 additional cospon-

SORS: Mr. BROYHILL of North Carolina, Mr. CLEVELAND, Mr. CONABLE, Mr. FRENZEL, Mr. GOODLING, Mr. HANSEN of Idaho, Mr. HAWKINS, Mr. HOSMER, Mr. KEMP, Mr. KUYKENDALL, Mr. LATTI, Mr. MICHEL, Mr. SCHWENDEL, Mr. SLACK, Mr. STEIGER of Wisconsin, and Mr. TALCOTT.

During the 91st Congress, the Executive and Legislative Reorganization Subcommittee of the Government Operations Committee, on which the gentleman from Ohio and I serve, studied plans to turn some consumer affairs over to a new agency. We also joined in sponsorship of H.R. 18214, the proposal which our committee reported and which was rejected by a tie vote of the Rules Committee.

Through our work, we became concerned about creating a new agency, and ultimately were convinced that a new agency would mean duplication of authority invested in the Federal Trade Commission. Two agencies, we believe, would not necessarily do a better job than one, but we could be certain they would cost more.

In our initial contemplations, the FTC did not have a particularly favorable name. In fact, it had become almost an advocate for industry, rather than a protector of people.

Over the past year or so, however, the FTC has surprised us by its ability and willingness to become the protector of the consumer. As indicated below, first Caspar Weinberger and now Miles Kirkpatrick, as new and determined chairmen, have made the past year the year of the consumer at the FTC:

#### CONSUMER PROTECTION ACT OF 1971

##### I. STRUCTURAL AND ORGANIZATIONAL CHANGES

###### Case backlog

Some 450 cases, each on the docket for more than 18 months prior to January 1970, have been closed. Steps have been taken to assure that this case backlog problem will not crop up again.

###### Public information

Whereas the FTC previously was predisposed to withholding information on its action, virtually all actions are now spread on the public record, except for information which, by law, cannot be made public.

###### Field offices

The eleven field offices have been empowered to act on their own initiative, to carry out investigations, to issue investigative subpoenas, and to prepare their own complaints—functions which previously had to be approved and usually were performed at Washington.

###### Consumer protection specialists

A new position, Consumer Protection Specialist, was established. Ten of these Specialists have been trained and assigned to each of the eleven Field Offices where they assist the legal staffs in detecting and correcting deceptive and unfair business practices in their incipency.

###### Consumer protection committees

Joint Consumer Protection Committees are now in operation in six major cities—Chicago, Los Angeles, Detroit, San Francisco, Philadelphia, and Boston—and more are being set up. The major goals of these committees, which bring together consumer experts from the FTC and State and local consumer protection agencies, are to:

Bring to bear Federal, State, and city laws to stop fraudulent practices;

Pool information to establish priorities for efforts in both education and enforcement;

Give the city and metropolitan area consumers a one-stop complaint service in that an individual complaint filed with the committee will automatically be transferred to the appropriate and responsible agency for action without further effort by the consumer;

Determine the patterns of regional violations, if any; and

Avoid duplication of efforts among consumer protection agencies and develop a quick response liaison system among them.

Included in the data received and computerized by these committees are:

The specific business concerns that generate consumer complaints in these cities.

The nature of those most complained about businesses.

The most common deceptive practices in the area.

These deceptions which are in interstate commerce, and

The current status of disposition of each complaint filed by an individual consumer.

###### Consumer advisory boards

CAB's have been created in New Orleans and Chicago, and more are planned. These Boards consist of area representatives of private and public service. Their dual purpose is to advise the Commission on consumer problems and to suggest solutions for Commission consideration and action.

###### Office of policy planning and evaluation

To help the Commission to devote its resources and manpower in meaningful actions and thus eliminate the pursuit of the trivial, an Office of Policy Planning and Evaluation has been created.

###### Rules of practices and procedures

An Advisory Council has been appointed to recommend rules and practices that will expedite hearings, appeals, and other legal procedures while retaining all safeguards to the rights and interests of parties involved in FTC adjudication.

###### Intervention in proceedings

As an unprecedented experiment, the FTC will allow an organization representing consumer interests—Students Opposing Unfair Practices, Inc. (SOUP)—to intervene in its proceeding against a major tire manufacturer charged with misrepresenting the price and safety of its tires.

##### II. ENFORCEMENT OF STATUTES WITH INNOVATIVE CONSUMER PROTECTION WEAPONRY

With statutory power presently limited to issuing complaints and cease and desist orders, both of which generally result in long delays before decisions are reached, the Commission under Chairman Miles W. Kirkpatrick and his immediate predecessor, Caspar W. Weinberger, has nevertheless launched an aggressive consumer protection policy.

New weapons employed by the FTC that are being tested in the courts include:

Making an advertiser document its claims with adequate and well-controlled scientific studies.

Prohibiting alleged misrepresentations for a specified period unless certain conditions are met.

Prohibiting misleading claims of nutritional and environmental claims.

Requiring that past advertising deceptions be included in subsequent advertising of a product.

Banning products from the market place for adverse effects.

Preventing deception in promotional games.

Preventing advertising that deceives trusting children.

Enforcing anti-trust laws aimed at preventing collective actions that eliminate competition.

Rejecting voluntary assurances from companies that they will not pursue reciprocal dealings that say "we will buy from you if you buy from us."

Reviving a long-ignored FTC weapon of obtaining court injunctions to quash false advertisements of foods, drugs, devices, and cosmetics.

Among the FTC's actions during the past year—most of which are still wending their way through the adjudicatory process—are the following:

Issued complaint against Pfizer, Inc., involving advertising claim that its "Un-burn" sunburn treatment stops pain and anesthetizes nerves.

Filed complaint against Firestone Tire & Rubber Co. that challenges its claim that wide oval tires stop 25 per cent quicker than cars with conventional tires.

Filed complaints against Lever Brothers, Colgate-Palmolive Co., and Procter & Gamble Co. and their advertising agencies that charge them with misrepresenting in claiming that the enzymes in their products remove all types of stains from fabrics.

Issued cease and desist orders against the above that would prohibit the manufacturers from making stain removal claims for one year unless certain conditions are met.

Ordered the Chemway Corp. to stop claiming that mercury treated dental products kill germs and to stop using mercury in its dental products unless it conducts adequate and well-controlled studies to prove that the product is not dangerous to the consumer.

Ordered the Carnation Co. to stop making unwarranted nutritional claims for its Carnation Instant Breakfast.

Charged Mars, Inc., with misrepresenting the nutritional value of its Milky Way Chocolate bars.

Ordered Standard Oil of California to disclose in 25 per cent of its gasoline ads for one year that past claims that its Chevron F-310 significantly reduces air pollution were found by the FTC to be deceptive.

Barred Coca-Cola from making nutrient claims for any of its products for one year unless 25 per cent of the ads contained a statement that past claims that its Hi-C is a good buy because it is high in vitamins were found by the FTC to be false implications.

Filed a complaint against the DuPont Co. that would require DuPont to disclose possible adverse effects on automotive cooling systems from using Zerex Antileak Antifreeze and that may lead to a ban on sales of the product.

Issued a complaint charging that contestants in the Coca-Cola Co.'s "Big Name Bingo" were deceived by an undisclosed rule and, consequently, many were not awarded the \$100 prize to which they are entitled.

Issued a complaint charging, among other things, that only \$13,000 in prizes were actually awarded in the 1968 "McDonald's \$500,000 Sweepstakes."

Filed a complaint alleging that commercials by Mattel Inc., for its "Hot Wheels" racing car sets unfairly exploit children and that its "Dancerina" doll does not walk by itself as advertised.

Issued a complaint against Topper, Corp., charging that its toy autos do not have doors and hoods that open as represented in their ads.

Charged that five tire manufacturing companies—Goodyear, Firestone, Uniroyal, Goodrich, and General—violated the law by following "parallel courses of business conduct constituting unfair methods of competition," and thus collectively acquired 99 per cent of the bus tire-leasing market.

Ordered the Bendix Corp. to sell the Fram Corp., which it acquired in 1967, because its acquisition may lessen competition in the replacement market for passenger car oil, air, and fuel filters, which are also produced by Bendix.

Ordered the OKC Corp. to sell the Jahncke

Service, Inc., which it bought in 1969, on similar grounds.

Charged seven soft-drink companies (Coca-Cola Co., Atlanta, Ga.; PepsiCo, Inc., Purchase, N.Y.; Royal Crown Cola Co., Columbus, Ga.; Seven-Up Co., St. Louis, Mo.; Crush International Ltd., a Canadian based firm with offices in Evanston, Ill.; National Industries Inc., Louisville, Ky.; and Dr. Pepper Co., Dallas, Tex.) with curbing competition among their licensed bottlers by restricting the bottlers' sales territories.

Filed complaints charging the use of deceptive practices to get long-term subscriptions and harassment of deceived subscribers against Cowles Communications and the Hearst Corp., along with two of its wholly owned subsidiary publishing sales services.

Sought—and obtained—a court injunction against Medi-Hair International which requires the firm to disclose potential dangers of its hair-replacing surgical treatment and would prohibit the surgery until 24 hours after the customer has been informed of the risks by an independent physician.

Issued a proposed consent order, prohibiting the Columbia Broadcasting System Inc. from making, or continuing, exclusive agreements for records or prerecorded tapes.

### III. TRADE REGULATION RULEMAKING

The Commission also has the power to solve broad consumer problems by issuing trade regulation rules. The following is a listing of significant rules that have been proposed by the FTC during the past year:

To require that marketers of gasoline products post research octane ratings in a clear and concise manner on gasoline pumps.

To ban negative option sales plans, whereby an individual in effect agrees to a purchase because he does not indicate he does not wish to make such purchase.

To regulate billing and credit practices. (Note: Hearings on these proposed rules have been deferred in compliance with a request by Senator Proxmire of Wisconsin, who plans similar hearings.)

To enable new car buyers to obtain more complete and accurate information on prices.

To protect the right of consumers to press claims against unsatisfactory products or services purchased on installment contracts when such contracts are subsequently sold to a third party, such as a finance company.

To require that soap products carry a warning label which would allow the public, for the first time, to compare the phosphate content of detergents.

Thus we are convinced that all of us, as consumers, will best be served by strengthening the FTC. Our bill would empower this established agency, through a statutory Bureau of Consumer Protection, to act in behalf of consumers in disputes before other Federal agencies, intervening before such official bodies as the Federal Power Commission, the Interstate Commerce Commission, and the like.

A summary of our proposal follows:

#### CONSUMER PROTECTION ACT OF 1971

##### OFFICE OF CONSUMER AFFAIRS

The Consumer Protection Act of 1971 upgrades the Office of Consumer Affairs in the Executive Office of the President to statutory responsibilities. The Office, headed by a Director appointed by the President with the advice and consent of the Senate, has the primary responsibility for the oversight, coordination, and direction of consumer policy and operations among Federal agencies.

##### BUREAU OF CONSUMER PROTECTION AND REPRESENTATION OF CONSUMER INTERESTS

In addition, there is established by law within the Federal Trade Commission a Bureau of Consumer Protection, headed by a

Consumer Counsel appointed by the President with the advice and consent of the Senate. The primary responsibility of the Bureau is to represent the interests of consumers before other Federal agencies and courts.

##### PRODUCT TESTING

In support of its representational functions, the Bureau shall have the right to contract with other Federal agencies and non-Federal sources to conduct product testing. Other than for this purpose, however, the Act does not authorize the Bureau or the Office directly or indirectly to engage in or support product testing.

##### CONSUMER COMPLAINTS

Additionally, the Bureau is authorized to receive, evaluate, develop, and act upon complaints from consumers. This authority includes transmission by the Bureau of such complaints to other Federal agencies and non-Federal sources for investigation and action.

As part of its responsibility in this area, the Bureau shall maintain a public document room where complaints may be made available to the public for inspection and copying. To safeguard against abuse, these complaints shall not be available to the public until three conditions have been met:

1. The complainant has given permission for his complaint to be made public.
2. The party complained against has been given at least 60 days in which to comment.
3. The governmental agency to which the complaint has been referred has indicated how it intends to handle the complaint.

##### CONSUMER INFORMATION

Both the Bureau and the Office are authorized to gather and disseminate to the public information of interest to consumers, including information concerning items purchased by the Federal Government for its own use.

As part of the consumer information authority, the Office is authorized to publish and distribute a Consumer Register designed to make available to consumers information which may be of interest to them, including that relating to government activities.

Under the Act, interested persons are given the right to comment before the release of such information pertaining to brand names, and Federal agencies are prohibited from declaring one product to be superior to another.

##### OTHER FEDERAL ACTION

The Act provides that every Federal agency, in taking action that substantially affects the interests of consumers, shall provide notice of such action to the Office and the Bureau and shall give due consideration to the valid interests of consumers.

##### THREE-YEAR AUTHORIZATION

The authorization for both the Bureau and the Office is limited to three years.

##### DEFINITION OF CONSUMER

A consumer is defined in the Act as "any person who is offered goods or services for personal, family, or household purposes."

#### JUNIOR CITIZENS VISIT WASHINGTON

### HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. ROSTENKOWSKI. Mr. Speaker, today, my office had the opportunity to meet the 20 finalists in the Chicago Park District's junior citizens program.

It was a pleasure to have these fine examples of American youth in our Nation's Capital.

The purpose of the junior citizens program is to recognize and honor outstanding young people who are active in our park program and prominent in school, civic, and church affairs. It seeks to encourage and help these young people who are destined to become our future leaders in the professions, in government, and in industry. I would, at this time, like to especially single out the three finalists who reside in my district; Joan Gorman, Reinaldo Reyes, and Betty Arendt, for special recognition.

I would also like to express my gratitude to the Honorable Dan Shannon, president of the Chicago Park District, and to Mr. Al Kumskis, the general chairman of the 1971 junior citizens program for the excellent job they have done in coordinating this effort.

#### FIFTY-THIRD ANNIVERSARY OF LITHUANIAN INDEPENDENCE

### HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. GIAIMO. Mr. Speaker, 53 years ago, on February 16, 1918, the people of Lithuania declared their nation to be a free and independent republic. Each year at this time, we pause to pay solemn tribute to these brave people who saw the freedom which they cherished ground into the dust before their eyes. More than 3 million of them now stand silent and subjugated behind the bastions of the Soviet colonial empire. They must not be forgotten.

Most of us are familiar with the tragedy which befell Lithuania in 1939 and 1940 when Russian troops occupied that peaceful land and, through so-called "elections," absorbed it as part of the Soviet Union. Most of us are aware of the subsequent invasion by the Nazis in 1941 and the reconquering of Lithuania by the Soviets in 1944. Few of us remember, however, that this year marks the 30th anniversary of a successful revolt by the Lithuanian people against their Soviet masters. In June 1941, the Communist regime was ousted and a free government was reestablished; this provisional government remained in existence for more than 6 weeks, only to be crushed when the Nazis overran the country later in that tragic summer. Between 1940 and 1952 alone, it is estimated that more than 30,000 Lithuanian freedom fighters died during organized resistance against the Nazi and Soviet invaders.

Armed resistance by the Lithuanian people ended nearly 20 years ago, Mr. Speaker, but the silent resistance in the minds and hearts of these brave people can never be stopped. It is up to us to echo this resistance, to speak for those unable to speak for themselves. These courageous people still cling to the hope of freedom and independence; we must keep their dreams alive.

For it would be tragic indeed if the flame of Lithuanian independence which has withstood the pounding of hobnail boots and the confinement of an Iron Curtain were to be extinguished by our indifference and apathy.

### THE MASS MEDIA

## HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. DORN. Mr. Speaker, I am pleased to commend to my colleagues' attention the following outstanding address delivered at Clemson University by the Honorable J. Kelly Sisk, president of Multimedia, Inc., and publisher of the Greenville News, one of the greatest newspapers in the Southeast. This timely address, which follows, deals with one of the most widely discussed topics of today, "The Mass Media—Its Place in Your World":

### THE MASS MEDIA—ITS PLACE IN YOUR WORLD (By J. Kelly Sisk)

This important-sounding title probably gives you the impression that my mission here today is to recruit as many of you as possible into our line of work. This is not true, although before proceeding, I do want to give you a few sales points on our businesses.

The mass media consists of many different activities. The most common are newspapers, television, radio and magazines.

There are always openings for bright young men and women in this field. They can be most rewarding. It is often said that when a person gets printer's ink in his veins it cannot be erased. The same kind of thing is true in broadcasting.

For those of you who are interested in technical careers, the mass media offer a variety of opportunities. In newspapers, only recently has the manufacturing aspect of business—press work, composing room, stereotype, engraving and the like—attracted college-trained men and women. Prior to this, these executive positions were filled by men who came up through the ranks often with little formal education.

As a result of this, printing methods invented by Mr. Gutenberg remained substantially the same until relatively recently. In our modern society, however, young men like you have come into the field and have revolutionized production processes.

Broadcasting—particularly telecasting—is a comparatively new invention. The technical leaders from the beginning have been primarily college-trained men. Change has been the rule rather than the exception, making a career in this field not only interesting but most challenging. One of the financial dangers in television management today is that equipment presently available, which costs huge sums of money, may well be antiquated long before it has served a life sufficient to warrant its cost.

The editorial end of all the mass media has always been dominated by fascinating personalities. Horace Greeley, Adolph Ochs and Joseph Pulitzer are among the names well-known to most people. The leadership of these men has played a large part in the development of our country.

All of that is good and my personal hope is that some of you could be persuaded to enter our field of endeavor and help us solve the problems of the future.

### WHY IS THE MASS MEDIA IMPORTANT TO YOU?

Whether or not you choose to become directly involved in the news world, the mass media will be a part of our life. It is not possible for a person to go through life without communicating with his fellowman. It is said that 16 percent of a person's time is spent in reading, 30 percent in speaking, 9 percent in writing and 45 percent in listening. Perhaps men speak less and listen more than women.

All of you have been trained and will go into the world as leaders in your community. Some will become college professors, some textile executives, some electronic engineers, doctors, lawyers and many others, but all of you will be civic leaders and will spend a great deal of your time concerning yourself with the welfare of your community, country and the world. The mass media will be a great help to you in successfully performing this much-needed service.

In performing duties in your chosen field of enterprise, it is essential that you express to others your views, needs and desires. Without the mass media, you will have difficulty in reaching more than a comparatively few people at a time.

You no doubt recall the infamous remark of the famous industrialist, William H. Vanderbilt, when he said in answer to a question from a journalist concerning the public reaction to a business decision he had made: "The public be damned!" You recall how the public and governmental leaders reacted to this in disgust and much to the regret of many businessmen. It could be said it was the beginning of governmental regulation of business.

Businessmen and civic leaders have long since learned that the public does not want to be ignored and they consider the press as their servant to get for them the facts.

One of our illustrious South Carolinians, John E. Swearingin, Chairman of the Board of Standard Oil Company of Indiana, recently said in a speech to a group of news media leaders:

"Our industry has concluded there are three things we need to do to create a successful program of communications with the public. We must listen. We must take action. And we must explain that action. The industry's communications program recognizes that the public's concerns will not be allayed by study, research, or promises. People will be convinced only by clear evidence that solutions exist and are being applied.

"Once these actions take place, it is our responsibility to let the public know. The most important means is a welcome mat for the press, and we are going to try to provide one. Since the process does not end with a passive welcome mat, we are going to undertake some more active measures as well. We are going to continue to ask to be allowed to visit editorial offices to explain our position and practices regarding such matters as taxes, imports, prices, profits and pollution abatement. You are going to be invited to witness demonstrations of industry anti-pollution efforts. And we hope that meetings with groups such as this, at both national and regional levels, will become frequent practice.

"All we ask of the press is a fair hearing. We recognize our responsibility to keep you informed. We trust the press to continue its responsibility to keep the public informed, of all sides to any issue. Once the facts are adequately presented, the judgment on the issues is in the hands of the public."

To keep yourselves informed you will, no doubt, lean on the mass media. To take proper advantage of the mass media it is essential that you understand the problem as a whole and learn to appreciate the position the media is in and just what it can and, more important, what it cannot do for you.

The press is always the whipping boy. This is as it should be as the public must keep the press honest. In the business it is said—say nice things about us if you can, unkind things if you must, but please don't ignore us.

People involved in the news media have tough skins. A person who acts like Elijah when he suffered his defeat and went to the desert to sit under his juniper tree, cannot survive in this field. For this reason, don't hesitate to criticize.

My good friend, Wes Gallagher, General Manager of The Associated Press, made a statement concerning criticism of the news media which has become known as Gallagher's Law. It is "Criticism by the government rises in direct proportion to the amount of news printed or broadcast which reflects unfavorably on government policy. Criticism by the public rises in direct proportion to the amount of news read or heard that does not fit the reader's or listener's preconceived ideas of what the news should be".

This same truism applies to local subjects. We are constantly criticized by Furman graduates for overplaying Clemson news and vice versa and also Wofford, PC, Newberry alumni speak their piece, not to mention conversations that are received from the North Carolina, Georgia and other colleges.

This is good. Without it, no organization can keep awake to the problems and in a position to properly perform its services.

### NOW, LET US EXAMINE OUR WORLD TODAY

With the hope that my remarks will not be morbid, I would like to take a few minutes to outline to you the position all of us find ourselves in today. By doing this it is my hope you will understand the problems facing the press as well as the country's leaders.

It is difficult to describe or characterize contemporary society in any terms that are not trite and still have claim to validity.

Even if we were able to comprehend all the facts intellectually, our emotions could not encompass all that we know. We can grieve, suffer and cry for the pain or misfortune of friends, neighbors and even strangers as individuals or small groups. But no one can comprehend the fact that more than ten thousand humans die every day of starvation on this planet. No decent person can remain unmoved at the starvation of another human being. But no man can magnify such emotion thousands of times and maintain such feelings day after day. Fortunately for individual survival, there is a limit beyond which one ceases to feel agony or horror. Contemporary social crises are too vast for full comprehension or for adequate emotional response by any individual.

The population explosion is a great source of difficulty. Social conflicts increase inevitably and disproportionately with any increase in number of individuals involved. To reduce the matter to simple, everyday terms, taking three children on a picnic is not three times as difficult as taking one, but nine times. As the numbers increase arithmetically, the possibilities, and probabilities, of conflicts, clashes and problems increase geometrically. The increase in the complexity of social problems is much greater than the increase in the number of persons involved. For example, if we take the complexity of social problems for a population of 1 billion people (in 1850) as represented by an index figure of 1, then the complexity for a population of 3 billion (in 1960) would be 18, and the index figure representing the complexity of social problems for a population of 6 billion (sometime within the next 30 years) would be 222.

As for social ills, until recent years the evils of society were fairly apparent and the presumed remedies seemed relatively simple. The greatest and most obvious evil was the economic exploitation of human beings. This was embodied in such practices as human

slavery, racial discrimination, child labor, yellow dog contracts, sweatshops and other horrors of our economic and social history. The remedies clearly were to prohibit and abolish the evils. All of them were prohibited, and we went far toward their abolition in the century just ended.

But in the new era we have begun to see that these achievements which we hailed as blessings have brought new evils. Automobiles and airplanes are polluting the atmosphere so that we now choke and may soon be unable to breathe. Diseases, such as malaria, once thought conquered, are reappearing and increasing. Inflation threatens to destroy the foundation on which not only pension plans but all savings rest; and the economic quest today is not for savings or returns but for capital gains and get-rich-quick schemes. The welfare system has grown into a bureaucratic monstrosity that degrades the recipients as much as poverty did. Woman suffrage has changed nothing in politics. Our schools are not perfect in spite of all our efforts.

Further, the maintenance of a livable environment is a stark necessity for survival. Even if we could immediately and permanently halt all increase in population, our numbers and technology are already great enough to make the world uninhabitable by man within another generation or two—even without considering the possibility of nuclear war.

This may well be the basic reason for the widely touted generation gap. Most of the troubles and complaints of the young are essentially similar to problems faced by their parents. But the observant, analytical and articulate minority of all ages today realizes that we are living in an age when changes in scale have brought the world to problems that have become different in kind than any humanity has faced before. Dominating all else is the fact that our destructive powers, manifest particularly in nuclear bombs, threaten the existence of the human race itself. The discerning of all ages know this. The young really feel it. The present generation of youth is the first generation that has grown up knowing that it may be the last generation of man.

With these morbid thoughts put on the record, let us now think for a moment of the mass media in this complicated society. Also, let us get back to our original thought of what is its place in your world.

Just as modern man has created new machines in the textile and other industries, he has provided unprecedented methods of communication. By broadcasting we can communicate without significant limitations of time or space and to both the literate and the illiterate. Even the very poor have radio and often television receivers. At the same time newspapers and magazines have increased in both breadth and depth. Newspaper circulation is at an all-time high and the distinctions between newspapers, magazines and books are diminishing. Series of newspaper articles are published in book form; magazines supplement newspapers; and series of books are issued periodically on related subjects.

Think, if you will, of the position our world would be in today if our methods of communications were the same as they were a hundred years ago. Our society would come to a screeching halt if it were necessary to wait for information that is now available to us almost instantly.

This carries with it problems but it is mandatory that these problems be controlled, not eliminated.

Everywhere in the world human problems are now being created faster than human institutions can solve them. Even the smallest, most remote African societies are producing more history than can be domesti-

cally consumed. So we cannot really help it if much of the most important news tends to be news of violence.

It is true that people are so constituted that they will remember the news that has excited or enraged them long after forgetting all the rest of the day's report with its routine, moderate or constructive news.

To offset this, the media attempts to put these events into better perspective as they happen when possible. This is the job of editorials. Judgment on the information and explanation cannot run as fast as the information but an attempt is made not to let them lag far behind.

I shall be more specific.

A newsman's job is to tell the public what is going on in the world, to explain why it is going on and to put it into perspective. It is his job to sift through the millions of words in the self-serving press releases, the political statements, the congressional rhetoric and try to make sense of it all.

In any given situation, it is his job to present all sides, but never to take sides, to present the evidence to the citizens in a fair and impartial manner. It is the citizens' privilege to pass judgments, not his. It is his job to ensure that the people have all the evidence he can supply so the judgments they render—whatever those judgments may be—are based in unadulterated fact. A good newspaper is one that is so constituted that by reading it completely you need not go further to understand all points of view concerning the various major issues.

This is objective reporting. But objective reporting defined this way is coming under increasing attack. Much of that attack is coming from some newsmen themselves. There is a new vocal movement whose members call themselves "The New Journalists." Their basic argument is that the reporter has the right to render judgments from the facts he gathers. To do less, these newsmen say, reduces the reporter to the status of a moral eunuch. It is impossible, they say, to put simple unvarnished facts into perspective. It is necessary, they contend, to put their independent intelligence to work to wrest meaning from the torrent of events. Total objectivity is impossible, they say, because all men have opinions which get in the way of objectivity. What they apparently do not recognize is that there is considerable difference between having an opinion and imposing that opinion on someone else.

These new journalists are not content to be observers. They are determined to exert an influence, to be opinion makers. They are not content to express their opinions on editorial pages or during editorial air time. They insist they have a moral commitment to decide what is truth and present it as fact. Beware of the man who speaks of moral commitment. Inevitably he is the man who has bought a point of view. He is then no longer a reporter. He is a propagandist.

I don't think this is right. I don't think this is a newsman's job. I also don't think the bulk of the newsmen in this nation agree with the New Journalists' position. Most of them still prefer to think of objectivity as his goal. To be sure, it is harder to be objective than to be opinionated, but that difficulty goes with the job.

Unfortunately, the voices heard from the nation's news media most often are the voices of the New Journalists. And as they are the only ones heard, it is no wonder that some public officials have found most responsive audiences for their attacks on the media.

Even the best intentioned newsmen make errors due to the immensity of the problem. The Associated Press alone handles upwards of half a million words of copy a day. An editorially slanted word or phrase occasionally gets past their editors and onto the wires. These instances are exceptions and

happen infrequently. They represent human failings.

One of the greatest problems facing all of us is to keep our press free.

This is often difficult even for those of us who are lovers of our country and our way of life. But let us not forget that a controlled press as in the Communist countries is far worse than ours.

There is constant pressure from governmental bodies, as well as many others, to regulate all the news media. This is in spite of the first amendment to the Constitution.

Freedom of the press is not simple to understand. Just as freedom of speech doesn't give a person the privilege of yelling fire in a crowded building, neither does freedom of the press carry with it the right to print slander, filth or blatant untruths.

It is often said freedom of the press is the freedom of the publisher to print what he pleases, and the broadcaster to express his views on the air.

To some extent this is true. The alternative is to give that privilege to a governmental power rather than to a large group of individuals and companies.

This is not a subject to be taken lightly. Those of you who enter this business must take this responsibility seriously and you other future business, civic and political leaders must do your part to keep the press free and honest. Do not expect your press to please you always—if they do, criticize them. Allow them to print the side you do not like—but if this happens all the time, criticize them.

In the final analysis, the role of the mass media in contemporary society is not to solve the problems of society—not even the problem of survival. The role of the media is to make it possible for an individual to communicate with the masses.

A person deeply involved in a problem can neither observe nor communicate with all the others involved in the same problem. The media has the responsibility of reporting to the individual what the actions of the mass are and to convey to all the people the feeling of the various individuals.

To gather its news, the American Press depends largely on The Associated Press, which is a cooperative organization owned by the newspapers, radio and television stations themselves; and United Press International, which is a private organization performing the same work. In addition, there are many other private news associations and syndicates which bring the news from all parts of the world.

The day of the "scoop" is substantially gone. Today all people involved in the press have a cooperative feeling. No newspaper can publish all the news that comes to its offices. As far as that is concerned, no paper can meet the motto of The New York Times and print "all the news that's fit to print". The problem is one of intelligent people attempting to determine what should be printed and how much should be said about each story.

Before closing, I must reiterate my sales pitch to you to enter the mass news media field. Many opportunities exist for imaginative people. I entered the business quite by accident but never regretted it.

Next, in your roles as civic leaders, business and professional executives and political leaders, give thought to the problems confronting the press in today's complicated world. Be understanding of the problems of the tremendous volume and diverse subject matter covered by today's press. This responsibility has never been greater and will get worse. Keep in mind that the media is working to keep up with its problems. If it fails, everyone loses.

Most important—do your part to keep the press honest and free.

MIRV: ANATOMY OF AN ENIGMA

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. SCHMITZ. Mr. Speaker, although I do not agree with several of the assumptions made in the following article by Mr. Phillip Karber, currently at the Center for Strategic and International Studies, Georgetown University, and formerly a research assistant to the Hon. CRAIG HOSMER, it contains enough food for thought to be made available for the edification of my colleagues.

Particularly worthy of attention is Mr. Karber's suggestion that the U.S. deployment of an ABM system and the upgrading of our force structure to include a MIRV capability for both our Poseidon submarines and our Minuteman III ICBMs is stabilizing rather than destabilizing. Failure to respond to the growth of Soviet strategic offensive forces to the point where they have a first strike capability is clearly creating the most unstable situation imaginable. Stability is not compatible with Soviet superiority.

Adding increments of strength to the defense forces of the United States under practically any circumstances is highly stabilizing since our Nation is a stabilizer power which enjoys a position of economic dominance over any other nation. The nation which has the dominant economic base can best bring about a condition of stability in terms of absence of central war, maintenance of international boundaries, successful conflict management, and damping out the arms race, by striving for and maintaining unquestionable strategic superiority.

When a stabilizer power with a superior economic base, such as the United States, enjoys a position of clear strategic superiority no rational enemy initiates a nuclear war—and irrational enemies swiftly lose one, escalation dominance is maintained at all possible levels of conflict—the higher the intensity of the war the greater advantage we enjoy, potential competition in the strategic weapons field sees that it cannot possibly win an arms race, and extended deterrence capabilities for areas such as Europe are really credible.

Stability in the nuclear age is synonymous with the superior power of the United States. To give our citizens the greatest possible margin of safety and security we must recognize this fact and order our priorities accordingly.

Mr. Karber's article which appeared in the February issue of *Air Force Magazine* follows:

MIRV: ANATOMY OF AN ENIGMA

(By Phillip A. Karber)

On September 22, 1970, Gen. John D. Ryan, USAF Chief of Staff, told the Air Force Association that the Minuteman III missile, "with a multiple, independently targetable, reentry vehicle, will be our best means of destroying time-urgent targets like the long-range weapons of the enemy." This was misinterpreted, first in the Senate and subsequently in the press, at a provocative "first-strike" policy that would lead the USSR to believe the US is attempting to threaten Soviet strategic forces. The resultant political

uproar precipitated a disclaimer from Secretary of Defense Melvin R. Laird, who emphasized that the US does not have, and is not attempting to establish, a "first-strike option."

Yet General Ryan's comment on the counterforce advantage of the MIRVed Minuteman is neither mistaken nor contradictory to Administration policy. It merely fell victim to the unenlightened, emotional, and one-sided approach that has characterized recent public consideration of strategic issues. The purpose here is not to argue for or against MIRV but to discuss the logic upon which the Nixon Administration's MIRV policy and its implementation by the Defense Department is grounded.

## MIRV AND STABILITY

When combined with high yields and great accuracy, a MIRVed missile potentially can destroy more than one of an opponent's missile silos. For example, the Soviet SS-9, with its tremendous throw-weight of twenty-five megatons, could, when MIRVed, provide the USSR with the ability to destroy ninety-five percent of our land-based missiles. Thus, with approximately 400 boosters, the Soviet Union could knock out nearly 1,000 Minuteman missiles in a surprise first strike.

Only our manned strategic bombers and sea-based Polaris force would survive. However, the B-52s are vulnerable to attack by Soviet submarine-launched missiles, as well as by the SCRAP orbital bombardment system, whose limited accuracy is offset by its advantage of short warning time and extremely high-yield warhead. Furthermore, the B-52s remaining would face the largest air defense system in the world, including more than 7,000 SAM launchers, which would be ready and waiting, unscathed, since the Minuteman missiles that could have disrupted the SAM defensive effort would have been destroyed in their silos.

While the portion of the Polaris force deployed at sea could survive a first strike, only about half are at sea and within range of their targets at any time. Also, since Polaris submarine-launched missiles cannot be fired in salvo, they would arrive over their targets at different times. This would leave the Polaris missiles vulnerable to the Soviet area-defense ABM system. Therefore, an American second strike would inflict less damage than the USSR received in World War II. And the Russians would still have more than 1,000 land-based missiles, mostly Minuteman-size but liquid-fueled SS-11s, plus their entire bomber force, remaining for counterforce coercion or for mop-up operations.

The impending Soviet strategic posture is destabilizing because it threatens a first strike by the USSR and accelerates the nuclear arms race by its continued deployment of the SS-9.

To counter the threat of a Soviet first strike, the Nixon Administration has wisely begun development of the Safeguard ABM system to protect our land-based missiles and bombers. By deploying 500 Minuteman III missiles carrying three MIRV warheads each and the Poseidon submarine-launched missiles with ten to fourteen lower-yield MIRV warheads per booster, the President has also increased the penetration capability of our strategic retaliatory forces.

Unlike Soviet strategic developments, the American ABM and MIRV are stabilizing in that they counterbalance the SS-9 first-strike threat without posing a US first-strike threat to the Soviet strategic forces. Safeguard is not an area-defense ABM system and, therefore, does not impair the Soviet retaliatory capability; the Poseidon cannot be used in a first strike because of its limited accuracy, low MIRV payload, and limited range; and, while the MIRVed Minuteman force is capable of counterforce targeting, it does not constitute a preemptive threat to the Soviet Union.

If all the American Minutemen were MIRVed, they could destroy less than half of the Russian land-based missiles in a first strike. Even by the end of the decade, assuming that the current accuracy of our Minutemen is doubled, we would not have the means to launch a first strike against the Soviet Union.

## POST-PREEMPTIVE COERCION

If we lack a preemptive capability, then why mention the counterforce role of our MIRVed Minutemen? Our land-based missile force was designed, through dispersion and hardening, to ride out any Soviet attack that has been feasible thus far. This posture not only decreases the possibility of a miscalculated launch but also provides the Commander in Chief with the flexibility of controlled retaliation. However, this prudent doctrine is weakened by the growth of the Soviet strategic arsenal. Should the Soviets attack our land-based retaliatory forces before Safeguard is fully operational, the President would have to decide whether or not to fire our surviving Polaris missiles against Soviet cities, in the full knowledge that the Russians then could wipe out American cities. The President expressed this worry in his State of the World message in February of last year.

"Should a President, in the event of a nuclear attack, be left with the single option of ordering the mass destruction of enemy civilians, in the face of certainty that it would be followed by the mass slaughter of Americans? Should the concept of assured destruction be narrowly defined and should it be the only measure of our ability to deter the variety of threats we may face?"

Clearly, enough of our strategic forces to do unacceptable damage to an attacker must be able to ride out a surprise first strike. But why should we passively watch the destruction of our Minuteman force in its silos if, through infrared satellite detection and over-the-horizon radar, we have sufficient and unambiguous warning that a massive attack has been launched? A Soviet first strike would require all of their SS-9s and most of their submarine-launched missiles. The remaining Soviet land-based missiles would be reserved as a coercive option—as a deterrent to and retaliation against a US counterforce response. Yet, with a half-hour's warning and the surveillance capability of infrared detection satellites to identify which Soviet missiles had not been fired, we could launch our Minutemen against the remaining Soviet missile force, thus foreclosing the Soviet coercive option. For every Russian missile destroyed, an American city would be spared and the Soviet SS-9s would have been wasted on empty silos.

MIRV increases the American deterrent, not only through the threat of assured destruction but also through the Minuteman potential of damage limitation. And, unlike the Soviet ABM system and MIRVed SS-9s, our damage-limitation capability is stabilizing, since it would threaten only the Soviet missiles held in reserve as a coercive force should the Russians launch a first strike.

## MIRV AND ARMS CONTROL

Many popular and some professional commentators are now criticizing the Administration for not accepting recent congressional resolutions calling for a MIRV testing moratorium. They argue that the Administration failed to act when it could have halted the Soviet development of the MIRVed SS-9. This is spurious hindsight at best, for the moratorium arms-control method of the 1950s, which utilized primitive international bargaining, is not necessarily the most applicable, efficient, or secure technique of stabilization in the decade of the 1970s.

The Nuclear Test Moratorium, in effect from 1958 through 1961, provides an excellent case study of the ineffectiveness of the moratorium method of arms control. The

Nuclear Test Moratorium was the first arms-control measure to be effected in the postwar period. Because of political tensions and the lack of a successful bargaining precedent, this first nuclear arms limitation was more tacit and ambiguous than explicit. What success it had was due to the fact that nuclear weapons had been tested for thirteen years and because the technicians on both sides generally assumed that nuclear weapons technology had reached a plateau. The nuclear bomb of the late 1950s was not a new technological breakthrough but a weapon that had been extensively tested, the effects of which were catalogued in detail, and one with which both sides were closely matched in experience.

Yet, after three years of moratorium and after the USSR had achieved *theoretical* advances in large megatonnage and high-altitude detonation-effects technology, the Soviets unabashedly abrogated the Nuclear Test Moratorium without so much as an announcement. US intelligence failed to give warning of the Soviet preparations for testing; official political judgment erred in assessing Soviet intentions; and for unknown and unexplained reasons, a prudent US posture of readiness was not maintained despite the pleas and warnings of the military establishment and the Atomic Energy Commission.

It was the moratorium's potential for surprise abrogation, without even the moral or legal restraints of a negotiated treaty, that led President Kennedy to denounce the moratorium method as an ineffectual and destabilizing approach to arms control. His statement is just as relevant today as when it was made:

"We know enough about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium.

"Some may urge us to try it again, keeping our preparation to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future, nor can large technical laboratories be kept fully alert on a standby basis, waiting for some other nations to break an agreement. This is not merely difficult or inconvenient. We have explored this alternative and found it impossible of execution."

The proposed MIRV testing moratorium resolutions introduced in the Congress have been extremely imprecise in defining MIRV, what type of testing would be allowed, the length of the abstention, whether it would automatically be terminated or extended, and through what means a suspected violation could be challenged without precipitating an international crisis. A tacit agreement cannot be expected to go into the detail that is necessary to achieve a successful moratorium on MIRV testing.

The wisdom of maintaining high arms-control standards was demonstrated by the recent examples of Soviet cheating along the Suez Canal. Here they blatantly violated a negotiated and easily verifiable agreement by moving in hundreds of missiles virtually overnight, thereby drastically altering the tactical military balance. This raises the question of whether *any* moratorium agreement to limit MIRV development or deployment can be depended on.

Both sides now have tested to such an extent that even a SALT agreement calling for a ban on all missile testing would not convince the Soviets of a reversal in our MIRV deployment or ensure us of their lack of operational confidence in the multiwarhead SS-9. A comprehensive deployment ban would require onsite inspection, which the Soviets have traditionally refused, and, according to the Nixon Administration's prestigious veri-

fication panel, no practicable amount of onsite inspection would add assurance to a MIRV deployment ban.

Yet, contrary to the prophets of doom, the destabilizing aspects of MIRV can be limited at the Strategic Arms Limitation Talks. The SS-9 is a threatening first-strike weapon because of its combination of multiple warheads, high accuracy, extremely large yield, and the extensive numbers being deployed. While we cannot ascertain the accuracy of a particular missile or verify, except through onsite inspection, whether it has been MIRVed, we can, through satellite observation, reliably estimate its yield and the extent of its deployment. As Dr. Harold Brown, former Secretary of the Air Force, suggested:

"It is possible that even without onsite inspection we can tell enough about each other's missiles to obtain reasonable assurance. This is so because the probable number of warheads per missile is proportionate to the payload of that missile, and payload, in turn, is directly related to the gross volume, which we may be able to determine unilaterally. Thus, a ceiling on numbers and sizes of missiles could also limit MIRVs to a number less than that needed for an effective first strike, and yet permit enough reentry vehicles to penetrate missile defenses—as required for deterrence. The size of the missile force and its general characteristics can probably be monitored satisfactorily without onsite inspection."

Thus, should the Soviets agree at SALT to limit the number of deployed SS-9s, in exchange for an American commitment to keep Safeguard from becoming an area-defense ABM, and should a mutual gross ceiling on all ICBMs be set, then the Minuteman, Poseidon, and the Soviet SS-11 missiles—even if MIRVed—would not have the numbers, accuracy, or yields to pose a first-strike threat on either side.

MIRV is destabilizing only to the extent that the Soviet Union is obstinate at SALT. If the Russians want strategic instability, as their continued deployment of the SS-9 has seemed to indicate, unilateral American abandonment of our MIRV option will furnish it.

#### MODERNIZING THE MAILS

### HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. UDALL. Mr. Speaker, there has been a lot of talk recently about the state of the U.S. mails and the complaints have far outweighed the praise. As most of my colleagues will remember, during the last year we in the Congress debated all aspects of the problem of getting the mails through.

A historic step was taken last summer when we voted to remove the Post Office from congressional control and turn it over to a semi-independent authority, the U.S. Postal Service.

Since that time changes have begun and more are coming. Even at this early date we can see that the future will be much different from the past. The areas of politics, decisionmaking, problem-solving, and budgeting are among those where change has been needed, where it can now be found, and where more will be occurring.

In this morning's Wall Street Journal an article by Ken Bacon entitled, "New Postal Corporation Seeks to Become a Business Rather Than a Bureaucracy,"

appeared. Mr. Bacon has, on a number of occasions, done an excellent job of describing the weaknesses and strengths of the postal service. This latest article is another fine example of this journalist's work. I direct his article to the attention of my colleagues:

NEW POSTAL CORPORATION SEEKS TO BECOME A BUSINESS RATHER THAN A BUREAUCRACY  
(By Kenneth H. Bacon)

BALTIMORE.—Warren M. Bloomberg doesn't call himself a businessman.

But his employer considers him a businessman, and is working hard to make Mr. Bloomberg and his colleagues better businessmen. Which is probably a good idea, because Mr. Bloomberg's employer is operating at a \$2.3 billion annual deficit and selling a service that many customers deem unreliable—the U.S. mails.

Many efforts by the new government postal corporation to improve mail service focus on Mr. Bloomberg, the postmaster of Baltimore, and on the men like him who run the nation's 110 largest post offices. These facilities handle about 62% of the mail, with the rest divided among some 31,900 other post offices.

"I would define a postmaster as the general manager of a subsidiary of a large corporation," says Frank J. Nunlist, assistant postmaster general in charge of operations. In keeping with this concept, postmasters have recently been given more freedom to spend money, adjust local service and deal with their employees.

This is a dramatic change from the past, when postmasters were regarded as political operatives. Until a February 1969 presidential order ended the political-appointment practices, a man needed congressional backing to become a postmaster.

#### ABILITY, NOT POLITICS

Last November, for the first time in more than a century, the Post Office started appointing postmasters on the basis of ability rather than politics. Now postmasters are receiving training in management and business techniques to prepare them for an increasingly large role in running the mail service. The hope is that with a better background in budgeting, decision-making, and problem-solving, they will help the postal service cut its costs and improve mail service.

The old political-appointment process often meant that outsiders got the postmaster jobs. While most appointees performed competently, Mr. Nunlist explains charitably, some postmasterships went to "planter-philosophers"—men whose main aim was to "sit back and take a broad view of things."

As a result, a highly centralized management system developed. Rules for running post offices were laid down in a giant manual that tried to deal with every contingency from flying the flag at half staff to tracing missing mail.

"Decisions were made at the national level, mainly because of political considerations," says Carl C. Ulsaker, director of the Washington postal region, which includes the District of Columbia, Maryland, Virginia and West Virginia.

In 1968 a White House commission told President Johnson that the "Post Office's principal failure is one of management." The commission, headed by Frederick R. Kappel, retired chairman of American Telephone & Telegraph Co., recommended that the Post Office be dropped from the Cabinet and run as a business.

#### WILL A PROMISE BE DELIVERED?

In line with these recommendations, Congress voted last summer to remove the Post Office from congressional control and turn it over to a semi-independent corporation, the U.S. Postal Service. Now officials must de-

liver on their promise to make the mail service more efficient.

The new business stance of the Postal Service involves more than reshaping the job of postmaster, of course. Through a combination of boosting its rates by \$1.45 billion a year and reducing costs, the service hopes to operate on a break-even basis. In addition, it's reviewing its building programs, revising its mail-processing system to channel more mail through offices with automated handling equipment, and studying a number of new mail services to meet the needs of business mailers willing to pay for premium service.

To diffuse the highly centralized management system, the Postal Service is delegating more responsibility to local postmasters. "What we are doing little by little is to give a postmaster a broad guidance reference along with resources in terms of manpower and dollar allocation then let him operate within that so that he won't have to refer every problem up to the regional level," explains Mr. Ulsaker, the regional director.

Postmaster Bloomberg sees the difference. "We don't have to call the region on a hell of a lot of things we had to call on before," he says. Washington officials now realize, he says, that "we know Baltimore better than anyone else and that we know where we have to expand service and otherwise adjust it." Until recently, he adds, "I had responsibility but no authority."

#### ELIMINATING PAPER WORK

The newly delegated powers have helped "eliminate the paper work and the time" previously required to secure regional approval of any change, says William A. Colbert, the assistant director of operations in Baltimore. Now, for example, he can institute mail service to recently constructed office buildings and extend service to new housing developments without regional approval.

The new authority also makes it easier to deal with the private truckers who carry mail in and out of Baltimore. The post office can contract with the carriers without the regional approval previously required, and it can discipline those who provide irregular or inadequate service.

"Before," Mr. Colbert says, "we had to say 'John Smith's truck leaks and the mail is getting wet' and wait for a reply" from Washington. Now the Baltimore office just tells the contractor either he gets the truck fixed immediately or another carrier will be substituted until it is fixed.

Until a year ago the Baltimore office could not pay its own utility bills either. The bills had to be certified and forwarded to a center in Atlanta for payment. Baltimore and other major post offices have also recently received authority to open small branch offices without higher approval and to make repairs and improvements costing up to \$2,000.

Other recently delegated authority makes it easier for Postmaster Bloomberg to promote subordinates and adjust pickup and delivery service.

#### SHADES OF BEN FRANKLIN

Taken together, Mr. Bloomberg says, the changes make it easier to operate the Baltimore post office, the nation's 13th largest. Housed in a 40-year-old federal building in the center of Baltimore, the post office often seems to run on little more than patience and persistence.

As in most post offices, clerks still sort most of the mail by hand, throwing it into pigeonholed cases similar to those used in the time of Benjamin Franklin, the nation's first Postmaster General. The processing area is too small to handle the daily volume of four million pieces, so some of the 5,800 employees work at makeshift facilities in the hallways.

But next fall the Baltimore office will move into a spacious new building filled with modern mail-processing equipment. The budgeting basis will be different, too. For the fiscal year beginning July 1, Postmaster Bloomberg is asking for a budget of about \$60 million. Previously postmasters in big cities had no budget; everything was decided by regional bosses.

The new budget system has "made everybody more cognizant of the need to watch his expenditures," says Mr. Bloomberg, who frequently jokes with his workers about the cost-watching. "It costs me 13 cents each time one of you guys rides this thing," he tells a group of employees in an exasperatingly slow elevator.

But the cost-slashing effort is a serious matter for the new Postal Service. The Kappel commission estimated that more efficient management could cut about 20% from postal operating costs, which will run about \$10 billion this fiscal year.

The campaign has already begun. "We've actually established goals in all our post offices to realize savings by contacting all the big mailers and working out mutually beneficial ways to get mail into the system," Mr. Ulsaker explains.

#### EXCEEDING A GOAL

The savings target for the Baltimore post office in the fiscal year ending June 30 is \$168,000, and Mr. Bloomberg says he will do even better. Savings are realized by inducing big mailers to sort and bundle their mail in ways that will save processing in the post office. In return, the post office promises faster delivery and may send postal employees to the company to help get out the mail.

"There's a lot of money to be saved through good customer-relations representatives doing their jobs," observes the 56-year-old Mr. Bloomberg, who started as a clerk in 1931. He says his emissaries now are trying to work with businesses to eliminate Saturday delivery to firms open only five days a week.

In addition, Mr. Bloomberg and his men have been successful in getting banks, utilities and other big mailers to arrange local mail in such a way that it goes directly to the letter carrier who will deliver it, thus bypassing most processing steps.

To help convert postmasters from bureaucrats to businessmen, the Postal Service has more than doubled training outlays over the past two years. It's spending \$41.9 million this fiscal year, up from \$37.3 million last year and \$18.4 million in the year ended June 30, 1969, with a large part of the boost going for postmaster training.

Postmasters now are given a two-week course in general management principles "from the point of view of a businessman," according to Harry D. Kolb, who runs the Postal Service management institute in Bethesda, Md. In addition, postmasters attend courses given by the American Management Association, and the Postal Service is also setting up courses for postmasters at such well-known business schools as Columbia and Stanford.

The training program aims to build a level of skilled managers that wasn't achievable in the past because of a rigid seniority system and the political appointment of postmasters.

"When I came into this business (29 years ago) there was an unwritten law that unless you had 20 years in the postal service you didn't even apply for a supervisor's job," recalls Boston Postmaster George K. Walker. "And by the time you'd been in 20 years, you didn't care anymore."

But even after years with the post office a qualified person wasn't likely to become a postmaster. The Kappel commission estimated that two-thirds of the postmasters appointed in the last decade were brought in from outside for political reasons.

Last November when the post office made its first postmaster appointments on the basis of merit, Boston's Mr. Walker won promotion into one of the 5,000 vacant postmasterships around the country. "By my promotion, six other promotions ensued down the line. Never in my career has the opportunity been greater" for postal employees, Mr. Walker asserts. "Morale has increased tremendously."

#### COTTER ON THE PROBLEMS OF ELDERLY CITIZENS

##### HON. WILLIAM R. COTTER

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. COTTER. Mr. Speaker, this Nation has not devoted enough of its energy to insuring that life after 65 is happy, productive, and useful. We may not float the old folks out on an ice flow as was the practice in some cultures, but we accomplish virtually the same thing by incarcerating them in "homes," hardly an adequate euphemism, which encourages rapid physical and mental deterioration and creates total dependency.

This is not to say that there are no problems associated with aging. We all know there are problems, but this Congress must find new directions to solve or mitigate these problems. A constructive step in this direction is to establish a House committee to parallel the existing Senate committee to study the different aspects of aging and what the governmental response should be. I have introduced a bill to accomplish this goal.

The broad dimensions of the area are known. Our citizens are living longer. Their productive capacities do not end at 62 or 65, but their earning power at that age is critically reduced. Most citizens find themselves locked into fixed incomes which are pitifully inadequate to withstand varying economic forces.

It has been established that one fourth of citizens over 65 live on poverty level incomes—one fourth. These are men and women who worked hard during their lives only to be cruelly rewarded with pauperism when they are older. Between 1968 and 1969, over 200,000 older Americans found themselves in dire poverty.

What can be done about this travesty? For a start, this Congress can enact legislation to assure that the payments of the social security program are more realistic. For this reason, I am introducing a bill to raise social security benefits by 15 percent. This will insure that the senior citizen who has born the ravages of inflation by living on a fixed income will be placed in a more tenable financial position.

My bill will also establish a \$100 minimum payment and will include a cost-of-living feature. For too many years our senior citizens have had to wait for Executive and congressional action long after inflation has taken its toll. Both branches of Government seem interminably slow to citizens on fixed incomes. By adopting a cost-of-living feature, our senior citizens will be able to plan on

specified increases in a predictable manner.

There is yet another feature of the bill. It would raise from \$1,680 to \$2,500 the amount of outside earnings that a person can make without incurring a deduction in his social security benefits. The \$1,680 figure deters many older citizens from working if they desire. The higher figure is an added incentive.

I am introducing another bill today. During my conversations with many citizens, I have been told over and over that the constantly escalating cost of part B medicare is a very difficult burden for those on fixed incomes. For example, when the part B supplementary health insurance began in 1966, the payment by the individual was \$3 per month. The current cost is now \$5.30, and in July the cost will be \$5.60. This increase might look small to some people, but to citizens on fixed incomes these increases are especially burdensome. Therefore, today I am proposing that Congress freeze the part B premium at \$5 and that shortfall be made up from general revenues. My bill would cause no diminution in benefits, but it would allow older citizens a better opportunity to plan for their costs.

I want to take this opportunity to mention that I am working on a proposal that would upgrade the health delivery system for all our citizens. My plan would increase benefits for everyone, including our senior citizens. I will have more to say on this at a later date.

There is still another area that affects our senior citizens—the high cost of prescription drugs. Although drugs are covered in hospital confinement under medicare, there is no coverage after release from the hospital. I seek to remedy this situation by proposing medicare coverage of approved drugs for outpatient use.

It is reasonable to extend prescription coverage to outpatients since, in almost all cases, these prescriptions are part of the therapy. Such a change will bring relief to those older citizens who, while 10 percent of our population, pay over 25 percent of the cost of outpatient prescription drugs. The per capita drug expenditure for the elderly is three times more than prescription drug costs for those under 65. When we realize that the elderly are more than likely to be living on fixed incomes, drug purchases eat up a very significant part of their limited financial resources.

There is another fact that must be considered. The availability of reasonably priced prescription drugs might lessen the need for inpatient hospital care.

This bill, then, would extend medicare to outpatient drug costs, covering approximately 19 million persons. The costs for this program would be financed out of part A, the wage tax, so that citizens will pay for it during their wage-earning years and not when their incomes are severely constricted. Each prescription would cost the recipient \$1 and medicare would cover the additional cost. In order to save money on this program, there is ample provision in the bill to set maximum allowable costs, require use of generic drugs as opposed to more costly name brands, and establish

a formula committee to select the drugs to be covered.

These bills are a beginning. They are designed to fill in some of the gaps in our Federal programs. They allow our senior citizens to live in dignity. More, much more, remains to be done, but these bills deserve early enactment.

RALPH B. WILSON WINS VOICE OF  
DEMOCRACY SPEECH PRIZE

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mrs. GRASSO. Mr. Speaker, I am particularly proud of Ralph B. Wilson, a high school student in Litchfield, Conn. His essay was awarded first prize in the Voice of Democracy Contest which is sponsored by the Ladies Auxiliary of the Veterans of Foreign Wars of the United States.

I would like to acknowledge the splendid contribution of the Veterans of Foreign Wars in the area of education. Each year, the ladies auxiliary sponsors the Voice of Democracy Contest. This year over 400,000 students competed for a first prize of \$10,000 in scholarship funds. The theme of the speeches was "Freedom—Our Heritage."

The continuing efforts of the Veterans of Foreign Wars to instill a sense of loyalty and pride among young people in our country have been most admirable. I look forward to their continuing efforts in this regard.

Ralph Wilson's speech should serve as an example of the fine quality of citizenship among our youth. I would like to call his speech to the attention of my colleagues.

I include the article as follows:

SCRIPT OF RALPH B. WILSON III—1971 VOICE  
OF DEMOCRACY WINNER

The American people have long been a race of pioneers, shaping a nation out of the wilderness of an unknown continent, and a laboratory out of an alien and unknown universe. Such pioneer spirit has led to some of the greatest technological achievements in history, but the American pioneer spirit has always meant something more than this. From our very conception as a nation, Americans have been pioneers of freedom.

In the nearly two hundred years of our nation's existence, Americans have died for freedom. At Lexington and at the Bulge, at Bunker Hill and at Porkchop Hill, Americans have fought against attacks upon freedom from without. Now, as we enter a new decade, we Americans face a challenge every bit as crucial and demanding, the challenge of living freedom and of fending off attacks upon our freedom from within.

It is a current fad to curse America, to burn our flag and our universities. Anyone who does not is considered to be "selling out" to that great, if somewhat unclearly defined monster, the "establishment." The thing we must all realize is that it is those who would incite violence who are selling out. These people are selling out our freedom, no matter what their ends.

There is a basic lack of logic in the arguments of people who would have us destroy our society in order to improve it, and give up our freedom in order to secure it. When anyone, regardless of their motivation or political persuasion, would ask us to take

away the rights of others, he asks us to deny the existence of our own rights, for he ignores the basic responsibility of liberty as stated in the Declaration of Independence. Governments are instituted among men "to secure rights," and if any system of government is to be a valid defender of man's rights, it must defend every man's rights. This means that, just as every free man's first right is the security of his own freedom, his first responsibility is the security of every man's freedom.

If our freedom is to grow in strength and breadth, it must grow through education and understanding, and not through ignorance, revolution and destruction. There has never been freedom in chaos, there was none under the revolutionary governments in Russia, China or Paris, and, regardless of their good intentions and their high rhetoric, there is nothing to suggest that our own revolutionaries could offer us any more security for our freedom than these groups did.

But if resolution is not the answer to freedom's challenge, then what is? Certainly we cannot simply continue along present lines, with peace on earth, a clean environment and universal freedom seemingly further away than ever. I think the answer has to lie in some far too seldom used words—"cooperation" and "trust," for these are the challenge of our Heritage of Freedom. As we have drawn ever further away from the time when Americans had to die for their freedom, we have been lulled into a worship of security, and away from these words, and it is instinctive for us to search for an easy way to protect that security. Certainly, it would be easy to say, whether to the government or to a revolutionary, protect my interests, keep me secure, at any cost; but it would be a hollow security indeed if it meant the surrender of our freedom. In a time of so many challenges to our freedom, mutual trust is vital, and division would be disastrous. War and bigotry, ills which have been created through selfishness and mistrust, can only be destroyed through trust and understanding. We must begin to live our freedom. Every American must become a pioneer for freedom and take the hand of his brother and of God in building upon our Freedom's Heritage the freedoms of the future, freedom from fear, freedom from want, and freedom from ignorance.

CHRISTIAN SCIENCE MONITOR SUPPORTS EFFORTS OF BLACK CONGRESSMEN TO MEET WITH THE PRESIDENT

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. CLAY. Mr. Speaker, a recent editorial which appeared in the Christian Science Monitor discusses the unacceptiveness on the part of the President to meet with the 12 black elected officials in Congress.

Some people feel that our action in boycotting the President's state of the Union address was abrasive and disrespectful. To those of us who feel this move was necessary, the editorial in the Monitor backs up our position by pointing up the fact of the administration's indifference to black feelings and the black search for broader participation in the good things of American society.

The editorial further states:

It would be possible for the present administration to convey a feeling of greater warmth and more concern where black as-

pirations are involved . . . We feel that the administration would do well to make its concern for the blacks more visible.

The Monitor also supports periodic meetings between the President and the black congressional delegation.

I want to bring this editorial to the attention of my colleagues. The editorial follows:

#### PRESIDENT NIXON AND BLACKS

In the heavy concentration of attention paid President Nixon's State of the Union address, it was generally overlooked that 12 black members of Congress boycotted the event. They did so on the charge that the President had not been responsive to black needs, had refused to meet with black congressional delegations despite numerous requests, and that the address was unlikely to deal with the state of black affairs.

We doubt if it is possible to make a coldly intellectual judgment as to the justification for this action. The administration clearly feels that these charges against the President are untrue. Spokesmen claim that there has been as much material progress by blacks under this administration as under any since President Lincoln's day.

On the other hand, numerous blacks—many of them moderate in outlook—have accused the administration of being indifferent to black feelings and the black search for broader participation in the good things of American society.

Here, we think, is the crux of the matter. Still without seeking to make a judgment on the Nixon administration's success in advancing the blacks, we do believe that it would be possible for the present administration to convey a feeling of greater warmth and more concern where black aspirations are involved.

When a group—any group—is coming out of a long state of discrimination, neglect, enforced inferiority, it is bound to be particularly sensitive to the attitudes of those about it. Unlike those who have no doubt as to their acceptance by the larger society, a group such as the blacks feels a wholly understandable need for clear-cut recognition and appreciation. Under such circumstances, "benign neglect," however benign and helpful this may be, is not enough. It can too easily be interpreted as indifference or worse.

Thus we feel that the administration would do well to make its concern for the blacks more visible. We see much merit in the President's meeting periodically with the black congressional delegation and with spokesmen for constructive black movements. This is no more than is done for many other segments of the American population, which probably need such meetings and recognition less acutely than do the blacks.

All must be made to feel equally wanted and cherished within the great American family.

#### MAN'S INHUMANITY TO MAN—HOW LONG?

#### HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 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 1,500 American prisoners of war and their families.

How long?

#### KREMLIN AGAIN SHOWING INTEREST IN U.S. POLITICS

#### HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BOB WILSON. Mr. Speaker, Dumitru Danielopol of Copley News Service has made several thought-provoking observations with reference to the Soviet Union's concern over the outcome of our presidential elections, and I know my House colleagues will find his recent article in the San Diego Union of particular interest:

[From the San Diego Union, Feb. 1, 1971]

#### KREMLIN AGAIN SHOWING INTEREST IN U.S. POLITICS

The visit to Moscow by Sen. Edmund Muskie, Democrat of Maine, revives an old question:

Who is the Kremlin going to vote for in the American presidential elections in 1972?

This is no joke. Soviet rulers themselves admit they have been trying for years to interfere with and influence U.S. elections.

Former Soviet Premier Nikita Khrushchev boasted openly that his policies tipped the scales in favor of John F. Kennedy in 1960.

In his book "With Kennedy," Pierre Salinger, former White House press chief, says that Khrushchev refused the request of then Vice President Richard Nixon to release the crew members of the American RB-47 which had been shot down over the Soviet Union, so as not to help Mr. Nixon in his election campaign.

Khrushchev said he waited until Kennedy was elected.

"Now it is obvious we acted correctly," Khrushchev said.

One can only speculate, but was Khrushchev in 1960 thinking of Cuba? Would his moves have been different had Richard Nixon gone to the White House in 1961?

In the recently published memoirs credited to Khrushchev, is the admission that after the disaster of Bay of Pigs Khrushchev was sure "the Americans would never reconcile themselves to the existence of Castro's Cuba."

He wasn't far wrong. When questioned by President Kennedy, in the wake of the Bay of Pigs fiasco on what he would do, Richard Nixon replied he would find some legal basis to go into Cuba and oust Castro.

Kennedy rejected such a move, hesitated and thus set the stage for the 1962 Cuban missile crisis which brought the United States to the brink of a nuclear war.

Khrushchev says the Cuban confrontation was a Russian victory. All he wanted was to entrench communism in Cuba, he says.

"It was a great victory for us . . . that we had been able to extract from Kennedy a promise that neither America nor any of her Allies invade Cuba," he says.

In the 1968 elections once again the Kremlin made every effort to keep Mr. Nixon out of the White House.

"Mr. (Premier Alexei) Kosygin is voting early and he is voting for Hubert Humphrey," wrote London's Economist in July, 1968. His agreement to talk about nuclear arms limitations was interpreted by the London weekly as a gesture to help the Democrats.

It is fair to expect that in the future months the Kremlin will again make every effort to help those presidential candidates who might suit its purpose.

Let us hope that any Democrat hopefuls keep it in mind that American and Soviet interests do not coincide. What is good for the Kremlin is not necessarily good for the United States.

#### CHAIRMAN PATMAN INTRODUCES LEGISLATION INCREASING SMALL BUSINESS ADMINISTRATION LOAN CEILING

#### HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. PATMAN. Mr. Speaker, today I am introducing legislation that would increase the amount of loans that can be outstanding under various programs of the Small Business Administration from \$2.2 billion to \$3.1 billion.

While I feel that it is important that this legislation be passed quickly so that no small businessman will be denied a loan, at the same time I must express my deep disappointment over the budgetary projections of the Small Business Administration. Last June then Small Business Administrator Hilary Sandoval wrote to me, explaining that the current loan limitation ceiling would be reached during the summer of 1971. However, only 2 months later, Mr. Sandoval appeared before the committee and announced that the ceiling would be reached by December 1 of 1970. Thus, the SBA had miscalculated by more than 6 months. This gross miscalculation jeopardized many loans to small businessmen and resulted in a cut off of loans for several months.

But to compound the situation, SBA during testimony on that ceiling increase stated that it would be adequate to meet the demands of the program through June 30 of 1972. But with the first ceiling increase less than 2 months old, SBA now says that it will reach the ceiling again by April 1, 1971, and points out:

Thereafter, pending an increase as recommended, new loan approvals would be limited to increased availability within the statutory ceiling as represented by loan repayments, cancellations, and other credits.

Mr. Speaker, this latest budget miscalculation is totally inexcusable. In a period when SBA has virtually closed its doors on direct loans to small businessmen and has become virtually an agency to guarantee bank loans, there is no reason why it cannot produce better loan projections.

Much has been said about the shortcomings of SBA in the past few years and many ideas have been put forward as suggested solutions. There is a very simple solution to many of the problems. The administration must provide enough funds for the agency to make direct loans to small businessmen. During the last fiscal year, the agency made only 42 direct regular business loans and through December of 1970, the agency had made only 12 direct regular business loans totaling \$600,000. All other lending programs were turned over to the banks, with SBA merely serving to guarantee the banks a profit.

Mr. Speaker, small business has suffered as much if not more than any other segment of our economy during the recent tight money period. It is time that the administration reversed this trend. The first step is to develop more meaningful loan projections and the second step is to provide enough money so that direct

loans can be made to every deserving small businessman. Only when these two things are accomplished can the Small Business Administration claim that it is serving the needs of small businessmen in America.

**GENERAL RYAN SPEAKS IN FORT WORTH ON STRATEGIC BALANCE OF POWER**

**HON. JIM WRIGHT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. WRIGHT. Mr. Speaker, last month Fort Worth was honored to be host to Gen. John D. Ryan, Chief of Staff of the U.S. Air Force.

He was in our city to address a meeting sponsored jointly by the Fort Worth Chapter of the Air Force Association and the Fort Worth Air Power Council, in cooperation with the Military Affairs Committee of the Fort Worth Chamber of Commerce.

We consider Jack Ryan more than just a distinguished visitor. During his assignments in Texas—and particularly at Carswell Air Force Base—we learned to know him as a friend and neighbor. Someday we hope we can persuade him to return to Texas for keeps.

In the incisive speech he delivered in Fort Worth on January 26, 1971, General Ryan assessed the strategic strength of the Soviet Union today as compared with our own. His words are cause for sober reflection on the state of our defense posture today and in the years to come.

So that my colleagues can share the insights presented by General Ryan, I include the text of his speech in the RECORD.

**REMARKS BY GEN. JOHN D. RYAN**

Most of us in the Air Force who learned to fly before and during World War II did so in Texas. I am no exception. I was assigned to Randolph Field in San Antonio in 1938. And, of course, I retain many happy memories and good friends from my previous assignments at Carswell. It is always with a personal sense of pleasure that I return to your state. I have looked forward to making this talk because I have found residents of Texas to be a receptive and knowledgeable audience for discussions of the security of our country in general and airpower in particular.

Tonight I want to address the current strategic force of the Soviet Union, especially as manifested in the aerospace threat, and America's own aerospace power.

You are all aware of this country's pressing domestic problems in recent years. At the same time, there has been a rejection by many segments of our society of the very values and institutions that might enable us to solve these difficult issues.

The Soviet Union also faces domestic demands from its people, especially the young. Not surprisingly, these demands range all the way from more consumer goods to more individual and intellectual freedom, things that we have long taken for granted. However, unlike the United States, the Soviet Union is far less sensitive to such demands. This parallel between the two countries—similar problems but different solutions—extends into relations with the rest of the world.

Since we believe in the right of self-determination of all people, the United States has been willing to become allied with and give support to those countries which desire that right for themselves. This has been our major goal in Vietnam. When our allies have decided to alter the relationship, our adherence to the right of self-determination has made us willing to do so. Thus, the United States removed its NATO forces from France when requested to do so by the French Government. More recently, we withdrew from Wheelus AB because of a similar request from Libya. A close relationship with the Soviet Union, on the other hand, is usually one of subjugation rather than alliance. When a country in the Soviet orbit has attempted to alter that relationship, the typical Soviet approach has been to send in the Russian Army to forcefully tighten the bonds. The most recent example of this took place in Czechoslovakia. In the past, America's strategic power has contributed heavily to deterring the Soviets from dealing with much of the Free World in the same way.

A little more than eight years ago, in a confrontation with us during the Cuban missile crisis, the Soviet Union had to agree to a reasonable solution. The President was able to communicate to the Soviets our firm intentions and political will to employ our superior forces if need be. It is conceivable that during the 1970's the United States could be confronted with similar situations in areas which our national leaders consider critical to our national interests. Today the United States may not have the same strategic superiority, but should such confrontations occur, success or failure will be determined by America's total strategic posture as manifested in our strategic nuclear power and the complementary power of our tactical forces.

In 1962, the United States had 400 ballistic missiles that could have struck the Soviet Union—they had 38 Intercontinental Ballistic Missiles. However, since 1962, the Russians have systematically eliminated many of their disadvantages. They now have reached approximate strategic parity with the United States. Where five years ago the Soviets had about one-fourth the number of ICBM launchers we had, today they have some 40 per cent more than we have. Equally significant are the nearly three hundred SS-9 missiles they currently possess or have under construction. The SS-9 can carry up to a twenty-five megaton yield warhead. This is about 1,000 times more destructive than either of the bombs dropped on Hiroshima or Nagasaki.

We have recently learned that Soviet deployment of SS-9's has slowed. While some strategists feel this may indicate a leveling-off of Soviet ICBM construction, we have witnessed such slowdowns previously—only to be followed by increased activity. It is noteworthy that the past year has seen a step-up in their tests of multiple re-entry vehicles for the SS-9 and SS-11, and it is possible that the present slowdown means a retrofit program for the deployed missiles.

In the area of manned aircraft developments, the Soviet Union, on the average, has been introducing a new fighter every eighteen months. They now have in production a Mach 3 fighter-interceptor that is significantly faster than any we now have in operational use. They are modernizing their strategic bomber force by developing a new variable geometry wing bomber. In addition, the Soviets have built a modern and substantial air defense system; one that includes several generations of battle-tested surface-to-air (SAM) missiles. It is possible that some of their more than 10,000 SAMs can be converted to Anti-Ballistic (ABM) missiles. Obviously we are now faced with a growing and highly effective Soviet air and missile force.

Finally, many of their efforts in space are directly related to this discussion of aerospace power. They have developed the so-called FOBS (Fractional Orbital Bombardment System) to deliver nuclear weapons from low-earth orbit or from a depressed trajectory ICBM mode. I should mention that we have examined similar systems, but do not believe the additional capability warrants the cost of development at this time. Additionally, the Soviets have tested and deployed satellites for communications, navigation, surveillance and weather observation. These directly support their capability to use military power effectively.

Keep in mind that while the Soviet Union has been developing its aerospace power, they have also maintained a large modern army and developed a powerful navy. In short, the Soviets have insured that, once fully committed, they would never again be at the disadvantage they faced during the Cuban confrontation. The Soviets seem intent on expanding their influence and reducing ours. Against a background of advantages in contrast to their past strategic inferiority, the Soviets may feel much greater freedom to press any local military advantages when doing so contributes to their long range aims.

The size of the threat we face may well be mitigated somewhat as a result of the SALT talks. We'll have to await the outcome of these talks before we can speculate one way or the other. But, regardless of the results, we must be ready to meet all challenges to our national security.

For our own country's armed forces, the mission is clear. We must continue to support national objectives in the face of austere defense budgets and shrinking manpower.

While inflationary forces continue and military costs rise, future defense budgets, even if maintained at or near present dollar levels, will actually provide less buying power. Consequently, we are reducing our military manpower here at home and abroad. In the face of these reductions and withdrawals as well as the phasing out of some weapons systems, one might ask, "Can the U.S. continue to adequately deter war, keep our treaty commitments, and support the Nixon Doctrine and national military strategy?" In my judgment, the United States, today, possesses a credible deterrence to war; however, we must recognize the hard fact that as Soviet strategic power increases relative to ours, the deterrence process operates with a decreasing margin of assurance and increased risks of conflict. Our present programs may be adequate; however, in light of the momentum evident in the programs of the Soviet Union and the implications for the strategic balance in the future these same programs may not be adequate.

Less money and fewer weapons increase the difficulty of providing the National Command Authority with a range of options appropriate to crisis situations we may encounter. Smaller forces will require a greater degree of flexibility, yet smaller forces unavoidably increase the difficulty of providing this flexibility and hence, accentuate the threat of conflict and rapid escalation should deterrence fail.

Practically, there are limits as to how thin you can spread your forces.

Another important consideration is the risk of *quantitative compensation*. By that, I mean technical deficiencies in military forces can sometimes be overcome through sheer weight of numbers. A nation can be effective in the sense of winning a war or otherwise achieving its objectives; while being inefficient in the sense of taking disproportionately high losses in men and weapons. We can use our qualitative lead in certain areas to good advantage, yet sheer weight of numbers may threaten even technically advanced forces.

What then must be done to insure that our Air Force is sufficient and competent to accomplish our mission?

First, we must avoid obsolescence.

Second, we must insure quantitative adequacy.

Third, we must have top quality people with the know-how and leadership to best employ our forces.

To avoid obsolescence, we must provide variety in force composition. We must keep abreast of the technological evolution of potential aggressors. We must invest sufficient funds in our research and development programs. It might, at this point, be well to mention that the military research and development effort of the Soviet Union is estimated to be 20 per cent greater than ours and growing at a rate of 10 to 13 per cent annually.

As increasing costs and shrinking budgets move us toward lower force levels and smaller inventories, maintaining qualitative superiority in both our people and our weapons becomes a dominant consideration.

This requires a vigorous exploitation of our technology as the most effective means for maintaining an advantage over the enemy. Force modernization is essential to avoid obsolescence. This means continued introduction of new systems such as the FB-111, the MINUTEMAN III intercontinental missile, the B-1 strategic bomber, the F-15 air superiority fighter and the A-X close air support aircraft. These systems are expensive to develop, and require substantial investments in our present research and development programs, but their greater unit effectiveness will enable us to perform military tasks with a smaller number of highly trained, top quality people.

To insure quantitative adequacy, the Air Force will face increasingly difficult decisions. Force employment plans must be fully analyzed in relation to the threat and available money in order to decide whether—

To upgrade present weapons, or

To procure limited numbers of sophisticated but expensive weapons, or

To procure simpler, less costly weapons in greater quantity.

We must carefully weigh quantitative and qualitative factors and our decisions must be presented to our country's leaders with a clarity and conviction which will insure their full appreciation of the issues.

To have top quality people with the know-how and leadership needed to best employ our airpower, we are going to have to provide the incentives which will attract and retain them in our Air Force. I would like to mention some of the immediate issues confronting us in the "people" area.

We believe a significant increase in starting pay for both officers and airmen will be necessary to compete with industry in the job market. Starting pay is one of the few tangible bits of information a young person has in comparing jobs.

We would like to extend privileges for travel of dependents and household goods to the lowest ranking enlisted man. At present this is prohibited.

We would like to equalize compensation for married and unmarried airmen. At present, married airmen, through increased living allowances, are paid more for doing the same job than single airmen.

We want to improve on-base bachelor housing and allow bachelors to live off base, if they wish. The communal life of base barracks is an irritant that doesn't exist in any comparable civilian job.

We also want to expand the availability of family housing on base.

All of these things, and possibly more, will be required to continue to attract and retain the high quality personnel we have in the Air Force today.

One factor that could bear heavily on this situation is the attainment of an all-volun-

teer force, as recommended by the Gates Commission and endorsed by the President in his message to Congress last April. The Air Force, as you know, is already an all volunteer force and we support the President's all-volunteer force objective. However, we estimate that over half of our current volunteers are draft motivated—that is, they volunteered for the Air Force rather than be drafted. Putting a no-draft system into effect then would emphasize the need for improved incentives I just mentioned.

In my judgment, we should proceed step-by-step toward the all-volunteer force or zero-draft objective. This can be done by retaining the existing selective service system with gradually reducing draft calls. In this manner, we can phase into a zero-draft or all-volunteer force situation with a minimum of turbulence in personnel procurement and retention. An abrupt termination of the selective service system before the goal of an all-volunteer force has been attained could result, I believe, in a reduction in armed forces strength below that required for an adequate defense posture.

Before I close, I feel obligated to mention one of the gravest problems concerning our military people and the Nation. That is the plight of our Prisoners of War and Missing in Action personnel. The completely inhumane actions by the North Vietnamese to refuse to honor the provisions of the Geneva Convention, which it signed in 1957, has caused untold anguish to our men and their families. Some of our men have been missing or held in North Vietnamese prison camps for more than six years.

Our government is doing everything possible to obtain the release of these men and to have North Vietnam abide by the Geneva Convention. These men have earned and deserve our untiring efforts to seek their release—to let them know that we have not forgotten them. I wish all of them could know that a joint Air Force-Army team of highly trained military professionals undertook one of the most daring raids in military history to free them and return them home. I pray that somehow they do find out about this and other measures that are being pursued in their behalf. The efforts of your Fort Worth Chapter and Air Power Council to rally support and concern for these men have been most inspiring. It is of the utmost importance for us to assure them that they are far from being "The Forgotten Americans".

I have presented you an appraisal of one of the major threats confronting our nation during this decade and some of the problems all the military services will face in continuing to protect our national interests.

It is always a pleasure to speak to an audience with a realistic concern for the defense of our country. I want to thank you for your interest and for offering me the opportunity to speak to you.

#### GOOD FOUR-LETTER WORDS

### HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. KEMP. Mr. Speaker, a constituent of mine and his classmates in the third grade at Cleveland Hill Primary School in Cheektowaga, N.Y., have written a poem entitled "Good Four-Letter Words." Marshall Berger has provided for us an inspiring message, which I know you will agree is very heartening, especially in

times when many of our young people appear to have forgotten some of the virtues about which Marshall has written. I would like to share this poem with my colleagues:

#### GOOD FOUR-LETTER WORDS

(By Marshall Berger and class)

A four-letter word

I like to use

Is love.

Love is for my God.

Love is my family.

Love is for my country.

A four-letter word

I like to think

Is obey.

Obey the Golden Rule

Obey our Parents

Obey the laws of our land.

A four-letter word

I like to live

Is know.

Know how to help

Know how to pray

Know how to give.

Able, baby, clam, deed,

Ease, free, good, rest.

These are words we like the best.

#### WEAK ENFORCEMENT OF GUN LAWS CAUSES RISE OF HOMICIDES

### HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. DINGELL. Mr. Speaker, I insert into the CONGRESSIONAL RECORD an article appearing in the Detroit (Mich.) News of Tuesday, January 19, 1971, indicating that a rise in killings and lax prosecution under existing gun laws are closely related. The comment was made by the head of the Detroit Police Officers Association, Mr. Carl Parsell, who pointed out in the article that Detroit is averaging one homicide every 12 hours this year as compared with one every 16 hours last year, but that although the Detroit Tactical Mobile Unit confiscated more than 500 guns last year, not a single person involved with those guns has been found guilty of carrying a concealed weapon. Indeed, Mr. Parsell pointed out that persons illegally carrying knives are getting stiffer sentences in traffic court as ordinance violators than gun carriers are getting in recorder's court under prosecutions for violating firearms laws.

One must wonder how additional laws to control firearms will work when a felony, the crime of carrying concealed weapons, is receiving such light and easy handling at the bar of justice.

The article, which follows, merits careful consideration:

#### RISE IN KILLINGS, LAX PROSECUTION ON GUNS LINKED

(By Robert M. Pavlich)

Laxity in the prosecution and sentencing of persons caught carrying guns illegally was blamed by the head of the police union today for Detroit's soaring homicide rate.

The criticism, leveled at Recorder's Court and the Wayne County prosecutor's office, was voiced by Carl Parsell, president of the Detroit Police Officers Association (DPOA).

"The police are doing their jobs, but the court and the prosecutor's office are failing to do theirs," he said.

Informed of the laxity charge, Recorder's Executive Judge Robert E. DeMascio accused Parsell of making reckless statements and of "trying to usurp the court's functions."

Parsell, pointing to Detroit's record 550 homicides in 1970, said the system of justice is failing and "no one is doing anything to keep Detroit from gaining title as the murder capital of the world."

Detroit is averaging one homicide every 12 hours so far this year, Parsell said, compared with one every 16 hours last year.

Detroit's Tactical Mobile Unit (TMU) confiscated more than 500 guns last year, but to date not one of the persons arrested has been found guilty of carrying a concealed weapon, Parsell asserted.

Persons illegally carrying knives are getting stiffer sentences in Traffic Court as ordinance violators than gun carriers are, he said.

"The prosecutor's office says it is not at fault and Recorders Court pleads that it is too overcrowded and that it feels sorry for the gun carriers," Parsell said.

Carrying a concealed weapon is a felony, punishable by a maximum of five years in prison.

To get convictions, Parsell said, "I propose that we circumvent Recorder's Court and the prosecutor's office and use the ordinance that enables us to take people caught carrying illegal guns into Traffic Court. We will get quick action there."

"When we couldn't get convictions in Recorder's Court for knife carriers, we had an ordinance passed enabling us to take the offenders into Traffic Court."

To back his argument, Parsell said: "If a policeman stopped two suspects, one illegally carrying a pistol and the other illegally carrying a knife, the man with the knife would be brought into Traffic Court and get 30 days in jail."

"But the man with the illegal gun would go through the Traffic Court and then, maybe, on to Recorder's Court. There, maybe, he would be fined \$50—a year later."

Under an ordinance violation, a policeman can bring a violator into court by writing a ticket, rather than having to obtain a warrant through the prosecutor's office.

Parsell said with sarcasm: "Next month, we will ask for a city ordinance covering felonious assault and maybe even for murder so we can take all cases into Traffic Court."

According to Parsell, of the first 175 cases last year in which TMU officers got warrants for carrying concealed weapons (guns), no convictions were returned for that specific offense. Twenty-six were acquitted.

Ten of the suspects were convicted of the lesser charge of attempting to carry a concealed weapon, he said. Of these, 10, Parsell said, five drew jail sentences ranging from six months to 2½ years. The other five were placed on probation.

The remaining 139 were fined on charges reduced even further, such as failure to present a pistol for safety inspection or transporting firearms without a license. Parsell said. The average fine was \$80.

On the other hand, he said, the average fine in 1970 in Traffic Court for 43 persons convicted of violating the knife ordinance was \$94.

Declaring Parsell was guilty of making "reckless statements" about Recorder's Court, Judge DeMascio said:

"Parsell is trying to usurp the court's function. We are required by law to judge each case on its merits. That's what this court does."

DeMascio said he would not send a man to jail for carrying a gun illegally if the man didn't have a criminal record and if it

were shown that the man was afraid for his own or his family's well-being.

"The prosecutor's office screens these cases carefully, as it should," he said.

In the course of the screening, a spokesman for the prosecutor's office said, it has adopted guidelines so that persons without criminal records will not be prosecuted for carrying concealed weapons under the felony statute.

Instead, these persons are prosecuted for failure to present a firearm for safety inspection, a misdemeanor with a maximum penalty of 90 days in jail and a fine of \$100, the prosecutor's spokesman said.

## THE BRUTALITY OF AMERICAN INTERVENTION IN LAOS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. DRINAN. Mr. Speaker, this morning we have heard the President of the United States threaten North Vietnam and Laos that there would be absolutely no diminution, and in fact a possible increase, of American bombings in Laos. The President indicated that the American air war against the neutral country of Laos would continue to escalate and that every element of America's fantastic power in the air would be utilized, with the one exception of nuclear missiles.

Mr. Speaker, I reflect not only the horror of my constituents in the Third Congressional District of Massachusetts but of the people in the United States when I lament and deplore President Nixon's threat and indeed his promise of further brutal and genocidal war against the Laotian and North Vietnamese people.

All of us are distressed to learn that the American soldiers who died last week in Vietnam doubled from the previous week and that another 51 American soldiers have died in this awful conflict.

It was 6 years ago this very month that President Johnson escalated this war and made it an American war. Under any construction of the SEATO Treaty all that the United States ever committed itself to do was to help the South Vietnamese people to help themselves. Long ago it was clear that the people of South Vietnam were unwilling or unable to carry on this war to a successful conclusion. We have long since finished anything that we had committed ourselves by treaty or contract to do in Southeast Asia.

It is sad to recall today that General Westmoreland, speaking in this very House in December 1967, told the Congress and the Nation that the war in Vietnam was going remarkably well and that within the not too distant future the United States would be able to disengage itself from Southeast Asia. President Johnson echoed the words of General Westmoreland in January 1968—just a few days before the apparently unforeseen Tet offensive which shattered American strategy and South Vietnamese forces in almost every part of South Vietnam.

Mr. Speaker, I would like to have printed here H.R. 4101, an act which may be cited as the "Vietnam Disengagement Act of 1971" and introduced by several Members of the House of Representatives:

H.R. 4101

A bill to amend the Foreign Assistance Act of 1961 as amended

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Vietnam Disengagement Act of 1971".

Sec. 2. Congress finds and declares that under the Constitution of the United States the President and the Congress share responsibility for establishing, defining the authority for, and concluding foreign military commitments; that the repeal of the Gulf of Tonkin resolution raises new uncertainties about the source of authority for American involvement in Vietnam; that both the domestic and foreign policy interests of the United States require an expeditious end to the war in Vietnam; that the conflict can best be resolved through a political settlement among the parties concerned; that, in light of all considerations, the solution which offers the greatest safety, the highest measure of honor, the best likelihood for the return of United States prisoners and the most meaningful opportunity for a political settlement would be the establishment of a date certain for the orderly withdrawal of all United States armed forces from Vietnam.

Sec. 3. Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 620. (a) In accordance with public statements of policy by the President, no funds authorized to be appropriated under this or any other Act may be obligated or expended to maintain a troop level of more than two hundred and eighty-four thousand armed forces of the United States in Vietnam after May 1, 1971.

"(b) After May 1, 1971, funds authorized or appropriated under this or any other Act may be expended in connection with activities of American armed forces in and over Vietnam only to accomplish the following objectives:

"(1) To bring about the orderly termination of military operations there and the safe and systematic withdrawal of remaining American armed forces by December 31, 1971;

"(2) To insure the release of prisoners of war;

"(3) To arrange asylum or other means to assure the safety of South Vietnamese who might be physically endangered by withdrawal of American forces; and

"(4) To provide assistance to the Republic of Vietnam consistent with the foregoing objectives."

TRIBUTE TO J. C. PENNEY

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BROTZMAN. Mr. Speaker, I was saddened to learn, during the recent recess, of the death of James Cash Penney.

Although J. C. Penney will chiefly be remembered for the chain of department stores which bears his name, I will especially treasure my meeting with him on the occasion of the Golden Spike Centennial ceremonies in Utah in 1969.

Mr. Speaker, J. C. Penney started his illustrious business career in Longmont, Colo. late in the 19th century when he purchased a butcher shop with \$300 he had managed to save while working for a dry goods merchant in Missouri. Despite the butcher shop's failure, Penney and Longmont both were to know prosperity. Longmont is now a bustling community of more than 23,000 persons in Northeast Boulder County.

Penney, meanwhile, opened his first dry goods store in 1902 in Wyoming. By 1912 he had built a chain of 34 stores serving Colorado and seven other Western States. Since that time his more than 1,700 stores have become familiar to all Americans and his entrepreneurial talents have set a standard to which all persons can aspire.

Mrs. Brotzman joins me in expressing sympathy to Mr. Penney's widow and children.

#### POW'S RELEASE

### HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. ABOUREZK. Mr. Speaker, it is with a great deal of distress that I note in today's Washington Post that the President is quoted as saying:

As long as the North Vietnamese have any Americans as prisoners of war there will be Americans in South Vietnam and enough Americans to give them an incentive to release the prisoners.

I stand second to no man in my concern for American prisoners of war. However, I feel this statement is a reflection of the old Vietnam policy of Mr. Nixon's predecessors of simply applying more and more force. Does the statement that there will be enough Americans to force the North Vietnamese to release the prisoners mean a reescalation of the war? Will the prisoners now be used as an excuse to bring troop levels back to the half-million mark or even more?

There are other ways to bring about the release of the American prisoners of war. Ways even compatible with Mr. Nixon's own Vietnamization program. I would remind Mr. Nixon of the letter signed by myself and 22 colleagues on January 4 of this year.

To that end I would call to your attention the following article from the January 6, 1971, issue of the Christian Science Monitor.

I include the article as follows:

HOUSE-GROUP PROPOSAL—THE VIET WITHDRAWAL TO U.S. POW RELEASE

(By William C. Selover)

WASHINGTON.—The Nixon administration is under new pressure to do some hard bargaining with Hanoi to get the release of American prisoners held in Southeast Asia.

A bipartisan group of House members is asking the President to launch a planned withdrawal of troops tied directly to the release of Americans. The plan of "proportionate repatriation" calls upon the administration to withdraw a certain percentage of its troops every time Hanoi releases the same proportion of its prisoners.

So far the administration has resisted this kind of pressure—concerned that such an agreement would automatically set a final withdrawal date. This is plainly counter to overall Nixon policy.

Yet if Hanoi looked agreeably on such a plan, the administration would find it very difficult to ignore the opportunity to get the prisoners released.

#### REASON FOR PROPOSAL

Speaking for the 23 congressmen who signed the letter to the President, Rep. Robert L. Leggett of California explained that "the other side has repeatedly indicated it would bargain repatriation for withdrawal but not for anything else."

He urged the President to meet the Communists on their terms.

Until now, the administration has attempted, without success, to bargain on the basis of release of prisoners on both sides.

But Hanoi does not even acknowledge that there are North Vietnamese in the south to be taken prisoner. They have shown no interest whatsoever in the 6,000 or 7,000 North Vietnamese and Viet Cong prisoners held by the Saigon government.

Every attempt by the U.S. negotiators at the Paris peace talks to raise this kind of bargaining issue has met with stony silence or propaganda. In fact, even if Hanoi acknowledged the presence of North Vietnamese prisoners in the south, it is doubtful they would express much interest since, to Hanoi, the prisoners are disgraced.

#### NO INQUIRIES MADE

The Communists have never made inquiries about their names or numbers, even though, in accordance with the Geneva Convention, the International Red Cross has made this information available.

State Department officials have resisted bargaining for American prisoners on the basis of troop withdrawal because it amounts to "international blackmail." The holding of hostages in demand of a military and political solution of a conflict is unprecedented, according to officials. Never in history has this kind of deal been attempted.

But now, some members of Congress, desperately searching for a way out, seem to believe this idea is worth exploring.

"When we offer to exchange their POWs for our POWs, we're just wasting time," Representative Leggett insists.

Few here would doubt this statement. The question, however, according to officials, is not so simple.

#### ADDED DEMANDS POSSIBLE

Once political and military conditions are set for the release of prisoners, officials here are concerned that Hanoi might just as easily add more. There would be no end of demands, State Department officials believe, if such a plan were adopted.

Still, the subtleties of such thinking, and the nature of such official concern, is lost on many of those most directly affected by the situation of knowing a loved one is held prisoner half-way around the world—or not knowing if he is.

Interviews with a cross section of families of POWs conducted by this newspaper showed a wide concern that the President's Vietnamization program would result in the withdrawal of American troops, without having extracted anything in return.

One wife of a prisoner shot down over North Vietnam in 1966, Mrs. James Mulligan of Virginia Beach, Va., appeared with the congressman to endorse the plan. "At the present time," said Mrs. Mulligan, "there is no place for war prisoners in our Vietnamization program." Six other wives appeared with the congressman to endorse the plan.

#### IDENTICAL PLAN CITED

In recent weeks, this newspaper has been approached privately by concerned officials

in the Pentagon with similar possibilities. A plan nearly identical to the congressmen's was proposed to this newspaper by two Defense Department officials who feared that the Nixon Vietnamization plan was giving the Communists "something for nothing."

At the moment, American troops are being withdrawn at the rate of about 10,000 a month. There is no current expression of willingness by Hanoi to release any of the 339 prisoners they publicly acknowledge to hold.

The congressmen believe that the rate could be accelerated to about 50,000 a month, with prisoners being released proportionately.

The proposal could be a way to break the deadlock at the Paris talks.

But it would require some profound rethinking by administration officials. But, as of now, the pressure is on.

#### FREEDOM—OUR HERITAGE

### HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. SIKES. Mr. Speaker, I submit here for reprinting in the Record the Voice of Democracy speech by Miss Karen McGee, Bay County High School, Panama City, Fla. The Voice of Democracy Contest is sponsored by the Veterans of Foreign Wars. Miss McGee's speech won first place in Bay County; first place in District One; and second place in the State of Florida. I am confident my colleagues will derive pleasure from reading this speech on "Freedom—Our Heritage":

#### THE WINGS OF AN EAGLE

High over the cliffs an almost invisible dot, the eagle soars towards the sun. In an effortless, perfectly curving dip, it returns, and then disappears out of sight. We are born into the world as eagles, able to take our lives and soar towards the sun. But unlike the eagle, nature does not provide the pathway to the sun for us. Our forefathers built our pathway stone by stone and gave to us, whole and unblemished, freedom, our most precious heritage—freedom, to use and to preserve for future Americans.

The road of freedom which our forefathers built for us is not like any other road. It needs constant repair to keep its stones from crumbling from beneath us; yet it is durable and sturdy. The maintenance of our road does not depend upon a few workers of a maintenance crew. The responsibility for upholding our freedom falls upon each individual. A sense of this responsibility must begin in youth, and be shouldered during early adulthood, after the youth has gained strength of conviction.

We must be convinced that we must uphold the right of ourselves and that of others to be individuals. Consider again the eagle. Each eagle plots his own flight, and can fly wherever he wants so long as he does not usurp another's flying space. It is upon this concept of the value of the individual's rights that our freedom is based. We must educate ourselves to the point where we understand the value of the individual, and when this concept is fully integrated within ourselves, allow nothing to clip the wings of an eagle.

Freedom and involvement are almost synonymous. Involvement educates people in the lessons life has to offer, and hence develops more fully the concept of and belief in freedom. One must support the education of others, take interest in and improve the educational system, and improve the natural and social environment so that the

lessons life has to offer are more beneficial than informed so that he will be educated in than adverse, more enriching than harmful. By involving oneself, one will automatically these lessons and so become an effective and strong member of his society. Thus, during the process of involving and educating himself, each person must also constantly take stock of his values and revise them to fit the present society. To do this would facilitate the best utilization of situations to make freedom more an actuality than an idea.

Thus far, it is necessary for a person to actively respect individuality, to involve and educate himself, and to revise his values in respect to the changing times. But there is one more quality we Americans must develop to further our heritage of freedom. After finally developing a deep-rooted belief in freedom, a person must then develop a will of iron so that he may become one more worker in the back-breaking task of keeping the pathway of freedom in repair. He must watch with an eagle's eye the activities outside his home—in his community, in his state, in his country, and in his world. He must not only think anti-corruption and anti-persecution, he must not corrupt and not persecute. Thus, a man must strive to be the epitome of freedom himself, as well as expect this in others.

Individuality, involvement, self-criticism and self-improvement, high ideals, open-mindedness, a strong character, freedom. Once a man has these, he deserves the golden freedom he has inherited and will allow none to take it from him. He will also, by making of himself an example, instill these same characteristics in his descendants.

This man can stand alone, watching as the eagle soars towards the sun. Then he smiles, squares his shoulders, and walks in freedom.

#### LITHUANIANS CONTINUE FIGHT FOR FREEDOM

**HON. RAY J. MADDEN**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MADDEN. Mr. Speaker, on Sunday evening, February 21, the Lithuanian American Council of Lake County, Ind., will observe the 53d anniversary of the declaration of Lithuanian Independence in the city of Gary.

After centuries of subjection on the part of powerful neighbor nations, the Lithuanians demonstrated to the world during their periods of independence their outstanding capability to inaugurate self-government with freedom and independence for all Lithuanians. The Lithuanian Republic was established February 16, 1918. Lithuania as a nation has existed for over 8 centuries.

In the 14th century Lithuania enjoyed one of its greatest periods of power and independence after its great victory at Tannenberg. In the 16th century, Lithuania was compelled to fight a defensive war to maintain its defenses and freedom. Again in the 18th century, Lithuania was exposed to outside attack and brought under Russian domination. During the 120 years of Russian domination, the liberty-loving people of Lithuania revolted against the tyrants on five different occasions. Regardless of the brutalities and treatments inflicted on the Lithuanian people during these revolts of the

18th century, Lithuania continued its drive for freedom and national independence.

During World War I, the German armies overran the Lithuanians and remained there until the end of 1918. The Nazis failed to make Lithuania a German province. Lithuania's official proclamation of independence was issued on February 16, 1918, which was unanimously adopted by the Lithuanian Council and established Vilna as its capital. After the evacuation of the Germans, Soviet troops arrived at the borders of Lithuania. The Red army occupied Vilna in 1919. Again the Lithuanian patriots organized and instituted the Lithuanian army in a battle against the Reds and regained its freedom late in 1919. By a peace treaty, the Soviet Government recognized the sovereign rights of Lithuania over its people and territory.

Lithuania was admitted to the League of Nations on September 22, 1921, and became a full-fledged nation of international status. Lithuanian people instituted land reform, reestablished industry, set up transportation facilities, enacted social legislation, and expanded its educational institutions. No country made greater progress as a free and independent nation in so short a time as Lithuania did up to World War II.

I will not repeat the sordid history of the Soviet duplicity, infiltration, and aggression which again brought slavery and loss of independence. The fight for freedom in Lithuania continues and will continue as long as the Soviet despots inflict their despotism on Lithuania. As long as Lithuania and the peoples of other Soviet captive countries continue their fight for freedom, self-government will surely be reestablished within their borders.

The Soviets in 1940 enslaved Lithuania and other Baltic States by conducting mass deportations to slave labor camps in Siberia which resulted in the death of thousands of innocent people. During the recent Congresses I have sponsored resolutions urging that the United States exert every effort through the United Nations to win the right of self-determination for Lithuania and other captive nations.

After 30 years of oppression and virtual slavery I do hope that by continuing the fight in the halls of Congress we will win world public opinion which will eventually bring about freedom for Lithuanians, Estonians, and Latvians as their continued enslavement will eventually bring about a blow to the rights and liberties of all mankind.

The Lithuanians are proud people who have lived peacefully on the shores of the Baltic from time immemorial. Lithuania has suffered for centuries from the "accident of geography." From the West the country was invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, it should be kept in mind, are ethnically related neither to the Germans nor the Russians. Their language is the oldest in Europe today.

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into Lithuania and annexed this republic in June 1940, in one of history's greatest election frauds, held under the Red army guns. The Kremlin then claimed that Lithuania voted for inclusion in the Soviet empire.

At a time when the Western Powers have secured freedom and independence to many nations in Africa, Asia, and other parts of the world, we must insist that the Communist colonial empire likewise extend freedom and independence to the peoples of Lithuania, Latvia, Estonia, and other captive nations whose lands have been unjustly occupied and whose rightful place among the nations of the world is being denied. Today and not tomorrow is the time to brand the Kremlin dictators as the largest colonial empire in the world. By timidity, we invite further Communist aggression.

The U.S. Congress has made a step into the right direction by adopting House Concurrent Resolution 416 which demands freedom for Lithuania and the other two Baltic Republics—Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States to the United Nations. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world including the Soviet Union, is surely intolerable.

The last 10 years have revealed that the Communist policies and doctrines have brought economic collapse, poverty, and starvation to millions of its subjects. The history of nations over the centuries demonstrates that a government whose economy is a complete failure, cannot long survive. The Soviet and the Chinese Communist governments are doomed for extinction which will come about by famine and revolutions from within their borders. That day will arrive in the not-too-distant future. Its arrival will mean freedom and self-government for millions within their own borders and millions within the borders of captive nations including Lithuania.

#### CLEVELAND—A SAD CITY

**HON. WILLIAM E. MINSHALL**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MINSHALL. Mr. Speaker, one of Cleveland's most incisive columnists is my friend Phil Porter whose weekly feature Sun-Day is looked forward to by his thousands of readers in the Com-Corp papers.

Absolute candor, combined with top-level writing ability, are Phil Porter's hallmarks. His February 11th column is a no-punches-pulled appraisal of the condition in which our city of Cleveland currently finds itself.

In making it a part of the CONGRESSIONAL RECORD, I want also to take the

opportunity to salute Phil Porter, a fearless and farseeing newspaperman.

I include the article as follows:

CLEVELAND—A SAD CITY

Cleveland is really in a bad way, and it's time we quit kidding ourselves about being the best location in the nation. We're a middle-sized city, 10th in the nation, badly governed, fragmented, the regular butt of jokes on TV networks shows (when I was a kid the vaudeville comics used to make the same sort of cracks about Berea or Elyria). Polluted Lake Erie and the Cuyahoga River that catches fire have now pushed Cleveland ahead of Philadelphia as a dog town, a dead place, a joke city.

Downtown is dead at night, and half-dead in daytime. Women now do most of their shopping in the big suburban stores. People who eat dinner downtown do not like to drive home after 9 p.m. on main east side streets. They fear to stop at traffic lights.

No truly outstanding leadership for civil or political causes exists here any more. The old families which built Cleveland 75 years ago have died off, disintegrated or gone into trusts. It is a community run by salaried managers, not by owners. Were it not for heroic effort by utility and department store executives, many of whom were brought in from out of town, there would be no leadership at all. Even the two daily newspapers are now owned by outsiders. No outstanding wealthy family, totally devoted to the community (like the Mellons in Pittsburgh) now takes the lead. All the big stores, with one exception, are owned by outsiders, and three oldtime local stores have folded in the last 15 years.

Political leadership has degenerated, too. When Carl Stokes became mayor after the bumbling and indecision of Ralph Locher, there were high hopes he would bring the large black minority (40 percent) in the central city and the mostly white business community together. For a while this did happen and business raised three million bucks for Cleveland Now. Stokes had the warm endorsement of both Plain Dealer and Press in 1967. But he blew it when some of Cleveland Now funds when to Ahmed Evans to buy guns for black militants to shoot policemen, and he blew it completely when he appointed a police chief William P. Ellenburg of Detroit, who was charged with being in cahoots with the Mafia there. The funds are no longer coming into Cleveland Now, Stokes is blaming the newspapers for everything, and his former friends are numerous.

Stokes and the Democratic party are at odds, and there will be a serious attempt to join in a coalition with Republicans this year to beat him.

There are not enough hotel rooms to attract the really big conventions, despite our fine Public Hall facilities. Sunday liquor sale will help existing restaurants and hotels but it won't solve the basic problem.

Knowing all this, we used to console ourselves by saying Cleveland had the best orchestra, the best playhouse, the best art museum, some of the finest hospitals. But the orchestra has lost incomparable George Szell and cannot raise enough money to operate in the black, the Playhouse has lost its top executives and is rent with dissension, the art museum (though opening a new wing) is not the dynamic force it used to be under William Milliken. All these cultural assets, plus University Hospital, Mt. Sinai and the Cleveland Clinic, are handicapped by being surrounded by a growing slum. The university area has had to hire special police.

We boast of having the best football team, even though the baseball Indians were mediocre and struggling, the Barons were still minor league and the basketball Cavaliers hardly able to get started. But the

Browns fell on their face this year, the Indians are torn with front-office dissension and are retrenching, and unless the new coach pulls a miracle, the Browns will next year discover what the Indians have: Cleveland fans are poor sports. They don't support losers. Real sports lovers go for the game. Clevelanders don't. They go, if at all, to bet and boo.

No longer can we boast of our concern for the less fortunate, either. The United Appeal has failed three years in a row, and the lesser fund drives meet with apathy. The newspapers urge support, but the middle-level executives do not contribute personally in the "fair share" range. Nor do college professors, who are by nature do-gooders and liberal reformers.

Public transportation is perennially in trouble. CTS, the Shaker rapid transit and numerous suburban bus lines should be merged in a single system (as in London or New York) but the boards and executives stall and haggle over detail of merger, and seem to be waiting for the federal-government to ball them out. Nobody takes the first active step. Meanwhile, the public becomes more disenchanting, goes more and more for private cars, which contribute to traffic jams, accidents and air pollution.

The suburbs are in better shape than Cleveland, but school levies there fail regularly, and nitpicking between mayors and councilmen is frequent. Everywhere citizens gripe that all taxes are too high, or reappraisals are unjust.

Cleveland itself is practically bankrupt, overcommitted on wages and expense, badly administered. The voters have twice voted no confidence in Mayor Stokes by turning down increases in city income taxes. The second time was last Tuesday.

The community which idealistic Mayor Tom L. Johnson once called the "city on a hill" has now become the city gone to hell. And no Moses appears in sight just now to lead it out of the wilderness.

NEVER A BAD WORD

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BROOMFIELD. Mr. Speaker, the choice between doing something because it is right and not doing it because the latest public opinion poll shows it may be unpopular is a daily challenge in public life. "Truth polarizes," the Rev. Thomas W. Kirkman, Jr., pastor of the First Presbyterian Church of Royal Oak notes in the following text. Reverend Kirkman has been my good friend and minister for a number of years, and I often rely on his wisdom and advice. This message, I believe, has a special significance for all of us who seek to serve others. I commend it to the attention of my colleagues.

I include the article as follows:

NEVER A BAD WORD

(By Rev. Thomas W. Kirkman, Jr.)

"Woe unto you, when all men shall speak well of you, for so did their fathers to the false prophets." Luke 6:26.

When it is published that I am to conduct a funeral, a friend of the deceased will often come to me and say something on this order about the deceased:

"Everybody liked him. He never had a single enemy. Everyone had a good word for him. I never heard a bad word spoken about him."

Some would question whether these and similar statements could ever really be true of any individual. But that is not my problem with these affirmations.

I am rather puzzled that people think that they are complimenting the deceased when they make such a statement.

Should a person be proud that he has made enemies in his lifetime. And that everyone loves him and has a good word for him?

Christ did not think that it was a positive virtue when everyone likes you, or when everybody speaks well of you.

In His Sermon on the Mount, which we read in our Scripture lesson, He said: "Woe to you, when all men speak well of you for so did their fathers of the false prophets."

In Jewish history, the sad fact was that the real prophets of Israel were more often than not hated, rejected, and scorned by their contemporaries.

On the other hand, the false prophets—Those who did not proclaim God's truth—were exceedingly popular with all of the people.

These words of Christ: "Woe to you when all men speak well of you" need to be heard in our day.

As individuals and as a nation we have been converted to the cult of popularity and have forgotten that truth often polarizes.

I. THE CULT OF POPULARITY

First, we live in a day and age in which many have been converted to the cult of popularity. Most people would like all men to speak well of them. Most people enjoy being popular. This is a normal, human characteristic.

Psychologists speak of this quality as "acceptance". By this they mean that a man wants to be accepted by his fellow men, and he experiences a psychological pain when he feels rejected. Some psychologists have suggested that this characteristic may have come from our animal heredity. Many of the animals travel in herds. They do this for their protection. The animal which is driven from the herd is likely to be destroyed.

Some have insisted that there is in mankind a "herd" instinct that makes us want to be accepted by our associates. Our young people feel today—as never before—what is called "peer pressure". Many find it very difficult to be different from their own social group. Some will go to any end in order to be accepted by their peers. They do not want to be driven out of the "herd".

The same can be said for the adults. They are equally subject to peer pressure, they do not want to be "too different".

Our politicians watch with the greatest interest the opinion polls. They believe that they are doing the best job when the greatest number of people approve of their actions. If ever they scored 100% approval by the polls they would feel that they had truly achieved their destiny. Their aim is to have all men speak well of them.

Now this is contrary to what Christ proclaimed in our text this morning. He said, "Woe when all men speak well of you for so did your fathers of the false prophets."

II. TRUTH POLARIZES

What Christ was saying is that truth polarizes. Truth makes us take sides. Our loyalty to a particular truth can separate us from those who reject that truth. Christ insisted that truth was more important than popularity. And that for the sake of truth, as we believe it, we should be willing to accept the rejection of our fellow men.

You cannot expect that "organized crime" and the Mafia will have a good word for honest law enforcement.

You must not be surprised if the Klu Klux Klan hates those who are willing to stand for equal justice.

We must certainly expect that the man who loves war will be at odds against the man of peace.

Go through the whole category of virtues, and you will discover that those who reject those qualities will also reject those who defend and practice goodness.

Consequently, the only person for whom every one has a good word is the person who stand for nothing and support no truth. As soon as someone stands for something he will incur the anger and rejection of those who are opposed to that position and ideal.

This principle is seen in the life of our Lord. He pointed out the hypocrisy of the Pharisees, and they hated Him. He pointed out the indifference of the rich toward the poor and the rich hated Him. He pointed out the unwillingness of the religious leaders to hold to the truth of God as it was found in the Jewish religion, and the religious leaders hated Him.

The result was predictable as day following night. These groups took Him outside the city wall and crucified Him between two thieves.

Christ understood this aspect of human nature. He knew what was likely to come to Him. Before the crucifixion, the Jews had tried to, on at least three occasions, take His life.

Truth will always polarize people. It will separate those who love truth from those who hate truth. It was true with the ancient Hebrew prophets. It was true in the case of our Lord. And it will be true as long as men inhabit this planet.

Christ was calling upon His followers to be willing to accept rejection. He said: "Woe unto you when all men speak well of you, for so did thier fathers of the false prophets".

In this same sermon on the Mount, Christ states this same principle in another way. He said: "Blessed are those who are persecuted for righteousness sake for theirs is the kingdom of heaven." Speaking directly to His Apostle, Christ continued: "Blessed are you when men revile you and persecute you, and utter all kind of evil against you falsely on my account". "Rejoice and be glad, for great is your reward in heaven. For so persecuted they the prophets who were before you".

Christ is saying that when we stand for God's truth and suffer persecution for that stand that we have God's promise of support and reward.

This morning's sermon is what I call a "dangerous sermon". It is dangerous because it is possible to misuse what is preached. There are those who are masochists—who enjoy suffering pain—who find a positive pleasure in experiencing persecution. The masochist will bring pain and persecution upon himself, not for righteousness sake, but for his own sick pleasure.

Christ was not speaking in support of this personality disorder when He said: "Woe unto you when all men speak well of you." There is no virtue in having a "persecution complex". Christ was not a masochist. He did not go to Calvary because He liked the crucifixion He was driven there by His stand for truth.

Many who lament that they are being persecuted for righteousness sake are really masochists doing their thing.

A second group to whom these words of Christ do not apply are the troublemakers. There are people in society who are so filled with hostility that they enjoy a good fight and will go to any end to provoke it. Some troublemakers have taken these words of our Lord as a patent and license to create trouble. Christ never intended that we should visit our hostilities on others in His Name.

The teaching of Christ is clear. Christ recognized that whenever anyone stands for truth that he will incur the anger and wrath of those who reject that truth. If all men are speaking well of you it indicates that you stand for nothing at all.

Christ calls us to stand for God's truth in spite of whatever persecution may come.

When we do this; then, indeed, is fulfilled in us the beatitude "Blessed are those who are persecuted for righteousness sake for theirs is the kingdom of heaven".

#### RECOGNITION OF VFW SPEECH CONTEST WINNER, JAMES ROSS FROM OKINAWA

### HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. HASTINGS. Mr. Speaker, on February 12, 1971, I received a letter from the executive director of the Veterans of Foreign Wars organization, informing me that the son of a former constituent of the 38th District in New York, which I represent, was a winner in the annual VFW Voice of Democracy Contest.

This year over 400,000 school students participated in the contest competing for the five scholarships which are awarded as the top prizes. The first prize is a \$10,000 scholarship, second prize is \$5,000, third prize is \$3,500, fourth prize is \$2,500, and the fifth prize is \$1,500. The contest theme was "Freedom—Our Heritage." The winning contestant from each State is brought to Washington for the final judging as guest of the Veterans of Foreign Wars.

I insert in the RECORD the winning speech as delivered by James A. Ross, of Naha, Okinawa, whose father, now deceased, was a resident of Franklinville, N.Y., located in my district:

#### FREEDOM—OUR HERITAGE

A farmer stands looking over his field of crops and he feels proud. This field is his; and the product of his hard labor.

A businessman stays up late in his office to do some extra work. He likes his job and he is efficient; he feels that this extra work will benefit him in the future. This businessman knows that his future success or failure will depend on him alone.

A soldier makes his rounds guarding a military post. He knows his job is necessary and that other people's safety depends on him.

These three men are individuals. They have different backgrounds—different ways of life. Is there anything that these men have in common? There is, these men are citizens of the same country, not just any country—a free country—the United States. These men may not look back on the same religious beliefs, they do not have to share the same cultural background, they do not necessarily have to belong to the same political party, but they believe that man should be free to do whatever he chooses as long as he doesn't interfere with another's freedom. They share the same heritage of freedom that started nearly 200 years ago.

With this belief the founders fostered the growth of a new nation which fast became a prototype for the principle of Democracy.

Our heritage is something to be proud of, a tradition—but one has to first fully realize the meaning of freedom, one has to clearly see that the heritage of freedom deserves honor and recognition, from which stems a special and well deserved pride.

Freedom was the legacy of our Revolutionary War Forefathers. It was handed down to us as a cherished heirloom; however, it is more than just an heirloom—more than a way of life—in fact it is life itself.

As the United States grew, there came the mutual acceptance of different cultures. There had to be a realization that a man with one set of customs had as much right as a man with another set of customs. Only in a free country could all these cultures blend together, only in a free country would people be able to voice their different beliefs and opinions, and only in a free country could there be a give-and-take of ideas and customs to make a society better for all. The United States is comprised of many different cultures, but only one free people.

Once more we view the farmer, businessman, and soldier. Each individual has his own duty and responsibility to preserve the nation's welfare. The farmer provides the resources and the backbone, the businessman represents progress in today's ever-changing world, and the soldier stands to guard and defend the freedom and the democratic principles of the U.S. Yes, everyone has his own role in protecting the principles and heritage of freedom.

Freedom unites us through independence and individualism. We do what we feel is best for ourselves. Through freedom we also recognize the rights of others and we treat them as we wish them to treat us. With all our differences and individual traits, freedom still brings us together. I feel that this idea is best summed up in the words of Walt Whitman, America is the "centre of equal daughters, equal sons, all, all alike, endear'd, grown, ungrown, young or old, strong, ample, fair, enduring, capable, rich, perennial with the Earth, with Freedom, Law and Love. . . ."

#### RECONSTITUTION OF HOUSE SELECT COMMITTEE ON CRIME

### HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. EILBERG. Mr. Speaker, I would like to commend the members of the Select Committee on Crime for their achievement in investigative work during the 20 months of the committee's existence. The chairman of this committee, Mr. PEPPER, has said:

If there is one word that I hope will be attributed to the efforts of this committee, it is "action."

I would submit that the hard-working chairman and his crime committee have generated a lot of thought-provoking action in only a short time. To make citizens keenly aware of the growing menace of crime and to seek their support for necessary measures to combat such crime, Mr. PEPPER has held 14 public hearings in 12 cities and towns in the United States. The hearings reviewed in depth the problems of crime in our country which demanded immediate attention, those of dangerous drugs, heroin abuse and juvenile justice and corrections. Other topics that were delved into include organized crime, marijuana, youth gang warfare, and street crime.

As a result of investigations and public hearings, members of the committee have filed a bill to establish a juvenile justice research and training center, which I cosponsored; a bill to control the production of amphetamines; and a bill to increase the appropriation for the Law Enforcement Assistance Administration.

Four comprehensive reports were undertaken, successfully completed, and made available for distribution to Congressmen and constituents: Marihuana, heroin, and heroin paraphernalia; juvenile justice and corrections; and amphetamines.

I would like to compliment the distinguished gentleman from Florida (Mr. PEPPER) for his inspiring and strong leadership as committee chairman.

I am wholeheartedly in support of the continuance of this committee. The quality of work done by the Select Committee on Crime is excellent. Yet crime, the No. 1 problem on the home front, is far from being solved. This committee's continuing existence will assure that we continue to give top priority to seeking the causes of and halting the rapid rise in the crime rate.

Indeed, as a cosponsor of the original legislation advocating the creation of a committee on crime, I have watched this committee with keen interest and have been pleased to witness its development as a central clearinghouse on crime capable of evaluating material and turning it into sound legislative proposals. I have also seen imaginative solutions to crime coming forth as a result of the work of this committee.

It would be unfortunate to halt the life of such a pertinent and timely attack on crime. In the past decade alone the population has risen only 14 percent while crime has soared 148 percent. In my opinion we cannot and must not abandon this concerted effort from within the Congress to solve this most serious problem and to halt its swift advancement in the statistical charts.

I urge my colleagues to join with me in supporting House Resolution 115, legislation which would reconstitute the Select Committee on Crime.

It should be a continuing committee because there is a continuing problem. Fragmentary efforts in the past have proved futile in halting the criminal. By placing the prestige of the U.S. Congress behind this committee, the 91st Congress began making a positive and united contribution in the fight on crime. Let us continue this affirmative action to undermine the criminals.

#### CONSUMER PROTECTION LEGISLATION

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, I urge the House of Representatives to give favorable consideration to the pending Consumer Protection Organization Act of 1971 (H.R. 14). The well-being and safety of each American is affected by the goods he buys. Congress must act to insure protection and representation in the marketplace for every consumer. The producers of goods and services have been given adequate representation at all levels of government, now it is time to give the consumer his due representation.

Upon establishment of an Office of Consumer Affairs, the consumer will receive top priority in one specialized office. The present situation leaves any matter up to an individual State, or local agency, if there is one, to answer the concerns and questions of the consumer. Not only does this situation place an unfair burden on the local levels, but it also creates unnecessary duplication and confusion because of the conflicting responsibilities and programs. As a result, the consumer comes out on the short end; the consumer suffers from a lack of information; and the consumer finds that the Federal Government does not have the means available—at present—to offer him effective assistance.

The second portion of the proposed legislation would correct that shortcoming in still another way. A Federal consumer protection agency could supply the consumer with impartial information of a general value to assist him in evaluating consumer products. The information gathered by the agency from its own resources and from other sources will be made readily available to the public for consideration. The agency will not, as opponents claim, destroy our free enterprise system by listing preferred or otherwise identified as "special" products. The agency is specifically prohibited from disclosing product names and is not concerned in any way with product rating.

What is needed is an agency which will coordinate the consumer oriented functions of the existing Federal departments and agencies and supplement them to insure to the consumer the most effective governmental service possible.

The merits of this legislation convince me that Congress can accomplish that end. I hope Congress will give prompt and favorable consideration to H.R. 14.

#### FREEDOM OUR AMERICAN HERITAGE

**HON. DAVID R. OBEY**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. OBEY. Mr. Speaker, each year thousands of students from throughout the country participate in voice of democracy contests sponsored by the Veterans of Foreign Wars. These exercises in articulating the spirit of democratic government are surely beneficial to those who participate and enlightening to those who hear and read these essays.

The winner of this year's Wisconsin Voice of Democracy Contest is David Burk of Merrill, Wis. I am pleased to commend Daniel's essay to the attention of my colleagues:

#### FREEDOM OUR AMERICAN HERITAGE

(By Dan Burk)

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people peacefully to assemble, and to petition the Government for redress of grievances."

This is the first amendment to the Constitution of the United States of America

which assures us of personal freedom under our government.

The founders of our country wrote the Constitution and its amendments to establish an "ordered freedom". A free society that would not become selfish or self-centered and one that would agree to maintain their individual freedom by recognizing an orderly way of life.

To preserve these freedoms granted to us, we, as citizens, must realize that to have freedom we must give up some freedom. In other words, our rights and our responsibilities march hand in hand. By this I mean, we have the responsibility to respect another's freedom. When we, by exercising our freedom, injure another person's freedom, life, property, or well-being, our freedom immediately ends.

If I, as an individual, would like to preserve freedom, or show that freedom means something to me, I must respect and uphold the freedom of others. If I decide to speak out in opposition to someone, or demonstrate my discontent to my country, I must be sure that by using my freedom I again do not harm those of the people around me.

If I would like to prepare myself to become a more effective citizen in our ordered society, I must strictly follow the idea of rights and responsibilities marching hand in hand. I must act, not only to benefit myself, but rather to work to benefit the majority. I must use my freedom in concert with others, whether this be through church, school or community organizations.

Freedom our American heritage—think about that statement for a few moments, then ask yourself—how can I be assured that freedom will remain our American heritage? When I thought about that question, I answered by saying we must follow some belief or creed. This is when I thought about a creed written by William Tyler Page, clerk of the United States House of Representatives in 1917, which was adopted and accepted by the House of Representatives on behalf of the American people.

Listen carefully, for I feel it expresses that freedom is our American heritage. The creed, itself, is called "The American Creed."

"I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect union, one and inseparable; established upon those principles of freedom, equality, justice and humanity for which American patriots sacrificed their lives and fortunes.

"I therefore believe it is my duty to my country to love it; support its Constitution; to obey its laws, to respect its Flag; and to defend it against all enemies."

#### KEEPING VIRGINIA—AND AMERICA—BEAUTIFUL

**HON. J. KENNETH ROBINSON**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. ROBINSON. Mr. Speaker, the President and the Congress have a high degree of concern about our environment and practical means of preserving it.

The abatement of various forms of pollution is going to involve complex technology and complex economics requiring the application of maximum ingenuity in both the governmental and private sectors.

There is one area of pollution, however, in which a dramatic measure of

abatement could be achieved at little cost through concerted voluntary action by individual citizens. I refer to the littering of public and private places which, at least, creates an unnecessary unsightliness and, at worst, produces health hazards.

In this connection, Virginians took pride, several months ago, when the Commonwealth received the annual award for the finest anti-litter program in the Nation.

I should like to include at this time, Mr. Speaker, the text of the remarks made by Gov. Linwood Holton of Virginia in accepting the award at the Keep America Beautiful Awards luncheon in New York City on November 5, 1970, because they offer guidelines for an effective program for protecting the environment from this form of pollution.

I include the article as follows:

REMARKS OF GOVERNOR HOLTON

Mr. President, Distinguished Guests, Friends of Keep America Beautiful:

It is with great pride and humility that I accept this handsome silver bowl on behalf of all the citizens of the Commonwealth of Virginia.

As Chief Executive, naturally, it would be pleasing to accept the citation as a tribute to the official programs of our state government to cope with the problem of littering.

Government in Virginia—State, city and county—has done a truly magnificent job in this movement, and I take this occasion to commend them publicly for the part they played in bringing this high honor to our state.

But, Keep Virginia Beautiful is a private, voluntary association of concerned citizens, financed entirely by business, industry, organizations, and dedicated individuals, who have banded together in a statewide crusade to remove ugliness and keep Virginia beautiful. It's not a government undertaking. It's a people's program—"the butcher, the baker, the candlestick maker."

Credit should go to every organization, industry, individual and municipality that has participated in the litter-prevention movement in Virginia—from the tiniest tot who picked up a candy wrapper and put it in a trash can to the trade associations that have conducted vigorous and continuing crusades against the litter menace, and whose strong financial support has made the Keep Virginia Beautiful program possible.

The tremendous educational contribution of the mass media (press, TV, and radio) and the public school system at all levels deserves the plaudits of us all.

This accomplishment is an accumulation of the efforts of thousands of citizens working as a team in harmony with their government. And that's the way it should be. It is the Virginia way; it is the American system of free-enterprise in action. People create litter and only people can curb it.

The Virginia program has concentrated on the three big "E's" of litter prevention: *Education*, to acquaint the masses with the evils of litter; *Equipment*, getting litterbags into automobiles and boats, more trash cans in public places, and more sanitary landfills in the counties; *Enforcement*, better litter laws more adequately enforced.

While the three "E's" have worked wonders in our state, litter continues to plague us. Litter depresses property values, hurts business, and discourages the tourist trade, now a billion dollar business in the Old Dominion.

Virginia has been dubbed "Historyland U.S.A." Some 40 million tourists visit Virginia every year to view the majesty of our mountains, enjoy our his-

toric shrines, and relax in the sunshine and sand of our seashore resorts. Tourists will not stay long or come back often if they find the landscape defiled with litter—boxes, bottles and tin cans, illegal dumps, junkyards, and abandoned automobiles.

Virginia is industrializing and urbanizing at a terrific clip, adding greatly to employment, payrolls, and the economic growth of our State. With all of its manifold blessings, the affluent society does breed litter.

The litter problem is a growing thing. It is real, it is genuine, and it will engulf us all unless countered with a constant crusade to combat it. Budgets of the future—both public and private—will include increasing amounts of money to stem the mounting tide of litter.

Litter cleanup of public areas in this country already costs an estimated \$500 million annually. If you add to this the cost of litter removal from private property, the national litter bill approaches a billion dollars a year.

Young people, it seems to me, can play a major role in the American effort to clean up the environment, especially land pollution. And I commend Keep America Beautiful for its emphasis on youth programs at this annual meeting and the plans to expand greatly youth participation in the future.

We have the word in Holy Writ, "Your young men shall see visions, and your old men shall dream dreams." The movement for a cleaner environment today demands the "visions" of youth, mellowed with the rich experiences, the "dreams" of their elders.

America is the most beautiful and affluent nation on the face of the earth. If we can rally the enthusiasm of youth, the resources of business and industry, and the concern of the crusaders behind a nationwide program to remove ugliness, we can keep our country that way.

DIFFICULTIES OF MAJOR AIRLINES

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MILLER of California. Mr. Speaker, on February 5, 1971, Aviation Daily carried a story pertaining to the supplemental air carriers that should be of interest to all who are concerned with air transportation.

A few days earlier, The New York Times included an article by Christopher Lydon, in which he reports an interview with Mr. Robert F. Six, president of Continental Airlines, that is very much to the point, and I commend the reading of these two articles to my colleagues:

DRISCOLL URGES BROADER RANGE OF SERVICES, MORE GOVERNMENT MUSCLE IN FOREIGN TALKS

The supplemental airline industry's top spokesman, Edward J. Driscoll, yesterday urged the Senate Aviation Subcommittee to support a program providing for the broadest possible range of services. Emphasizing that the supplemental industry, like the scheduled

carriers, is "in deep financial trouble," Driscoll requested legislation and Congressional policy support in a variety of areas affecting both segments.

"Unless we face facts now," Driscoll testified, "it is only a matter of time before there is a bankruptcy." In a plea for cooperation that seemed real in some areas and strained in others, Driscoll said "we can reverse this trend only if we all—government agencies and airlines—work together to analyze the true causes of the present crisis and look for solutions designed to produce a balanced air transport industry."

Driscoll, president of the National Air Carrier Association, was accompanied by the presidents of NACA's ten member airlines who sat in a row directly behind him. In perhaps pointed reference to differences existing among the scheduled lines, Driscoll told committee chairman Howard Cannon (D-Nev.) "that while we only have one statement for the supplemental industry, the views expressed are the views of NACA and of all of its members." Although the testimony is vital to one of the critical areas of committee and industry concern, the TV floodlights and cameras that added spectacularly to the earlier sessions were missing.

And what the supplementals appeared to lack in mass media attention, they are also lacking in government support in the foreign negotiating field, according to Driscoll. In an exchange with Senator Daniel Inouye (D-Hawaii), Driscoll agreed that there is no "muscle" in the U.S. government's efforts to gain more equitable landing privileges for supplementals in foreign countries.

"Unlike the scheduled carriers, whose operating rights are protected by international agreements, the supplementals are forced to deal with foreign governments on an ad hoc basis, and largely on their own. As a result, they must contend with a hodgepodge of restrictive and arbitrary charter landing rights policies."

In a point obviously making an impression on committee members, Driscoll noted the supplementals "have contracted for 94 charter flights to Japan in 1971 but as yet have no assurance that any of them will be allowed to operate." He said Japan wants Chicago for JAL and won't give away rights without obtaining benefits for its scheduled carrier. Driscoll further noted that supplementals have sold 118 ITC flights to the U.K. for the 1971 summer season "but the British authorities have at this point imposed a quota of 90 ITC flights for all U.S. supplementals in the April-September period. Germany will allow only 30 ITCs per year." He said supplemental charters are also "subject to a wide range of restrictive practices . . . which demonstrate the futility of the stated U.S. policy of dealing with scheduled and charter rights separately."

CAB's new charter rules, issued on the eve of the committee hearings this week, drew little attention from NACA other than a request for "equal time" to respond to an expected ATA statement later in the sessions. A request to make such a statement was made by ATA president Stuart G. Tipton at Tuesday's hearings.

Also, much of the broad area for future supplemental operations is outlined in new legislation introduced last week by Senators Moss of Utah and Tunney of California (S. 289).

But Driscoll did dispute scheduled air carrier contentions that supplementals were a major cause of the scheduled industry's financial plight. He said "most of the complaints of 'injury' to the scheduled carriers refer to the transatlantic market—the only market in which the supplementals have more than a minimal share of the traffic." But, he added, "the scheduled carriers have continued to show better financial results in the Atlantic than in any other markets."

The committee is in recess Friday and will resume at 10 a.m., Monday, Feb. 8 with Pan Am's Najeeb Halaby and Americans George Spater scheduled to appear.

#### CONTINENTAL'S CHIEF DERIDES "HYSTERIA" OF MOST AIRLINES

(By Christopher Lyndon)

WASHINGTON, Feb. 3.—Robert F. Six, the controversial but perennially successful president of Continental Airlines, told the Senate Commerce Committee this morning that the financial "hysteria" among his industry colleagues should be largely ignored.

The major airlines, though they lost more than \$100-million last year, have few fundamental problems that efficiency cannot cure, said the leathery ex-stunt pilot, now in his 33d year as the head of Continental.

Congress and the Civil Aeronautics Board should be aware particularly, he said, that the "panic" about profits and assertions of "excessive competition" do not stampede approval of mergers that would only strengthen the domination of what he calls "the Big Four" domestic carriers—United, Trans World, American and Eastern Airlines.

#### FARE INCREASE ASKED

Continental has asked the C.A.B. for a general fare increase of 11 per cent this year, and Mr. Six thinks that at least 10 per cent will be approved.

But he says that Continental will make money in 1971 even if fares are unchanged, and in an interview this afternoon he said that both T.W.A. and United—much the heaviest losers in 1970—could heal many of their problems, without a rate increase, by aggressive cost cutting.

United, he said, is "a well-run company that was allowed to grow big and fat, but is already recovering under new executive management. T.W.A. could get rid of 21 of its 181 planes, he calculated, if it used its equipment as efficiently as Continental does.

But T.W.A. is also adopting some of his own marketing techniques, he observed with mixed satisfaction after flying T.W.A. from Los Angeles. "I think T.W.A. is on the way out of the doldrums," he said.

#### DOGMAS CHALLENGED

In a familiar posture of rugged individualist and industry scold, Mr. Six challenged a variety of his colleagues' dogmas:

Airline executives have only themselves to blame, he said, for their costly over-capacity at a time of recession and declining traffic growth. Charles C. Tillinghast, Jr., president of T.W.A., which introduced the wide-bodied Boeing 747 into domestic service, admitted to the Senate yesterday that the jumbo jet came "too early" and is "too large" for current demand. But Mr. Six, who said he was "lucky" in anticipating the recession and cutting his aircraft orders accordingly, said that passengers should not have to pay for other airlines' bad planning with higher fares.

"I do not believe that a regulatory agency should be expected to assure a guaranteed rate of return on an excessive investment base," he said.

Rather than "excessive competition," he said, "it is the inability or failure of the large carriers to compete in efficiency that is the culprit." Even after the new route awards of the last four or five years, there is still room for more competitive services—specifically in and out of Milwaukee and Philadelphia, he noted. The larger airlines have asked for a moratorium on further route awards.

The industry, Mr. Six suggested, should relax its "war against the supplementals"—or charter airlines. "As a result of their competition," he said, "the public now has the advantage of lower-cost vacation air travel. So long as I am permitted to compete with them on reasonably equal terms, I look upon

them as a benefit because they have brought to air transportation many passengers who would not otherwise have flown."

Continental, which after a long courtship of Western Airlines was outbid by American Airlines in a merger offer, will continue to oppose the proposed American-Western merger before the C.A.B. It is no accident, Mr. Six said today, that the heavy losses in the industry last year were concentrated among the larger carriers, while the most of the smaller seven "trunk" lines were turning profits. Any merger involving one of the Big Four or Pan American World Airways "only means the prospect of greater inefficiency and increased losses."

#### NERVA IS NEEDED

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. FULTON of Pennsylvania. Mr. Speaker, I call to your attention the words of a recent editorial in the Sacramento Bee relating to the NERVA program. NERVA is an important integral part of our future space program.

I ask my colleagues to consider the ramifications NERVA will have in just a few short years as we define our new space goals. Certainly, the operational impact of NERVA will help our scientists explore the universe with greater economy and more utility.

We must look at all the aspects of such a wide ranging and beneficial program.

I insert the following editorial in the RECORD at this point:

#### BIPARTISAN VOICES URGE ADMINISTRATION TO RECONSIDER NERVA CUTBACKS

Powerful, bipartisan voices are protesting cutbacks in development of the NERVA nuclear rocket program, giving rise to hope this unfortunate decision may be reconsidered by the administration.

US Sen. Clinton P. Anderson, D-New Mexico, chairman of the Senate Aeronautical and Space Sciences Committee, accurately appraises the likely impact of the drastic slashes in funds for NERVA as bringing the program "virtually to a standstill."

Anderson's statement follows a similar warning by US Rep. James G. Fulton of Pennsylvania, ranking Republican on the House Space Committee. Fulton sees the administration decision as throwing away the nation's \$1.4 billion investment in the program.

Still another leading GOP figure trying to avert the cutbacks in NERVA is US Sen. Hugh Scott of Pennsylvania, Senate minority leader, who is said to have appealed directly to President Nixon to intervene and save the program.

Fast action to persuade the administration to reverse itself is needed if the NERVA contractors, such as the Aerojet-General Corp. plant in Sacramento, which has the chief responsibility for development of the NERVA engine, are not to dismantle their teams working on the project.

Sacramento and other areas in which the project is carried on admittedly have a great self interest in preserving it. But it nevertheless seems mighty foolish to halt the program when so much successful research is getting close to paying off in operational results.

Anderson is correct in describing the cutback decision "a gross error (which) . . . may cause great concern about the management capability of NASA."

As Anderson says, the National Aeronautics and Space Administration "would be in a position of having supported the expenditure of well over \$1 billion in technology so as to proceed with an operational system, only to change its mind and decide to put funds into new programs which again would require the development of new technologies."

#### LITHUANIAN INDEPENDENCE

### HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. COLLIER. Mr. Speaker, Tuesday was the 53d anniversary of Lithuanian freedom. It was on Feb. 16, 1918, that the Taryba or National Council proclaimed the independence of this tiny Baltic Nation.

Long a part of Czarist Russia, Lithuania had been occupied during World War I by the forces of imperial Germany. Independence meant a great deal to people who had been subjugated first by the Romanoffs and then by the Hohenzollerns.

Unfortunately Lithuanian freedom was doomed to early extinction. Two new evils that sprang up from the ashes of the first world conflict made the rule of the czar and the kaiser seem benevolent by comparison.

Lithuania was invaded by Soviet forces on June 15, 1940, and became part of the Soviet empire on August 3d, soon after a parliamentary election in which voting was limited to Communist candidates. The National Socialists invaded and occupied Lithuania in 1941 and held the country until the end of World War II, when the Soviet Union once more absorbed it.

Although their tongue is the oldest living language in Europe, more than half of the people who live in Lithuania cannot speak it. This is because thousands of its people fled from the country after the Communist took it over and thousands of others were deported to Siberia and elsewhere and replaced by peoples from other parts of the vast Soviet Empire.

Despite Communist efforts to silence the Lithuanian language and obliterate Lithuanian culture, the story of this unhappy land will continue to be told. It will be told by such brave individuals as Simas Kudirka, who tried in vain to defect from Soviet tyranny. It will be related by refugees who have been dispersed all over the world. It will be repeated by the more than 1 million persons of Lithuanian descent who live in free America. Their new-found loyalty to the United States does not preclude them from speaking for the cause of freedom for Lithuania and other conquered nations.

Mr. Speaker, let us here in the Congress unite our prayers with those of the thousands of Lithuanians who have been driven from their homeland by Communist oppressors and ask the Ruler of the Nations to speed the day when all men will be free.

## CRISIS CURE AT HOUSING'S DOOR

**HON. BOB WILSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BOB WILSON. Mr. Speaker, recently, 29 of my House colleagues joined me in introducing the Housing Rights Act of 1971 which is aimed at meeting the housing crisis that faces us in the seventies. It is our hope that the House will recognize the importance of this legislation by ordering early hearings on the bills, H.R. 3678 and H.R. 3679.

I am pleased that the concept outlined in our bills has received the support of the San Diego Union in its editorial of February 2. This editorial clearly notes that the construction industry needs freedom for inventiveness and flexibility, not the rigid iron hand of Federal domination and the deadweight of Government bureaucracy.

I include the following editorial in my extension of remarks:

## CRISIS CURE AT HOUSING'S DOOR

Although the housing crisis has been diminished in the national consciousness by war, inflation, joblessness and pollution, it is no less urgent.

Lack of financing, outdated construction methods, inflation and rising labor costs have created perhaps the greatest housing shortage in recent years. Today, more than half of the American people are living in homes that are considered inadequate with little or no prospect for immediate relief.

The middle and lower income groups are hit. As President Nixon pointed out recently, approximately half of all American families cannot afford to invest more than \$15,000 in a home. The median price of conventionally built new homes now is about \$27,000 and is rising at \$1,000 per year.

Fortunately, the situation is improving somewhat. A housing law enacted last year makes \$2.75 billion available to assist moderate income families in financing new homes. Other federal administrative decisions have made more money available to underwrite construction. Builders now anticipate a good year in 1971 for house building and buying.

Additionally, there is a growing concentration on the need for prefabricated construction, modular housing and other modern techniques that employ more fully the American technology for building purposes and reduce the cost of homes for Americans.

Unfortunately, many of these efforts still may be cancelled by the soaring costs of construction labor. The President himself sounded the alarm in this respect in a recent speech when he said:

"When you have an industry in which one out of three negotiations has led to a strike; when construction wage settlements are more than double the national average for all manufacturing, then something is basically wrong with that industry's bargaining process."

The rising costs in the construction industry predictably coincide with a growing pressure for direct federal intervention in the wage mediation process, as well as renewed clamor for more federal subsidies.

This, however, would not provide a solution. The construction industry needs freedom for inventiveness and flexibility, not the rigid iron hand of federal domination and the dead weight of government bureaucracy.

The competitiveness of free enterprise and the vigor of voluntary mediation are essen-

tial catalysts for the efficiency and modernization that the construction industry will need in the immediate years ahead to meet the current crisis.

The time is growing short for business and labor to step forward and undertake the task.

## VOICE OF DEMOCRACY CONTEST

**HON. JAMES H. SCHEUER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. SCHEUER. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct a Voice of Democracy Contest. This year over 400,000 school students participated in the contest, competing for the five scholarships which are awarded as the top prizes. The contest theme was "Freedom—Our Heritage." One of my constituents, Mr. Brian McKernan, has been selected as the winning contestant from New York State and will be brought to Washington, D.C., for the final judging as a guest of the Veterans of Foreign Wars. His brief speech is a thoughtful analysis of current threats to freedom in the United States and how those threats can be deflated. It is a pleasure to read such a calm analysis of the proper role of dissent in our turbulent times:

## FREEDOM—OUR HERITAGE

(By Brian McKernan)

The heritage of Freedom which we, as Americans, possess is not a static legacy. On the contrary, it is a dynamic legacy which has experienced change, redefinition and expansion in each succeeding period of our history. And so today, our heritage of Freedom is once more in this dynamic and often painful process of change—today this legacy is being tested in the white hot crucible of dissent.

My friends, the right of the individual to free self expression has deep roots in our history, and indeed the entire intent and purpose of the Constitution itself is the establishment of a free and democratic society. To the realization and operation of such a society, dissent is indispensable. For in a free society no opinion can be immune from challenge, and no opinion, no matter how false should be suppressed; for there is no way of suppressing the false without also suppressing the true.

The founding fathers recognizing these facts very wisely provided for the full and free expression of dissent in the 1st Amendment and established in our Constitution the means for orderly change through electoral, judicial, and legislative process.

However, there are those in our society today who claiming the right to dissent, seek violent change outside this constitutional process and outside the law. They feel that freedom can be fashioned with the tools of anarchy and they use their constitutional rights to deny the rights and privileges of their fellow citizens with a contemptuous disregard for our heritage of Freedom.

In recent months we have seen extremists in this country, in the name of dissent, vilify our national leaders, paralyze our universities and high schools, burn our flag, flaunt our laws, turn our streets into battlegrounds, urge to revolution and raise the flags of communism and anarchy in our public places.

This type of dissent is irrational and destructive and it plays upon the obvious social problems of our nation not seeking the improvement of our system, but the destruction of it through the spreading of hate and divisiveness amongst our people. As such, this destructive dissent presents a clear and present danger to the freedom of all our people.

If there are defects in our system, and God knows there are—if freedom is in any way limited or denied in its fullness to large segments of our people—it is not because of any defect in the Constitution or our heritage of Freedom, but rather it is due to the apathy, indifference, selfishness—and yes—even the hate and bias of so many within this nation today. They cannot seem to understand that in its ultimate sense, freedom is based upon respect—the respect of all for the rights of each and the respect of all for the Constitution—that body of law which guarantees those rights. They cannot understand that the freedom of every one in this country is endangered if that freedom can be denied to any person or group of persons within our society.

If our heritage of Freedom—if our nation is to survive we must preserve it from extremism—the extremism of revolution—the extremism of repression—the extremism of apathy, indifference and hate.

We must address ourselves honestly and diligently to those problems which dissent has pointed out. The problems of bias, inequality, economic stagnation, inadequate housing and needless starvation which afflicts so many in the midst of affluence.

All our people should resolve that through Constitutional process—social, economic and political freedom will be maximally extended so that all our people may equally share in this wonderful heritage of Freedom that constitutes the American dream.

## LITHUANIAN ANNIVERSARY WEEK

**HON. CHARLES A. VANIK**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. VANIK. Mr. Speaker, this week marks two important anniversaries for the people of Lithuania, the 1 million Americans of Lithuanian descent—many of whom live in the greater Cleveland area—and for free people everywhere. February 16 marked the 53d anniversary of the establishment of the free Republic of Lithuania in 1918. In addition, this February marks the 720th anniversary of the formation of the Lithuanian state when, in 1251, Mindaugas the Great unified the various principalities of Lithuania into one nation.

The Lithuanian Republic existed as a free state for 21 years. Then, in the cross currents of World War II, her land was swept by plundering armies of Nazi Germany and Communist Russia. For 30 years now, she has been under the domination of the Soviet Union.

Yet the love of liberty and freedom lives on in the hearts of her people today. It is seen in acts of defection and defiance nearly everyday.

As one of the founders of our own country, Alexander Hamilton, said:

The sacred rights of mankind are not to be rummaged for among old parchments or

musty records. They are written, as with a sunbeam, in the whole volume of human nature, by the hand of the divinity itself.

The feeling for sacred rights exists and lives in all of us. The Americans of Lithuanian descent have themselves done much to make our own Nation a land of the free, a home of the brave.

In this connection, while commemorating this week, we should remember that we, and free people everywhere, must always be on guard to protect established liberties and to do the just thing. The act of an arm of our Government in permitting the forcible removal of the Lithuanian seaman Simas Kudirka from an American vessel must be remembered as a mar on America's record as a nation of refuge. All Americans descend from either immigrants or refugees.

In remembering the anniversary of Lithuanian independence, let us all rededicate ourselves to the cause of liberty everywhere.

A GREAT AND GOOD MAN—  
JAMES CASH PENNEY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. HANNA. Mr. Speaker, more than just the friends and employees of the J. C. Penney Co. mourn this week over the passing of the firm's great founder, Mr. James Cash Penney. The Nation has lost perhaps its noblest embodiment of private entrepreneurship.

Mr. Penney will not only be remembered for founding and directing one of America's most successful retail businesses. He will also be remembered because of the way he did it.

Personal character and integrity were the foundations of Mr. Penney's greatness. And while his retailing acumen and dedication to work propelled his company into the ranks of the giants, it was his concern for people, employees and customers alike, that made the J. C. Penney Co. more than just a business.

For me, Mr. Penney's passing recalls some personal memories. I was born and, during my early childhood, raised in Kemmerer, Wyo., the site of Mr. Penney's first store.

My mother worked at the Golden Rule Store, the first store Mr. Penney opened. Kemmerer was a rugged mining town in those days. My grandmother operated a boarding house just a few doors beyond Mr. Penney's first emporium and she was a good and valued customer. Penney's then, as now, operated on the firm base of providing a good product at a fair price, offered in a friendly and cheerful shop. The owner and his employees were proud of their merchandise and active in and equally proud of their community.

The business policies and personal integrity so successfully evident in Kemmerer were to serve as the foundations of Mr. Penney's company. And these un-

shakable foundations today support 1,700 stores with annual sales exceeding \$4 billion.

In an age when cynicism, especially in business, is prevalent, it is refreshing to remember the sincerity and warmth of James Cash Penney. His strength of character, his deserved success, and his personal sensitivity and understanding for his fellow human beings will be missed by all those who had the good fortune to know, respect, and love him.

#### LONG BRANCH, N.J., ACTS ON POLLUTION

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. HOWARD. Mr. Speaker, while we must continue to seek solutions to the pollution crisis at the Federal level, we must also encourage and commend the efforts made by the local communities to abate the various forms of environmental pollution. I believe that if we are to restore the environment the restoration must come from the local communities, as well as the State and Federal governments.

I am particularly proud of the action taken by Mayor Henry Cioffi and the city of Long Branch, N.J., in this regard, and I would like to share with my colleagues the city's project plan for the disposal and reclamation of solid waste:

#### CITY OF LONG BRANCH MUNICIPAL RECLAMATION CENTER PROJECT OBJECTIVE

To demonstrate the feasibility of a system of home separation of solid wastes, separate municipal pickup of various solid waste components and the operation of a municipal reclamation center in a medium size city.

#### PROJECT NEED AND BACKGROUND

The City of Long Branch, with a 1970 preliminary census population of 31,108, is Monmouth County's largest city and its second most populous municipality. It is located in the more heavily populated area of the county and like every municipality in this region has had severe problems concerning solid waste disposal. The rising costs of private contract garbage collection have forced the City to turn to municipal collection as of February 1, 1971. Suitable landfill sites are increasingly hard to find and prospective sites under study by the Board of Freeholders for a regional landfill are suspect because of the likelihood of pollution of ground waters. In this setting the City of Long Branch has decided to experiment with methods of reclamation or recycling of various components of solid waste in an attempt to greatly reduce the bulk and tonnage of garbage sent to landfill sites.

The responsible city officials do not believe that the operation of reclamation centers alone will solve the solid waste problems of the United States; but together with state and federal legislation requiring and encouraging reuse by granting tax incentives and by regulatory devices, large scale reclamation would greatly reduce the bulk of wastes which have to be dealt with and in so doing partly solve our pressing solid waste problems.

#### PROCEDURES

1. The City of Long Beach will require by ordinance the home separation of garbage into the following components:

- (a) newspapers
- (b) bottles
- (c) tin and aluminum cans
- (d) all other

Other categories may be established for homes later and different categories may be established for particular industries and businesses. The city public works department will devise methods and schedules for the separate pickup of garbage, will store the separate components at its reclamation center and sell them in quantities to various scrap companies and industries.

2. The City will open the reclamation center every Saturday for 6-8 hours and receive materials brought in by Long Branch residents and will pay various prices for such scrap.

3. While implementing the above two programs the city will also be engaged in the following activities:

(a) Experimenting with various means of educating the public about the reasons for separation and reuse, securing compliance with the ordinance requiring separation, and instructing citizens in how to prepare their garbage for pick up.

(b) Keeping detailed statistics on the amounts of garbage and various components thereof that are generated by the City, how much is sold for scrap, and how much is sent to landfill. An attempt to assess the impact of educational and publicity campaigns by studying fluctuations in the percentage of separated garbage and the degree of thoroughness with which it has been prepared for separate pickup will be made.

(c) Making surveys, using accepted statistical methods, to ascertain the degree of public compliance with garbage separation regulations and testing various means of gaining compliance by further education, fines, and other methods.

(d) Studying the operation of the weekly voluntary reclamation center to determine if the cost of operating such a center is justified by a savings of municipal labor in pick-up of garbage and in litter control on streets, beaches and vacant lots. Also survey the people who bring material in to determine their residence, socio-economic status, age, and other information to see if particular groups make greater use of the reclamation center than others and if so why.

(e) Develop and collect educational materials for use in local schools to teach children about the subject of reclamation and reuse of resources and develop courses of study and specific projects involving recycling in conjunction with the local school administration. This will be an attempt to indoctrinate youth with the basic concepts and broad ideas behind recycling and is a different educational program than that outlined at 3 (a) supra, (filmstrips, slides, films, booklets, etc. could be educational material developed).

The following January 25 news release gives some indication of the success of the project to that date. The enthusiasm which seems to be spreading to the various nearby communities is inspiring, and I would hope that it can be matched on a national scale.

LONG BRANCH, N.J.

January 25, 1971.

All records were smashed again as this City completed the ninth week of their escalating reclamation efforts.

19,735 pounds of reusable salvage was processed in five hours this past Saturday, to be recycled by various industrial plants.

Interested observers from surrounding areas, and those from the national scene,

continued to probe the reasons why this national pilot program is succeeding so dramatically—and in the dead of winter—while similar efforts elsewhere have failed, even under much more favorable conditions.

Two representatives from Manassquan spent the day in noting procedures and getting informed instruction to guide them in launching an allied operation in their municipality, which Councilman Fred Lockenmeyer says will start "as soon as possible, perhaps in the next two weeks."

Groups from Shrewsbury, New Shrewsbury, Little Silver, West Long Branch and Colt's Neck are also being welcomed into the massive efforts being made by Long Beach to pioneer the first "practical, realistic and economical broad and permanent reclamation program on a municipal basis."

Quotes above are from Donald L. Read, whose duties as Public Relations Director of American Can Company's subsidiary M&T Chemicals require him to criss-cross the nation in promoting that firm's efforts to reduce litter and encourage every worth-while program designed to reduce solid-waste pollution and advance reclamation of, while thus preserving, natural resources.

On Wednesday of last week, Mayor Henry R. Cioffi and his steering committee advanced a bold new proposal in a joint meeting with other municipalities, suggesting "immediate joint action now on proven reclamation advantages—despite state disinterest and regardless of any possible federal grants."

Cioffi is pressing forward on seeking state and federal support for a regional reclamation program, designed for ultimate recycling of all solid waste and thus eliminating need for future landfill space, while eliminating eventually all pollution of land, air and water in solid waste disposal.

A number of area municipalities have been offered participation with Long Branch in all phases of their reclamation efforts.

#### POLITICAL CHAMELEONS

### HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. DEVINE. Mr. Speaker, I would suggest to my colleagues that we are witnessing this week one of the most fascinating—and potentially disastrous—political turncoat acts of this century.

In the decade past, and particularly the last few years, we have witnessed widespread dissatisfaction with Government by students, minorities, and many other groups of Americans. There were numbers of politicians, both within and without the Government, who supported this dissatisfaction. When accusations were made of repression, they agreed; when cries of power to the people were made, their fists, too, shot into the air.

Now the President of the United States has had the courage and wisdom to come before the Congress and the country and offer a plan for returning power to the people, not through armed revolt but through peaceful revolution.

The response of the political chameleons has been to march doubletime around the country deriding the President's proposals. They have not seen the details of the President's legislation. Indeed, they do not care to see those details. They only know, or think they know, that what is good for President Nixon cannot be good for them.

That is the tragedy of their defection, because they cannot rise above self-interest. Americans will be the lesser for their shameful performance.

#### EDITORIAL COMMENT ON THE SAFE SCHOOL ACT OF 1971

### HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BINGHAM. Mr. Speaker, on the 1st of this month I introduced in the House H.R. 3101, the Safe Schools Act of 1971. This legislation would, for the first time, make Federal funds available to local school districts to help deal with the serious problem of crime in the schools. No such funds are currently available under any existing Federal education or law-enforcement programs. As a result, school administrators around the country are being forced to divert increasing amounts of funds from direct educational purposes to protect students, teachers, and school facilities.

The Safe Schools Act contains a number of needed safeguards to insure appropriate use of the funds and to protect civil rights. Since its introduction, I am pleased to report it has been endorsed by a number of local and national educational and parent organizations, and has received considerable favorable comment in the press. WABC Television and WINS Radio in New York City, for example, editorialized on the proposal. Their comments follow:

SCHOOL GUARDS . . . ARE THEY JUST FOR STREET CROSSING?

(By Patrick Muldowney, Editorial Director of WABC-TV (N.Y.))

FEBRUARY 5, 6, 7, AND 8, 1971.

During the past few years, N.Y. City schools have been plagued with a variety of problems. If it wasn't a teachers' strike, it was decentralization with boycotts and picket lines and all-out fighting.

For one reason or another, trouble flairs. This generates fighting and the next thing we have is a building surrounded by police. Congressman Jonathan Bingham of the Bronx has come up with the "Safe Schools Act of 1971" and we think it deserves support. The bill would provide money for school guards . . . men and women who would patrol hallways . . . check entrances for non-students . . . and provide security for students and teachers. Money would be available to school districts that applied after making plans with local community and parent organizations.

The guards would not be police . . . they would carry no weapons or mace. They would act as a deterrent to trouble.

Crossing guards have already relieved many police for more important work. We think school guards would make classrooms and hallways safe again. We'd like to know how you feel about this.

#### VIOLENCE IN THE SCHOOLS

(By Robert W. Dickey, General Manager of WINS (N.Y.) Radio)

FEBRUARY 3, 1971.

Yesterday's brutal attack on Newark school teachers is an outrage. This kind of violence can only hamper attempts to resolve the issues involved in the teachers strike. A strike makes it difficult to look at the issues with-

out passion, but violence makes reasonable discussion impossible.

Unfortunately, there's a growing pattern of violence in and around urban schools. Militants have found it all too easy to recruit discontented students for activities ranging from malicious mischief to mayhem. Badly overcrowded classrooms, lack of proper staffs and facilities and a cancerous drug problem have contributed to this climate of violence. These problems must be overcome before peace and progress return to our primary and secondary schools.

It will take time and money to solve these ills which are the root cause of the current crisis. But, something must be done immediately to eliminate the violence and vandalism that is a by-product of these conditions. Up to now, there has been a lack of funds to provide adequate security in and around the schools. Congressman Jonathan Bingham has introduced a safe schools bill which would make Federal funds available for this purpose. In the light of recent events, Congress should act swiftly and favorably on this legislation.

#### DEATH IN THE MINES

### HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. CARTER. Mr. Speaker, on December 30, 1970, 38 miners perished in the coal mine explosion near Hyden, Ky. The Louisville Courier-Journal has published an in-depth analysis dealing with this disaster, and I now include it in the RECORD for your perusal:

FEDERAL INVOLVEMENT: HUNT FOR SAFETY ANSWERS GOES BEYOND LAWS

(By Ward Sinclair)

WASHINGTON.—Coal mine safety begins here and it ends here and once again, with the deaths of 38 men in a Kentucky mine still fresh, a nation turns to Washington for answers.

It has been ever thus. Large-scale mine disasters historically have stirred the fires of reform and provided the impetus for legislation to provide the miner with a safer working place.

The last time it happened was in 1968. In August of that year, nine men died in a West Kentucky mine disaster. Then in November the public conscience was jolted anew—78 men were killed in a fiery underground tomb at Farmington, W. Va.

As was the case in 1910, 1941, 1952 and 1966 when Congress reacted to disaster by passing or toughening mining laws, the stage again was set for reform.

Out of that uproar came the federal Coal Mine Health and Safety Act of 1969, a far-reaching document that elated reformers and promised a new day for the men in an industry that has claimed more than 100,000 lives since 1900 and in the last 40 years disabled some 1.5 million.

President Nixon, after rumbled White House threats of a veto, signed the act on Dec. 30, 1969. As he did so he warned that the act might cause problems of administration. He probably little realized the problems that would surface.

The first year of life of the mine-safety act was, to be charitable, a year of difficulty. Administration of the law was severely criticized by reformers and coal operators alike. The 255 fatalities in 1970 surpassed the previous year's total by 52, yet production and profits continued a dizzy upward spiral as demand for coal intensified.

Then came the cruelly ironic epilogue—the Hurricane Creek disaster. A year to the

day after Mr. Nixon reluctantly signed the law, 38 Kentuckians were killed in a mine in which, investigators were to find, multiple violations of the safety law had taken place, not once, but various times during 1970.

And again the nation wanted answers. But this time it is different. Yesterday's stock response—that the law is inadequately weak—went out of style on the day that Mr. Nixon affixed his name to the stringent new legislation.

So the answers lie elsewhere. Some believe that the Department of Interior and its U.S. Bureau of Mines have petulantly resisted the mandate to make mining safer. The department defensively insists that too much was expected too soon. Many in Congress agree.

Still others blame President Nixon and the White House for not treating the mine safety situation as an emergency requiring a full-scale mobilization of effort. Moreover, the critics, say, political maneuvering by the White House, in the department and in the bureau has done irreparable harm to the cause of safety.

Criticism is aimed at the coal operators, as well: The men who for years enjoyed a hand-in-glove relationship with the Bureau of Mines have resisted—defiantly, in some instances—the Congressional preamble to the law which decrees that health and safety of the miner shall be "the first priority and concern" of all in the industry.

There is truth in every corner. But through it all runs a thread which suggests that, despite the legislation and despite the criticism, industry and government have not yet reconciled themselves to the basic meaning of the law—that the miner, as Congress put it, is the "most precious resource."

It is a difficult dilemma. Coal is one of our most essential commodities. It fuels the nation's industrial machine. Without it there would be little electricity, no steel. Dozens of industrial by-products come from coal. They range from chemicals to cosmetics.

Yet the cost of this progress comes high. Most devastating is the human cost, with thousands of men killed and disabled, women left widowed and destitute, children left fatherless.

Coal exacts a high toll in other ways. Vast expanses of land are torn asunder by surface mining. Acid drainage from mines contaminates our streams. Fires in abandoned mines burn for decades, continually polluting the air.

In places like Eastern Kentucky, overloaded trucks rushing coal to market leave the highways in ruin. In places like Pennsylvania, cities sink as abandoned mine workings far under the earth collapse. Electricity plants burning coal load the atmosphere with noxious sulfuric fumes, affecting health and property.

The dilemma of how to balance the welfare of the nation's 145,000 coal miners with the voracious demands of the profits-oriented industrial machine is heightened by the fact that the mine safety law is administered by politicians and bureaucrats schooled in the art of compromise, trained to respond to the greatest pressures. In the field, the law provides new problems for federal inspectors who, unaccustomed to having strong enforcement tools, have had to promote mine safety through compromise and cajole with the operators.

Inevitably, the pressures—some spoken, others not—are on the side of production. Even the United Mine Workers Union (UMW), the one hope of the working miner, has said and done little to counterbalance these pressures at work in government and industry.

But as West Virginia Rep. Ken Hechler, who became, after Farmington, Capitol Hill's most dogmatic mine-safety promoter, expresses it: "In this there can be no compromise. You cannot compromise men's lives and men's lungs. Congress has established

this priority and it is very clear: It is the health and safety of the miner."

This is an examination of some of the ingredients that made 1970 a year of difficulty, a year of continued difficulty for the men who mine America's coal.

#### THE LAW

Even before the Farmington mine blew up in 1968, the push was on for a better mine safety law. Reformers pointed to the grim accident statistics; Ralph Nader and others had documented the "epidemic" proportions of black lung disease suffered by miners.

The Johnson Administration in the early fall of 1968 introduced a measure that would have dramatically strengthened the government's enforcement tools. But it went to Congress too late to achieve action. Then came Farmington and there were sudden new converts to the cause of mine safety.

The Nixon Administration revised the Johnson proposals of 1968—made them tougher in some respects—and sent its offering to Congress, accompanied by a tough message from the President himself.

Congress reacted favorably to the challenge. After some months, legislation evolved that in some ways was more than most people had bargained for. Departing from usual legislative practice, it directed the Interior secretary to do certain things, rather than permitting him to do them—a feature whose aim was to make sure that the act resulted in action.

The act was given other sharp teeth. For example, for the first time it established fines against violators. For the first time, it put directly into law many safety standards—electrical equipment requirements, escapeway provisions, roof control and ventilation plans and, after lengthy debate, eliminated so-called "non-gassy" mines from special legal exemptions.

The powers of the inspectors were broadened as well. For instance, the definition of an imminent danger—any condition likely to kill or injure a miner before it is corrected—was expanded, and the inspector was given the power to close a mine for inadequate dust control. As a bonus, the legislation included black-lung benefit payments to miners and their survivors not covered by state compensation programs and it required new controls to prevent excessive dust, which causes black lung.

But after the stirring reassurance from the White House the administration became less enthusiastic about what was occurring in Congress. The White House objected to the black-lung benefits features being proposed; evidence emerged that it was resisting other sections of the legislation.

But the law was passed. Some legislators met privately to celebrate with champagne. Ken Hechler called the law a "Magna Carta" for the coal miner.

#### THE WHITE HOUSE

A week or so before Christmas, somebody at the White House leaked the word: The President was not pleased with the result of the year-long debate in Congress. A veto of the act was threatened because it included unpalatable features.

Editorial writers around the country reacted bitterly. The UMW was angry. Congress was angry. Hechler brought seven Farmington widows of Washington to personally lobby at the White House.

They didn't get to see the President, but they were told that Mr. Nixon would sign the act, which he did the next day in a private ceremony attended by none of the customary flourish. "It's a great day for all of us," said Sara Kaznoski, a brave widow who spoke for many in coal country.

The White House had nothing to say. In fact, between March of 1969 and Dec. 30, 1970—the day the Finley Coal Co. mine in Kentucky exploded—the White House made no official statements on coal mine safety.

Actions seemed to say more than words. A series of White House-sanctioned appointments and personnel changes in the Department of Interior and its Bureau of Mines, charged with enforcing the new law, had a good deal to do with mine safety.

#### THE ENFORCERS

Although the Department of Interior is a vast bureaucracy, often very set in its ways, there is a clear chain of command for coal mine safety enforcement and administration.

It is interesting to look at some of the personalities involved.

First was Secretary Walter Hickel, who finally was fired—not for mine safety, but for Cambodia. Bureau of Mines veterans who worked with Hickel complained that he had "a 5-minute attention span" on coal-mine problems. Those who tried couldn't get his ear.

The under secretary is Fred Russell, a wealthy real-estate developer and entrepreneur who was a leading fund-raiser during the Nixon presidential campaign in 1968. He has played a major role in mine-safety enforcement decisions. After Hickel left, Russell was the No. 1 man in the department.

The assistant secretary for mineral resources is Hollis Dole, a former Oregon state geologist who is thought of highly by the captains of the energy industries.

One of his deputies is Gene Morrell, who was an oil-industry lawyer. Another deputy is Lewis Helm, a publicist who worked in the Nixon campaign. Two other aides are Harry L. Moffett, a former lobbyist for the American Mining Congress, and John B. Rigg, onetime manager of the Colorado Mining Assn.

Next down the line is the Bureau of Mines director.

When the Nixon administration took over, the bureau was headed by John F. O'Leary, a Democrat who had a keen sense of public opinion. Farmington converted him into an aggressive force for better safety enforcement and, much to the displeasure of the coal industry, he acted firmly with the limited tools available to him.

In January of 1969, like other Democratic appointees, O'Leary submitted a pro forma resignation. It was not accepted by the White House for 11 months. When it came on Feb. 28, he had one day's notice to clear out. Word came at the worst possible time—when he was gearing the bureau to handle the new law, which would take effect within a month.

A mild-mannered professor, J. Richard Lucas, was formally nominated to replace O'Leary in May, but he withdrew his name from consideration in July when the Senate insisted that he relinquish his sizable portfolio of minerals stocks.

Meanwhile, the search for a director went on. In October—some seven months after O'Leary was fired—the White House nominated Dr. Elbert F. Osborn, a vice president for research at Pennsylvania State University. Osborn, a geologist by training, had no practical, technical or academic background in coal mining.

He was approved by the Senate and soon got an inkling of what really awaited him. At least four key officials in his bureau, having an effect on day-to-day activities, were either lobbyists or party faithful or fund-raisers who knew little about mining and its peculiar problems.

The latest and most controversial of the lot is Edward D. Failor, who was selected by Helm to be Osborn's troubleshooter in a newly created position. Failor will determine the amount of fines that safety-law violators are assessed. He is a former municipal judge in Iowa, a GOP campaign manager and fund-raiser, lobbyist for Iowa coin-laundry operators and member of the Iowa Young Republican Hall of Fame.

## THE ENFORCEMENT

With this scene set, how is enforcement of the Coal Mine Health and Safety Act of 1970 going?

Said Hollis Dole in August to a Senate subcommittee that was meeting to consider the rash of criticism of the bureau: "The nation's coal mines are healthier and safer now than they have ever been before."

Said Sen. Harrison A. Williams, D-N.J.: "All the information available to me reads like an indictment of the worst order. I cannot begin, in one setting, to enumerate all the grievous charges of heinous conduct by the department."

Those are the two extremes. But even the bureau's warmest friends acknowledge that things did not go well with the mine safety act last year. Virtually every week a new criticism was raised against the bureau and the department.

Admittedly, the law gave the bureau a lot to do and not much time in which to do it. The law imposed 31 separate deadlines requiring regulatory action—most of it major—before the act would be fully operative.

Perhaps the clearest example of departmental confusion showed up in the handling of penalties that Congress decreed should be assessed against violators of the law. That was one of the new "teeth" Congress provided for the enforcers.

In fact, the Bureau of Mines didn't assess any fines at all, although inspectors—working in a limited way because of court injunction—cited operators for more than 35,000 violations.

Last March, Undersecretary Russell ordered the printing of safety regulations and a penalty system, to take effect immediately, even though Interior had not allowed the customary time period for public comment. Moreover, operators were being held responsible for regulations they had not seen.

A group of small operators from Virginia sought an injunction, which they won, in a federal district court. On Russell's orders, Interior did not fight the court action. And then having lost in Virginia, the department applied the court order nationally to be "fair" to all operators.

Russell then put through another penalty plan, to take effect when the injunction expired. But there was a catch—it wasn't actually to be enforced. Operators cited for violations were told they would be fined later.

The third attempt to finally apply fines was published last month—again, with no advance public notice—with Edward Fallor to be the assessment official. That plan, which many expect to be challenged again in court by operators, incorporates another hooker known as an "absence of fault."

Under that concept, an operator may be excused from a fine if he can show that the violation took place in his mine despite his "diligence" or "due-care." Hechler, mincing no words, calls it "a clear sellout to the operators."

The critics' other central target of bureau activities has been its failure to conduct the legally required number of inspections—four a year in every mine in addition to spot checks at mines determined to be excessively hazardous.

The bureau estimates that it will need 1,000 inspectors to fully enforce the law, which Dr. Osborn says will be possible by the end of summer. How many inspectors it has aboard is not easily answered because of varying week-to-week figures, but the bureau appears to be about half-way toward its goal.

## THE STATE'S ROLE: COAL INDUSTRY "TURMOIL" SWAMPS AGENCY

(By David V. Hawpe)

LEXINGTON, Ky.—The shudder of death that moved through the Finley Coal Co. mines on Dec. 30 is still being felt by the Kentucky Department of Mines and Minerals.

The Hurricane Creek disaster was a nightmarish end to a year of frustration for the department, which had to cope with upheaval caused by the federal Coal Mine Health and Safety Act of 1969 and with expansion caused by the booming coal market of 1970.

For a decade before 1970, the number of mines that had to be licensed and inspected had dwindled.

Suddenly last year almost 400 new mines requested licenses in Kentucky. The coal market was moving, and everybody wanted to take the quick ride to riches. Underground operators, unable or unwilling to comply with the 1969 federal law, began leaving their deep mines and opening strip mines.

"The industry was in turmoil," Commissioner of Mines and Minerals Harrel Kirkpatrick conceded. "It was a particularly difficult year for us. We were swamped with paper work."

And with a budget of only \$660,000, he said, there was not enough money to do everything he and his staff wanted to do to meet the crisis. With 25 inspectors to watchdog 2,057 mines, there was not enough man power to expand the educational programs of the department.

With this circumstance as a backdrop, a Courier-Journal reporter studied records, questioned officials and reviewed procedures. The following facts were uncovered:

Inspections conducted by the department have fallen off almost 49 per cent since the peak inspection year of 1962, while closures of mines for violations of law have dropped almost 77 per cent. This compares with a decline of about 37 per cent in underground mines during the same period.

The department is so short-staffed that one inspector in the Hazard district office recorded 440 inspections last year.

The department is so short-staffed that follow-up checks are seldom possible, after operators are sent letters instructing them to correct violations found by inspectors. Many operators do not even answer the letters.

The department keeps no cumulative statistics on the kinds of violations found by inspectors, which would identify trends in the various districts and in the state as a whole.

The department has no formal, written plan for investigation of disaster such as the Hurricane Creek explosion. It follows procedures developed informally over the years.

The department is at a disadvantage in hiring inspectors, since the U.S. Bureau of Mines can start its beginning inspectors at a salary of \$500 more than the state minimum. And the federal salary at the senior inspector level is more than \$1,500 greater per year than Kentucky's.

The department operates under a 19-year-old law that is outdated in many respects but an agency effort to have that law revised extensively got nowhere during the last session of the General Assembly.

That revision would have brought the state mine-safety regulations more nearly into line with federal standards. And Kirkpatrick says he plans to offer a new bill to the 1972 General Assembly which would raise state rules to the federal level—and even go beyond U.S. proposals in some instances.

Although the 1969 federal laws is sweeping and overlaps state efforts somewhat, Kirkpatrick sees an expanded research and educational role for his agency, as well as improved enforcement of improved safety standards.

His intent is for the state and federal programs to supplement each other, with one providing a cross-check against the other.

The federal law provides specifically for cooperation with the states in the fields of

miner health and safety. Federal grants are available to help state plan and execute programs in these areas, and Kentucky was first to apply for money for a comprehensive plan which would expand personnel and initiate a mine-safety instructional program.

Department spokesmen explained the decline in inspections by citing the movement toward larger mines in Kentucky. "The larger the mines, the longer it takes to do one inspection," one official noted.

Also, the department at some point determined that more miners are killed by their own actions or inaction, rather than by physical conditions inside the mines, so a new inspection technique was instituted. Now the inspectors watch operations in progress, as well as inspect the equipment and material.

Also, there was a time when two inspectors would visit the same mine to double-up on the inspection necessary, and both would claim an inspection for the statistical record. "We cut that out, and that caused a drop too," a department spokesman said.

The fact remains, however, that the number of mines increased by about 400 in 1970, and the number of inspections decreased by four. The number of closures rose from 122 in 1969 to 139 in 1970. The increase in mines from 1969 to 1970 includes a boost of more than 15 in the number of underground mines, which require most of the department's time in inspection.

When inspections do produce instances of violations, the department sends a letter to the operator ordering him to correct the offense. Some situations are corrected on the spot.

"We get a lot of answers to the letters," said a department official. "Some we never hear from, just like any other business. But if an operator is the kind that consistently does not let us know by letter that he corrected his violations, we're going to know he is a problem case anyway."

Of course, he says, the inspectors always check for corrections of past offenses when they make their next regular inspection of the mines in question. Each mine is supposed to be inspected four times a year, if the budget of the department will permit.

"If the taxpayers were willing to hire us up to 100 people to follow up on these letters, we could do it," the official concluded.

Kirkpatrick emphasized also that inspection would not have prevented the Hurricane Creek tragedy. The cause of the explosion that killed 38 men was illegal blasting practices, which would not have been conducted during a visit by an inspector.

When the reports on inspections come to the Lexington headquarters of the department each one is seen by Kirkpatrick's assistant, J. H. Mosgrove, who has been with the department for years.

"I try to review each one, and it is possible to spot the trends in the process," Mosgrove said. "When you have a good deal of experience in this, you see the patterns. And your men in the field notice the patterns, too."

Years of experience also has determined the department's plan of action in responding to a disaster such as that at Hurricane Creek near Hyden.

"The traditional investigating procedure, based on past experience, was carried out, but if a plan for disaster investigation appears warranted this department would certainly be amenable to the idea," Kirkpatrick said.

During the 1970 session of the legislature, Kirkpatrick proposed a major expansion of his department, including creation of two new categories of employees: mine safety instructor, with a salary of not less than \$7,200, and electrical inspector, with a salary of not less than \$11,400.

The commissioner hoped to hire an electrical inspector and mine safety instructor

for each of the five Department of Mines and Minerals districts in the state.

Kirkpatrick also proposed a provision which would allow the commissioner to purchase vehicles, materials and equipment for the use of the department and mine rescue stations as he might deem necessary.

He said the cost of such an expansion would have been negotiated with the state's budgetary experts after passage of the enabling legislation.

"Education is the answer to something like the Hyden thing," Kirkpatrick said. "Most mine deaths are caused by attitudes and practices that can be changed only through a solid effort to educate the men who go into the mines."

Kentucky will initiate its program as soon as the Department of the Interior approves the \$230,000 grant request submitted by the department, with the help of the Kentucky Program Development Office. And the hope is that the program will reach every man in the Kentucky coal mines, over a period of years.

"Instructional talent will be recruited from the coal industry because we feel it is of prime importance if we are to do an effective job that our inspectors have a measure of background in the industry with which they are to work," Kirkpatrick said.

With the money, seven instructors and two electrical experts and three responsible dust consultants will be hired. They should relieve the department's inspectors of part of the educational work they now do, and permit them to concentrate more time in inspection.

The inspectors, a crucial element in the state program, are chosen for their qualifications, which must include 10 years' experience in the coal mines, at least five years of which must be in this state.

They must pass tests on their knowledge of coal mines cases, coal mine ventilation, the Kentucky mining law, first aid, mine fires and explosions, mining electricity and blasting practices in coal mining. They must show ability to use ventilation measuring instruments, explosive and poison gas testing instruments and mine rescue apparatus.

They must show ability to course air through a simulated coal mine, and must demonstrate knowledge of methods to combat mine fires and complete recovery work. "We feel it is safe to say that not more than 25 per cent of the applicants pass this test on their first effort," Kirkpatrick said.

This deep, professional knowledge required of the inspectors is one reason department spokesmen were taken back by a proposed retesting program for veteran inspectors that was submitted to the last session of the legislature.

"I was really hurt over that," one high official said. "I could not get to the bottom of why they wanted to do that. Can you imagine doctors being re-examined, or lawyers going twice before the bar? These are professional men who constantly improve their knowledge and skills."

The bill to institute the retesting program was sponsored by a group of Jefferson County legislators.

"I classed it as vicious . . . extremely vicious . . . without foundation," the department spokesman said.

The department did try to lower the inspectors' experience requirement from 10 to five years during the last legislative session, but the bill did not clear the House State Government Committee.

The bill involved a comprehensive revamping of the Kentucky mining law. It is outdated in many respects, and the department wants it to dovetail into the 1969 federal law.

Kirkpatrick explained that the department will propose an even more far-reaching bill to the 1972 legislature, and he hopes there will be more attention paid to this one than there was the last.

"We got it in late, and we were criticized for that," the commissioner said, "but we were waiting for the federal law to be finalized before we prepared our bill. That only made sense. Anyway, there was not a word in the papers about our bill when it was introduced and yet it was the most comprehensive effort to revamp our state mining law since it was written in 1952."

Kirkpatrick believes that even working under the present law, his inspectors do an effective job of enforcement.

"There is no politics in my department," he said. "The professional requirements for these employees are too strict for hiring to be political. We have dismissed no inspectors during this administration."

The department has given its men standing instructions to "take care of any situation which creates what in (their) judgment is an imminent danger to the safety of the workmen." By law the inspector has authority to close a mine, or any section of a mine, when imminent danger is observed.

"We feel that our closure record of mines substantiates that this action is taken when the inspector deems it necessary," he added.

The fines available to the department under Kentucky law are limited to \$200 for each violation, and officials believe that closure is much more effective.

"When you shut down a mine, it costs the operator all the production he would have had, and his equipment is sitting idle," Kirkpatrick said.

Besides, the department does not believe that punitive action is the answer. It is rather in the educational role, which has been an expanding part of the department's activities.

In 1965 a new federal law required use of a flame safety lamp in mines employing 14 or fewer people, and it fell the lot of the Kentucky department to begin training men in the proper use and maintenance of the devices, which are used to detect the presence of explosive methane gas or the absence of life-giving oxygen.

Since 1966 the department has averaged giving more than 1,000 flame safety lamp certificates, and each applicant must be trained or tested. In 1970 alone, the department wrote 1,913 such certificates.

The department also gives classes in the fundamentals of practical coal mining, which enable prospective foremen to qualify for their licenses. In 1970 alone, 342 such licenses were granted after the applicants passed a battery of complicated tests.

The department also wrote 448 first aid certificates, and 70 mine rescue certificates.

"It is a little-known fact in this state that Kentucky is the leader in mine rescue," Mosgrove said. In the 20 years since the national mine rescue contests began, Kentucky teams have taken the top spot each year except one—that was the first year, 1951.

"And every year we have Kentucky teams that take several of the top spots," Mosgrove said. "We have taken as many as five of the top places in one year."

Critics cite the fact that the Department of Mines and Minerals is headed by "a wealthy coal operator who sees coal as a \$400 million product." They say Kirkpatrick believes too much enforcement can be "economically destructive."

The critics note that Kirkpatrick reacted to the Congressional furor over strict dust standards in American mines by saying, "A German scientist says one cigarette is more harmful to the lungs than eight hours in a coal mine."

Kirkpatrick remains aloof from such criticism, and he sticks to his view that the department is doing an effective job with the resources it has.

And he believes he is making every effort to update the Kentucky mining law, to use available money for improvement in the Kentucky program, to emphasize those areas

in which most mine fatalities occur, to support the conscientious inspectors in the field.

"We have tried our best to be aggressive, to do as much as we can," he concluded.

#### THE OPERATORS: THEY ATTACK NEW RULES, FEAR "FLY-BY-NIGHT" COMPETITORS (By Ed Ryan)

WHITESBURG, Ky.—Dan Quillen, coal dust on his gaunt face, sat among bankers and merchants in the Cardinal Restaurant and tried to explain to a reporter the problems a conscientious mine operator faces in complying with the federal Coal Mine Health and Safety Act of 1969.

"The thing is, we don't know what to do to comply in some cases," he said. "Somebody's got to tell us how to do it. . . . We're playing the game under a new set of rules."

Thirty-five years old, a business-administration graduate of Berea College, a school teacher at one time, a former purchasing agent for a large coal company—Dan Quillen's background may not be typical of the average coal mine operator in Eastern Kentucky.

But his frustrations in dealing with certain sections of the 1969 federal law at his underground mine near Sandlick Creek illustrate a pattern of confusion and consternation among many operators of both small and large-scale mines.

In numerous interviews with mine operators, criticisms such as these emerged:

"The law has reduced the safety in the small mines of Eastern Kentucky, rather than improve it."—B.F. Reed, a respected coal official of the Turner-Elkhorn Mining Co. at Drift.

"This law was designed to stop spectacular accidents such as happened at Hyden (where 38 men died in an explosion), but it hasn't got down to the real nitty-gritty matters of safety."—Harry LaViers Jr., vice president of operations of Southeast Coal Co. and a knowledgeable mine technologist.

"The law requires us to put up 100 per cent more capital for a new mine we open . . . and the customer pays the bill in the end."—Robert Gable, whose family owns and operates the mines at Stearns in McCreary County.

Some small mine operators, who have been successfully dodging compliance with many of the federal law's regulations, may now get what coal they can from their underground mines, anyway they can, until closed down by the inspector.—Another operator who asked not to be identified.

On that day in the Cardinal Restaurant, Dan Quillen was worrying, among other things, about how he was going to comply with the law's requirement on respirable dust at the face of coal seam.

"Respirable dust" is coal dust in the mine's atmosphere that is so fine that a person's natural respiratory organs can't remove it from the body. It lodges in a miner's lungs and eventually reduces the capacity of the lungs to such a degree that any type of exercise is very tiring and eventually becomes impossible.

Under the federal law, the atmosphere in the mine can contain a maximum of 3 milligrams of respirable dust per cubic meter of air.

"We didn't even know the right procedures to measure the dust," Quillen said, adding that he sent his mine foreman, Roy Jordan, to a three-day school at Norton, Va.

It was found that Quillen's small underground mine had an average of "better than 7 milligrams" of respirable dust. Just to find this, however, took some doing.

"Honestly, by ignorance, we messed up 20 samples. The Bureau of Mines rejected them, and we had to do them over."

Late last year, using water sprays at the face of the coal and diverting more ventilation to the face, Quillen was able to make

progress—he had his dust down to 4.39 milligrams. The inspector, satisfied, gave Quillen an extension of time to reduce the dust.

But last week, the latest samples of dust were returned by the inspector with the discouraging news that the respirable dust was back up to 5.2 milligrams per cubic meter of air.

"I don't know what we can do," commented Quillen. "Just keep trying I guess."

The real problem comes late in 1972 when the federal law will require respirable dust to be down to 2 milligrams.

The mine operators interviewed do not object to the intent of the law—better health and safety provisions for the miner. But they resent that the law has lumped East Kentucky mines in the same category as the deep-shaft "gassy" mines of West Virginia and Pennsylvania, considered to be potentially more dangerous.

Reed, the 73-year-old spry treasurer of the Turner-Elkhorn Mining Co., explained that "any part of the law that experienced, qualified underground mine personnel believe contributes to safety, we are ready to comply with."

"But there's a tremendous difference between the deep-shaft mines and the mines (in East Kentucky) above the water level—in the area of ventilation, for instance."

For instance, Reed explained, the "wing curtains" used near the mining face of the coal tends "to obstruct the view" of the miners and was put in the law "for imaginary dangers."

The wing curtains, made of heavy burlap-like material, direct air currents from the mine passageways onto the miners nearest the coal face.

LaViers said that the additional air circulation caused by the wing curtains is "colder than hell and dry—the humidity drops to zero. It's hellishly uncomfortable, and you end up trying to heat the air going into mine. . . . By trying to solve problems you present others."

Reed adds that "the miner himself doesn't want the wing curtain and unless there's someone there to hit them over the head they won't use it."

Talk to quiet-spoken Elmer Whitaker, head of the Whitaker Coal Co. in Hazard, and you find he's bothered by basically the same parts of the law—the ones dealing with respirable dust and ventilation.

But there's another hang-up for him—the great increase in paper work.

"You have to fill out so many reports that you don't do what you're supposed to be doing to protect the miners' safety," Whitaker complained.

"You've likely got some problem in the mine you need to be in there seeing about, rather than filling out reports for the government."

This dislike of "paper work" may be why many small mine operators have not bothered to seek Small Business Administration loans to pay for the cost of complying with the law.

"As a breed, the small operators and rugged individualists who are impatient with red tape," says Gable, a comparatively big mine operator. "Not many of them are willing—or sometimes able—to fill out a 58-page application for a government loan."

Even though Gable believes that basically the health and safety act is a "good law," he thinks it has "turned out to be a nightmare" in some respects.

The rigid regulations and a "grossly unrealistic" compliance timetable, caused many small underground miners to switch to surface and auger mining, he says.

There was some concern expressed that money-hungry, fly-by-night operators will—because of the stringent law—rush into the coal-wealthy mountains, "hog" what coal they can reach easily and leave the land des-

tinate and the remaining minerals unreachable.

A number of small mine operators, who aren't as safety-conscious as others, are asking themselves whether "we simply continue (outside the law) as we always have been doing and wait until we are closed down?" Gable says.

"Most, if not all, small mines cannot afford to operate legally under the law," he commented. "When, then, do they get closed down?"

Another operator said that if the profit margin is not "significantly greater" for small mine operators, then 99 per cent of such mines, hiring 15 or less men, will eventually be closed for non-compliance with the law.

This, in turn, the operator said, will result in "poor conservation of mineral resources" in the Eastern Kentucky coal fields by some small operators who may seek out the "easy" coal before the strong arm of the federal inspector drops on them.

Others feel that the unscrupulous mine operators cast a bad reflection on mine operators striving to comply with the law.

"Those people who try to do right suffer at the expense of those who do wrong," LaViers said.

#### UNION ACTIVITY: UMW RECORD OF MINER PROTECTION DAMNED AND DEFENDED

(By Bill Peterson)

FARMINGTON, W. VA.—Mrs. Judy Henderson has many painful memories about the explosion two years ago at Consolidated Coal Company's Mountaineer Mine No. 9 which killed her husband Paul and 77 other miners.

But among the most vivid is one of the president of the United Mine Workers (UMW) union W. A. "Tony" Boyle on the evening news.

While mourners still clung together outside the mine, Boyle told a press conference that Consolidated Coal was a "cooperative," safety-minded company.

"I know what it's like to be in an explosion," he said. "I've gone through several of them. There is always this inherent danger connected with mining coal."

Consolidated Coal, he emphasized "is one of the better companies to work with."

Then only 21, Judy Henderson had grown up in the coal fields and she knew of mine dangers. As children, she and her husband played on the grounds leading to Mountaineer No. 9, and they had watched when an earlier explosion took 16 lives in 1954.

Boyle's conciliatory statements about the coal company baffled her, particularly after she learned a few days later that the mine had been found in violation of federal rock-dusting regulations in all two dozen inspections that the U.S. Bureau of Mines had made since 1963.

"I hated Boyle right then," she recalls. "I couldn't believe someone could say that right there in front of the mine where all our husbands were buried alive."

Her 24-year-old husband, she said, had frequently complained "how the union hadn't done anything for coal miners in 20 years."

"He was mad at the union, even his father and the local union members for not speaking up about safety," she added. "Now I knew what he was talking about."

So did UMW critics like U.S. Rep. Ken Hechler, D-W. Va., and consumer crusader Ralph Nader. For months, they had charged that the union hierarchy's cozy relations with coal companies had made them more interested in coal production than safety.

A federal jury in Lexington, Ky., had given a measure of credibility to their accusations three weeks before when it found the UMW and Consolidated Coal guilty of conspiring since 1950 to create a monopoly in the soft coal industry and force small coal companies out of business.

Although the U.S. District Court jury had awarded \$7.2 million in damages (a judgment later appealed) to South-East Coal Co., of Irvine, Ky., the case created little stir.

The Farmington disaster and Boyle's statements following it, however, became a bizarre milestone in both the history of mine safety and union politics.

Within a little more than a year, Congress had enacted the toughest mine safety law in the nation's history. And the UMW found itself entangled in a bitter power struggle in the course of which Joseph Yablonski, who had challenged Boyle's leadership, was shot to death and the U.S. Labor Department and a Senate Labor subcommittee had initiated investigations into union affairs.

Much of the controversy involved mine safety.

The slain Yablonski, according to his son Joseph, Jr., first considered opposing Boyle's re-election after the Farmington incident. The challenger's campaign was marked with frequent charges that the union was disinterested in mine safety.

The union's actual record is a mixed one. It has supported and lobbied for almost every tough mine safety measure ever presented to Congress. Yet only three times in recent times (1941, 1952 and 1969) has it succeeded in persuading national lawmakers to adopt major mine-safety bills.

Some critics have wondered how serious the union is about the subject. At the time of the Farmington disaster, for instance, it employed only one safety expert in its Washington headquarters and its district offices reported spending only \$14 during the year on safety education in West Virginia.

The union's record on the issue of the miner-crippling black lung disease has also come under severe attack. Although England had recognized the disease as an occupational hazard for 26 years, UMW policymakers did little about it until three West Virginia doctors began barnstorming the coal fields in 1969 warning miners of its dangers.

Then rather than joining the doctors Boyle condemned them, and his district officers threatened miners who joined the doctors with expulsion from the union. "We're not going to destroy the coal industry to satisfy the frantic rantings of self-appointed and ill-informed saviors of coal miners," Boyle said.

The UMW has little patience with critics. Its official newspaper, the UMW Journal, has labeled them "finks," "troublemakers," "spies" and "stool pigeons."

For decades, the union was the sole force to agitate for mine safety, UMW spokesmen say. And, they say, reformers—including Yablonski who sat on the union's elite executive board beginning in the 1940s—had little to say on the subject until after the Farmington disaster.

If progress has been slow in the past, the UMW spokesmen add, it is because the union has had to fight the opposition of coal operators and politicians controlled by coal operators.

"We've never been soft on safety," says UMW safety director Lewis E. Evans. "And I hope we never will be."

He maintains that the union has been particularly vigorous on mine safety during recent months. A year ago, for example, the UMW named a safety director for each of its district offices, of which there are three in Kentucky.

The explosion at Hurricane Creek, Ky., in which 38 men died, occurred in a non-union mine—Leslie and Clay counties have traditionally resisted most union organizing efforts—but the UMW has kept close tabs on it.

The union had observers on the scene and the UMW Journal devoted 17 of the 32 pages of its Jan. 15 issue to mine safety. President Boyle and assistant editor Rex Lauck took particular pains to point out that since the

Finley Coal Co. was a non-union operator its workers "could look only to the government for protection" and their survivors could count on receiving only meager government benefits.

The union placed the blame for the accident on the coal mine operator and the government's failure to enforce the federal Coal Mine Health and Safety Act. "Chances of a disaster of this nature are lessened at union coal mines where there are in existence active safety committees," said Safety Director Evans.

His point is a crucial one.

Since 1946, UMW collective bargaining contracts have included provisions for a safety committee in every mine with the authority to pull men from the mine if there is an "imminent danger" to their safety.

In theory, the committee are vigorous watchdogs and a valuable safety valve for miners.

In practice, their effectiveness varies from mine to mine depending on the persistence of individual committee members.

But one federal mine inspector noted:

"Committeemen have a dual allegiance. One is to the union, the other is to the company that hires them. It takes an unusual man to tell the company that is putting bread on his table that he's going to shut it down for a safety violation."

By contrast, John Huffman, who works the hoot-owl shift at Kentland-Elkhorn's Spruce Two mine not far from his home in Lower Pompey, Ky., is a soft-spoken, but adamant defender of the union safety committee system.

He's worked in both union and nonunion mines and feels union operations are much safer. "In a nonunion mine they can always find out a way to get rid of you if you raise too much fuss about safety," he says.

Huffman has been a mine safety committeeman for two years and believes "our mine is about as safe as you'll find." There hasn't been a fatality in those two years, and few serious accidents, he says.

"With a union mine you've got the organization behind you," Huffman says. "When we tell the mine superintendent that something's wrong, he'll usually get it fixed right quick. If he doesn't we call Squire Feltner (a Boyle loyalist and safety coordinator in the District 19 office in Pikeville). He's behind us 100 per cent. The district supports us all the way."

Landell Thornberry, a miner for 33 years and a long-time UMW dissident from Wheelwright, Ky., disagrees.

"The union's let the safety fight drag," he says. "The district won't stand behind the safety committees, they won't back them up."

"Maybe a safety committee will find a violation and threaten to go out on strike," he continues. "The district officers, they'll come to the safety committee and say 'Boys let's get back to work. We'll straighten this out.' Then they won't. People lost confidence in them."

But even Thornberry agrees that a miner is better off with a union than without.

"Without the union a miner's got nothing," he says.

#### THE SURVIVORS: PRIDE IN THEIR MEN TEMPERS QUIET GRIEF

(By Carol Sutton)

MANCHESTER, KY.—There are 34 widows—the youngest is 17; the eldest 64. 109 sons and daughters. Mothers and fathers. Sisters and brothers. Uncles and aunts and cousins.

All of them, with the exception of a few older children who have married and moved away, live along an approximately 35-mile stretch of Kentucky Highway 80 between Hyden and Manchester through Leslie and Clay counties and on the dirt hollows and black-top roads that lead to places called Granny's Branch and Bob's Fork, Ulysses Creek and Patch Branch.

For the survivors of the 38 men who died Dec. 30 in the mine explosion at Hurricane Creek, there is still pain. It shows in their eyes; all the tears have not been shed. It sounds in their soft and gentle voices, which catch sometimes and trail off.

The families of all 38 men were contacted; three refused to be interviewed. A few others were reluctant to talk to a reporter, but even if they didn't intend to tell much about their lives since the tragedy, their basic courtesy compelled them to extend a "Come in," in the way the mountain people have of making it an invitation and a friendly command.

How the families are responding to the tragedy that personally touched hundreds of lives in these two counties is as varied as the individuals who are affected. Some show great strength; others are still dazed. Some are resigned, accepting; others are angry. Most believe that there will be no changes in the way people live and work in these coal counties as a result of the Dec. 30 disaster; a few have hope that there will be changes that will make life better for all who live in the area.

But there are things these families have in common:

Pride in their men—men who died working, and working hard in a dangerous occupation, to support their families.

Determination that their sons will not work in the coal mines. They would prefer that the boys not have to leave their families and find work in another state, but many say they would rather they'd leave than go to the mines.

Hope that their daughters will not marry men who have to work in the mines, and, therefore, "not have to go through what I have been through."

Belief that education is what will keep their children out of the mines.

Mrs. Lonnie Collins, who lives in Leslie County, showed a photograph of her husband who was killed Young, curly-haired, horn-rimmed glasses, good-looking.

"He was to me . . . and a good man. Twenty-eight years old, and he had never had a taste of beer. What little time he had he spent with me and the baby. He was precious to me."

Mrs. Collins said that her husband spoiled their baby, Sandra Gail, 3½, but that when she would tell him that he shouldn't buy her something, "He'd say, 'Well, that's why I go under the mountain—to get her what she wants.'"

"We made it well enough on what he made. We have a car, as much as poor people could. . . . We had plenty to eat, plenty to wear, a good warm house, a good bed to sleep on. And love. That meant it all."

A sense of quiet grief, hopeless loss is what first strikes you in these hushed houses. But pride soon surfaces, softly.

Mrs. Earl Phillips, 40, a mother of eight who lives on Elk Creek in Clay County and whose husband of 25 years died in the blast, said, "I wouldn't trade what life I had as a coal miner's wife for the richest man on earth. I'm proud that I was a coal miner's wife. . . . Just about everybody in this neighborhood except a few are living off the state. A coal miner lives better than anyone can live off the state."

Mrs. Stanley Roberts, 38, is proud that she and her husband, who worked in the mines most of his 44 years, paid their bills, didn't get welfare checks and reared their four sons to depend on themselves. It was difficult for her to accept the one-month's public assistance check, and at first she refused food stamps and gifts of food, but later accepted them.

"We didn't live that way before he died. We won't live that way now. The welfare check has put me back on my feet. Now it's up to me to stay on my feet," Mrs. Roberts said.

She worries, however, about how she's going to manage. She'll draw Social Security benefits only until her 12-year-old son reaches 18, and after the Workmen's Compensation checks stop her only income will be a \$64 a month veteran's pension until she reaches 62.

Most of the families involved in the tragedy have lived in the same area for generations; it's their home, their families are close, and they like it.

"The people away from here, they look at us like we're stupid to want to live here," said Mrs. Lawrence Gray, a 26-year-old widow with two children who lives on Billy's Branch in Clay County. "Well, they look as stupid to us as we do to them."

Some of the widows have not been able to bear staying in their own homes since the tragedy and have gone to stay with their parents or grandparents. To Mrs. Arnold Sizemore a 26-year-old widow with three children who lives on Big Creek in Clay County, "You don't get away from it any place you go, so it don't matter much."

It has been of great comfort to most of the widows to have their families nearby, and they all say that "people have been real nice" and that no one has tried to take advantage of them. The one complaint they have about their area—and it's repeated over and over—is that "without an education, there's no place around here to work except in the mines."

Mrs. Frank Hoskins, the youngest widow, who is 17 and dropped out of high school in her junior year to get married, said, "There's nothing around here to work at, even if you finish high school."

"If you have anybody in under the mountain, you worry about them," said Mrs. Lonnie Collins. "You always expect something to happen to them. . . . at least, that's the way I was. I would kiss him 'bye' and tell him to be careful, two or three times. Then I'd pray to myself that he wouldn't get hurt."

Some of the men had worked at other jobs, or in other cities and states. But many of them liked working in the mines and they liked their fellow workers, according to their widows. And they wanted to be with their families. But even among those who liked the work, not one of them wanted his sons to follow him there.

"He took us in a mine one time, and when we came out he said that's the last time he ever wanted to see one of us in a mine," said William Thomas Roberts, 19, a senior at Clay County High School and the son of Mrs. Stanley Roberts.

Most of the parents had not finished high school, and the widows see better education than they had as the way their children can find jobs other than in a coal mine.

For her daughter, Mrs. Lonnie Collins said, "I would like to live to raise her up and educate her as much as I could. I would like her to go to college and like her to have things that I never did have. I know that's what he would want. That was always his plans—to give her as much education as we could give her."

#### FOR EDITH HARRIS "IT'S LIKE A DREAM"

CHOP BOTTOM, KY.—Edith Caudill Harris, whose 35-year-old husband, Lester, died in the mine explosion at Hurricane Creek, is one of the few miners' widows who have jobs. There aren't many jobs for women in Clay County, Mrs. Harris said, and she counts herself "just one of the lucky ones."

Mrs. Harris, who has three sons, ages 7, 10 and 13, has worked since 1967 as an aide in the Head Start program at nearby Paces Creek. She started as a volunteer and now is a teacher's aide. Her take-home pay is \$264 a month.

Her house, a bright white frame, neat and clean and comfortably furnished, shows the care it has been given. It was Jan. 30, a

month to the day since her husband and 37 other men were killed, but Mrs. Harris, shown above with her son Glenn, agreed to talk about her life as a coal miner's wife and her future as a widow. What she said reflects many of the experiences and concerns that the families share.

"He had worked in the mines for 18 years, since he was 17. We were married 15 years, the 21st day of December, but, seems like, we were newly married all over again, we got along so well. I'm 30 years old . . . that's half of my life.

"He didn't get very far in school, 6th or 7th grade. He seen where he made his mistake. He said he wanted his boys to get a good education so they would never have to go in the coal mines. He's taken them to the coal mines to show them where he works. It would frighten them to look at it. . . .

"He knew there was no other work in Clay County to do but the mines. I begged him to quit about a month ago. Every day I was frightened, afraid the phone would ring and someone would say he got killed. . . . It don't seem real to me. It's still like a dream. I look for him to come home every night. . . .

"His two sports was hunting and fishing. When I begged him to quit the mines and get another job somewhere else, he said he wanted to stay here so he could hunt and fish. He knew all the fishing places. It's going to be hard when summer comes. He took them (the boys) fishing. Now I'm the only one they have got to look to to do all these things boys do."

Mrs. Harris pointed to a new gold pickup truck in the driveway. "He'd been wanting a new truck for a long time. He came home one day and said he had found the truck he wanted, and he asked me could he buy it. I'm proud of what I answered him. I said, 'You work in the coal mines. You work your money out. You buy what you want to.' I'm proud of what I answered him."

**A LONE VICTIM: JUNIOR WAS TYPICAL OF MANY ILL-FATED MINERS**  
(By David V. Hawpe)

BEECH FORK, KY.—When they came to the house to tell Annie Ward her son had been crushed under a 10-ton rock, she whispered, "Take him to the church."

Annie never saw her son, "Junior," again. The snow that started out powdering the tattered edges of the high cliffs finally began to move into the valley as they brought his body down from the mines.

And Annie could not make her way through the thick drifts in her wheelchair.

She sat inside her tiny house, where Junior was reared, and she looked through the window. A short distance down the road she saw the boxy Pentecostal church, wearing its gray shingles like a neatly tucked suit. Inside sat the closed coffin.

Grant Wilson Jr., a son of Mrs. Ward's first marriage, was another in the forlorn procession of miners who die each year, unattended by the quartz lights of the network television crews and the busy presence of state and federal mining officials that go with major disasters.

No White House official was there to help Annie reach into the jumble of bureaucratic cords and pull the right one for help.

For her son was one of 49 men who died unheralded in Kentucky mines last year. His life ended the day before the Finley Coal Co. mines exploded on Hurricane Creek. That blast caused a national uproar over coal mine safety for a few days and brought special state and federal action to speed help for survivors of those 38 men who died together.

It has been more than one month since Grant Wilson Jr. died, and his invalid mother has not received her lump-sum death benefit from the Social Security Administration.

The Department of Economic Security in Frankfort finally called the public assistance office in Hyden on Jan. 25 to find out from Annie's neighbors what was being done to help out.

The U.S. Bureau of Mines has assessed no penalty against the operators of the mine in which Grant Wilson Jr. died, even though the official investigation of the accident found that management was at fault. In fact, the bureau had not inspected the mine in which this young man died, before the accident.

The Kentucky Department of Mines and Minerals determined that Grant Wilson Jr. was killed while working in a section supposed to have been abandoned for years. A state inspector swore out a warrant for the operator of the mine some five weeks after the accident, charging violation of a section preventing persons from entering abandoned mines.

How does a young man like Grant Wilson Jr., come to an end such as this? What special circumstances drove him into the mines? What unique history moves him to ignore the obvious hazards of working in a small, hilltop mine?

He was born on the Middle Fork of the Kentucky River in Leslie County. Annie Ward had a sister, Flora Howard, who lived over the Middle Fork. So she went there to have the baby. It was her first.

He had red hair and fair skin, which would cause him the usual grief suffered by all red-headed boys in grade school.

"Oh yes, they teased him awful about the red hair and freckles. Maybe that had something to do with the way he was."

Annie sat in her wheelchair as she talked about her son. She occasionally would lace her left hand on the side of her head, near the bun of silver hair. It was a gesture of hurt, almost like a wince.

"His daddy was killed before he was born, so he never saw him."

Grant Wilson Sr. was shot on the Middle Fork, and they never caught the man who did it. But Annie married Roy Ward soon after Junior was born, and Ward was the only father the boy ever knew.

"He worked in the logwoods," Roy said. "But he first started in at Peter Branch School. He went to the seventh grade I think. After that he worked in the logwoods. Hard work."

Why did he quit school?  
"Financial circumstances. I think that's what you would call it. Financial circumstances. He did good in school. It was financial circumstances."

By the time he was 18, Junior had passed through the stage when other teenagers teased him about the red hair and freckles. But he had become a loner. And he was not satisfied with the catch-as-catch-can existence of the coal field.

It was particularly difficult in Leslie County, since it was almost a colony of the Ford Motor Co.

When Henry Ford's agents bought up two-thirds of the county's mineral reserves and timber, the notion was that wood would be needed for spokes in the automobiles he was producing, and the coal would be needed for steelmaking to supply the car manufacturing plants.

But wooden spokes didn't last, and Henry Ford found other places to buy coal for steelmaking. So Leslie County never was developed. It never got a railroad. It never got a decent road, until U.S. 80 was driven in a tortuous path up the hollows and around the points. It remained, essentially, a dormant colony.

So Junior Wilson left, like thousands of others. He joined an exodus that poured 30 per cent of the county's population into the industrial centers of the Midwest between 1950 and 1960.

Junior Wilson found a place at the U.S. Steel plant in Lorain, Ohio. He was only 18 years old. The Korean War was on, but he had been turned down for service.

Like so many mountain people who gather in colonies inside the Midwestern industrial centers, he yearned to come home. Finally he did come back, to work for the telephone company. But that didn't last either.

"He worked at first one thing and then another," Annie said. "He went back to Lorain to work about four years ago, but he came back and I got sick."

A tall, handsome woman in her time, Annie now speaks most easily with the changing expressions of her large gray eyes. The stroke that put her in the wheelchair left the right side of her body paralyzed.

Public assistance allowed the family \$40 for Junior to take care of his mother.

"He cooked breakfast the day he was killed," Annie said, her eyes bathed in a glisten. "He always left before daylight, and we had his water ready for him when he came home in the evening. They had no bathroom, so he washed here."

Junior worked a total of five years in mining. He had been a general laborer in the Beech Fork Coal Co. Mine No. 1 for about one year, off and on, before he died there.

The mine's history is a strange one. It was operated by Roy Shotton, and local people call it the Shotton mine. It enters the coal seam just below the crest of the mountain, and the passageways are comparatively high, averaging 60 inches.

It had been operated intermittently for years, to produce house coal for sale in the immediate area. Sometimes 200 tons a year. Sometimes 300 tons. A mere runt-sprig in the orchard of the coal industry, and, because it was small and only operated during months when house coal was needed, it seemingly escaped the notice of the U.S. Bureau of Mines.

T. R. Mark, in charge of the bureau's Barbourville office, said as far as he knew there had been no inspection of the mine by bureau men. "They are supposed to get a license from the state . . . I don't know if they did or not."

The state did inspect the mine twice in 1970, and both times found major violations which were supposed to be corrected before work began. For example, on June 24 inspector Everett Bartlett found no fan installed, wiring poor, buildings only fair, wood tippie in disrepair.

On Sept. 22, another prework inspection was held by Bartlett. The fan still was not installed, and wiring and buildings were rated only fair. No map of the mine was available. No permit had been obtained to make the new openings. No substantial canopy was erected over the portal where men were required to travel into the mine.

Junior Wilson did not want to go into the diggings, according to his mother and stepfather. Other relatives also say he told them it was a dangerous place.

"But he had bought his used car from the Shottons, and he was workin' it out when he was killed," Roy Ward said. "He got \$12 a day, and it was paid in cash at the end of each shift. Out of that he had to pay for the car they had sold him."

"He paid them the day before he got killed—paid them \$10."

It was lunchtime on Dec. 29.

Junior Wilson was coming out of the mine to eat. In front of him was his friend Eugene Howard, driving a load of coal from a previously abandoned section where the state never had given permission to work. Barney Huff was walking about 10 feet behind Junior.

They were 200 feet from a waterway opening to the outside of the mountain when the roof began to move. Howard heard the roof break, jumped from the shuttle car, ran to

the outside and called for Roy Shotton. Barney Huff ran toward the face of the coal, circled around in some old works and came back to the shuttle car.

He found Junior pinned beneath a slab of rock 30 feet long, 10 feet wide and between 8 and 24 inches thick. It was 12:10 p.m., and Junior was dead.

The Department of Mines and Minerals was notified at 3:30 p.m., and Bartlett came over to investigate the next day. He was joined by Bureau of Mines inspectors Gordon Coch and Kenneth Martin.

Shotton told the inspectors he had been outside the mine on the tippie when the accident happened. He showed them where they had timbered, then had pushed the rock up with a hydraulic jack to free Junior.

The remnants of the collapsed sandstone were still there.

Junior was buried in the snow and 100 came anyway.

"I don't know what we have to get by on," Annie said later, looking out toward the knoll where he was buried. "I draw \$79 public assistance and \$32 Social Security. Roy gets \$72 Social Security. He can't work. He's under a doctor, too."

Roy said Shotton came by to give them \$1,000 for burial expenses, "but he never came to the funeral . . . never came by except to give us the money."

The Kentucky Department of Labor has sent two letters to Shotton, to find out whether the mine had workmen's compensation coverage. No answer was received the first time, and the second letter prompted a return marked "Moved" with no forwarding address.

Fred Faust of the Department of Labor then called the Department of Mines and Minerals to see whether there had been a change of ownership. "They had not received word of any change in this operation," he said.

So Faust sent the information to the attorney general of Kentucky Jan. 12 for investigation into possible violation of the Workmen's Compensation Act, and that is the last that Annie and Roy have heard from that.

J. Keller Whitaker, of the Workmen's Compensation Board, had no employer's report of injury concerning Grant Wilson Jr.

Workmen's compensation is required under Kentucky law, for mines with three or more employees. The Shotton mine did have that many employees on the day Junior died.

Why did Junior work in such a mine? Annie answered, "Well, it was the only thing he could get, and stay here to help me."

The Social Security office at Corbin processed the application from Annie Ward, as quickly as possible. But there was no airplane trip to hand-carry her claim through the payments center and the check-writing office in Philadelphia. That's how the Social Security Administration gained two weeks over the normal delivery time for benefit checks when the 38 men died at Hurricane Creek.

Annie never was asked to come to the special center that was established Jan. 4 at Manchester for survivors of the mass tragedy. She heard about it on the radio, but she did not go.

The state and federal mine officials did close down the mine where Junior was killed. And the federal people said it cannot be opened until specific safety requirements are met.

The federal report concluded, "Failure of management to have the room adequately supported was the direct cause of the accident. Failure of management to adopt and use an approved system of roof support and properly evaluate the roof conditions along the haul ways were contributing factors."

Annie Ward is intimidated by the kind of

dry language used by the report to explain her son's death. She is intimidated by her predicament as well: "I don't know how we can get along with the little we have got now. He was a big help to us. He was helping keep us going."

And outside, the noisy winter day slipped into afternoon. The wind blustered like March, and the river currents would circle down toward the Middle Fork, then move north toward the main Kentucky River. There the waters would ease through the lush Bluegrass country on their way to the Ohio River. And the Ohio would take them slowly past Louisville, Owensboro, Evansville and Paducah. Finally they would join the mighty rush of the Mississippi toward the place where inland America fans at the Gulf of Mexico.

"Sometimes I think we're so far back, people forget about us," Roy Ward said.

#### A MINING CAREER: DANGER'S JUST PART OF ANOTHER DAY'S WORK

(By Bill Peterson)

WOLFPIT, KY.—Ask a coal miner about safety, and he'll tell you he doesn't want his son to be a miner.

"I didn't bring 'em up for that," he'll say. Or, "I wouldn't let him near a mine. It ain't much of a life."

Miners seldom mention it without prodding, but what they're talking about is the danger and uncertainty of a career in the mines. For mining is the nation's most dangerous occupation.

It is an occupation four times as dangerous as trucking; two and a half times more perilous than lumbering. One miner in 12 who enters a mine in his early years can expect to be killed before he reaches retirement age. A 1965 U.S. surgeon general report said that more than 100,000 miners suffered from coal workers pneumoconiosis, or "black lung."

Translated into the experience of individual miners this means backs broken by slate falls, legs crushed between machines and death in varying forms. It also means individuals and their friends who have breathed in so much coal and rock dust that they can't walk up hillsides and who wake up in the morning spitting chunks of ugly black sputum.

Miners, however, learn to file away these things in the subconscious.

In the words of one union official who blames miners themselves for 90 per cent of the safety violations in the mine where he works, "They learn to look at danger as just a part of another day's work."

Many have little choice. They work in mines because there is little else to do in their home regions, particularly here in Eastern Kentucky. And it is the only thing they or their fathers know how to do.

But when it comes to their sons, most want something different.

For example, take Darwin Clevinger, who lives in this tiny coal town 20 miles south of Pikeville. He is among the elite of Kentucky miners—a union man who has worked without major layoffs or injury for all of his 28 years in the mines.

Mining has been good to him. He owns two cars and lives in a recently remodeled house halfway up Wolfpit hollow. His living-room walls are wood-paneled, and there is a lush carpet on the floor.

He works in what he calls a "safe mine" owned by Republic Steel and expects to earn up to \$10,000 this year. In addition, the United Mine Workers Union's Health and Welfare Fund guarantees him free hospital and medical care and a monthly pension of \$150 when he reaches age 55.

"I enjoy working in the mines," he said one evening. Scrubbed and shaven after a

hard day's work, he looked more like a preacher than a coal miner.

"Miners are a jolly bunch of people," he continued. "You feel awful close together because it hurts real bad when one of your buddies gets killed."

"There's something about the mines. After a man works awhile in them he gets to like the work, and he doesn't want to do anything else. It grows on you."

Clevinger's two sons, however, may never see the inside of a mine.

"I educated them not to be miners," he says. The oldest, 28-year-old Gary, is a barber in Ohio. Terry, 21, is a senior majoring in business management at Morehead State University. Clevinger's daughter, Kitty, 17, is a senior at Millard High School, and he would prefer that she not marry a miner.

He is somewhat uncertain about just why. "I'd just druther they stayed away from the mines," he said.

The same kind of answer come up constantly in dozens of interviews in recent months with miners in Eastern Kentucky, West Virginia and Pennsylvania.

In an industry scorned by youth—the average coal miner is 55—most interviewed were middle-aged. All said they were concerned about safety.

Most thought that the mine where they work is safer—often despite federal inspection reports to the contrary—than other mines. Most felt that they are more careful than their co-workers, and thus safer and less accident-prone.

All agreed the federal Coal Mine Health and Safety Act of 1969 has made their work safer. But most admitted frequently breaking safety regulations, including some of the same violations found in the Dec. 30 explosion which killed 38 miners at Hurricane Creek near Hyden.

A recently retired miner in Wheelwright, Ky., for instance, said it was common practice in the mine where he worked to shoot boom holes—sites for loading the coal—with 100 boreholes filled with explosives and not evacuate miners from the areas. State inspectors have blamed these same two illegal practices along with the use of outlawed primer cord, a ropelike explosive fuse, for the Hyden disaster.

"I shot hundreds of times like that. Only thing we didn't use is that primer cord," he said. "I've done it. I'd do it again. Miners just take chances."

Few miners appear ready to do anything about safety on their own—particularly if it means a confrontation. Most simply have resigned themselves to the fact that they work in a dangerous business.

"Miners are like a lot of other people. They don't like to get involved," said J. B. Trout, a union-local president in Stone, Ky.

"Then in these nonunion mines lots are afraid to stand up in front of the company. They can always find out a way to get rid of you if you raise too much fuss about safety."

Walter Coleman, who has never worked in a union mine, agreed. "All the operator cares about is running a little coal—not the man," he said one Saturday morning. "If you don't watch out for yourself, no one else will."

Coleman is 27 and the father of three. He is one of the few young men left in Lower Pompey, another coal town a few miles from Wolfpit. "All the rest of the young fellas here went to the car factories up in Detroit," one neighbor explained.

Coleman plans to spend his life in the mines. He has tried working in Illinois but feels he can do better at home in Pike County.

"I own my own little house and everything in it," he said. "It's not much, but it's mine."

"Besides, you can get killed in that car of yours. It's all in watching what you do."

**"MY 2 TONS OF COAL": A CITY BOY OPERATES MONSTER MACHINE UNDER MOUNTAIN**

(By Ed Ryan)

MARLOWE, Ky.—I mined two tons of coal the other day. It took me roughly three minutes.

Nothing to it, really. Just step up to that 30-ton, 30-inch high (that's right) monster of a machine, climb into the operator's seat, pull a throttle and feel a powerful sensation as the monster's teeth grinds into the face of the coal.

Of course, Henry Hatton was by my side to assist. He's the regular operator of the monster. He's also a kind and patient man.

While I pulled the throttle, Henry was adjusting about eight gears that gave the machine its direction. And he shouted instructions to me over the noise—"Give it gas," "now let up," "LET UP," "now gas," "GAS," "not too much," "too much."

Kind as he was, I got the feeling that Henry was glad when I had mined my two tons of coal.

All the fellows at the small Smith-Elkhorn Coal Co. mine in Letcher County were kind. They wanted to show a city boy that coal mining wasn't such a bad business, despite the tragedies of Farmington, W. Va., and Hurricane Creek, Ky.

Young Dan Quillen, the mine operator, talked about the business as he led me through the dark and low-ceiling passages of his mine.

"Mothers tell their sons to get an education so they won't have to go in the coal mines," he said. "I really, honestly, don't understand that."

Quillen's mine isn't as bad a place as I had figured it would be. But his mine may not be typical—there are many that are worse and some that are better.

For one thing, the coal seam rises as high as 60 to 65 inches, meaning at times I could almost walk upright. At its lowest point, the roof, or ceiling, of the mine was about 40 inches high and I was squatting and grunting as I tried to keep up with Quillen. A rock seam between two seams of coal causes the high ceilings in this mine.

By contrast, the Hurricane Creek mine near Hyden, where 38 persons were killed in an explosion Dec. 30, has an average roof height of 30 inches.

We made our way to where the work was—about 3,500 feet from the entrance. We had been following a conveyor belt that takes the coal outside to a railroad coal car waiting under a chute. Also a 13,000 volt electrical line trailed along with us to the mining equipment.

The "monster" machine is impressive. It is called a "continuous miner," a term I once figured was a peripatetic man who never rested.

Its "oscillating head," which gets the job done at the face of the coal has huge rotor-like cutters that are spiked with 84 carbide bits. These rotating bits tear into the coal seam, first vertically, then horizontally.

Sitting in the operator's chair (the operator is called the "high-risk" man), you are 20 feet from the action. A tremendous amount of dust is generated when the monster bites into the coal seam.

"When you break the coal, you get dust," Jordan said.

You only go into the seam 20 feet at one place, for safety purposes. A roof-bolting machine then has to go where the coal has been mined and secure the mine roof from possible collapse at that point.

Because of the swift air current sweeping the face of coal—due to an apparently adequate ventilation system—I wasn't getting any of the dust that was being generated 20 feet from me, or so I thought at first.

But as the machine, under my non-expert guidance, moved deeper into the seam, I got

my first good whiff of dust and my first feelings of claustrophobia. It didn't last long since Henry Hatton figured it was time for him to get back to serious work.

In simplified form, the continuous miner chews out the coal and throws it on a platform behind the oscillating head. "Gathering arms" sweep the small-sized coal to a conveyor belt on the machine, and the belt takes it to a boom-like apparatus that deposits the coal into a waiting trailer.

The low-slung trailer is pulled by a battery-operated vehicle. The coal is taken about 1,000 feet to a conveyor chain which connects with a conveyor belt that goes outside.

During two trips into Dan Quillen's mine, about six hours altogether, I found little which disturbed me. Instead, I enjoyed the experience and felt at times that it would be interesting to work as a miner—for a brief time.

Again, though, Quillen's mine may not be typical.

It wasn't the "dog-hole" that some had warned me about. Quillen doesn't use explosives. The seams are relatively high. Quillen, a Berea College graduate, is a sensitive, cordial man.

"That wasn't so bad," I thought to myself at the hotel room five hours later.

But there were some unpleasant after-effects. When I blew my nose, my handkerchief was black; my spittle was black the rest of the day.

And I had been at the face of the coal about three minutes.

**THE HEALTH ISSUE: DUST STANDARDS IGNORED; THE THREAT OF BLACK LUNG GROWS**

(By David Ross Stevens)

Kentucky miners are either healthier and harder than those in other coal-producing states or there is a mix-up in the gaining of governmental medical benefits.

Less than one third of the Kentuckians whose applications for black lung compensation have been processed by the Social Security Administration have received them. By contrast, about three fourths of the coal miners in Pennsylvania are successful in gaining such benefits.

Black lung—known officially as coal workers pneumoconiosis—is, basically, a condition in which breathing passages become clogged with fine coal dust, too small to see with the naked eye. More than 100,000 Appalachian coal miners are suspected of being afflicted with some form of the ailment, which can cause death.

While veteran Kentucky coal miners seem to be having trouble getting compensation for their breathing difficulties, their younger fellow workers are facing the same coal dust problem in the future. Despite new federal laws designed to hold down airborne dust, the situation seems to be getting worse.

Some of the reasons for this are:

Bigger coal-digging machines are churning up more dust than the less-automated machines of years ago.

Most coal mine operators have not installed dust sampling devices in the mines as required by the law last June.

The U.S. Bureau of Mines has not applied any penalties for noncompliance to the dust standards.

As coal-mine disasters such as that at Hurricane Creek, Ky., fade from memory the public spotlight on the country's most dangerous occupation also grows dim. But meanwhile the biggest killer of miners—black lung—continues along its anonymous path as steady as the flow of coal out of the mine portals.

After 68 men were killed in the Farmington, W. Va., mine disaster in 1968, the demand for stricter mine-safety regulations brought a new federal law with a hotly contested miners' health section.

Basically, this section provides for re-

stricted airborne coal dust levels, X-ray examinations of miners and money for disabled men. The dust control falls under the U.S. Bureau of Mines in the Interior Department, the X-rays under the U.S. Public Health Service, and the black lung compensation under the Social Security Administration.

The federal Coal Mine Health and Safety Act of 1969 was drafted without the participation of Social Security officials and this partially explains why miners have experienced delays—as long as 12 months—in receiving payments.

Upon passage of the law, Social Security offices were the target of thousands of miners and widows. Without forms of policy guidelines, officials tried to take down names addresses and what they thought would be pertinent information. But they had no idea what information was needed.

Everyone underestimated the black lung problem. Rather than the expected 100,000 applications, Social Security now has 250,000 cases. Of this number, 170,000 cases have been processed with 95,000 allowances and 75,000 denials.

The government has paid out \$150 million for black lung compensation at the current rate of \$17 million a month. Although Kentucky is the second largest coal-producing state in the nation, its share of this has been relatively small. So far, \$11 million has been sent to Kentucky at a current rate of \$1.3 million a month.

Of the 33,000 applications from Kentucky miners, 19,000 have been processed. However, only 6,000 Kentuckians have obtained black lung benefits.

One Social Security official who works in Kentucky surmised that the medical evidence presented by Kentucky miners was generally weak compared with that of more-successful Pennsylvanians because radiologists were untrained in black lung and therefore took bad films and read them incorrectly, or they and local doctors were oriented toward the mining companies.

William Rivers, a Social Security official in Washington, preferred to think that Pennsylvania had some factors peculiar to itself only.

For example, he said, the miners there were older as a group and had more exposure to coal dust. Also, the state has more anthracite (hard coal) mines, which result in the related lung disease of silicosis, and the state also had the country's best black lung program complete with medical files on most of the miners. These medical records were readily approved.

In the meantime, the taking of dust samples by mine owners and the medical examination of miners by the Public Health Service have lagged far behind their original June, 1970 deadlines.

"We're not at all satisfied," said Bedford Bird of the Occupational Health Division of the United Mine Workers union. "Fewer than half of the mines have complied on dust standards, and the taking of X-rays is just beginning."

The Public Health Service says it will have most of the 90,000 working miners X-rayed by next June.

Last September—three months after the effective date of the 1969 act—here was the degree of national compliance: of 2,800 mines, 240 sent in dust samples. Of the 240 mines, 145 did not have enough samplings to make a compliance decision. Of the 95 that did send in proper samplings, 45 mines had airborne dust levels within the law, 50 were in noncompliance.

Thus, less than two per cent of the country's coal mines were known to be following the new federal law.

Asked last week how the dust standards were being applied in Kentucky, federal inspector T. R. Mark, chief of the Barbourville subdistrict, replied:

"The December report from our Pittsburgh headquarters shows that 224 mines in this district were not sampling dust and 88 were."

Why aren't they all sampling?  
"The manufacturers of dust sampling equipment, I understand, finally have enough ready, but we still have local supplier problems."

When will the 224 mines be in compliance?

"That's hard to tell."

The new law's health section also requires portable toilets, portable drinking water supplies and medical kits underground. Are the mines complying?

"Just a very small percentage," Mark said. "Not that we don't want compliance in this area, but we are concentrating our efforts on roof falls and ventilation plans. That's what kills miners. I've never heard of the lack of a toilet killing a miner."

The inspector said that he has 28 men in his Eastern Kentucky district compared with the 50 to 75 men needed to do "a thorough job."

The federal effort in the black lung field has its counterpart on the state level in the form of the Mines and Minerals Department inspectors and the medical benefits from the Workmen's Compensation Division of the Labor Department.

The state mine inspectors are concerned only with safety regulations. They have no jurisdiction under the federal dust control rules.

The only exception was an experimental dust sampling program undertaken by the Kentucky Health Department with the cooperation of the state inspectors. The resulting report showed the great potential for black lung in most Kentucky mines.

More than half of the state's underground mines have high amounts of coal dust harmful to the miners, the report said, and the more mechanized mines have an average of four times more dust than the new federal law allows.

The Health Department report—released last November—had been ready for at least nine months. However, it had been kept under wraps by the Administration during the passage of the state's black lung law last February.

It is weaker than the federal law in virtually every aspect. This must change if the state is to take over the black lung compensation duties in 1973 as the federal law stipulates.

At present, there is no strong movement toward amending the state law so that it will fall in line on time.

It is more difficult for a Kentucky miner to obtain state black lung benefits than Social Security benefits, and there is less state money available.

The federal benefits are scaled from \$144 a month for a bachelor to \$288 per month for a miner with three dependents. This payment is scheduled for life.

The state workmen's compensation benefits, on the other hand, set a maximum of \$56 a week for 425 weeks. After a 20 per cent lawyer's fee, the flat limit is thus \$19,040 spread over 6½ years.

But Kentucky will still have one legislative session, in 1972, in which to bring state law up to the federal level.

But even as Kentucky law now stands, compensation for respiratory diseases has increased steadily. In 1969 there were 257 benefit awards, but last year 454 miners gained lung disability compensation.

Probably the big reason why there were only 1,100 lung cases filed in Kentucky last year compared with the 32,000 cases filed by Kentuckians in Washington is the difference in medical evidence required for compensation.

Under state law, the eventual benefits are paid by employers through insurance companies. This has created the adversary proc-

ess, which pits teams of lawyers and doctors against each other.

On the other hand, Social Security officials will consider any kind of medical evidence supplied by the miner-applicant. No "competing" medical evidence is obtained.

#### ECONOMIC IMPACT: MOUNTAIN BUSINESSMEN HAD BEST YEAR IN A LONG TIME

(By David V. Hawpe)

MANCHESTER, KY.—Stanley Finley stood under the canopy that covers the sidewalk in front of the V.F.W. post. He was watching the rain make the mud puddles into tiny maelstroms and didn't notice the widow until she was almost beside him.

"How are you, Stanley," she asked sympathetically.

"Fine. Just fine. Are you goin' in to sign up for the benefits with the others?"

"Yes, Lord, but I never thought it would come to this. When he came back from Ohio I told him not to go under the mountain. I wish you hadn't hired him. But he wouldn't have it any other way."

Finley ran a finger under his crisp, white collar. He shrugged nervously, like a chubby birthday boy trapped inside a new suit.

The widow was tall and gaunt, and wrapped in a nubby cloth coat, like a Paris model. Except for the lines that scored her face, she might have been handsome.

"I don't think they suffered any . . . any of them," Finley said. "It happened too quick."

It was an incredible conversation. Or at least some of the outsiders—the network newsmen and radical organizers and other hangers-on that follow things like the Hurricane Creek coal mine disaster—thought it was incredible. Here was one of the owners of the mine where 38 men died having a gentle discussion with a woman who lost her husband in the mine blast just five days earlier.

"I don't understand it," one of the television reporters said. "I thought they would want to lynch the man."

To understand the attitude of Eastern Kentuckians toward the coal industry and the personal and environmental dangers of mining, it is necessary to understand how nearly total the region's dependence on coal really is.

When coal is good, everything else is good.

Take bank deposits. That's where the health of the mountain economy can most easily be tested. And in the past year the growth of bank assets in the coal counties has been incredible.

"For 20 years we rocked along between \$7 million and \$8 million in assets," said L. D. Gorman of Peoples Bank in Hazard. "Then suddenly we jumped in 1969, from \$8 million to \$12 million."

And 1970 was a bigger year. With the rest of the country faltering in something approaching a recession, Peoples Bank recorded an increase in assets from \$12.1 million to \$18.8 million.

"It was phenomenal," bank officer C. Vernon Cooper said. "And 75 per cent of the increase is attributable to coal."

In Pikeville, the seat of the biggest coal-producing county in Eastern Kentucky, the three banks zoomed past the \$100 million mark in total assets, the first time ever. Pikeville National, in its statement just released, recorded a 1970 jump from \$29 million to \$49 million. "And coal was the big part of it," said Pikeville National's Robert Johnson.

All over the coal fields the bank story was the same in 1970—assets up 28 per cent at the First National Bank in Manchester, up 33 per cent at the Bank of Harlan and up 35 per cent at the Bank of Whitesburg.

Fortune magazine, in its latest issue, made the observation that this resurgence in the coal economy, "from the dirty dog holes in

the Appalachian mountains to the vast strip mines in Illinois," has been so "unexpected and spectacular as to give the impression that coal is once more king."

For years, the king was presumed dead. The home fuel and railroad markets which the coal industry depended on had switched to gas and oil. Nuclear energy was hailed as the fuel of the future.

But when nuclear energy failed to live up to expectations and couldn't meet the demands of generating plants, utility companies turned to coal. Today 53 per cent of the nation's electricity is produced by coal, and its demand for coal grows dramatically each year.

It was this increase, coupled with the entry of foreign coal buyers, chiefly Japanese industrialists, into the Kentucky coal fields, which caused the boom.

Prices zoomed from an average of \$3 a ton a few years ago to \$12, and the word went out that utility companies would buy "anything black."

The capacity of the coal industry will double by 1980, on the wake of a capital-spending program that embarrasses those who predicted the end of coal as an important fuel with the advent of the atomic reactor.

What a psychological impact on Eastern Kentucky towns that were built and maintained by the coal industry, for decades, and that were devastated when the coal industry slumped into its 20-year decline, beginning in the late 1940's.

Perhaps that is why Dill Finley, a general foreman at the Finley Coal Co. mines on Hurricane Creek, chose to complain about the federal Coal Mine Health and Safety Act of 1969 as he drove toward the recovery operations on the night of the blast rather than about the dangers of coal mining.

"This has been a hard luck mine from the start," the small, wiry young man said. "But the federal government's got you so tied up in knots with this new law, you can't operate. Now this has happened. You know what it will mean? They'll come down even harder on inspections. And we won't be able to operate. We won't have jobs. What do they want us to do, go on food stamps?"

To Dill Finley, the new federal law is a threat to his survival, not a boon to his chances inside the mine.

And the threat is not exaggerated by Dill Finley, under present circumstances.

The new federal law requires that, by late 1972 workers in underground mines should not be exposed to more than two milligrams of coal dust per cubic meter. And three-fourths of all mines in Kentucky now fail to meet that standard. In fact, Kentucky miners generally inhale 18 times the acceptable amount of coal dust.

Industry spokesmen say that 40 per cent of the nation's coal mines will be closed, if the new federal law is strictly enforced.

That is frightening talk in the coal fields, where every businessman feels the gains and losses of the coal industry on his ledger. It is particularly disturbing, right now, since mountain businessmen have just finished their best year in a long time.

Whitesburg newspaper editor Tom Gish noted that there still are thousands of families in the coal counties who are untouched by the 1970 resurrection of the coal economy.

But he added, "Closing down the truck mines would bring total depression to the mountains. If it is hard for Eastern Kentucky to live with the mines, it probably is true that the area couldn't live without them."

Besides recognizing that coal is an essential ingredient in their economy, many Eastern Kentuckians also believe the local coal operators are their only buffer against the powerful outside forces that control the coal industry.

An article in the most recent issue of "Mountain Life and Work," publication of

the Council of the Southern Mountains at Berea College, noted that most small mine operators are dependent upon the larger companies "for leases, or money for equipment, or their coal sales facilities."

The extent of out-of-state control by a few great corporations is not well known, but it has been documented.

The same "Mountain Life and Work" article by Helen Lewis noted that in 11 Eastern Kentucky coal counties, 31 people and corporations control four-fifths of all the coal. And another study showed that seven firms account for one-third of all the coal produced in central Appalachia.

Stanley Finley was there when the widows filed into the V.F.W. post in Manchester, five days after the Hurricane Creek explosion. And he was a local man, who spoke their language. Up the hill from the V.F.W. post sits the home of Stanley's brother Charles, the operator of the mines where the fatal blast occurred.

"The Finleys, regardless of what is found in the investigation, are a lot closer to the people in Clay County and Leslie County than the boardrooms of the companies like Bethlehem Steel and U.S. Steel and International Harvester," one Knott County coal operator said.

"The decisions they made were made in Manchester, not in the offices of Falcon Oil, Penn-Virginia, Continental Oil, Occident Oil, or those other big names in New York and Philadelphia and Houston and Los Angeles."

He concluded, "The people at least know us. They can talk to us. They don't feel at a loss with us. Maybe some of us do run off to Florida when we make our money, but most don't."

#### A LABOR SHORTAGE: SAFER MINES CALLED KEY TO SOLVING OF MAN-POWER PROBLEMS (By Bill Peterson)

PIKEVILLE, Ky.—Last summer and fall, listeners to radio station WPKE here heard what a few years ago was considered the impossible—spot announcements advertising jobs in coal mines.

In themselves, the ads weren't spectacular, seldom lasting more than 10 seconds and containing bare essentials—the company's name, a job description and the official to contact.

Coal companies, they said, needed motor-men, electricians, mechanics, augermen and sometimes, in effect, just plain workmen to keep Pike County's 500-some mines in operation.

But for the long-depressed region the ads were an important milestone.

On the plus side, they meant that the county and most of Eastern Kentucky was in the midst of the biggest coal boom in more than two decades. Also, the massive unemployment so long associated with the area was coming—at least temporarily—to a halt.

On the minus side, the ads were a grim warning that the huge manpower pool created when mechanization threw 50,000 Kentucky miners out of work between 1950 and 1965 had finally dried up. The development indicated that much of the industry may face a critical labor shortage in decades to come.

The ads surprised even veteran observers like Harry Campbell, president of the Big Sandy-Elkhorn Coal Association. "I've been around this area for better than 20 years and I've never seen anything like it," he said.

The most crucial shortages were in the ranks of the highly skilled. "But some places had trouble just finding warm bodies," said Campbell. "Many hired totally inexperienced young boys. They took them out of service stations and tried to make them coal miners overnight."

In the months since, there has been a leveling off of the boom, which was spurred in large part by a rapid increase in the de-

mand for coal by expanding utility companies. The miner shortage has become a "now you see it, now you don't" situation.

Its current status is a matter of dispute. No accurate statistics are kept. And even mine operators disagree on the labor-shortage severity.

Spokesmen for mine owners in Pike and Harlan counties, for instance, report that small mines are fighting an uphill battle to meet present man-power needs. However, larger unionized mines in the same area, have long lists of miners wanting jobs.

"If you're a top company with top conditions and top pay you can always attract the men you need," Campbell said.

But even some large companies are concerned about the future. "The big problem is that all the older men are getting out of the industry and not too many younger ones are getting in," said one coal executive.

In past generations when coal mining was a simpler craft this would have taken care of itself. In those days, a miner simply trained his sons in the few skills he knew and took him into the mines when he reached his 16th birthday.

The great coal slump of the early 1950s and the mechanization it brought with it changed that forever. In a decade, it put two of every three Kentucky miners out of work and replaced the pick-and-shovel miner of old with a new type of miner who depended more on his skills as a machine operator and mechanic than the strength of his back.

Those displaced swelled the unemployment rolls of Eastern Kentucky for more than a decade, providing a cheap source of labor for those mines able to survive the slump. Wages at times dropped as low as \$3 or \$4 a day in some small "dog hole" mines, and men were glad to get even that.

The picture today is a vastly different one. The surplus of miners has petered out. Production is at an all-time high—108,045,470 tons in 1969 compared with 73,951,266 tons in 1951. The Big Sandy Coal Field centered in Pike and adjoining counties has become the second largest soft-coal producing field in the nation. Wages have risen from the \$12 to \$16 a day common a few years ago to from \$20 to \$36 in larger mines.

But hundreds of former miners have left the coal fields and countless others are unqualified to run the complex new mining machines that have increased the output of the average coal miner to almost 20 tons a day, up from 6 tons in 1945.

Still others, some operators complain, have been "stolen" from them by federal anti-poverty programs and welfare programs.

Even more significant is the reluctance among young men to go into the mines and the high percentage of employed miners nearing retirement age. Nationally, the age of the average coal miner is 55. By contrast, the average Detroit auto worker is 38.

Scores of the top young men from high schools throughout the area leave home for greener industrial prospects to the north as soon as they are graduated.

Of those who remain, many are reluctant to stake their careers on a hazardous industry with such an unsteady past as coal mining; many others are unqualified.

"The shortage isn't so much in just people, it's in experienced people," explained one Floyd County operator. "You just can't put anyone on a piece of equipment that cost \$75,000 or \$100,000. Greenhorns, they'll tear it up."

Three years ago the Kentucky Coal Association was pinning most of its hopes in this area on increased vocational education. At that time, an association spokesman said: "Generally speaking, there isn't anything in our schools to prepare young men in the type of skills we need."

Dr. Carl Lamar, state director of vocational education, says the situation has improved somewhat since then. In addition to a long-

standing, mine-related training program at the Mayo Vocational School in Paintsville, vocational mine training is being offered in Hazard, Harlan and Madisonville, he says.

A mine-training institute is being considered for Letcher County, and the Kentucky Program Development Office has an ambitious seven-state training proposal pending before the Appalachian Regional Commission.

In addition, the state Department of Economic Security has administered out-of-school training efforts under the federal Manpower, Development Training Act (MDTA) since 1963.

Vocational efforts, however, are fragmented at best. Few industry spokesmen are impressed with them.

"The vocational programs are making a lot of noise, but quantity-wise they aren't putting out many people to work in the mines," said Campbell, of the Big Sandy-Elkhorn Coal Association.

"The equipment and instructors all are good," said Harlan County's McDowell. "But government regulations and bureaucratic red tape limits programs until they're practically useless."

According to state Employment Service records, 177 men were enrolled in MDTA coal-mining programs between 1963 and 1967. Of these, only 73 took jobs in the coal industry. Fifty-one dropped out of the programs, 25 took non-training-related jobs and 28 were unemployed or unaccounted for.

Vocational director Lamar said he doesn't have statistics to show what percentage of those trained in other vocational programs go into mining, but he estimated that it isn't high.

Vocational school graduates are much-sought-after by industry in other states, Lamar said. "If the coal industry expects to hire them it will have to offer competitive salaries and working conditions"—something that many mines do not do.

"Part of the problem is that a lot of people just don't want to work in the mines," he said. "If they expect to get some of these people they've got to make the jobs attractive."

One of the most important elements in this is making mines safer to work in. As the Kentucky Program Development Office's man-power proposal says:

"It is clear that coal mining must be made a safe occupation if the man-power problems of the industry are to be solved."

#### THE CHALLENGE OF HURRICANE CREEK

The 38 miners who perished in one accident near Hyden joined 49 other miners who also died in Kentucky coal mines last year. Coal mining is a dangerous business. But must it claim that many lives—and cause countless serious injuries—when laws do exist that attempt to insure the safety of miners? Some conclusions can be reached, some questions can be asked, based on the foregoing analysis of the overall problem of safety in the mines.

These points, then, are the real challenge of Hurricane Creek:

Is a "crash" program necessary to implement on an emergency basis the full provisions of the year-old Coal Mine Health and Safety Act? Perhaps including placement of a federal inspector at every coal mine in the country until compliance with the new law is obtained and maintained?

The number of state and federal mine inspectors is inadequate for the task they face. Kentucky, for example, has only 25 state inspectors to watch over 2,057 mines. And the federal force of inspectors appears to be only half of the desired strength of 1,000.

Is the pay scale adequate to attract and keep competent inspectors? Federal inspectors' salaries are higher than for those working for Kentucky. And inspectors, state or federal, often earn less than the coal miners themselves.

Would special "flying squads" of federal inspectors, who would drop in unannounced on coal mines, improve compliance with safety regulations?

Many coal operators say they don't thoroughly understand the provisions of new mine-safety regulations. And much of the responsibility for mine safety rests with the miners themselves. A stepped-up educational program would be possible under a \$230,000 federal grant being sought by Kentucky, but still pending in Washington. Isn't there a place, also, for increased educational efforts by the United Mine Workers union?

Are special loans necessary for those small-mine operators who cannot comply with new safety regulations because of increased operating costs?

And what of the "hit and run" operators who still can operate within a loophole in the federal law that permits a mine to be opened without first undergoing safety inspection?

The need for changes in the 19-year-old Kentucky mine-safety law appears obvious to bring it in line with stronger provisions in the new federal law. Plans are already under way to propose such changes to the 1972 General Assembly.

Would expansion of the Kentucky mine-safety program, as proposed last year by Commissioner Harrel Kirkpatrick, provide the men and equipment necessary to deal with mine safety?

Is Kentucky prepared to take over the black-lung compensation program in 1973 as required by the federal law?

Unless safer conditions in the mines are assured can the shortage of manpower in the booming coal industry be overcome?

#### VIETNAM DISENGAGEMENT ACT OF 1971

### HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. KYROS. Mr. Speaker, while I was attending a United Nations Conference on drug control, I missed the opportunity to cosponsor the Vietnam Disengagement Act of 1971 when it was introduced on February 10. Therefore, I am sponsoring the same bill today because I feel that it is of the utmost importance that as many Members of Congress as possible speak out on the disheartening recent turn of events in Southeast Asia. I want to add my name to the 55 Members of this body who have already supported this legislation—which is the McGovern-Hatfield amendment updated for 1971.

The American people are weary of our involvement in the war in Indochina. They want to withdraw our forces now and this bill provides a rational approach to accomplish this very desired goal. I for one do not believe that the road out of Vietnam leads through Cambodia and Laos—and neither do the American people. The President has had ample time to act and it is now left to Congress to insist on the May 1, 1971, reduction to a 284,000-troop level and a complete withdrawal of American forces by December 31, 1971. The Cooper-Church amendment was a significant first step, this must be a logical second one.

If the President's statements at his press conference yesterday were any indication for the future, it appears certain that the war is not scaling down, but instead, widening at an alarming rate.

The President refused to limit U.S. air support and I fear that he has failed to learn from our bitter experience thus far. Expanded bombings are not a sign of deescalation. We seem to be regressing to where we started in Vietnam. Let us stop all the ambiguous and misleading statements on the war and act on this Vietnam Disengagement Act immediately.

#### CZECHOSLOVAKIA RECONSIDERS DUNNING SCHEME

### HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. RAILSBACK. Mr. Speaker, on February 10, I addressed my colleagues in the House to advise them of a scheme being followed by the Czechoslovakian Government to obtain money from free world residents by threatening their relatives and property in Czechoslovakia.

I received a warm letter of thanks from Mrs. Anna Faltus, secretary of the Czechoslovak National Council of America, which I insert at this point:

CZECHOSLOVAK NATIONAL  
COUNCIL OF AMERICA,

Washington, D.C., February 16, 1971.

HON. TOM RAILSBACK,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. RAILSBACK: Please accept our sincere thanks for taking such an interest in the plight of the Czech and Slovak refugees who have been harassed by the Communist Government of Czechoslovakia and for inserting all the pertinent material in the Congressional Record. We sincerely hope that public condemnation by members of Congress and such associations as the American Bar Association of the action of the Czechoslovak authorities will stop the harassment of those, who were granted asylum in this country.

Thank you once more, I remain,  
Respectfully yours,

(Mrs.) ANNA FALTUS,  
Secretary.

Mr. Speaker, it is my pleasure to advise my colleagues that according to an article in the New York Times of February 17, 1971, and a dispatch from the Reuters News Service, the Communist Party leader of Czechoslovakia, Gustav Husak, has ordered an end to the practice which had been condemned by a resolution of the House of Delegates of the American Bar Association at the request of Adm. William C. Mott, U.S. Navy, retired, chairman of the ABA Standing Committee on Education About Communism and Its Contrast With Liberty Under Law.

I would direct the attention of my colleagues to pages 2356, et seq., of the CONGRESSIONAL RECORD for February 10, 1971, and the information there provided, and I include the New York Times article at this point in my remarks:

HUSAK INSTRUCTS CZECH LAWYERS TO HALT  
DUNNING OF 1968 EXILES

PRAGUE, February 16.—The Czechoslovak Communist party leader, Gustav Husak said today that lawyers had been ordered to stop sending refugees in the West demands for money to pay the defense costs at their trials in absentia.

Mr. Husak said in a speech at Pardubice that the dunning letters were unreasonable and that neither he nor Premier Lubomir Strougal had known they were being sent out.

The letters prompted an official complaint from Australia and charges in the United States and Canada that Czechoslovakia was trying to blackmail the 70,000 Czechoslovaks who fled to the West after the Soviet-led invasion in August, 1968.

In at least some cases, the lawyers said they would seek the \$70 to \$100 in legal fees from relatives in Czechoslovakia if the émigrés did not pay.

"I did not know anything about it and Comrade Strougal did not know anything about it, so I asked what's going on that has brought about nearly all of Western Europe to a boil," Mr. Husak told a gathering of party members.

"Well, whoever flees abroad without permission commits a felony, and they give everybody a lawyer, and the lawyers in their offices said to each other 'let's let the defendants know and make them pay for it.'

"In my opinion, it was not very reasonable because if somebody runs to the West, one would not think he would pay for legal representation.

"But the lawyers did not ask anybody. And now there is a big campaign and some governments even took action so that these letters would not be delivered and so on. So we put our heads together and told the lawyers: 'Comrades, don't do it, there's no sense in it anyway. Now, because of your foolish action, they are slandering the whole regime.'"

Mr. Husak, who devoted part of his hour-long speech to Western propaganda attacks against Czechoslovakia, denied that there were any splits in the party leadership and reiterated that political trials would not be held.

#### LITHUANIAN INDEPENDENCE DAY

### HON. GEORGE E. DANIELSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. DANIELSON. Mr. Speaker, this week marks the observance of two very important anniversaries for the tiny Baltic nation of Lithuania. It will denote the 720th anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251, and the 53d anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

Regretfully, it will not be a week for joyful rejoicing by Lithuanians and the nearly 1 million Americans of Lithuanian descent. As you know, the Baltic States have been deprived of their independence since the Soviet Union occupation in 1940.

I want to take this opportunity, Mr. Speaker, to honor the determination and the strength of the Lithuanian people who continue to struggle against the deprivation of their rights to self-determination.

I would also like to urge that the Government of the United States take stronger action to bring the force of world opinion to bear on behalf of the restoration of these rights to the citizens of Lithuania, as well as to the neighboring Baltic States of Latvia and Estonia.

CAPT. LANE GUTHRIE'S EFFORTS  
TO REDUCE AIR POLLUTION

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. VANDER JAGT. Mr. Speaker, until very recently the history of conservation was largely the story of individual crusades which were launched by small numbers of far-sighted, dedicated Americans. Today the efforts of early day environmentalists such as Theodore Roosevelt, Gifford Pinchot, Horace Albright, and more recently Rachel Carson have been expanded by large-scale organizations and governmental agencies. Thankfully, the preservation of the environment is now a broadly based popular concern.

But in this day of organized attacks upon desecrators of the environment, the most exciting and heartening efforts continue to be those of individual Americans who are doing what they can through their own lives to make a cleaner and healthier country. The gifted writer for American Forests, Mr. Mike Frome, himself a leading environmentalist, has told the story of Eastern Airlines' Capt. Lane Guthrie's efforts to reduce air pollution by eliminating dumping of jet fuel. The story offers an example of how one man, acting with conviction and courage, even at the expense of his job, contributed to the well-being of his country. The fact that the airline has recently reinstated Mr. Guthrie as a pollution consultant is itself a testimony to the sensibility and power of his efforts.

In seeking to prevent the skies from becoming a dumping ground, Captain Guthrie has defended the sanctity of the air out of the same philosophy and spirit of those of us who are fighting to totally eliminate the discharge of pollutants into our waters. There can be no justification for permitting wastes, even though they may have been treated to remove major percentages of polluting materials, to enter our air, or our oceans, lakes, or streams. I am seeking the adoption of regulations which will permit no waste to be discharged in any form from boats into the Nation's waters. And I am vigorously pressing for further development and implementation of recycling processes for sewage and other wastes, both to curb pollution and to provide for the reuse of resources. A significant example of sewage recycling is the spray irrigation system currently being developed for Muskegon County, Mich., with the assistance of a major demonstration grant and research and development funds from the Federal Government.

Captain Guthrie's efforts should spur us all to a greater determination to clean up our environment—not in a half-hearted way, but through processes whereby our wastes will become resources, our pollutants restored to productive capabilities. I insert Mr. Frome's account of Captain Guthrie's efforts in the RECORD:

CAPT. LANE GUTHRIE'S EFFORTS TO REDUCE  
AIR POLLUTION

(By Mike Frome)

Each individual should realize the power of his own life and never sell it short. The great use of his or her life should then be spent for something that outlasts it.

This isn't easily done in the area of conservation (or any other area of social action, I suppose), where few have the courage to buck the tide of inertia and complacency with more than lip service. It takes an angry, or at least determined, man to develop a clear vision of some special phase of the environmental crisis, then to dig hard for the facts and present them to his fellow citizens. He must have faith that when they know the score Americans will respond. He must have abiding faith, above all, in himself and be unwilling to sacrifice his principle for expediency.

Just such a man is William Lane Guthrie, an Eastern Airlines pilot with thirty years experience who made the headlines last October. You may recall he was fired when he balked at directives to dump excess fuel into the air over Miami, Florida. The publicity man assigned to justify the company's untenable position was more defensive than the pilot. "I should be criticized if I did dump in the air," Captain Guthrie declared calmly. "I don't know why I didn't stop dumping earlier. Why should we dump muck on people's houses?"

Captain Guthrie's decisive action was not taken on the spur of the moment. He had earlier appeared at Air Quality Control hearings at Fort Lauderdale to urge a harder line against air pollution. No action resulted from those hearings, which Guthrie labeled "a clumsy attempt to accommodate a practice we know to be wrong." This is not really a surprising performance by the bureaucracy, whether in air quality or any other aspect of the deteriorating environment.

The airline claims Captain Guthrie was not dismissed for his stand on dumping fuel, but rather because his insistence on draining the fuel before leaving the ground caused delays in takeoffs. In an era when people everywhere are clamoring for a cleaner environment, Eastern might have made Guthrie's procedure a model for its entire fleet and received public approval in return. Such, unfortunately, was not the case.

The company did not deny that fuel is being dumped, but endeavored to peddle the idea the fuel vaporizes immediately. Actually, unburned carbons in jet fuel react with sunlight to form photochemical smog and add to poor visibility. The secondary defense was that each plane dumps just a "small amount." This, of course, is what polluters say everywhere. It's always a slight case of poison. But when you add the fuel dumped by 450 jets leaving Miami International Airport, the year's total is quite substantial, and it doesn't go away.

I first read about Lane Guthrie in April, 1969, when he testified at a public hearing in Alexandria, Virginia, which lies between my home and Washington National Airport. Appearing in behalf of the Florida Izaak Walton League, he told the hearing run by the Virginia Air Pollution Control Board that haze—or more properly smoke—created by pollution is a serious cause of midair crashes; then he accused federal agencies of neglecting this fact.

"Any citizen who rides in an airplane is placed in jeopardy by those who are supposed to protect him because the nation lacks sufficient air pollution controls," Captain Guthrie declared. He urged the Board to set the maximum legal ratio of pollutants to air at zero. But why zero? "Zero means no pollution at all," he explained. "If you do any other thing, you have legalized the sky as a national dump."

I thought here was a man I would like to

know. We entered into correspondence and in due course he came for a visit. I found him an amazing fellow, one of the best I ever met, lean and leathery and well spoken, perhaps looking more like an executive than an airplane pilot, conducting a lone eagle campaign on his own time and with much of his own money in behalf of the public welfare.

He had heard John Kennedy's words about asking "what you can do for your country" and had taken them seriously. He had been moved by the death of a fellow pilot in a crash due to "poor visibility," very possibly traceable to man-caused smoke. He found his own horizons in the sky disappearing.

"Years ago, when I first flew to Florida," he told my family and me, "I could see the whole State spread out before me as soon as I reached southern Georgia. But now no longer. On a recent day I flew from Tampa to Atlanta to Philadelphia to Miami. From the vicinity of Tallahassee northward and then throughout the rest of the day, until arriving back around the sound end of Lake Okeechobee, the sky carried a heavy burden of 'private property' from the ground up to an altitude of 26,000 feet in the South, increasing to around 30,000 or 31,000 feet in the northern portions of the flight.

"The smoke is getting so thick in areas that pilots not only can't see the horizon, but can't see other planes soon enough. The official accident reports simply quote the weather as haze.

"As pilots we learn there are no artificial boundaries, either horizontal or vertical, to prevent widespread degradation of our thin envelope of air by material abandoned in that envelope at any point whatsoever on this globe. As pilots, we experience the sky not as an ocean of blue threaded by discrete smoke streams, but as an ocean of brown or milky white in which visibility is sometimes so poor discrete smoke streams are not seen, even near the stacks."

He is right, of course. Smoke is being re-gurgitated into the skies over Los Angeles, Chicago, Washington, New York and the Pacific Northwest, from cars, buses, trucks, airplanes, from refineries, steel mills, power plants, and from forests, in the name of conservation. A brown foul sea lies over the land, contributing to lung cancer, emphysema, eye irritation and skin disease, damaging plants and wildlife.

Little wonder that young people are disenchanted with the national performance, critical of the rights and responsibilities of property. They see we have many cars and many jets, yet they are denied their birthright to the enjoyment of a clear, sparkling sky. And despite the conversation about the environment and "acceptable levels," conditions are growing worse rather than better.

Lane Guthrie is not the only pilot who is critical and apprehensive. I recall a statement by one of his colleagues at Eastern, O. M. Cokes, who declared:

"So-called air pollution experts seem to have the idea, to control pollution simply locate heavy industry on the prevailing downwind side of town. Down wind of what town? We can remember when we could expect the top of the smoke layer to be somewhere around 3,000 to 6,000 feet and in extreme cases 10,000 feet above ground level. Further, it was the false impression of many that smoke was a local problem. On a recent flight from Washington, D.C., to Houston, Texas, we entered the smoke just off the ground at Washington and remained in it at 31,000 feet until some seventy-miles southwest of Birmingham, Alabama. Talking to another Eastern captain in Houston, I found he had flown down at an altitude of 35,000 and had not topped the smoke. Smoke is not low level nor of a local nature."

This reminds me of a report issued by the Pacific Northwest Region of the Forest Service last summer concerning a gambit called

"logging slash disposal." During 1969, approximately \$4,400,000 of public funds was spent to dispose of immense quantities of wood which nature had nurtured over long periods of time in the national forests of Oregon and Washington. Most of it was piled in bonfires and sent up in smoke.

"All federal and state land management agencies in the Pacific Northwest," according to the report, "including state departments concerned with air and environmental quality, operate under a joint plan which provides that slash burning will be done only under weather conditions that will keep smoke out of specifically designated, heavily populated areas, and other areas particularly sensitive to smoke. We anticipate no serious air quality problems from slash burning under this system."

The same sort of procedure is in force on public lands in western Oregon administered by the Bureau of Land Management. "More than a knowledge of physics, meteorology or air circulation was needed to achieve successful smoke management," an official of that agency reported bravely to the recent annual convention of the Society of American Foresters. "It took a mixture of technical knowledge, political sensitivity and plain cooperation between various interests to succeed."

One may contrast these statements from federal agencies charged with conserving natural resources with those of the airplane pilots, who must overlook the ocean of smoke. As Captain Guthrie bespoke his own responsibility: "When I fly a big four-engine jet at cruising speed, it burns as much as 16,000 pounds of fuel an hour. The wastes go soaring out the back end into the public domain. There's no secret about it . . . I have no more right to throw this waste material up into the air than I have to dump it along the public highway as litter. There is no right to dump private wastes into the public domain."

At his own expense, Captain Guthrie has printed and widely distributed a clever little booklet entitled, "Pocket Dictionary of Words and Phrases on Private Property." It includes these definitions:

Smoke stack: A long acid and fume resistant tube vertically placed for dumping unwanted materials into the air.

Pollutant: (1) A misplaced material. (2) A wasted material.

Air pollution control: (1) A nonsense combination of words covering activities irrelevant to the control of fumes and other process materials. (2) Planned dumping.

The underlying themes of his message are constructive and fundamental to sound conservation, based upon the elimination of waste and the utilization of all materials by private interests, rather than dumping on the public air and water.

"Some operators like to claim that to properly manage their property would drive up the cost of their products," he declares. "This is just not so. Today most goods carry a fictitious price tag. No one knows, really, just what steel, or paper, or a kilowatt hour of electricity, or a seat mile on an airplane really costs. Let these producers manage all their property, then for the first time both the seller and buyer will know what something costs. . . . Once the federal government threatens to charge for dumped combustion products, every airline will be out shopping for new engines which waste less fuel and dump less waste. Every waste dumper in the country will be out shopping for such devices."

What lies in Lane Guthrie's future I do not know. It would be a bold stroke for Eastern Airlines to take him back and assign him to work as director of environmental quality, or for some other large corporation to seek his counsel and inspiration. Though I have had no touch with him recently, I gather he is unperturbed.

But why should he be otherwise? Certainly no remorse is in order when he can express himself as follows:

"They say if you dig down through the glaciers in Antarctica, you can count the years—the layers of snow—just as you can count the rings in trees. They say that if you dig down to the 18th century layers, those from before the Industrial Revolution, there's a noticeable whitening of the ice. This in Antarctica—thousands of miles from anywhere.

"I'd like to believe some future scientist, maybe one of my grandchildren, digging down through these layers, will find that somewhere around 1980 they turned whiter again. And I'd like to know that I was involved."

When Lane Guthrie was fired, I think people cheered for him. If a little of his spirit rubbed off, there is more courage and hopefulness abroad in the land.

#### ANDEAN COMMON MARKET

### HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BADILLO. Mr. Speaker, in recent weeks and months we have seen numerous articles on the problems and failures of the Alliance for Progress, the difficulties being experienced by Latin American nations in effectively meeting the rising expectations of their peoples and equally bleak pictures. The presence of a new form of government in one Latin republic has seemed to dominate any of the news from South America. Thus, it is heartening to see an item about the progress being made by our Latin neighbors, particularly without our interference.

Last month a very timely and, I believe, objective article appeared in the Washington Post on the Andean Common Market. Although rather new, this innovative economic arrangement appears to have considerable potential and seems to offer real hope for the 60 million people living in the five nations comprising the union. While this unit is no panacea and potential pitfalls exist, the Andean Common Market has the capability of being, as the author aptly notes, "one of the few real solutions to the problems of Latin American political stability and economic development."

Mr. Speaker, I believe our colleagues will find this article to be of interest and importance and I am pleased to insert it for inclusion in the RECORD:

INTEGRATED ECONOMIC UNIT FOR 60 MILLION PEOPLE: ANDEAN COMMON MARKET—NEW HOPE FOR LATIN AMERICA

(By Jon Basil Utley)

LIMA.—Among all the bleak problems besetting Latin America there has appeared almost unnoticed one of the most hopeful and promising developments of the last 20 years. The Andean Common Market has begun to take form. Composed of Colombia, Ecuador, Peru, Bolivia and Chile, with Venezuela looking wistfully on, its ambitious objective is to form an integrated economic unit of 60 million people.

Presided over by a 29-year-old Chilean and with an average age of only 37, the Common Market Commission represents the new and

responsible force emerging in Latin America. These forces are composed of well educated technocrats, strongly nationalistic yet fundamentally realistic. Many of them tend to reflect the left-wing nationalism which is increasingly prevalent, but they also well understand the necessity for private initiative. Although some of their proposals will affect certain U.S. and European corporations adversely, they represent the best hope for creating a growing, economically solvent unit in one of the potentially most explosive parts of the underdeveloped world. Already their very quest for unity is modifying the extremist positions of some of their members, as has been shown in the final rules drawn up for the common treatment of foreign capital.

Even Chile, long the most socialistic country in Latin America, is still committed to the Common Market, a fact which should exert a solidifying influence on its theoretical Marxist leaders who must now accommodate their theories to the real world.

One of the most encouraging and promising factors in the Common Market negotiations is that they represent a completely Latin American undertaking without any U.S. presence or pressure. In the final analysis, only the Latin Americans can solve their own problems, and only projects of their own doing and initiative offer the assurance of long term support from their citizens. Indeed some of the Common Market's permanent staff show an almost unbelievable sensitivity to American interest in their meetings, rather as if they thought the United States was against them. During my interview with Alejandro Cabrera, the market's Chilean press secretary, he repeated three times that their desire to control and limit foreign investment did not mean that they were pro-Communist, as he must have believed most Americans would consequently assume.

At his final press conference on Dec. 31, Dr. Juan Somavia, president of the session, spoke glowingly of the "extraordinary goodwill" whereby so many conflicting points of view were compromised within the established deadline. To ensure their compliance, the signatory nations have obligated themselves to conform to the decisions of a simple majority vote of the commission composed of representatives of the five governments. Certain major policies, such as those involving the treatment of foreign capital, must be voted unanimously, although abstentions are allowed. The nations have also set up an obligatory time schedule for key decisions which must be adhered to.

The Andean Pact embraces three major objectives. First is that of establishing a viable internal market for large scale industrial production with certain heavy industries to be assigned exclusively to different nations. Second is that of limiting the power of large international corporations. Third is the unusual approach of offering special concessions to the less developed associates, Bolivia and Ecuador.

The major step toward a free internal market began last Jan. 1 when a uniform tariff structure went into effect on about 4,000 items traded within the market. This tariff is 10 per cent below the lowest prevailing rate of any member. For example, if Chile, Colombia and Peru had varying tariffs of 20, 30 and 50 per cent on the same product, then all commerce within the group on this item will have a uniform tax of 18 per cent (20 per cent less 10 per cent) with further 10 per cent reductions each year for 10 years. Bolivia and Ecuador are permitted to delay the start of their annual 10 per cent reductions for five years.

On Feb. 28, 1971, all internal customs duties will be eliminated on another large list of products currently not produced in any of the Andean countries. Next June 30 a minimum common external tariff will be put into effect in order to encourage the

eventual manufacture of these products within the market.

A final major list of products is reserved for sectoral progress of industrial development. Product groups in this category will be subject to separate integration agreements with their own schedule of tariff reductions. Specified industries have been reserved for Bolivia and Ecuador and, as of Jan. 1, various groups of their products are allowed free import into Chile, Colombia and Peru.

Prime interest during the recent meetings centered around the proposals for limitations on foreign investors. On one side have been Chile, Bolivia and Peru calling for restrictions of varying tightness, while on the other has been Colombia urging more moderate action. This is somewhat ironic since Colombia was the first country to restrict yearly profit remittance of manufacturing industries to 14 per cent of invested capital, a policy since adopted unanimously by the Common Market, which also guarantees the 14 per cent in convertible currency. Ecuador sided with the more restrictive forces but in return received together with Bolivia a five-year exemption from the necessity of complying with many of the restrictions.

Companies which sell at least 80 per cent of their exports to non-member nations are exempted but foreign manufacturing industries are now subject to the following restrictions. They must convert into mixed enterprises with at least 51 per cent of their shares in local hands within a set time schedule over the next 15 years. Foreign corporations which do not comply can continue operating but may not benefit from the common tariff reductions although even they are exempt for the next three years by merely declaring their intent to sell at least 15 per cent of their shares to local investors. However, new foreign investment entering the Andean countries must commence with 15 per cent local shareholders.

Offers of shares for sale in a company's disinvestment program must give preference to the state or state enterprises in the respective countries. New foreign investment is not allowed in activities already served by local companies. Foreign investment destined to acquire control of existing national corporations is no longer permitted except to save a firm from bankruptcy as set forth in detailed conditions. Governments of member countries will abstain from giving any guarantees for any external credit operations of any foreign corporation unless the government is participating in the company.

Various restrictions are established on the conditions of contracts granting the use of foreign technology and patents. Bearer shares henceforth prohibited.

Another group of conditions has been adopted, however, with an escape clause for governments which do not wish to comply because of "special circumstances." These prohibit foreign companies from entering the sector of public services and prohibit any new investment in banking, insurance, and other financial institutions. Existing foreign banks shall not be allowed to receive current or saving accounts unless they transform themselves into national banks by selling 80 per cent of their shares to local investors within the next three years.

The various restrictions on foreign capital are not at all impossible to work with. The international corporations will always find their services in demand just as they are even able to negotiate profitable ventures with Communist countries. However, they will have to adapt themselves to the new rules. Years ago, when Colombia first imposed restrictions on profit remittances there were many complaints, but Colombia anyway became one of the preferred investment areas in Latin America, primarily because it appears to be politically stable.

If the Andean nations are really able to pull together, then foreign investment will eagerly seek admittance under almost any conditions. Their common market is one of the few real solutions to the problems of Latin American political stability and economic development. It has developed quietly perhaps because most people never thought it really possible for the different countries to agree on a mutual program. By the end of 1971 the course and success of the integration programs should already be apparent.

### THE PROPOSED ALASKAN PIPELINE: NATIVE ALASKAN INTERESTS

#### HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1971

Mr. ASPIN. Mr. Speaker, yesterday I appeared as a witness before the Interior Department hearings on the proposed trans-Alaska pipeline. The following is the text of the statement I made at the hearings. The main concern of my testimony was how the proposed pipeline would affect the native Alaskans—ecologically, culturally, and economically. I believe that the effect the pipeline would have on the natives is one vital aspect of the whole pipeline question which to date has received scant attention from either the Interior Department or from Congress.

Following the statement I have included an appendix consisting of excerpts from Interior Department memos and reports which I quoted from in my statement. The statements and conclusions reached by these memos and reports often directly contradict the conclusions reached by the Department's draft impact statement—which is the subject of the Department's 2-day hearings.

Following the appendix I have included a report, written by one or more Interior officials who dissent from the Department's draft impact statement. There is some indication that the Interior Department at first tried to suppress the publication of this important report—even after it became the subject of a Jack Anderson article. After I introduced this report into the hearing's record the Interior Department announced that it would make the Jorgenson report public.

I include the material, as follows:

#### STATEMENT OF CONGRESSMAN LES ASPIN ON NATIVE ALASKAN CONCERNS MADE BEFORE THE INTERIOR DEPARTMENT HEARINGS ON THE TRANS-ALASKA PIPELINE

A few weeks ago, the Department of the Interior published a draft Impact Statement, pursuant to the requirements of the National Environmental Policy Act of 1969, for the Trans-Alaska Pipeline. The Department is now holding hearings, both here and in Alaska, on the draft Impact Statement.

This is the largest pipeline ever constructed in the United States. Each day, it will carry millions of gallons of oil across 800 miles of the most rugged terrain in the country. Climatic conditions in Alaska are the most severe in the United States. No one can accurately predict the consequences of this vast and unprecedented project or as-

sure that it can be safely built and operated. Many of the technical problems of building a huge pipeline through the frozen Arctic environment have not yet been solved. Indeed, only last week, the President of Alyeska, the subsidiary of the seven oil companies which is actually going to build the pipeline, stated that the pipeline has not yet been designed, and that it will be designed "as we go along" (Journal of Commerce, 2/5/71).

I do not see how the Interior Department could discharge its primary obligation to the public, and at the same time, approve the pipeline "sight unseen".

The draft Statement fails to answer many important questions about the environmental impact of the pipeline. Until these questions are answered, I shall continue to have very strong reservations as to whether the pipeline should be built at all. Others have spoken and will speak to the broader ecological issues. I would like to address these remarks to one aspect which has received very little attention to date, and is practically ignored by the draft Impact Statement—the devastating impact of the pipeline on the people who live in its path, primarily the Indians and Eskimos whose main livelihood comes from the land. These are the people who will be most directly affected by the pipeline, and yet they are in danger of being totally forgotten. Surely the impact of this project on their lives and welfare deserves as much consideration and concern as the economic interests of the gigantic worldwide oil companies who are almost literally attempting to bulldoze this project through.

There can be no doubt that the pipeline will represent an enormous threat to the way of life of these Alaskan Natives. Hopefully, answers may eventually be found to some of the technical obstacles. But there is one hazard which can never be overcome—the risk of pipeline fracture resulting from an earthquake. As the draft Impact Statement points out, "the southern two-thirds of the proposed pipeline route is subject to the occurrence of large earthquakes, magnitude 7 or greater". (p. 18)<sup>1</sup> The segment of the pipeline route from Valdez (the southernmost point) to Willow Lake is subject to earthquakes of up to 8.5 magnitude, and from Paxon to Donnelly Dome up to 8.0 magnitude. (By way of comparison, the earthquake that had such tragic consequences in Los Angeles last week had a magnitude of 6.5.) In the 70-year period between 1899-1969, there were 23 earthquakes with Richter magnitudes greater than six within 62 miles of one or more of the proposed pumping stations. The previous Secretary of the Interior admitted to the chairman of the Senate Interior Committee that "we cannot provide assurance that large earthquakes will not rupture the pipeline".<sup>2</sup> He went on to state that the effects of such a break would be minimized by installing a series of cutoff valves.<sup>3</sup> The draft Impact Statement concedes that "There is a probability that some oil spills will occur even under the most stringent enforcement" (p. 193). Dames and Moore, Alyeska's seismic consultants, have stated "we believe the most effective provision for protection against the adverse effects of fault displacement would be appropriate spacing of shutoff valves" (op. cit. 22), thereby tacitly admitting that the pipeline cannot be guaranteed against fracture, and that the most that can be done is to attempt to cut down on the amount of oil that will be spilled.

I understand that Alyeska's present plans call for shutoff valves at approximately 50 mile intervals. This may sound like a reasonable solution to the problem, until one realizes that just one mile of the pipeline will contain 500,000 gallons of oil. This is almost

Footnotes at end of article.

twice as much oil as was released during the Santa Barbara oil blowout in 1969.<sup>4</sup>

The prospect we appear to be facing, therefore, is that up to 100 times as much oil as was split at Santa Barbara may be loosed over the Arctic landscape.

This leads me to what I consider to be the major defect of the Impact Statement—its almost total failure to consider the impact of the pipeline on the people who actually live on or near the pipeline route, most of who make their living from the land. An oil spillage would be an ecological tragedy for the entire nation. But it would be more than this for the native Alaskans who live in the path of the pipeline—for their already tenuous livelihood and existence depends entirely on maintaining the delicate balance of their ecosystem.

Native Indians and Eskimos have for hundreds, if not thousands of years lived and hunted on the land and fished on the waters to be traversed by the pipeline. Recent archaeological surveys have uncovered prehistoric hunting and fishing campsites (up to 13,000 years old) on the very path that the pipeline is to take. Many of the present-day inhabitants depend on the land in a way that has changed little for centuries. Hunting and fishing are not sports for them, but essential means of survival in a harsh environment. For example, the 150-odd Indian inhabitants of the Native Village of Allakaket, which is about 50 miles from the pipeline route, harvested the following items in 1967: 230 caribou, 48 moose, 12 black and brown bear, 110 beaver, 100 muskrat, 10 red fox, 15 lynx, 15 porcupine, 10 land otter, 30 martin, 20 mink, 10 weasel, 5 wolf, 30 rabbit, 12,000 salmon, 7,800 whitefish, 1,000 grayling, 100 char-pike, 200 grouse, ptarmigan and spruce hen, 1,000 duck, 10 geese, and 550 pounds of wild berries.

This harvest was valued at approximately \$97,000. As these figures show, fish represent a particularly important item. It has been estimated that the native Alaskans who live along the Yukon River catch about 450,000 fish a year for sustenance.

It is easy to imagine the impact of an oil spill on these people. But it is unnecessary to do so. The following statements, all by officials of the Interior Department and the Alaska State Department of Fish and Game, make graphically plain what will happen in the event of a pipeline break:

"There is no place on the pipeline site where an important watershed would not be threatened by a major spill. A spill along the small tributary of Koyukuk could infect the entire Yukon River drainage. Some areas, such as tributaries to the Minto Flats, are particularly sensitive, and a spill there would threaten one of Alaska's most productive waterfowl breeding habitats." (Pipeline Effects and Monitoring, p. 2)

"A major resource disaster could result from a major pipeline break in these particular areas (the Yukon River and its tributaries)." (Report, August 8, 1969, p. 1).

"With miles between shutoff valves, any rupture would be catastrophic, no matter where it occurred." (Memo, July 7, 1969, p. 2).

"A pipeline break at the wrong place at the wrong time could be devastating to a broad spectrum of the ecology of a significant area, affecting native food supplies." (Memo, April 25, 1969, p. 2)

"Pipeline breaks or leaks could cause pollution of lands and waters that would be indescribable." (Report, November 10, 1969, p. 4)

"Public concern for the aquatic resources in the Tanana and Yukon drainages is high. A major (pipeline) break could pollute the water in almost all of Central Alaska and the estuaries." (Memo, June 20, 1969, p. 4)

"Oil leaks occurring in the drainage of the Sagavanirktok, Koyukuk, Tanana, and Copper Rivers and Minto Flats pose serious threats to important waterfowl habitat." (Report, September 30, 1969, p. 2)

Clearly, then, the people who live along the pipeline route, and depend on the land for their very livelihood, face the prospect of a catastrophic disruption of their way of life. Yet, the Impact Statement makes no reference to this fact whatever. Nor has the Interior Department included in its proposed stipulations governing the project any protection against catastrophe for the natives. Incredibly, flying in the face of the statements of the Department's own officials, the Draft Impact Statement concludes that "The proposed pipeline system would not result in any significant adverse environmental effects that can be related to present or future cultural features of most Alaskans" (p. 140). The implicit assumption that the mere stating of such an unsupported conclusion can erase the evidence of hard facts is little short of remarkable.

It is clear to me that if the inhabitants of the pipeline route are to be subjected to the very real and constant threat of a major oil spill, in addition to the inevitable disruptive effects of the pipeline and haul road construction—the Interior Department (which is the legal guardian of the Indian inhabitants of the region) should make every effort to minimize the impact. There are three specific steps it must take at this point:

(1) As a condition of granting any further permits in connection with this project, require Alyeska to enter into a bond under which it will indemnify any person suffering economic loss as a result of an oil spill. The draft stipulations proposed by the Interior Department provide only for the indemnification of the U.S. Government, and then only for the cost of "cleaning up"—not for the economic loss, both present and future, incurred by the Indians. I can see no logical or equitable reason why the U.S. Government should be protected from the consequences of an oil spill, yet not the actual inhabitants, whose very way of life could be destroyed by a spill.

(2) Require Alyeska to enter into an agreement with native representatives giving them fair compensation for the rights to their land and for the intrusion into their way of life resulting from the construction and operation of the pipeline. Even without an oil spill, the mere construction of this mammoth pipeline, together with a 400 mile road north of the Yukon, will gravely disrupt their hunting and fishing activities. Whatever the legal technicalities, the land affected is their land; their ancestors have lived on it and gathered their livelihood from it for thousands of years.

(3) Must require Alyeska to agree to specific guarantees for providing training and jobs at fair wages for the people who live in the path of the pipeline. These three guarantees must be agreed to by the natives themselves before any further permits are granted. So far, Alyeska's and the Department's own statements on this have been less than specific.

Clearly, these Indians deserve fair compensation in all three areas. The oil companies have struck it rich in Alaska. The Interior Department must make specific and air-tight agreements with the companies for reasonable compensation for those people who would be most directly affected by the proposed pipeline.

I am of course deeply concerned about all the environmental aspects of the Alaska pipeline. If the pipeline is to be built, by all means, let us do everything in our power to protect the caribou, the trumpeter swan, and the chub salmon from its effects. But we cannot in good conscience overlook the impact of this massive undertaking upon the humans who live in its path.

I understand that at least one native Alaskan who lives close to the pipeline route is expected to testify at the current hearings in Washington. I shall look forward with interest to hearing what he has to say about

the probable effect of the pipeline on the way of life of his people. We have heard plenty about the pipeline from the company which is going to build it. And we will hear more, no doubt. Alyeska is in the midst of a massive promotional campaign—including full page advertisements in the national dailies and in magazines such as Time, Life, and Newsweek—which is reported to be costing them at least three million dollars. Quite apart from the question of whether this money would have been better spent on compensating the native Alaskans for the disruption that the pipeline will cause them, instead of on a public relations campaign, it is time that we began to listen to and think about the other side—that is, the people who would have to live with the pipeline and the threat that it would represent to their way of life.

#### FOOTNOTES

<sup>1</sup> Alyeska's own seismic consultants, Dames and Moore, have stated that the entire region that the pipeline will cross south of the Yukon River must be considered as "extremely active". They have noted that "Major earthquakes and their associated aftershock could be centered almost anywhere in the region". ("Review of Earthquake Hazards from the Yukon River to the Valdez Terminal," p. 4).

<sup>2</sup> Letter dated November 20, 1969, from Secretary of Interior Hickel to Senator Jackson.

<sup>3</sup> Letter to Senator Jackson from Secretary of the Interior, Hickel, November 20, 1969.

<sup>4</sup> Federal Task Force on Alaskan Oil Development, A Preliminary Report to the President (September 15, 1969), p. 7.

<sup>5</sup> The documents containing these statements are all included in the Appendix to this statement.

#### APPENDIX: PIPELINE EFFECTS AND MONITORING—PROPOSED STUDIES

A. Monitoring of actual construction and operation of pipeline access roads and materials sites. Bureau personnel will coordinate with the Bureau of Land Management and assist the BCM in their monitoring of pipeline construction and operation. They will assist with biological problems and will attempt to anticipate and provide remedies for problems before they occur. They will assist also in developing new methods to alleviate damage from construction activities.

B. Monitoring of habitat changes resulting from construction and operation of pipeline. Many of the changes resulting from the project will take place gradually. Baselines must be established to provide yardsticks for measurement of changes. Some anticipated changes are:

(1) Effects of soil erosion on aquatic habitats. Not only will erosion result from actual construction activities, but there may also be long-term erosion from permafrost subsidence and unhealed slopes which will have varying effects on streams and lakes of different types. A monitoring program must be established to measure these effects.

(2) Changes in upland vegetation types. Effects of human activities, changes in distribution patterns of game animals, and even the heated oil itself will alter vegetation types and the habitats of game animals. Studies will be conducted to establish baselines from which such changes may be measured.

D. Monitoring effects of spilled oil on habitats and on fish and wildlife populations. Many new problems will arise as oil spills inevitably occur in arctic and subarctic environments at various seasons. Much needs to be learned about the behavior of spilled oil, its rate of degradation and its distribution under these conditions.

(1) The probable distribution of spilled oil

at various locations. There is no place on the pipeline route where an important watershed would not be threatened by a major spill. A spill along a small tributary of Koyukuk could infect the entire Yukon River drainage. Some areas, such as tributaries to the Minto Flats, are particularly sensitive, and a spill there would threaten one of Alaska's most productive waterfowl breeding habitats. Part of the pipeline route also passes among important sockeye salmon spawning tributaries of the Copper River. Studies must be conducted to determine the probable distribution of spills of various types among these habitats.

(2) The effects of spilled oil on these habitats. This will be effected by the season, the rate of biodegradation, rate of sinking in turbid waters. All of these factors will have an effect on the ultimate impact of a spill and will require studies.

(3) Direct effects of spilled oil on fish and wildlife population. The effects of crude oil on the feathers of a duck are well known. Its effects on salmon eggs in gravel, on the other hand, is poorly understood.

[From the Bureau of Commercial Fisheries, Aug. 8, 1969]

#### AREAS OF SPECIAL CONCERN

The Department is, of course, concerned with the entire North Slope project and its possible effect on the environment and fish and game populations. There are, however, a few areas which are of particular concern due to their special richness in fish and game values and susceptibility to damage either through construction efforts or from oil spills after production starts. A major resource disaster could result from a major pipeline break in these particular areas. A great deal of effort and research is being directed to ensure this does not happen.

These areas of particular concern are the two marine terminuses, the Yukon River and its tributaries, and the Copper River and tributaries. The wealth of the Yukon in fish, game, and waterfowl has been well documented. It is known as one of the major nesting areas for waterfowl through much of its watercourse and particularly the Rampart and the delta areas. The salmon of the Yukon are of tremendous value and also of unique biological interest because of the great distances several species travel from the ocean to their spawning grounds. Although a commercial fishery of considerable importance takes place on Yukon salmon, even of more significance is their value as a subsistence food for the people resident along the river who take an estimated 450,000 fish per year for this purpose. Both salmon and waterfowl are particularly susceptible to oil pollution.

The two marine terminuses present some unique problems in that production from a great number of wells will be at one end and the storage and distribution to oil tankers will take place at the other. Both of the situations are especially conducive to oil pollution.

The Arctic Ocean and Beaufort Sea have considerable populations of aquatic mammals and sea birds. The exact extent of these populations is not known. Neither is the effect of oil pollution in an Arctic environment. What effect will oil pollution on and under the ice have? At what rate will biological degradation of the oil take place? Probably at a much slower rate than in warmer climates.

The southern terminus, Valdez, is on one of the arms of Prince William Sound, which on the average produces 3.2 million salmon to a commercial fishery. The Sound is also an important producer of shellfish of several species, herring, char, and other important species.

#### PROPOSED PIPELINE STIPULATIONS

On July 1st at an interagency meeting, the proposed pipeline stipulations were considered. A number of changes were suggested at the meeting, and written comments will be submitted by July 9th. The following are my comments as to specific stipulations:

1. *General—Electronically Operated Devices.*—I believe the FCC, and possibly the Communications Division of the Alaska Department of Public Works, has regulations concerning interference with communications systems. You may wish to look into this, or suggest Washington do so.

2. *General—Sanitation and Waste Disposal.*—In first sentence, replace "equipment, employees or employees of contractors or their agents" with "the Permittee or his equipment." Permittee has been defined to be inclusive.

3. *General—Reporting of Oil Leakages or Spills, etc.*—The Coast Guard and the Alaska Department of Health and Welfare should be notified that they are considered the agencies to which pipeline leaks or spills will be reported. No doubt both agencies would want to make provisions for receiving such reports.

4. *General—Protection of Pump Stations, etc., Against Oil Spills.*—The Air Force major, who attended, referred to E. O. 11288 as a source of authority. This should be checked as it may refer only to such facilities on government reservations.

5. *General—Cleanup of Oil Spills.*—It was suggested that the contingency plan be submitted at least 60 days prior to pumping oil through the system. We should add that the plan must also have been approved prior to pumping.

6. *Legal and Regulatory—Authority for Inspection.*—This should be changed so as to eliminate reference to the Authorized Officer in the first paragraph. In the second paragraph we might start: "The Permittee shall, upon approval by the Authorized Officer, furnish etc." This should satisfy Joe Blum's objection, and would be more in keeping with the intent—to regulate the number of governmental visitors to a camp at any one time.

7. *Legal and Regulatory—Heliports.*—This should apply only to temporary heliports—those in use only during pipeline construction.

8. *Legal and Regulatory—Airstrips.*—This should include any permanent heliports (though I foresee none).

9. *Legal and Regulatory—Communication Stations, etc.*—Colonel Hardin suggested that we require these facilities be made available to the United States. Since we would use them, at best, only intermittently (say, during a fire or when surveying in the area), and TAPS would probably not be using them most of the time, this is a real possibility to be explored on either a free or reimbursable basis. Compatibility of equipment would be necessary.

10. *Recommendation.*—In connection with the discussion concerning recommended route changes, 'Chuck' Evans, BCF, suggested a change. His suggestion was meant to further protect the Gulkana River, but would require use of poorer, less stable soils. If TAPS is required to build in poorer soil conditions, the chances of pipe failure are increased. I believe it preferable to do all possible to require the safest route, thus decreasing chance of failure. With miles between shutoff valves, any rupture would be nearly catastrophic, no matter where it occurred.

11. *Materials—Material Sites.*—Reword first sentence as follows: "The Permittee shall make application to purchase construction materials, consummate a materials sale contract with advance payment. . .

[From the U.S. Department of the Interior, Bureau of Land Management, Washington, D.C., Apr. 25, 1969]

#### MEMORANDUM

To: Director.  
From: Assistant Director, Resources.  
Subject: BLM in Alaska needs additional funds and manpower.

The Atlantic Richfield, Humble, and British Petroleum companies have announced the construction of a 48-inch, 800-mile, Trans-Alaska pipeline which will cost an estimated one billion dollars to build. Construction of the line will start in the fall of 1969. Target date for completion is 1972. It would require nearly 10 million barrels (or half a billion gallons) of oil to fill up the pipeline. This quantity of oil is approximately thirty times the 1967 Wyoming daily production rate of 373,000 barrels per day from 8,547 producing wells. Daily production through the pipeline is estimated as reported by the Alaska State Director to be 2,000,000 barrels a day.

The Fairbanks District has received a right-of-way application for a 450-mile truck road, apparently from the Prudhoe Bay area to Fairbanks and the office expects soon the filing of an application for a pipeline along the same route.

Actions presently in process on the Arctic Slope area:

1. The drilling of 17 wells were started in the fall of 1968.
2. Eleven airstrips approximately 6,000 feet long have been constructed.
3. Pipeline route location crews from three major pipeline construction companies are in the field.
4. A winter haul road has been constructed from Fairbanks to Umiat on the Arctic coast.
5. Sixteen geophysical operations are on public lands on the Arctic Slope.

The Alaska State Director reports the following information:

1. To bed the 48-inch pipeline with adjacent construction haul road it will require approximately 40 million cubic yards of gravel.
2. Each oil rig requires approximately 100,000 cubic yards of gravel.
3. Each oil rig requires 6,000 12-inch x 24-foot pilings.
4. The pipeline will traverse the range of the last two large caribou herds in the world. The East and West Arctic herds are both estimated to exceed two-hundred thousand animals.
5. Construction of pipeline unless preventive measures are taken could inhibit traditional migration routes with devastating results to habitat and even to both herds.
6. Without preventive measures being taken, there will be irreparable damage to watersheds, and stream pollution.
7. Every Arctic camp is a potential garbage dump. Back-up photos are in the Fairbanks District emergency impact study package.

#### OTHER IMPORTANT INFORMATION

1. Each mile of this pipeline will contain 1/2 million gallons of oil. A pipeline break at the wrong place at the wrong time could be devastating to a broad spectrum of the ecology of a significant area, affecting native food supplies.

2. Any pipeline failure resulting in pollution will focus attention on the stipulations BLM places in the permits and rights-of-ways involved, much as it happened with GS stipulations in the Santa Barbara disaster. BLM issues right-of-way permits and is responsible for seeing that adequate stipulations and safety precautions are imposed before construction commences.

3. The maximum safe unsupported span of this pipeline is about 45 feet, requiring suspension bridges at each gully crossing. These will have to rest on unusual types of

"floating" foundations on gravel pads over permafrost, the design for which has not yet been worked out or tested. The Government as an obligation to approve the safety of suspension structure designs, as well as reviewing the adequacy of precautions taken against washouts of gravel under the pipeline.

TRANS-ALASKA PIPELINE, SPECIFIC ECOLOGICAL CONSIDERATIONS AND IMPLICATIONS FOR GAME MANAGEMENT ALASKA DEPARTMENT OF FISH AND GAME, GAME DIVISION

INTRODUCTION

[Pages 2 and 3 not included.]

It is the purpose of this report to delineate wildlife considerations which are necessary for proper enforcement of the Trans-Alaska Pipeline Stipulations.

If the pipeline is constructed in strict compliance with the U.S. Department of Interior, Trans-Alaska Pipeline Stipulations (1969) there will be only limited adverse effects on Alaskan game species.

The proposed pipeline from Prudhoe Bay to Valdez will be an obvious ecological and environmental feature of Alaska. Building the line will require extensive soil disturbance and destruction of natural vegetation along the 100-foot right-of-way, at gravel pits, at airstrips, at camp sites, and along access roads. There will be potential local hazards to wildlife populations during construction operations. Migration and local movements of some animal species will be affected at places where the pipeline will be constructed above ground. Erosion, herbicide spraying for vegetation management, and accidental oil spills are other potentially important ecological problems.

Public recreational opportunity will be improved and human utilization of the wildlife resource will be accelerated by the presence of construction crews and attendant developments and by the creation of additional public access. A significant addition to the workload of resource agencies will result.

The pipeline will constitute a major landscape feature of the countryside through which it passes. This will affect land management by locally eliminating the opportunity to establish natural or wilderness areas and other similar classifications.

FUTURE IMPACT

Perhaps the greatest impact to wildlife and wildlife habitat will occur after the Trans-Alaska Pipeline System has been installed. Current Arctic engineering technology requires above ground pipeline construction techniques on most terrestrial areas away from streamside alluvium deposits. Therefore, the feeder lines, which must be constructed between individual oil well sites and the TAPS pipeline, to make the latter line functional, may result in the loss of large areas of wildlife habitat on the North Slope, plus inhibiting animal movements.

At any time after crude oil starts flowing in the pipeline system there will be hundreds of thousands of gallons of potential pollutant available under tremendous pressure. Pipeline breaks or leaks could cause pollution of lands and water that would be indescribable.

At the pipeline terminus in Valdez, continuous transfer of crude oil from shore to ship will present a continuous oil pollution hazard. Subsequent movement of the crude oil by ship between Alaska and the continental United States will also be a continuing hazard to marine and coastal fauna of the United States and Canada.

SUMMARY

If the U.S. Department of Interior, Trans-Alaska Pipeline Stipulations are strictly enforced minimum hazards to wildlife populations are anticipated during the construction period.

Increased public access resulting from pipeline construction will improve recreational opportunity. Increasing input from resource agencies will be required to monitor growing resource utilization during the post construction period.

[U.S. Government Memorandum, June 20, 1969, in reply refer to 2234 (pipeline); your reference (902)]

POO Study Leader.

A detailed inspection of the pipeline from Valdez to Prudhoe Bay was made during the period, June 9 through June 14, 1969. The flight was made in an SD-58 helicopter to permit the party to stop at critical predetermined locations along the route.

Following is a list of personnel who were on the inspection.

Fred Lotspeich, FWPCA.  
Jum Tanaka, USACE.  
Chuck Evans, BCF.  
Jay Bergstrand, ADFG.  
Joe Nepper, TAPS.  
Frank Therrell, TAPS.  
Terry McGowan, BLM.  
Jim Hagihara, BLM.  
Glenn Lipscomb, BLM.  
Sal DeLeonardis, BLM.  
Wayne Boden, BLM.  
Bob Borovicka, BLM.  
Fairbanks to Prudhoe Bay and return—same as above except George Schmidt replaced Wayne Boden and Al Thompson replaced Sal DeLeonardis.

The inspection was extremely helpful to all parties. The ability of the aircraft to stop at critical locations along the route where the problems could be discussed between agencies and with representatives of TAPS seemed to be very effective. Mr. Frank Therrell, TAPS representative, was particularly helpful in pointing out the exact route and also the need for a reduced number of stream crossings. The proposal for a route change in the Summit Lake area by BLM was discussed with TAPS on the ground.

The new route up the Sag River and across the Brooks Range to the Dietrich River was inspected in as much detail as possible. It appeared to be the thinking of the group that the Dietrich route is more acceptable than the John River-Anaktuvuk Pass route.

Special comments follow: Soils, Jim Hagihara; Conservation, Glenn Lipscomb; Wildlife, Terry McGowan; Fisheries, Bob Borovicka.

HAGIHARA

Tonsina

1. Soils derived from glacial deposits.
2. Side slopes and terraces are composed of silt textured soils that are very poor for construction. These soils erode very easily and will cause severe erosion problems on the cut and fill areas.

*Summit Lake—Paxson area*—Natural slides and slumps were observed on the steep slopes.

*Tanana River*—Existing Army pipeline is subsiding in several places along line indicating presence of ice masses and permafrost.

*River Crossings*—Provisions needed to restore river banks to natural condition before or simultaneously with breakup. Considerable trash and sediment added to rivers and streams at all crossing points.

*Exploratory Route*—Numerous trails were made by tracked vehicles which are still very evident. Erosion gullies were noted on some of the slopes where organic material was removed.

*Winter Road*—Excessive blading was done in construction. This road will not withstand summer use.

*Pipeline Construction*—I do not think it is possible to bury most of the pipeline as anticipated by TAPS.

LIPSCOMB

1. Major stream crossings—high water marks noted on several rivers (Yukon, etc.) indicate high velocities which will require

armor (rip rap) protection on crossing slopes below high water lines. This also applies where pipe is located along streams at stream level.

2. Ice masses (glaciation) along the John River, in Anaktuvuk Pass and at the head of the Anaktuvuk River appear to make that route a poor one for the pipeline.

3. Hardrock and drained granular material over the Dietrich-Atigun route with some glaciation (much less than Anaktuvuk) makes this route the most desirable one.

4. The large number of excellent clear water streams which both pipeline and access road cross makes it absolutely necessary to provide adequate protection at all such crossings.

M'GOWAN

The major impact of the line from Copper Center south, is the ever present danger of an oil spill. The wildlife impact would be on waterfowl in the delta and on marine mammals (sea otter and seals). Frank Therrell indicated pipeline will be buried from Copper Center to Paxon Lake—if this is possible and I have some reservations—the problems to caribou would be season of construction and not a barrier to migration. A problem may arise in the Paxon Lake area if any appreciable part of the trench is left open in the late summer or early fall when moose move into the area.

The area between Glennallen and Sourdough involves some trumpeter swan habitat (one nesting swan was observed on the route here). Construction during the nesting season would be detrimental.

The route as presently set up does not intersect any major waterfowl breeding areas. The major potential problem is the fact that the line passes upstream of several major waterfowl producing areas.

Kanuti Flats, Yukon Delta, Minto Flats, Copper River Delta and other lesser areas.

These waterfowl nesting areas would be devastated by a "relatively small oil spill" since they are poorly drained and relatively flat.

There appears to be a conflict between the proposal to bury all but 40 miles of the line and discussions with University of Alaska personnel and Dr. Brewer. Stips will have to cover any change in plans on the part of TAPS.

Dietrich River-Atigun River route would harm esthetic quantities but would be better solution to caribou problem since more of the line could be buried. Also the multiple crossings of the John River could be avoided and the crossings on the North Slope of the Anaktuvuk, Itkillik and Kuparuk Rivers. Anaktuvuk Pass is generally considered a broad pass—not so on south side—many parts of the John River appear to be less than one half mile. John River runs from one bluff to the other bluff covering entire bottom.

Trails in head of Atigun, Chandalar and Dietrich River indicate this is a major caribou migration route.

The lichen stands on the caribou winter range in the Ray Mountains are very fragile—All off R/W travel by man or machine must be excluded if work is done during thawed period.

The route changes north of Black Rapids should eliminate any major conflict with bison calving areas may be some conflict with migration but should be minor.

Need additional information on rare peregrine nesting areas particularly good habitat in Isabel Pass, Atigun Pass and possible Franklin Bluff.

BOBOVICKA

Potential problems to fish and the aquatic environment exist along the entire route if we consider possibilities of pipe leaks or breaks. The Copper River system including the Gulkana and some tributaries are all producers of king and Red salmon. (off site catch is a multi-million dollar industry).

Sport angling is heavy in the area from Valdez to Livengood. Public concern for the aquatic resources in the Tanana and Yukon drainages is high. A major break could pollute the water in almost all of Central Alaska and the estuaries. A spill at Valdez could be disastrous to the sport and commercial fisheries and estuarine environment in the harbor and arm.

The Dietrich route appears to be better than the John River route because of less encroachment on the stream system.

The inventory and knowledge of the aquatic environment and fish population in the area from Livengood to Prudhoe Bay is almost non-existent. Many small streams are crossed that are important spawning and rearing areas for grayling and other species. BLM needs more information on these streams. We can make only general recommendations for production.

The work road will be even a greater impact on the streams than the pipeline. Good bridges and crossings will be necessary to prevent disruption of normal migration. Timing of fish migrations will be very important if the resource is to be protected to the maximum.

There is now no control in river gravel operations in the Sag River. We cannot permit such operations in other streams.

#### ARCTIC SLOPE AND TRANS-ALASKA PIPELINE TASK FORCE REPORT: BIRD RESOURCES ALONG THE TRANS-ALASKA PIPELINE

(By James Bartonck, wildlife biologist, Northern Prairie Wildlife Research Center, Jamestown, N. Dak., Sept. 30, 1969)

The 48-inch diameter, 800-mile long Trans-Alaska Pipeline will carry Arctic Slope crude oil from Prudhoe Bay on Beaufort Sea to Port Valdez on Prince William Sound (Fig. 1). The real and possible effects of the pipeline upon the bird resources, particularly waterfowl, are discussed in this report and some general recommendations are given.

#### BIRD RESOURCES AND HABITAT

The pipeline and the accompanying road will traverse through much important and diverse wildlife habitat, and each type of habitat contains bird species that are especially suited to live there. The species composition and numbers of birds within habitats obviously change from season to season, but because of that, this report is lacking in that it does not appraise the value of habitats to birds in seasons other than summer.

Kessel, Weeden, and West (Appendix) have listed those species of birds that can be found on the seashore, freshwater marshes and lakes, coastal tide marshes, muskeg, streams, pastures, bluffs and rocky outcrops, shrublands, tundra, and forests—all of which are found along the pipeline route; and they also describe the birds along the Richardson Highway from Valdez to Fairbanks which parallels the route of the pipeline. In another report, I have summarized information on the birds of the Arctic Slope.

The waterfowl habitat along the pipeline route was categorized and subjectively appraised as to waterfowl densities (Table 1). Comments on particular sections of waterfowl habitat with respect to the pipeline are presented in Appendix; these comments are numbered and correspond to numbers appearing in Fig. 2a-g.

Although much of the waterfowl habitat traversed by the pipeline was considered to contain low and medium densities of waterfowl (Table 1), it is still important to those birds using it. Crystal clear water of fast-moving mountain streams contain few ducks, but this is usually the only habitat that harlequin ducks will use and, therefore is of importance to the species.

#### DISCUSSION

When the pipeline passes through large blocks of monotypic habitat, its effects upon

local bird populations will be less than when it runs parallel through a small and narrow strip of habitat along stream or river. The pipeline and road right-of-ways and special-use areas will directly affect only about 25 square miles of habitat; however, this area includes much habitat that is situated along water courses and that is distinctly different from habitat found a few hundred yards up the slope. Additionally the pipeline may indirectly affect an area many hundred times the total area under permit, particularly if the pipeline breaks and oil damages downstream areas.

Oil leaks occurring in the drainages of the Sagavanirktok, Koyukuk, Tanana and Copper Rivers and Minto Flats pose serious threats to important waterfowl habitat. The magnitude of the losses will be dependent upon the volume of oil spilled, the water or ice conditions of the river, waterfowl numbers and distribution, and the persistence of oil in the polluted areas.

Oil spills occurring during a dry summer when water levels are low may remain largely within the confines of the stream or river channel. However during flood stage or when rivers are frozen, oil spills may spread over vast areas of low-lying waterfowl habitat adjacent to the rivers. Conceivably an oil-spill in almost any of the several drainages entering into Minto Flats could affect half of the wetlands during flooding.

Waterfowl numbers and distribution obviously change from season to season and place to place; and accordingly, the vulnerability of waterfowl to oil pollution changes. In early spring when most ponds and lakes are still frozen, waterfowl concentrate in any open water and, therefore, become particularly vulnerable to oil pollution. Rivers, deltas, and leads in sea-ice and lake-ice are areas where waterfowl frequently concentrate during spring migration and are likely to contain spilled oil. It is conceivable that waterfowl may even fatally mistake dark-colored oil on white ice for open water. This latter problem will probably occur too often in the area of the million elders and hundreds of thousand oldsquaws migrating during spring along the open leads in the Beaufort Sea. During nesting and brood-rearing waterfowl become widely dispersed, and the population becomes less vulnerable to pollution. Concentrations of molting and fall-migrant waterfowl are generally more dispersed than spring-migrants and use areas that are less likely to become polluted, excepting the deltas.

Oiled feathers can result in death of birds from such proximate factors as drowning, exposure, and poisoning. Oiling may insidiously cause reproductive failure through nonbreeding and embryonic mortality. Pollution can destroy or reduce the habitat by either directly affecting these plants and animals essential to waterfowl or indirectly affecting these essential organisms at some lower trophic level.

U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
Washington, D.C., November 20, 1969.

HON. HENRY M. JACKSON,  
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: Enclosed are the answers to the questions which you enclosed in your letter of October 23, 1969, in regard to my proposal to modify Public Land Order 4582 for the purpose of an 800-mile pipeline right-of-way from Prudhoe Bay to Valdez, Alaska.

You may be assured that we will keep the Committee fully informed on the project as it progresses. If circumstances arise during the planning, construction or operation of the pipeline that would make necessary significant alteration to the stipulations, the route or the authority under which the per-

mit is administered, I will give the Committee the opportunity to comment and to indicate any objections it might have.

Sincerely yours,

WALTER J. HICKEL,  
Secretary of the Interior.

ANSWERS TO THE QUESTIONS ASKED BY SENATOR HENRY M. JACKSON, CHAIRMAN, SENATE INTERIOR AND INSULAR AFFAIRS COMMITTEE, OF THE SECRETARY OF THE INTERIOR REGARDING THE TRANS-ALASKA PIPELINE PROJECT ON OCTOBER 23, 1969

#### GENERAL

1. Question: What are the plans for post-construction control of the pipeline? Will this be an exclusive Federal or an exclusive State responsibility? If it will be shared on a functional, as opposed to a geographical basis, please describe the division of functions.

Answer: Responsibility of Interior Department will be confined to environmental matters.

The State of Alaska is responsible for anadromous fish streams. The Federal Water Pollution Control Administration, and Alaska State Department of Health and Welfare and Department of Natural Resources will share responsibility for water pollution problems.

Questions concerned with safety will be the responsibility of the Department of Transportation.

The Trans-Alaska Pipeline will be unique for many reasons, therefore we invite this committee to recommend whatever other controls it might feel helpful.

2. Question: How wide is the right-of-way which would be granted? Would changes in routing require the issuance of new permits or would they be covered in the initial permit?

Answer: Section 28 of the Mineral Leasing Act of February 25, 1920 (41 Stat. 449), as amended (30 U.S.C. 185), authorizes the granting of rights-of-way for oil or natural gas pipelines to the extent of the ground occupied by such pipelines and 25 feet on each side.

Changes in routing can be authorized in the original permit, by amending the original permit, or by granting new permits.

6. Question: Are the Departmental scientists satisfied that pipeline corrosion problems in the Arctic environment can be surmounted?

Answer: The Department's scientists are satisfied that a solution to corrosion problems in the Arctic environment are not beyond the scope of present capabilities.

7. Question: What Departmental studies have been made with respect to the probability of earthquakes of such magnitude that they could cause pipeline ruptures?

Answer: We cannot provide assurance that large earthquakes will not rupture the pipeline. We are doing everything possible to minimize the danger of such ruptures by requiring routing on stable ground and to minimize the effects of such a break through the installation of cutoff valves at locations where ruptures might occur.

#### C. PUBLIC ACCESS

1. The stipulations require free and unrestricted public access on all roads and rights-of-way.

Comment: The stipulations require that after construction is completed, Permittee shall permit free and unrestricted public access to and upon the Pipeline and access road rights-of-way for all lawful and proper purposes except areas designated as restricted by Permittee with the consent of the Authorized Officer.

a. Question: Who will maintain these roads?

*Answer:* It is anticipated that most of the construction roads will be abandoned. Those roads that are not abandoned will be maintained by TAPS.

[Report by several Interior Department officials dissenting from the Department's draft impact statement]

DRAFT MEMORANDUM

To: Jack O. Horton, Assistant to the Secretary.

From: Harold T. Jorgenson, Bureau of Land Management.

Subject: Environmental Impact Statement for Trans-Alaska Pipelines.

In the following I am proposing a considerable number of modifications of the environmental impact statement which must be filed in connection with the Aleyeska Pipeline Service Company application for permission to use a right-of-way 54 feet wide and 773 miles long, which traverses federal public domain lands for some 600 miles, for construction and operation of a 48 inch pipeline and various supporting facilities.

After some general comment I shall present my proposals in the general sequence of the draft statement.

GENERAL COMMENTS

I find the environmental statement on the whole inadequate. The major shortcomings are: (1) it fails to set forth the overriding environmental consequences which would ensue from development of the Trans-Alaska Pipeline, and (2) it carries a strain of advocacy of the pipeline development which is unwarranted by evidence of its necessity and consequences. Thus it does not conform to the evaluative purposes and objective standards that are prescribed for a 102 statement.

The overriding environmental impact is the opening up of a major part of the North Slope, a vast region which embraces 56.5 million acres (more land than in all of New England or almost as much as in both Indiana and Illinois combined) to unplanned high-speed development which is certain to have a profound and uncertain effect on the future processes of human occupancy and economic growth in what is now a generally pristine and fragile environment, and one in which there is still little modern development experience.

There are no indications even as best they may be perceived at this stage of what the installation of the pipeline will set in motion in development of the North Slope in such concrete terms, as number and size of oil fields, number of oil and gas wells, miles of tertiary and lesser grade service roads, extent of feeder pipeline networks, number and size of new communities, number and size of airfields, number and size of construction camps, etc. Without such indications of the chain of things let loose the environmental impact cannot be really assessed.

The impact of the pipeline is less than half the story. The pipeline is like the trunk of a tree—it's what takes place at the ends, at the roots (oilfield developments) and at the branches (marine transport) that make all the difference in the world. Without full consideration of these the statement is incomplete.

In nature nothing stands apart and ecologists have taught us to see it in all its complex wholeness. To the extent possible the process of development must be viewed in a similar manner. Otherwise there is a discontinuity. To deal with only the impact of a bit here and a piece there, and each in severality, is to two-bit the environment to death by the development process. Integrity demands a look at the whole consequence of the pipeline development. The Departmental Manual prescribes that both the primary and secondary consequences for the environment be included in the impact statement.

Whether the opening and development of the North Slope and all it implies as to environment should be done now, and, if it should, how it ought to be done, considering the state of the arts of settlement and development in the Arctic, the disruptive impact of large scale technologic intrusions upon the existing primitive human ecology involving perhaps several thousand Eskimos, the inevitable chronic damages and possible catastrophic damages to land and marine resources, and the increasing premium being placed on simply preserving the wilderness, wildlife, and environment in modern America are the major concerns involved in rendering a judgment about approving or disapproving the Trans-Alaska Pipeline application for a right-of-way permit.

In positing the justifications for exploiting the oil and gas resources of the Prudhoe Bay fields there are none which emerge as absolutely compelling reasons as contended in the statement.

It should be noted early in the statement that it may be folly to approve the right-of-way application without first developing a master plan for Northern Alaska which would provide a basis for the major land use policies and decisions needed to guide development there, especially in the more fragile ecology of the North Slope. Such a plan is expected to be fully developed in the next two years.

The statement might well note that the orderless development that has been associated with the exploration and exploitation of oil and gas on the North Slope cannot be countenanced any longer. There are indications that Alaskans will not endure further wayward developments. The winter road pushed through in 1968/1969 from the northern extremity of the existing road system into the North Slope is now commonly regarded as a monument to ill conceived action and a potential source of serious ecologic trouble. The state legislature in view of this lesson withstood an intensive lobbying campaign by oil interests to approve the construction of a pipeline access road with state funds as a means of circumventing the Department of the Interior rights-of-way requirements. The tragic increase in oil pollution caused by tankers clearing out their fuel tanks and bilges and by accidental spills in loading and unloading petroleum cargoes in territorial waters have stiffened public conservation attitudes.

The 1970 Alaska political campaigns were dominated by concerns about the quality of the environment. From this it is obvious that Alaskans have turned to considering Alaska as a place to live as well as a place to make a living. The objectives which Alaskans have seemingly set for future development of their state are "the creation of a political and social environment and protection and enhancement of a physical environment affording the maximum opportunity for living full and rich lives."<sup>1</sup> This all suggests that issuance of the pipeline permit should be delayed until there is greater certainty that no irreparable environmental consequences will follow from its construction.

SUMMARY

The summary notes that "the environmental impact of the proposed action would extend to almost every facet of the existing Alaskan environment." As to the effect of the action on human resources it notes the improved economic situation would attract a few more residents, involve all of the people in a more vigorous economy, and possibly enable improved state public services of benefit to the Natives. A glaring omission is the direct effect it would have on the way-of-life of the Eskimos on the North Slope and the interior Indians residing in or near the pipeline corridor. A former Secretary of the Interior has said "Human values must be given paramount attention, and all development

problems must be considered in terms of their effects on people." Yet no mention is made of the direct effects upon them. The profound effects upon native land-based cultures in the broad regions traversed by the pipeline must be evaluated—the destructive as well as the beneficial. Certainly they should be taken seriously and considered as alternatives to that which might be introduced in connection with the oil industry's rapid technological developments.

In terms of land use, the summary indicates the major impacts include changes in land values and wilderness character along the pipeline and the initial dedication of some 38,000 acres to the right-of-way and roads, material sites, and other pipeline system components. True enough, but again these are not the major impacts. Not mentioned is the much more extensive subjugation of an ecologically fragile tundra biome to certainly one and probably to two or more major oil field developments. This means the installation over hundreds of thousands of acres in each of a complex containing all the appurtenances necessary to efficient oil field exploitation—exploration trails, seismic grids, access roads, construction camps, communication facilities, pumping stations, feeder pipelines, airstrips, etc.

In considering the impact on wilderness and semi-wilderness attributes it would be desirable to attempt in the summary to quantify the losses or impairment in hundreds of thousands of acres of each. Likewise it would be desirable to try to quantify the acreages subject to sufficient disturbance to drive out certain species of wildlife. Since the responses of different species of wildlife and fish to habitat disturbance depend on many factors, some of which are not well understood, it must suffice in some cases to indicate as best one can the probable effects on wildlife.

The summary should generally indicate by ranges of estimates in acreage how extensively the vegetation resources will be affected by oil field exploration and development activities and the trunk pipeline and road construction and then related to the overall degradation of permafrost conditions.

In the reference to air pollution which hardly seems worthy of mention in the summary compared with other matters not mentioned, note should be made of the particulates from oil and gas combustion for heating and electrification of service installations, pumping stations, and community centers and operation of the prime movers of the mainline pumps.

The summary notes that "some 80 million cubic yards of granular construction material would be required, which would seriously deplete, but not exhaust the available resources." There is no indication of how serious the depletion may be since no estimate is given of the total. But this is important as no doubt the 80 million cubic yard requirement is only for the pipeline project. Probably much greater magnitudes will be required for various oil field roadway, pipeline, and communications networks, and other appurtenances.

It is indicated that "some degree of permafrost degradation would result from the increased access, construction, and operational activities" and that "this degradation would lead to serious engineering problems in some unconsolidated superficial deposits, involving slope stability and drainage interference." This is pretty cool rhetoric for dealing with a pretty hot issue. It is so altogether disarming that it disserves the purpose of an environmental statement. Certainly it is incumbent in the summary to point out the extent of permafrost degradation that is likely to occur in terms such as probable acreage which will be affected by differential settlement and thermokarst development, both in relation to the pipeline and road corridor and the whole train of oil field

developments which it will spur, and the implications of this in terms of ecologic injury and pipeline disruption and oil spillage damage.

The degree of degradation will of course vary with the moisture content of the surficial materials of the depositional slopes; extent of disturbances of the tundra vegetation from seismic operations, drilling of test wells and production wells, development of operating camps and service communities, construction of roads and bridges, and the building and operation of pipelines; exposure of the slopes; and the nature of the construction and operation of the oil development systems.

The summary notes that in permafrost areas the hot-oil pipeline could be buried safely only in bedrock and well drained gravel terraces. There is no mention of how much of the pipeline would traverse permafrost areas and hence of necessity must be constructed upon an insular pad or on piling, or how much can be buried in bedrock, well-drained gravel terraces, or permafrost free beds of deep streams. Such indications are essential to convey some appreciation of the degree of vulnerability of the pipeline and the extent of interference of the surface pipeline to the normal movements of animals.

No mention is made in the summary of the vital information that valves at presently unspecified intervals in the proposed pipeline system would provide a means to shut down the flow of oil in the event of a leak or rupture, nor of the fact that while the oil flow at pump stations could be shut down within minutes in response to radio signals, the shut-down times for unmanned valves away from the stations which must be operated manually by helicopter personnel would vary from less than an hour under ideal conditions to several days, depending on valve locations and weather conditions.

The statement summary should note that spills at certain times could decimate a local population of fish or wildlife with a narrow range of ecological requirements, such as salmon, or the dusky Canada goose of the Cooper River delta, and in doing so, eliminate production of the species in the spill area for many years or perhaps permanently.

The dramatic consequences of disturbances of the tundra surface—quagmires, differential settlement, canal-like trench developments, soil slumps, drainage changes, thermo-karst terrain, roadside ice wedge melts, etc. ought to at least be acknowledged in the summary. No mention is made either as to the susceptibility of the pipeline to rupture damage or even severance in earthquake prone areas.

Further research undoubtedly would provide many answers to problems of arctic engineering and environmental management. For the Alaska oil industry research delay is so costly after its initial and continuing heavy investments that it wants development by trial and error while research is being conducted. The conservationists on the other hand urge no interference with the tundra biome until adequate research has assured an environmentally secure development. Industry claims of a stable, controlled, monitored, safe pipeline may be questioned, especially in view of the ecologic disasters the industry has incurred elsewhere. The statement that "the environmental and technical stipulations as well as applicable laws and regulations of both the Federal Government and the State of Alaska would prevent or mitigate most of the potential damage to the environment resulting from construction and operation of the pipeline" is a project serving palliative. There is no way of knowing what the potential damages would have been without them and hence no way of knowing whether they would prevent or mitigate most of them. The statement is akin to eradicating toads from

imaginary gardens. In any event there has already been enough unprevented damage under the countenance of both State and Federal governments to make the record less than laudable. To the conclusion "there remains, however, a residue of unavoidable effects which must be acknowledged" there needs to be added "and some major environmental and engineering unknowns as well."

The ticking off of the environmental consequences of the construction of the pipeline and related oil field developments on page 4 are in order only if the impacts are quantified as suggested above, and some note is also taken of the potential serious oil spills which undoubtedly will occur in Prince William Sound. The frequency and volumes of spills cannot be predicted, but with the tremendous volume handled just the chronic spills would result in biologically—significant losses to the marine environment. The productive fisheries of the littoral and intertidal zones of the Sound would be particularly vulnerable, both to gradual deterioration resulting from low level pollution, and to the short and long-term effects of major spills. Significant spills in Prince William Sound could affect large numbers of waterfowl, other water birds, and fur seals that migrate across the Gulf of Alaska as well indigenous seals, sea otters, and other marine mammals throughout the Sound.

It is not an overstatement to say oil pollution is already calamitous in some ocean areas and hence the Department of the Interior should be particularly concerned about increasing it through inadequate regularization of the oil and gas developments. Some scientists are known to feel oil pollution may gradually upset the ocean's entire ecology and preclude its use as a major food source.

A brief notation is made that "although the potential for disaster would be always present, its actuality is considered remote." The potential for disasters needs to be spelled out, and their chances rigorously appraised. This is the crux of the matter. The Department and the Environmental Quality Council must satisfy themselves about this. All possible precautions may not be enough. The test is whether there is sufficient reason to take the risks.

The summary postulates "the unavoidable adverse effects are considered an acceptable cost to the environment in view of the benefits that would be obtained from the pipeline project." In view of the lack of quantification of the adverse effects upon physical and human resources, the uncritical appraisal of the possibilities of ecologic disaster, and the gaps in knowledge in construction engineering and ecologic management under Arctic conditions this is not creditable. For that matter the benefits are not too well defined either. In any event, this is a judgment that must be made by the Environmental Quality Council, the Congress, and the Government of Alaska, and most of all by the people in Alaska and the American public. It would seem appropriate for the statement summary to suggest that full-scale public hearings be held to provide an opportunity for environmental scientists, industry representatives, private conservation organizations and public agency officials to lay all the available facts before the people. Major national interests are involved in the development of Northern Alaska.

It is posited that "there is a compelling need for making the vast petroleum resources of the North Slope available to the United States markets at the earliest date." To back up this assertion it is indicated that (1) energy requirements are increasing at an annual rate of better than four percent present whereas domestic supply sources show little capability of fulfilling this demand and (2) timely construction of the pipeline would enable provision of at least 500,000 barrels of oil a day by 1975 and up to 2,000,000 a day by 1980.

Do we really need it and that fast? The oil industry contends we do as America now uses more than 14 million barrels of oil per day while we produce less than 10 million. But the special private view of the oil industry is not synonymous with a public interest view. From that view the need is far less compelling.

It is possible to make a rather convincing case that the United States needs to augment its domestic crude supply. The current demand for crude is increasing more than 3 percent a year and shows few signs of letting up. The pace of crude oil discoveries, aside from the North Slope find, have been declining (as have exploration and drilling activity) at about 3.5 percent a year. To put it another way, domestic crude production totaled 3.2 billion barrels in 1969 while the additions to reserves totaled only 2.1 billion barrels.

Similar arguments have raged for decades, but always just when the state of crude supply looked bleakest some huge new oil field was discovered. Now it is the North Slope discoveries which can help save the situation. But what about looking at some other alternatives too.

The Bureau of Land Management has just leased 543,897 acres on the Outer Continental Shelf. Crude oil from the Outer Continental Shelf is contributing an increasing proportion of total U.S. production. In 1968 it was over 8 percent, and in 1969 it was well over 9 percent. Recent analyses indicate, as in the following, that petroleum from the OCS may be expected to increase substantially.

United States petroleum product demand is projected to increase to 16.2 million barrels daily in 1975 and to approximately 21.3 million barrels daily in 1985. To supply this demand, and to maintain total imports in the same historical proportion as under the usual current mandatory control program, there is need for domestic crude oil production to increase to a level of 10.5 million barrels daily in 1975 and approximately 13.5 million barrels daily in 1985 (the balance being made up of imports, natural gas liquids, and refinery gain). By 1975 the volume of crude oil produced from the Outer Continental Shelf is expected to be 1.5 million barrels daily and by 1985 it is projected to range from 2.35 to 2.55 million barrels daily. Thus, the domestic crude oil needs by 1975 can be readily met while that for 1985 can almost be met from the OCS. (Data from Foster Associates, Inc. BLM contract study "The Demand for and Supply of Petroleum and Natural Gas from the OCS of the United States").

While proved OCS reserves are only 2.9 billion barrels of oil and there is no satisfactory basis for determining undiscovered recoverable amounts, best estimates suggest a range of 220 to 640 billion barrels.

In considering crude oil reserves for U.S. as a whole, however, it is calculated that without inclusion of the North Slope the reserve-production ratio will have declined by 1985 to 8.2 years, indicating the need for additional supplies from increased imports and/or synthetic liquids, whereas if the North Slope is included the national reserve-production ratio would be an adequate resource base of between 10-12 years (Foster Associates, Inc.). A brief look at some of the additional prospects is thus in order.

Some conservationists believe that new methods of secondary recovery of existing oil reservoirs will be developed in the near future. This is of major importance since at present often as much as 70 percent of it is not recovered with present technology. Another view that is widely held is that the internal combustion engine, gasoline for which takes about half of the Nation's refinery output, will within a few decades become largely replaced mainly because of public insistence that air pollution be abated.

A recent study of the development potential of oil shale deposits indicates that the one located in western Colorado is so "incredibly abundant that if even a small percentage were turned into shale oil, the supply would be sufficient to meet the nation's petroleum needs well beyond the year 2000—indeed probably until all fossil fuels become obsolete" and that "though this deposit has never been commercially exploited to any meaningful extent, the evidence is overwhelming that production of shale oil would be not only profitable but a good deal more profitable than exploration for and production of new domestic reserves of crude oil (Chris Welles, *The Elusive Bonanza*, Dutton & Company 1970).

In shorter range there is the possibility of relief of pressure to speed North Slope development through increasing oil import quotas. The President recently loosened the import quotas by 100,000 barrels a day in an effort to roll back recently increased gasoline prices. Most of it is to come from Canada since the existing tanker shortage inhibits lower price importations from the Middle East. If this much can be brought in to bring a downward pressure on gasoline prices, there seem to be no good reason why this amount and much more could not be brought in shortly to improve the supply situation.

The import quota system is set up ostensibly to safeguard the national security. The theory is that America must maintain a large and flourishing oil industry in order to encourage exploration, and to make certain that it has ample domestic supplies under its command in case of war. Many economists question this policy in the belief it serves more to exhaust our petroleum resources prematurely than to give assurance of a steady and ample supply. In any event the system should not be allowed to operate to the serious detriment of either consumers or the environment if there are other alternatives.

The important consideration from a strategic standpoint is not the matter of ample domestic supplies but ample supplies under a secure defense umbrella. This would seem to include large western hemisphere supplies in Canada and Venezuela. Certainly these are no more vulnerable to an enemy cut-off than supplies from the North Slope. It is hard to imagine anything more vulnerable to bombing attacks, guerrilla blasting, or internal sabotage than an oil pipeline strung out over about 800 miles of wilderness in Alaska. Thus it would seem the President should keep on expanding the oil import quotas until a reasonable relationship is created not only between prices but also supplies of domestic and foreign producers. And if this were done it might become uneconomical to develop the North Slope oils for the time being because of high extraction and transportation costs.

The contention is growing among economists, conservationists, and legislators that the petroleum industry with assistance from an intricate complex of governmental regulations has not only been quite effective in balancing supply to match demand, and thereby maintaining unnaturally high crude oil prices, but also in gaining access to and control over the flowage of oil resources and other energy sources in such a way as to make it the country's most favored and monopolistic industry. The way the TAPS right-way application is handled will be viewed by many in this context.

The suggestion is made that with the domestic production available from North Slope reserves dollar payments for oil imports would be substantially reduced. This may be true but there are other and better ways to deal with the balance of payments problem.

No mention is made in the summary of the fact that a large pipeline designed to trans-

port hot oil has never been operated in the Arctic. Development of the technology on a lesser scale than the TAPS Project would be a more acceptable experiment.

The summary concludes upon evaluating the impacts and needs for the pipeline that:

1. Early development of North Slope petroleum reserves is essential to the strength, growth, and security of the United States. This is an overstatement the evidence doesn't support. The argument not only doesn't wash, but about as strong a strategic case can be made to the opposite effect. Moreover, it is gratuitous and inappropriate to an environmental statement.

2. The proposed pipeline system would provide the earliest and most practical oil delivery, and on balance with the fewest environmental problems.

There can be little doubt now it would provide for the earliest oil delivery. There is still doubt though whether it is the most practical since this argument has really not been fully developed. Whether on balance it would create the least environmental problem of all alternate means and routes cannot be deduced because inadequate attention has been given to a scientific examination of alternate possibilities.

3. Construction and operation of the proposed TAPS in accordance with the pipeline stipulations and all applicable laws and regulations relating to environmental protection would reduce foreseeable environmental costs to acceptable levels.

Such an all knowing judgment cannot be sustained. Partly it depends how the acceptable levels of environmental costs are measured—does it include only those in the pipeline corridor or all those incurred on the North Slope which in any way relates to it and all the marine ecologic damages as well. Partly it depends on what are acceptable environmental risks, and this is made all the more uncertain because of many basic gaps in knowledge. And it depends upon the eyes of the beholder—the Eskimos, the Alaskans, the Nation—the industry, Fairbanks businessmen, conservationists—each with their own value systems. It has been written—"If oil is a uniquely devastating ecological enemy, Alaska is also a uniquely vulnerable victim." This bids everyone to take special heed.

A more sustainable judgment would seem to be deferred construction of the pipeline until a master land use plan has been developed for Northern Alaska, a thorough going analysis has been made of all national policies affecting the petroleum industry and how North Slope oil development would then fit into the national interest, all alternatives means and routes for delivery of the oil to consuming centers have been adequately examined, and there is ample assurance that great ecological disasters will not occur.

The summary as it stands seems too much to assume that "what's good for the oil industry is good for the country."

#### INTRODUCTION

In the discussion on proposed action it is indicated that "of the approximately 586,000 square miles of land in Alaska, the project would utilize about one one-hundredth of one percent of the total," but that "its impact—would affect the environment over a much larger area." As indicated above in considering the direct impacts of the project it is necessary to view them in broader terms than just those in the pipeline and roadway corridor, and the secondary impacts in an altogether more quantitative manner.

The general justification statement I.B., which builds on the compelling necessity, reliability, practicalness and comparative economy of delivering North Slope oil to U.S. markets, is subject, as noted above, to many doubts. The contention that the trans-Alaska pipeline is least likely to adversely affect the

Alaskan environment is not demonstrated. The alternatives routes as means of delivery are hardly considered.

Exploratory activity for domestic natural gas is noted as being "at a ten year low" and without "visible indications of a recovery." There is the likelihood that this may no longer hold, however, since the large scale recent OCS oil and gas lease sale.

The recent Foster Associates study notes that all indications point to sufficient domestic supplies of natural gas to meet 95 percent of anticipated requirements to 1975. To achieve this result, however, it will be necessary to provide additional economic incentives to provide for a higher discovery level of new services. During the decade 1975-1985, it will be necessary to further supplement domestic gas supplies in order to maintain a national reserve-production ratio of 12 years which is considered to be the minimum national inventory level.

The role of coal in the supply of energy is cast in a non-dynamic light. This doesn't accord with the strip-mining boom in Virginia, West Virginia, Kentucky, and Tennessee. In the Southwest there are plans to strip coal from Black Mesa for new power plants. New power stations near sources of coal supplies may bring the stripping boom to states like North Dakota, Montana, and Wyoming, which have large reserves. Vast coal acreages are being sold, leased, or optioned to coal producers. The timing of development of stack emission control coincides very well with the probable peaking of production of strip coal mining. The new Secretary of the Interior is concerned about improving the balance in energy development from coal and petroleum sources.

The outlook on production of crude oil in the "lower 48" is in need of alteration in view of the Foster Associates findings noted above and the large OCS lease sale and its prospective effects on production and proved reserve additions.

The "synthetic" fuels picture seems in need of change in view of statements on the oil shale and coal mining development prospects given above. Moreover, national policies with respect to their development can materially change the supply time frame.

With respect to future crude oil supplies it is noted that the Cabinet Task Force on Oil Import Control agreed that Western Hemisphere sources of petroleum may be deemed reliable and that the principal analysis of their report projected 1980 production in Canada and Venezuela sufficient to provide enough oil to the U.S. to enable us to limit our dependence on Eastern Hemisphere oil to 10% of our consumption. Perhaps, as some of the Task Force apparently felt this is optimistic as it assumes development of new Canadian petroleum provinces, a change in Venezuela tax and royalty policies, and delivery of North Slope oil beginning by 1975 and in significant volume by 1985. As to new Canadian production, however, the outlook is optimistic (reserve/production ratio is keeping up and panarctic has made major gas discovery), and as to Venezuela oil supplies it is possible and perhaps worthwhile to encourage their development rather than incur great environmental risks in rushing North Slope oil development. Furthermore, the North Slope deliveries could be compensated for by increased OCS production or by other means considered above.

The table which presents U.S. petroleum demand and supply balances as they might develop through 1985 is based on various assumptions which appear to be questionable. There is little question that current demand for crude is increasing at more than 3 percent, that it shows little immediate sign of letting up. There is question though of whether it should. There could hardly be anything more beneficial to the health of

environment or the order of cities than a reduction in the profligate use of gasoline with which to run private automobiles in the United States. Public policy may well require reductions in automobile transport. The gross additions to crude production capacity in the lower 48 may be well above the 1967-1969 average rate considering the recent heavy industry investment in OCS oil leasing and by implication the oil development. Also there is a growing probability that the volume of imports will not be conditioned only by the need to supplement U.S. production but also by the need to maintain a price level that is acceptable to consumers. There is increasing political pressure to break the hold the cartel-like oil industry has so long enjoyed on the production pricing system. These factors and other considerations noted above could have important effects on required supplies, domestic production less the North Slope, and the amounts attained from other sources. And substantially changes the projected dependence on Eastern Hemisphere sources.

As noted above the North Slope oil production effects on U.S. dollar drain may not be a simple linkage affair.

Thus the argument that "America's rapidly expanding requirements for energy demonstrates a compelling need for development of the Alaskan North Slope oil" on a pell-mell hurry up basis is really not sustained. This argument runs more like a project justification piece than as well supported evidence.

The recital of projected revenue benefits to the State of Alaska are interesting but there is no evaluation of its immediate need for them. It seems that the State can operate its current services without dipping much if any into the principal of the Prudhoe Bay lease sale bonanza it realized in 1968. This raises the question of whether considering state financial conditions, it is justifiable for revenue reasons to hazard the environmental risks involved in speedy North Slope oil development.

The projected increased employment in oil and gas industries and oil and gas related supportive industries appear reasonable and worth mentioning as an ancillary benefit. Mention should also be made of prospective employment losses, however, through disruptions of the traditional means of livelihood to the indigenous population on the North Slope. Equally important, Alaskans want future economic development to depart from past patterns of resource development at the cost of environmental damage. Trade-offs of employment and incomes for impairment of resources and environment are no longer regarded as necessary or justifiable.

It is noted that the projected road development north of the Yukon might provide access to the towns of Bettles and Wiseman. To be sure there is no illusion created here, it is desirable to call these settlements rather than towns and better still to bracket their present small populations to better suggest the true significance of the access being provided.

It is indicated that floating booms are to be used to retain and prevent the spread of oil spilled off ship or loading facilities in Prince William Sound. They will be positioned and moved, as required, by tugs and mooring boats. The oil so retained will then be picked up by floating skimming facilities, with final clean-up by use of materials capable of removing all oil traces. There needs to be an evaluation of the effectiveness of such oil spill recovery methods.

All seismic areas through which the pipeline would pass are said to have been identified. The major fault zone crossings are not quantified in any way, however, which would indicate their hazardousness, as by number, width, degree of instability. Most active creep locations and rates must still be more closely determined. Seismometer and creep meter networks are to be installed along the proposed pipeline route.

#### DESCRIPTION OF EXISTING ENVIRONMENT

This section suffers from being overlong and overwritten. It seems desirable to substantially condense parts of it as much of the general Alaska detail is not needed in considering the environmental impact of the trans-Alaska pipeline project.

In the section on human resources it would be more useful to the purposes of the environmental impact statement to describe the human ecology on the North Slope and in the mainly Indian occupied areas South of the Brooks Range instead of dwelling at such length upon the general distribution, educational level, and state of health of all Alaskans. This would lay a better background for subsequent evaluation of the environmental impact upon native cultures and peoples of the proposed action in section III.

Description of the pysiography and geology of the environment through which the proposed pipeline would traverse is excellently done but in excess of the most practical considerations of an environmental impact statement. What is most desired is an evaluation of the vulnerability of the pipeline to disruptions from earthquakes, thermo-korst development, differential settlement, and solifluction. Quantifications of these geologic hazards in the closest manner possible by physiographic provinces along the pipeline route would be more serviceable. It is presumed a great deal of data to enable such evaluation is available from Aleyeska geologic and soil investigations.

The section on land use does not adequately portray the subsistence land utilization of the indigenous population—Eskimos and Indians—on either the North Slope or in the more wilderness sections south of the Brooks Range. The subsistence land-use dependencies of Eskimo and Indian cultures need further consideration as a basis for subsequent examinations of what will happen to them if the pipeline is constructed.

The description of fishing and wildlife resource conditions along the pipeline route and in the vicinal coastal portions of the Beaufort Sea and Prince William Sound is perhaps a bit long but excellent. Missing is a description of the present importance of fishing and wildlife resources to life support of the coastal and inland Eskimos of the North Slope and to various Indian groups in the more wilderness portions of the pipeline route south of the Brooks Range.

The decline of the commercial clam fishery at the mouth of the Copper River needs a better explanation. The razor clam had declined essentially because of economic reasons. The hardshell clams have been affected by a toxicity problem that traces back to certain conditions of the plankton which may in conditions of the plankton which may in turn be the consequences of increased eutrophication in the coastal waters.

The notation that the Arctic region caribou herd to the west and Porcupine caribou herd to the east "intermingle in the summer in the vicinity of the pipeline route, but have traditional calving areas which may be the focal point of the range of each herd" needs alteration, especially so it becomes explicit that many of the calving areas are in the Sagavanirktok Drainage in the vicinity of the proposed pipeline route or in the related oil field areas undergoing development. It is mentioned that Atigun Pass and Anaktuvuk Pass are among those used by caribou crossing the Brooks Range. Again it should be made explicit here that Atigun Pass is also the crossover of the pipeline.

#### EVALUATION OF ENVIRONMENTAL IMPACT

In the sections dealing with communities reference is made to a table which shows that within a corridor extending 10 miles on either side of the pipelines system there are only 6 villages and the city of Fairbanks. It would seem the settlements of Bettles, Wiseman, Livengood, and Gakoma and perhaps others should be included. Within a corridor extend-

ing 50 miles on either side the native villages of Alatwa and Allakaket.

Some mention should certainly be made of the impact upon the native communities of the North Slope. Probably within the area of influence of development of the Prudhoe Bay oil resources are the primary settlements of Barrow, Kaktovik, and Anaktuvuk and the two lesser settlements of Noulksut and Atkasook along with the various seasonal places along the coast (Alaktak, Anakruak, Kogruagarok, Esook, Beechey Point, Ft. McIntyre, Brower Village, Tigvarlak Island, Shinagru). The Nuunamliuts of Anaktuvuk Pass have become relatively sedentary people and as so their mobile subsistence harvest practice has become much more localized. Although the caribou are still basic, there is more dependence on localized hunts.

Under the section on culture the impacts on native land-based cultures is denigrated as follows: "The only identifiable negative cultural influences that would be associated with the implementation of the project would be the loss of fish and wildlife resources now utilized by the Natives on a subsistence basis and the broader question of the possible loss of the remnant hunting and fishing cultures that still characterize some Native groups." It is indicated above that these cultures must be taken seriously and the profound effects of the oil-field developments upon them carefully evaluated both positively and negatively. In general, the yearly cycle of native subsistence activities, especially on the North Slope, has been maintained right up to the present, and meat and fish whether of sea mammals, of the various ungulate species taken on land, or of fowl or fish, remains the basis of human life support. The unchanged importance of these resources to the indigenous people must be faced. That there will be impacts on fish and wildlife is acknowledged but no effort is made to translate them into effects upon the natives and their cultures. It's as though it is forgotten that the Eskimos and Indians are citizens too.

The section on Recreation notes that "opening up the Arctic wilderness near the proposed route to development and wide public use could damage as well as enhance the recreation potential of the affected areas." The negative effects will extend over more than just lands near the proposed route, they will spread over most if not all of the oil field areas which probably will encompass many hundreds of thousands of acres.

The indication in the section in land use patterns that the pipeline and haul road route south of the Yukon, although paralleling the present main road system, would be well beyond roadway sight should be incorporated in the preceding section on recreation.

The section dealing with the impact on land use pattern doesn't even mention what the effects of developing the pipeline, haul road, oil fields, and all other supporting or associated facilities would be on native land-based occupation. Such oversight is inexcusable. While not all aborigines depend upon resources of the land and waters for livelihood support to the same extent, subsistence hunting and fishing and plant product gathering remain a dominant and characteristic way of life for most of the native groups.

While it is recognized that information upon which to develop a comprehensive evaluation of probable impacts upon fish and wildlife resources is incomplete and the potential impacts upon the various ecosystems are not readily predictable, it would seem possible to quantify by estimation at least the amounts of land of various types which will be subject to various degrees of alteration by the pipeline and oil field developments and thus enable inferential judgments on wildlife resource disturbance or reduction.

It is noted in the section on effect of oil pollution of the Beaufort Sea and its coastal margin that widespread occurrence of oil losses over the North Slope fields would have cumulative impacts upon fish and wildlife of the coastal waters. Some indication of oil spill experience to date would be useful, as would the Kenai oil field loss experience, in providing inferential estimates of oil pollution in the developed oil fields and their effect through snowmelt runoff on the coastal waters.

In the references to wildlife disturbance along the pipeline route from alteration of habitat by pump stations, the pipeline, etc. the total development impact, including that from the oil field developments and all other attributes of technologic intrusion, needs assessment.

Among the various pipeline route alternatives, one is to change it so that most of it transits Canada rather than Alaska. A Canadian industry proposal to this effect has been made. There are in essence as pointed out three possible routes to the Canadian border: namely, along the coast through the Arctic National Wildlife Range, along the high terrain south of the Range, or along the continental shelf off the coast to the north of the Range. There are rather obvious reasons for discarding the latter two routes so they need not be considered further. If the route through Canada were politically and economically feasible, however, and these matters are not treated in the statement and the possibilities of ecologic disaster or severe impairment were greatly reduced or avoidance of detrimental impacts on wilderness, fisheries and wildlife, scenery, or other natural attributes or upon the native peoples and their cultures was worth it even at some substantial injury to the integrity of the Arctic National Wildlife Range, and here again these matters are not considered in the statement, then it would seem desirable to seriously consider this route. The coastal pipeline route seemingly at least would encounter less earthquake or solifluction rupture possibilities, and the impediment to the caribou migrations would seemingly be less. It is worthy of note although not of approval that the Kenai National Moose Range has oil production right in the midst of it.

Brief consideration is given to the pros-and-cons of a route in the Railroad Belt south from Fairbanks. It appears that inadequate study has been made of this possibility. It is acknowledged as probably having less permafrost problems, but on the other hand some ground instability problems in the Nenana Gorge. Overall there are no earthquake danger comparisons, or of specific other environmental hazards. It is indicated the railroad belt route would necessitate placing the southern terminal of the line at Whittier, Seward, or Anchorage, rather than at Valdez, each of which location is considered less favorable than Valdez. Whether this is actually so, and whether these ports are the only options, seems to have been inadequately examined. It is understood that the Aleyeska Pipeline Service Company believes the Valdez route is more suitable for its purposes. Apparently no one has challenged whether the Valdez route is the best route, or serves the public interest as well as the railbelt route. Although many complexities are involved, surely this matter deserves the most searching inquiry.

#### LITHUANIAN INDEPENDENCE

**HON. JOSEPH G. MINISH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MINISH. Mr. Speaker, February 16, 1971, marked the 53d anniversary of

Lithuanian independence. All freedom-loving persons should observe this anniversary with profound respect and admiration for the courageous Lithuanian people.

After many years of struggle, Lithuania was reborn as a free and independent state in 1918. For 3 years thereafter Lithuanians fought to preserve their freedom against the onslaught of Russian armies. Finally in 1921, its borders secured, Lithuania entered the international community of nations. She established diplomatic relations with most major European countries and achieved domestic political stability.

Unfortunately, Lithuania's enjoyment of political independence was short lived. Both Russian and German armies occupied the country during World War II, with the Russians emerging as the conquering power at the conclusion of the war.

For the past 27 years, the people of Lithuania have valiantly held to their longing for liberty in the face of Communist repression and tyranny. I am proud today to join with the loyal Americans of Lithuanian descent to celebrate Lithuanian Independence Day and to pray with them for the speedy liberation of their homeland.

At this point, I insert in the RECORD resolutions adopted by the Knights of Lithuanian Council 29, of Newark, N.J., and the Lithuanian Council of New Jersey:

#### RESOLUTION BY KNIGHTS OF LITHUANIA, COUNCIL 29, NEWARK, N.J.

The following Resolution was unanimously adopted by the Knights of Lithuania, Council 29, at a meeting which was held on January 19th, 1971, at the Lithuanian Holy Trinity Church Hall, 207 Adam Street, Newark, N.J.

As February 16th, 1971, marks the 53rd Anniversary of Lithuania's Independence, all Lithuanians throughout the free world will commemorate this occasion.

Whereas, In the thirty years since the Baltic States were invaded, hundreds of thousands of Lithuanians, Estonians and Latvians have been deported to the remotest parts of Russia. In turn, ethnic Russians by the hundreds of thousands have been sent in to colonize and russify the Baltic States with the purpose of diluting and then finally destroying the character of the people and the culture in the area.

Whereas, The Soviet mass deportations, especially those of 1941 and 1945-50, have cost Lithuania about 400,000 inhabitants. A large part of these deportees have perished in the Soviet forced labor camps. Most of these deportees had not been charged with any specific "crime". They were uprooted in an effort to deprive Lithuania of its political and intellectual elite as well as to break the peasantry's resistance to forced collectivization. Large numbers of Russian settlers have been moved into Lithuania to replace the deportees.

Whereas, The forcible incorporation of Lithuania into the Soviet Union, agreed upon, by Stalin and Hitler in their pact of August 1939, has not been recognized by many Western powers, including the United States. Diplomatic representatives of free Lithuania continue functioning in Washington and other European and Latin American capitals. In the eyes of International Law, Lithuania today is not an organic part of Russia or the Soviet Union, but an occupied country by the Soviets; therefore be it:

Resolved, That we, Americans of Lithuanian origin or descent, reaffirm our adherence to

American democratic principles of Government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world, and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States, Secretary of State William P. Rogers, U.S. Ambassador to the United Nations, United States Senators and Congressmen of New Jersey.

#### RESOLUTION

On the occasion of the 53rd Anniversary of the Restoration of Lithuania's independence, we the representatives of the Lithuanian ethnic community of New Jersey, assembled here on February 13, 1971, in Newark, New Jersey to:

Commemorate Lithuania's Declaration of Independence proclaimed on February 16th, 1918, in Vilnius, whereby a sovereign Lithuanian State, having antecedents in the Lithuanian Kingdom established in 1251, was restored;

Honor the memory of the generations of Lithuanian freedom fighters who fought to defend Lithuania's national aspirations and values against foreign oppressors;

Recall with pride the political, cultural, economic and social achievements of the Lithuanian Republic during the independence era of 1918-1940;

Express our indignation over the interruption of Lithuania's sovereign functions as a result of the military occupation of our homeland by the Soviet Union on June 15, 1940, during the course of which national traditions and values were trampled, the personal freedoms of the people were suppressed and hundreds of thousands of people were liquidated by the Soviet genocidal practices;

And to emphasize once again our confidence that, regardless of what methods the Soviet oppressors devise, they will, in the end, be unable to suppress the aspirations of the Lithuanian people for freedom and the exercise of their human rights. These hopes were made most evident in the recent successful hijacking of a Soviet aircraft to Turkey by Pranas and Algirdas Brazinskas, as well as in Simas Kudirka's heroic attempt at defection,

Gravely concerned with the present plight of Soviet-occupied Lithuania and animated by a spirit of solidarity we, the members of the Lithuanian ethnic community of New Jersey,

Demand that Soviet Russia immediately withdraw its armed forces, administrative apparatus, and the imported Communist "colons" from Lithuania, thus permitting the Lithuanian nation to freely exercise sovereign rights to self-determination.

We call upon our Senators and Representatives to make use of every opportunity to urge that President Nixon once again publicly reiterates the long standing United States position of non-recognition of the incorporation of the Baltic States of Estonia, Latvia, and Lithuania into the Soviet Union and to raise this issue in the United Nations and at various international conferences.

Dated at Newark, N.J., February 13, 1971.

LITHUANIAN COUNCIL OF NEW JERSEY,  
VALENTINAS MELINIS, *President*.  
ALBIN S. TRECIOKAS, *Secretary*.

#### ACP HASSLE DID SOME GOOD

**HON. CHARLES THONE**

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. THONE. Mr. Speaker, the Nebraska Farmer, in an editorial dated February 1, 1971, points out the advantages

of the new rural environmental assistance program—formerly the agricultural conservation program—as it relates to finding answers to one of our most serious domestic problems, pollution.

In light of the past success of this environmental-conservation program it was with regret that Nebraskans learned that our State's allotment has been cut by \$974,000. The severity of this problem is such that sound programs that work should be fully funded. It is false economy indeed to save money on such a successful program, and it is certainly to be hoped that REAP will be more adequately funded in the future. I insert this editorial in the RECORD:

#### ACP HASSLE DID SOME GOOD

Perhaps all the hassle with the Office of Management and Budget over release of ACP funds has been worthwhile.

The "new" ACP has now been announced by Secretary Hardin. It's now REAP, believe it or not. That stands for Rural Environmental Assistance Program.

But what's important is that now, apparently, the real pollution-fighting virtues of this program, no matter what you call it, have been recognized and emphasized.

This can be important politically. Even city Congressmen can now see the worth of this program to the whole nation—to the people who vote for them in the city as well as to farmers.

As we said in an earlier editorial, this program is a real bargain for the nation. Through it, farmers are giving our country another bargain by sharing substantially in the cost of pollution control with their cost-sharing payments.

As the announcement by Secretary Hardin points out the emphasis of REAP will be on pollution control. This undoubtedly means priority items will be dams, waterways, terraces, grass seeding and similar practices designed especially to reduce silting. It remains to be seen how much cost-sharing there will be for control of pollution from animal wastes. However, it would seem this should be high on the list.

Nebraska authorities point out that at least 75% of ACP money spent in the state over recent years has been for practices that will be emphasized in REAP. It was hoped this would be taken into account when state allotments were made. However, these allotments have now been announced, and Nebraska was cut from \$5,008,000 in 1970 to \$4,034,000 for 1971.

#### MAX RAFFERTY: CALIFORNIA'S LOSS IS ALABAMA'S GAIN

### HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. LEGGETT. Mr. Speaker, it now appears that Dr. Max Rafferty, the defeated candidate for U.S. Senate, the defeated candidate for reelection as California superintendent of public instruction, and outspoken defender of all that is good and true but not blue, will become dean of the newly established school of education at Alabama's Troy State University.

Dr. Rafferty brings many assets to this post, which I am sure he will fill splendidly. In addition to his qualifications as an educator, Dr. Rafferty has a

number of extracurricular talents which should not be underestimated. Not the least of these is his World War II experience, which should enable him to give top-quality professional advice to the Troy State draft counseling center. In these days when our country is in urgent need of reconciliation, perhaps we will find the superhawkish Dr. Rafferty helping to bridge the gap between the radical right and the draft-evading new left.

In any case, the 1968 and 1970 election results assure me I speak for the majority of Californians when I wish Dr. Rafferty a long and happy career in Alabama.

#### REVENUE-SHARING PLAN

### HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. FINDLEY. Mr. Speaker, no part of President Nixon's state of the Union message has caused as much public comment as his proposal for Federal revenue sharing. The President announced the new plans in the wake of repeated statements by Governors and mayors across the Nation that their governments were unable to cope with their financial burdens. It exceeds the scope of previous revenue-sharing proposals, including his own.

The new element in revenue sharing is that, instead of operating within the strict statutory limitations which govern most of the existing Federal aid programs, the States and local governments would be granted unrestricted sums of Federal money to spend as they see fit.

The plan calls for a sharing among the 50 States of 90 percent of \$5 billion of general revenue according to the formula included in the President's original proposal. Illinois would receive \$220 million during the first year of operation. In addition, a State which adopted a plan for local sharing which was ratified by a majority of local governments representing a majority of the population would become eligible for a share of the remaining 10 percent.

I have just received the enclosed text of a letter from the village board of Coatsburg, Ill., a small municipality in my district, to President Nixon concerning his proposed revenue sharing plan, and I want to share their thoughts with you.

Text of letter follows:

VILLAGE OF COATSBURG, ILL.,  
Feb. 1, 1971.

HON. RICHARD M. NIXON,  
President of the United States,  
White House  
Washington, D.C.

DEAR PRESIDENT NIXON: We appreciate your strong desire for sharing federal revenue with the people at the "grass roots" level, and assure you we feel that this is desperately needed.

Our country has existed 195 years. Our community was settled in 1855, and our Village incorporated in 1870. For 94 years, or 48% of the entire life of these United States, our citizens have worked diligently to strengthen and support our great country;

and to perfect a community in which patriotic people may live and enjoy the benefits of freedom.

Our task becomes increasingly difficult. The great State of Illinois gave us some hope with revenue sharing on the direct basis by allocating a portion of our state sales tax and a part of the state income tax to municipalities, large and small, on the basis of population. At the same time tax relief has been given on personal property and our senior citizens have received a sizeable tax credit on homes which they own and in which they reside. This compensates for their decreased earnings and dwindling resources further diminished by the inroads of inflation on the buying power of their life savings. However, our small communities are now faced with a reduction in bonding power at the very time when a public water supply and sewer system are of prime importance. We have tried to secure grants and loans for both of these necessities from the FHA only to have our applications refused for "lack of funds."

We are heartened by the hope that members of Congress will become aware of the fact that the rural areas are a source of much of the leadership in business, industry and government; and the greatest bulwark of patriotism, integrity and love of country to be found in these United States. We trust some plan will emerge from these deliberations at the highest levels which will result in a "one man, one dollar" direct distribution of a share in federal revenue to the smaller Villages, commensurate with the slogan of "one man, one vote." Should such a plan be implemented, and then distributed through state or federal bureaus, the funds may diminish to a trickle when they reach us, if they ever do so.

Surely, Mr. President, a nation which can put men on the moon can devise a way to allocate and return a small portion of the federal taxes we pay directly to the municipalities in this revenue sharing plan. If this is done, our village and hundreds like it, can utilize their part of these taxes to build the water systems and the sewer systems we need so much.

We congratulate you, President Nixon, for your desire for direct revenue sharing. The smaller needs of the little community are fully as important as the complex needs of the metropolis, and its citizens equally entitled to the means for meeting them.

If such sharing is done "one man, one dollar", Mr. President, small villages such as ours will be grateful for the opportunity to show our appreciation by using it wisely to build a better community, and thereby strengthen and enrich this great nation of ours, of which we are so proud to be a small part.

Sincerely,  
Ray G. Gray, Albert Shanholtzer, Paul Conover, Lee Phillips, Keith Bliven,  
L. R. Brinkman, Keith L. Wilkey, Loyd W. Tenhouse.

#### REPORTING ON THE WAR GETS WORSE EVERY DAY

### HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. EDWARDS of Alabama. Mr. Speaker, Crosby S. Noyes' column, entitled "Reporting on the War Get's Worse Every Day," which appeared in the Washington Evening Star on Tuesday, February 16, 1971, says a mouthful. I hope all Members will read it:

## REPORTING ON THE WAR GETS WORSE EVERY DAY

(By Crosby S. Noyes)

Since the invasion of Laos, reporting on the war has been getting worse every day. By this time, for all the reportorial talent on hand, the facts of what is happening are barely discernible for the sound of grinding axes.

Every journalist, it seems, is out to prove his own special point. And if this is not that the administration in Washington has reverted to its bad old ways of trying to win the war, then it is to prove that the Americans are sneakily trying to get themselves involved in the fighting despite congressional injunctions.

How often have we heard in recent days that we have returned to the "illusion" of winning a military victory instead of pursuing our quest for a negotiated settlement of the war. The fact that we are striking at an enemy who loudly proclaims military victory as his objective and who has steadfastly refused for three years to negotiate anything less than outright surrender never is mentioned.

What valiant efforts have been made to establish the impression that American ground forces have indeed become involved in the fighting in Laos. Every anonymous GI who is willing to say that he has been shot at across the border makes immediate headlines. Every rescue mission to pick up air crews or helicopters downed by enemy fire is seized on as proof that the will of Congress is being defied.

It is utterly astounding how many reporters have been struck simultaneously with the idea that the Laotian operation is really a sort of war by proxy, in which, the Americans are calling all the shots and supplying all the real muscle—in other words, that the South Vietnamese are inept stooges while the North Vietnamese are all "battle-tested veterans," even if many of them seem to be about 15 years old.

And then, of course, there is the "what if" school of journalism that conjures up all the most dire possibilities that could ensue from the expedition into Laos. What if, for instance, the Russians should decide to supply the North Vietnamese with long-range rockets and atom bombs? Man, it really makes you stop and think.

All this, of course, is merely an extension of what has long been accepted as the savvy journalistic attitudes in Vietnam, somewhat heightened by a greater-than-usual ignorance of what is really happening. No reporter has ever gone wrong in assuming the worst in every situation, by knocking the natives, extolling the qualities of the enemy and impugning the honesty and intelligence of anyone in authority. Indeed, this is the stuff that Pulitzer Prizes are made of.

Laos has simply added a new dimension to these standard attitudes. There is in this operation the inherent risk of calamity. And through much of the reporting shines a barely disguised hope that it will end in a disaster great enough to confirm the reporter's blackest misgivings.

The only real trouble with this kind of reporting is that it helps to obscure what is really a rather important change in the nature of the war in Indochina. Today, in Cambodia, Laos and in South Vietnam, the Communists for the first time have been thrown on the defensive. And their prospects for sustaining any effective long-term military pressure have undergone a most drastic revision.

For years, the North Vietnamese have freely occupied the territory of Laos and Cambodia while the government of these countries, in order to maintain the fiction of neutrality, have largely ignored their presence. Today their presence in these countries is being effectively contested by the South

Vietnamese. And if the effort succeeds, the war in the south will be as good as over.

Again, to be sure, we are being warned from all sides against supposing that anything "decisive" has happened and in this case the warning may be justified. The effort could fail and the long agony could go on. But fortunately, the outcome will not be much affected by the chronic dyspepsia of the press corps in Saigon.

## THE CONVERSION RESEARCH AND EDUCATION ACT OF 1971

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. SYMINGTON. Mr. Speaker, 1 week ago, I had the privilege of cosponsoring legislation, which represents a major first step toward the more effective utilization of our scientific and technical manpower—the Conversion Research and Education Act of 1971. This measure is designed to assist and prepare the country for conversion from heavily defense-related to civilian, socially oriented research and development activities. It focuses upon one especially critical aspect of conversion; our human resources.

As a member of the Committee on Science and Astronautics, a representative of an area highly dependent upon the contributions of scientists and engineers, I support this approach for several reasons:

First, the pool of highly trained and skilled scientific and technical manpower, carefully nurtured by the Federal Government over the last decade, represents an important national resource. This is a resource that cannot and should not be squandered through governmental negligence. It is a resource that has contributed to major advances in defense technology, aerospace research, and nuclear discovery and application. It is also a resource that has an even greater potential role to play in the resolution of our many national domestic problems.

For today, we are concerned not that members of one special group—those in the scientific and technical community—may suffer more hardships than those in another group during a period of low economic productivity and less than full employment. Indeed, members of this particular group may enjoy a competitive employment advantage over those in a less-skilled sector of the labor force.

Our concern, rather, is that we should take this opportunity presented by the on-going shift toward a civilian-based economy to redirect and redeploy these highly trained human resources to meet our domestic needs.

Second, this measure offers us the opportunity to exercise continued legislative leadership in the redirection of our national priorities. Moreover, this legislation could mark the beginning of a truly national science policy. This would be a policy rationally geared to our national needs—not solely to a defense industry, though defense we must have; nor to an aerospace community, though

our universe we would explore; and nor to academic centers, though new knowledge we must nurture.

Third, this measure marks the first step to be taken if we are to diversify our talents and redirect them to the most pressing national needs. It authorizes the National Science Foundation and the Department of Commerce to sponsor research and conversion, to develop and administer retraining programs for scientists, engineers, and technicians, and to provide support to business firms and State and local governments for conversion and conversion planning.

However, this measure is no panacea. Much more will still have to be done, both in the development of expanded civilian markets for socially oriented products and services and in the removal of impediments to labor markets that inhibit the flow of technically skilled manpower. Nonetheless, it does provide the kind of focus and means needed for conservation, support, and redeployment of one of our most essential national assets, our scientific and technical human resources.

Finally, this measure represents a very modest investment compared to the high return that we can anticipate from these conversion efforts. The bill authorizes \$450 million over a 3-year period, less than the cost of 2 weeks of our present involvement in Indochina. The "generation of peace" which the President forecasts will require scientific adjustments which this bill seeks to achieve.

Mr. Speaker, I am convinced that the kind of approach embodied in this bill is critically important to not only the future of this country, but to the strengthening of its capabilities to meet the present and future domestic challenges.

## THE CONCORDE SST EMERGES AS A VIABLE AIRLINER AND A CLEAR THREAT TO U.S. INTERNATIONAL AVIATION SUPREMACY

HON. CHARLES W. WHALEN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. WHALEN. Mr. Speaker, the eminent editor of the highly regarded Aviation Week & Space Technology magazine, Mr. Robert Hotz, analyzed the status of the British-French supersonic transport, the Concorde, in the February 8 issue of his publication.

Mr. Hotz' dispassionate recounting of the condition of the Concorde SST resulted in the logical conclusion that the European airplane already is the strongest challenger to American domination of the international transport market in history.

The editorial prompts me to observe, Mr. Speaker, that the SST is a fact. There already are several prototype flying today. Thus, the question is not the existence of the SST. It is, instead, whether the United States is to build its own prototype version of the plane and thereby stave off the economic and technological consequences that surely will ensue if we do not.

The entire issue has been clouded greatly by excessive emotion and regrettable demagoguery. Mr. Hotz' editorial illuminates the subject with frankness and fact that contrast sharply with much of the mindless invective the public and the Congress have had to endure.

Therefore, Mr. Speaker, I insert Mr. Hotz' editorial, "Concorde Is Coming," at this point in the RECORD:

#### CONCORDE IS COMING

(By Robert Hotz)

The Anglo-French Concorde supersonic transport has emerged in 1971 as a new factor in the international airline equation for the next decade. After more than a decade of technical development, it has flown through its crucial flight test envelope to prove that the concept of a supersonic transport is sound and its increased productivity offers an interesting profit potential.

The flight test program of the French prototype 001 and its British counterpart 002 during the winter of 1970-71 has proved that the production versions of the Concorde can deliver their guaranteed payloads over non-stop ranges including London and Paris to New York and key transpacific stage lengths. A solid technical base for Concorde production has been demonstrated by the initial flight test program. A variety of airline pilots and safety board examiners have flown the Concorde prototypes through the supersonic regime and found no special handling problems even with simulated double engine failure. The recent incident of an air intake ramp door tearing loose at Mach 2 and going through the Olympus engine without any further incident than an engine shutdown and a three-engine return to base is an example of both the Concorde's durability and docility.

Much detailed test flying remains to be done to isolate the many problems that develop only with experience in the air. When it enters airline service in the 1974-75 period, Concorde will be the most thoroughly tested transport in history. It will have amassed nearly 4,000 hr. of flight testing including certification to U.S., French and British standards and 1,000 hr. of actual route flying by airline pilots. BOAC, Air France and Pan American pilots will probably begin this route simulation this spring using the prototypes to get an early start on adapting Concorde's performance to airline patterns.

Next step will involve working out the detailed equation of fares, utilization and passenger appeal that are a necessary preliminary to the firm contract negotiations between the Concorde manufacturers, British Aircraft Corp. and France's Aerospatiale, and the key bellwether airlines, BOAC, Air France and Pan American for the Atlantic and Qantas and Japan Air Lines for the Pacific. This should begin by summertime.

Concorde was the first supersonic transport program to take shape more than ten years ago. It triggered both the Russian and American efforts to get into this market. This has been both an advantage and a problem for Concorde. By using basic, well-proved state-of-the-art aerodynamics, propulsion, avionics and materials, it built on a sound technical base. But in the decade of Concorde development, technology has advanced rapidly in all areas, opening wide possibilities of improvement for a second generation SST.

Similarly, Concorde's early start has given it a significant lead over its most potentially serious commercial competitor, the Boeing 2707. At the very time that U.S. political resolve to back its SST program is wavering, the Anglo-French governmental support for Concorde appears to be gathering strength.

The gap between Concorde's entry into airline service and the appearance of a U.S. supersonic transport on the market is an

extremely significant factor in Anglo-French economics. For the longer the Concorde enjoys a western world monopoly on supersonic service on the Blue Ribbon high-density routes across the Atlantic and Pacific, the more aircraft its makers will sell and the more money its airline customers can harvest from its slender cabin. At the moment, a solid five-year gap is firming and any further slippage of the U.S. program would provide an additional bonus for Concorde.

Concorde technology was also pretty firmly committed long before the environmental issue arose and adapting to the operational temper of the times will pose some problems. The sonic boom is the least of these. Supersonic tests over a precisely instrumented range in western England have dispelled many of the boom superstitions with facts. The historic cathedrals are undisturbed by Concorde though the measuring instruments showed alarming vibrations from their local organ peals.

A cow may have been frightened by a Concorde boom into an unwarranted romp that aborted its calf, but thunderstorms, trains and a small boy throwing stones could have produced the same result.

Nor will Concorde emit a sonic boom over any land on its currently contemplated airline routes. Heavy smoke trails from the early Olympus engines are unacceptable and are being eliminated in the production aircraft. Less amenable to solution is the ground sideline noise from the afterburning Olympus. Palliatives applied to date leave Concorde ground noise somewhat above currently accepted standards.

Nevertheless, with all of its anticipated and unanticipated operational and economic problems, Concorde is now coming on strong as a contender for the Blue Ribbon traffic of the mid-1970s and already is the strongest challenger to American domination of the international transport market in history.

#### THE SHAW, MISS., CASE AND EQUALITY OF SERVICES

#### HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. RARICK. Mr. Speaker, a rather obscure court decision has now emerged as a blueprint for control over local and State governments.

A lawsuit against the officials of Shaw, Miss., population 2,500, has now been upheld by the maverick U.S. Fifth Circuit Court of Appeals holding that a municipality must equalize the services it gives to white and black neighborhoods.

While most who may have read of the decision pay little heed to its significance, if upheld, it will shortly affect every community and local government.

The court decision is monumental in that it now opens the door for Federal guidelines, Federal controls, and court supervision over every public non-Federal expenditure in our Nation. Every municipal, county, and State expenditure could now come under scrutiny of a Federal court.

"Equal services" is a cause celebre—a slogan without definition or rationale. Who will define "equal services"—a Federal judge or a Federal bureaucrat with more guidelines, more red tape and more centralized power?

Some will say that this is but a racial matter not realizing that the ruling will next be extended to poverty neighborhoods.

And so again we find race in the South being exploited as the catalyst for emotional justification to further erode constitutional government and to advance the class war.

We are shortly to experience the take over of all local governments by the judocrats.

Mr. Speaker, I insert a newsclipping in the RECORD, as follows:

[From the Washington Post, Feb. 16, 1971]  
RULING ON EQUALIZING TOWN SERVICES IS  
MAJOR RIGHTS VICTORY

(By John P. MacKenzie)

Civil rights and poverty lawyers have won a major victory in a court ruling that a Mississippi town must equalize the services it gives to white and black neighborhoods.

The decision by the Fifth U.S. Circuit Court of Appeals is considered a launching platform for lawsuits that could bring better municipal services and living conditions for Negroes in cities all across the South.

Lawyers in the North have found encouragement in the court's broadly phrased opinion for their litigation campaigns aimed at combatting economic as well as racial discrimination.

For lawyers of the NAACP Legal Defense Fund the case marks a new era of official racial bias in which the federal courts will intervene and supervise its redress without requiring blacks to prove the elusive fact of specific discriminatory intent—provided the evidence is clear enough.

In the suit against officials of Shaw, Miss. (Pop. 2,500, 1,500 black and 1,000 white), the Legal Defense Fund amassed mountains of statistical evidence to show great disparities between white and black residential areas in the amount and quality of street paving, lighting, trash collection and sewers.

Teams of lawyers and assistants counted fire hydrants and light poles and pored over black residential areas in the sewer diagrams and this pattern emerged:

Nearly 98 per cent of the homes fronting on unpaved streets were occupied by blacks. Black neighborhoods in this Delta farming town of marked residential segregation contained 97 per cent of the homes not served by sanitary sewers. All of the improved street lighting was in the white districts.

Town officials did not seriously dispute the evidence, but they persuaded District Judge William C. Keady that no racial motive had been shown as the basis for the pattern.

"Until the recent past," said the judge, "the municipal policy might be characterized by some as conservative and unprogressive . . . The town, operating on a pay-as-you-go management, has simply not made improvements of the size and character that might be expected under more liberal-minded government. That was, apparently, the kind of local government preferred by Shaw's citizens. . . . Consequently, some needed facilities were not enjoyed by anyone; they simply did not exist . . ."

The court of appeals rejected every point in Keady's analysis. They found actual discrimination for which no justification was possible.

Judge Elbert P. Tuttle wrote the appellate opinion, joined by Judge Irving L. Goldberg. Judge J. Griffin Bell concurred but sought to emphasize the extent of discrimination proven in Shaw and thus limit the legal impact of the decision.

Bell stressed that the town had a cash budget surplus and no bonded indebtedness, indicating that improvements for black tax-

payers and residents were within the town's power. He stressed also that the town paid for its services out of its general treasury—not by special homeowner assessments, a factor that would keep the ruling from involving discrimination based on individual private wealth.

All the judges agreed, however, that the town must come up with a plan subject to court approval for upgrading Negro neighborhoods. And they agreed that, at least in the hand-picked Shaw situation, courts could easily manage the job of supervision, since the recognized standard was the existing level of white neighborhood services.

Attorneys for the town, which is 10 miles west of the Dodsdsville, Miss., home of Sen. James O. Eastland (D), have decided to ask the full circuit court to reconsider the case. If that fails, they may petition the U.S. Supreme Court, a move that would implicate municipalities outside the circuit's jurisdiction of Alabama, Georgia, Louisiana, Mississippi, Texas and Florida.

Meanwhile, the high court is preparing to hear a case of alleged state discrimination against poor political subdivisions and their residents. Florida limits the percentage of property tax a county may levy even when the county wants to tax itself heavily for better schools.

A few years ago lawyers were pleading that the courts must order equalized state education allocations. They lost, partly because they demanded court-ordered payment formulas according to need, some lawyers say. More hope is advanced for a new approach in California and elsewhere in which courts are asked simply to require equal per capita expenditures.

In Washington, a court attack is under way on the official neglect that has worsened the blight of the Anacostia, say the area should be measured against the favored section. Neighborhood lawyers . . . Cleveland Park area, but unlike Shaw, Miss., they must contend with the fact that the nation's capital does contain some black neighborhoods that are adequately served.

GEORGE WASHINGTON UNIVERSITY'S SESQUICENTENNIAL

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. GUDE. Mr. Speaker, Dr. Julius Axelrod, the 1970 Nobel Prize winner in medicine and physiology, was awarded an honorary doctor of laws degree by George Washington University at a convocation marking its 150th anniversary on Monday, February 15. Dr. Axelrod is the chief of the pharmacology section of the clinical sciences laboratories at the National Institute of Mental Health, Bethesda, Md.

He spoke to the convocation on the nature of research. And he told his audience of work showing that amphetamines, commonly known as speed, penetrate the nerves of the brain and, with prolonged use, change the brain's chemistry so that the user develops a condition indistinguishable from paranoid schizophrenia.

He called the assumption that marijuana is harmless a common myth. New research quite unexpectedly indicates that the active chemical in marijuana persists in the brain for many days, Dr. Axelrod explained.

I was very pleased to hear Dr. Axelrod's views. He expresses himself with a humility appropriate to a great scientist who has unearthed much of value but, in doing so, has seen how much is left to be discovered. Dr. Axelrod's achievements—and his unpretentious manner—embellish both the Department of Health, Education, and Welfare and the field of medical research.

I include the text of Dr. Axelrod's speech:

LADIES AND GENTLEMEN: The reason that I am standing before you tonight is due to the persuasive powers of President Elliott and his timing. He asked me to give a commencement address at a time when I was in a state of euphoria and I couldn't say no. All my professional life has been spent at a laboratory bench and except for an occasional exchange with a fellow scientist, it is a lonely occupation. This type of work is hardly training for one to pontificate and impart words of wisdom to an audience of this kind. After a great deal of soul searching, I decided to talk about what I know best: What it is like to do research; what my work is all about; and what it means.

This occasion celebrates two birthdays, one is the 150th anniversary of George Washington University. I want to extend my best wishes and I am proud that both my son and I received degrees at this university. Another anniversary is a more personal one. Exactly 25 years ago in February, I began my research career. At that time I was a chemist, approaching middle age without a graduate degree and working in a commercial laboratory. I was given a problem as to why certain headache powders caused a blood disturbance. I was advised to seek the help of Dr. Bernard Brodie; he was then at Goldwater Memorial Hospital, a branch of the medical school at New York University. He asked me to work in his laboratory for a few days and I stayed 9 years. Just this chance opportunity opened a new life of research for me. By working at the interface of a number of scientific disciplines such as biochemistry, analytical and organic chemistry and pharmacology, we solved our problem in 4 months and laid down a new field of biochemical pharmacology.

Several things stand out in my mind of those days, in a few short months I learned a great deal as to what it takes to do creative and productive research. First, I had a stimulating, imaginative, and unorthodox mentor to teach me, Dr. Bernard Brodie. I learned that in order to do good research you don't have to be a genius or even a great brain. Outstanding scholarship or a P.H.D. is not essential although it helps.

What is important is a high degree of motivation and a complete commitment to what you are engaged in at that time. It does not necessarily mean working in the laboratory day and night, but you think about the problems you are currently working with all the time, no matter what other activity you are engaged in. My wife occasionally complains that I give an inappropriate response to her question because my mind is elsewhere. I might add that some of the best ideas come not in the laboratory but as I am trying to go to sleep, listening to boring lectures or while shaving.

Another facility a research scientist must learn to develop is a capacity to tolerate ambiguity, frustration, and repeated failures. Once you feel that you are onto something you persist until an answer comes.

An important factor is the atmosphere of the laboratory one is working in. I was fortunate in working in laboratories in which my colleagues were bright, enthusiastic, and they created a sense of excitement. All kinds of ideas both sound and wild were banded about. In such an environment one cannot

help bringing out new concepts, experimental approaches and laboratory techniques.

Possibly one of the most critical qualities for success in research, or in almost any endeavor, is the ability to ask the right questions. The importance of selecting a good problem requires judgment, intuition and experience. I learned that it takes about the same amount of effort to work on an important problem as to work on a trivial and pedestrian one. Once a great discovery is made, many scientists tend to jump on the bandwagon. It is just as difficult to work on the details and improve the accuracy of a recent discovery as in working in a new area. There are many important problems that are untouched which can be solved with the tools that are available but the trick is to find them. New ideas and hypotheses however are worthless if they are untestable.

I would like to spend the next few minutes telling something about my work. The early investigations were concerned with what happened to drugs in the body. We found that the body has a remarkable capacity to transform drugs and other foreign compounds and dispose of them before they could interfere with the normal operation of the cellular machinery. This information made it possible to provide a means to get the best therapeutic effect of drugs and avoid damage to the body. It also led to the development of safer and more effective drugs and to the discovery of new enzymes. Enzymes are catalysts that make possible the transformation of body chemicals, and thus lead to energy, hormones, genetic material and body-building blocks. We found that ingestion of even therapeutically useful drugs repeatedly will influence the normal operation of the body machinery and also affect the activity of other drugs.

During the course of this work, I took a year off to obtain a Ph.D. at George Washington University. Although I had already published about 50 papers, I was told that I must fulfill the same requirements as any predoctoral candidate. A humbling experience for me was to learn that even in my own field of biochemistry and pharmacology there were always at least five or six medical students who did better than I in examinations. One particularly amusing incident was when I got a question based on my own work and gave the wrong answer. After I received a Ph.D., I joined the National Institute of Mental Health. There, the main thrust of my research was concerned with the chemistry of the nervous system. The brain and the organs of the body have nerves with long projections which can communicate with each other and with other cells. This is done mainly by liberation of certain chemicals; one of these is noradrenaline which is similar to adrenaline. As most of you already know, during fear, rage, and extreme emotion, adrenaline is discharged into the bloodstream. Noradrenaline is called a neurotransmitter and is involved in behavior, sleep, blood pressure regulation and many other functions. The noradrenaline-containing nervous system has a remarkable capacity to maintain a steady state in spite of marked changes in its activity. We have found that many drugs that affect behavior act by interfering with the disposition of the nerve chemical noradrenaline. Some drugs can interfere in such a way that they can be very useful—as in lowering blood pressure in hypertensive subjects and alleviating mental depression. The action of these drugs also tells us something about the defect causing the diseases that are being treated.

Drugs such as amphetamines, commonly known as speed, penetrate into the nerves of the brain and act like a fake noradrenaline. With prolonged use of amphetamine the chemistry of the brain becomes altered in such a way as to bring on behavior which is indistinguishable from paranoid schizophrenia. With the widespread use of mari-

huana we have undertaken studies with this drug in human subjects. The common myth is that marihuana is harmless. The reason that it is considered harmless is because it does not produce any immediate and obvious behavioral toxicity. The fact is that there is a great ignorance of the long-term effects of marihuana on the chemistry of the brain. The active principal in marihuana has been recently identified as a chemical called tetrahydrocannabinol. During the past few months we undertook a study on what happens to tetrahydrocannabinol in the human body. Quite unexpectedly we found that it persists in the brain for many days. Most young people are rightfully concerned with pollution of the environment—water and land. Yet, there is little concern about polluting the delicate machinery of the brain with mind-altering drugs such as amphetamines and marihuana.

There is a tendency among our young and those in power to question the value of science and relevance of basic research. It is commonly believed that science is responsible for pollution, defoliation, and is mainly concerned with the development of more lethal weapons. There are elements of truth in these claims but I believe that no tool is as powerful as science in improving the lot of man. Without the development of technology which scientific research has made possible, most of our lives would be short, brutish, and harsh. Without the studies in physics which made possible labor-saving devices, we would have to work long hours for a bare subsistence. Without the development of drugs, antibiotics, vaccines, which were made possible by biomedical research, large numbers of our children would die in the first year of their lives. Others would start to work at 7 years of age and most would not live beyond their 30th birthday.

The development of the tin can, frozen food, the refrigerator and the washing machine has done more for women's liberation than anything I know. Even such a villain as DDT has protected millions from the ravages of malaria. A particularly apt example illustrating the value of basic research is the care of the mentally ill in hospitals. Until 1957, the number of patients entering mental hospitals with dreaded diseases such as schizophrenia and profound depression increased each year. In 1957 drugs for the treatment of these terrible afflictions were introduced. As a consequence the number of patients entering insane asylums was markedly reduced. The money saved in hospital care alone over 10 years was 12 billion dollars. These former and prospective patients are now leading productive lives. The development of these drugs was possible due to basic research done in different disciplines. An organic chemist developed a novel synthesis of certain tricyclic compounds; a pharmacologist showed that these compounds had unique behavioral effects on rats and suggested that they might be clinically useful; and finally, research psychiatrists demonstrated that they were effective in the relief of depression and paranoia.

Despite the proven value of basic research in savings of large sums of money that go into the hospitalization of patients with polio, numerous infections and nutritional diseases, diabetes, mental depression, Parkinson's disease, it is astonishing that support for research is diminishing. In the past few years there has been a 30 percent decrease in real appropriations for biomedical research. Stipends for students training in research are sharply reduced. This shortsighted development will ultimately dry up our source of future investigators. This indicates a lack of confidence in the past accomplishments of biological sciences.

There is a tendency to earmark a large percentage of money for mission-oriented research. If the time is not right or the stage properly set, money invested in goal-oriented

research will be wasted. This will tend to disappoint the public and turn them away from more meaningful support. Programmed research, no matter how much funds are invested, is no substitute for the freely chosen investigation of an astute scientist. He has the capacity to follow his nose and recognize the importance of an unpredictable and unexpected observation. Such findings have been shown repeatedly to be of critical importance in the solution of fundamental and practical problems.

Before I close, I would like to say that the rewards of scientific achievement are great in terms of prizes, honorary degrees, and prestige. One also pays a price for scientific achievement. As the sociologist Merton points out: "More and more is expected of them and this creates its own measure of motivation and stress."

#### FREEDOM—OUR HERITAGE

### HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. RONCALIO. Mr. Speaker, following is a speech, "Freedom—Our Heritage," written by Kim Adcock, Wyoming's winner of the Veterans of Foreign War's annual Voice of Democracy Contest.

Kim Adcock is the son of Mr. and Mrs. Robert G. Adcock of Cheyenne, Wyo., and is a senior at East High School.

I am pleased to include in the CONGRESSIONAL RECORD this excellent speech written by one of Wyoming's young, promising citizens:

#### FREEDOM—OUR HERITAGE

Across the vast expanse of this globe are scattered peoples of many nations. Some are steeped in traditions of monarch rule, loyalty to the state, or, perhaps, representative democracy. Other countries have backgrounds marked by bloody revolution and violent social turmoil. Still more have yet even to experience centralized government and exist under primitive tribal council or chieftain dominance. Many sovereign nations and many different histories.

One nation, however, does not look back on a past torn by conflict between an oppressed populace and a privileged aristocracy. One nation refused to be ruled by self-appointed king with god-like powers. And this nation of peoples who believe that no man should govern another with his consent possess a heritage so noble that over half a million men have given their lives to uphold its ideals . . . your blessings and mine.

Each of us in these United States has this heritage. Through almost two hundred years of change, freedom, our heritage, has remained a birthright to every American. The United States has a unique history, for it was and is, the only place where men's highest hopes and brightest anticipations develop freely.

Many think of freedom as only a hope or an ideal. It is, rather, a tangible thing, and being tangible, freedom, by nature, is fragile. The young revolutionary who riots and destroys, replacing democracy with anarchy dangerously threatens freedom. The fascist who seeks to overamplify national feeling and replace it with his own charisma violates the very basis of a democracy. Yes, there are those who have abused freedom, but generations of Americans have benefited from this heritage. They built thousands of high schools, trained thousands of teachers, and

made education a very real possibility for millions, where once it was but the dream of a wealthy few. They made our high standard of living a reality for the common man. They have not yet found and alternative for war, nor for racial hatred—perhaps, this will be our contribution to continuing freedom. What is this freedom now? It is the ballot of selection for the leadership of local, state, and federal government. It is the peer group of twelve to whom one's guilt is not predetermined. It is the ability to think and say what is felt without fear of repression.

These rights and freedoms are a steadfast part of our American society. . . . Built on a foundation cemented by the blood of the dead and the sweat of the living, this heritage of freedom should remain the foremost treasure the United States has to offer.

There are those who predict the trend of lawlessness and revolution will make necessary the abolition of certain rights, but it will not be the lawbreaker who makes such restrictions necessary. If rights are taken away, it will be because the common man has taken for granted the most prized possession he has, and freedom, like an unused and neglected muscle will atrophy and wither away. Many young people my age are working to insure that an undercurrent of passive patriotism does threaten the hopes of so many through the actions of so few. Americans who will not tolerate the abuse of rights can strengthen the real character in our country's way of life.

It is the responsibility of everyone, both young and old to protect this heritage. . . . A personal commitment to honor it. . . . A dissolution of the apathy which threatens this heritage—our freedom.

#### DRUG ABUSE EDUCATION PROGRAMING FOR A RURAL STATE—ONE APPROACH

### HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MOLLOHAN. Mr. Speaker, I would like to place into the RECORD an article detailing the efforts of a student pharmacist association at West Virginia University in trying to educate young people of the dangers of drug abuse. I do so with the hope that the example of this group could help others in developing approaches to this serious problem.

The article follows:

[From the Journal of the American Pharmaceutical Association, October 1970]

DRUG ABUSE EDUCATION PROGRAMING FOR A RURAL STATE—ONE APPROACH

(By Paul Zanowiak)

The state of West Virginia consists of 55 counties, stretching from Weirton (near Pittsburgh) in the north to Bluefield at the south (on a latitude similar to that of Roanoke, Virginia) and from Huntington near the Ohio River (our western boundary) to Martinsburg, a scant 70 miles from Washington, D.C. Although there are several areas of industry and urbanization—Wheeling, Huntington and Charleston, for example—we are, in the main, a rural state.

The Appalachian chain exerts a great influence on West Virginia, giving it much beauty and scenic splendor and one of its major resources and industries, coal; but it also makes road travel more difficult than in most states. For example, it is common to need seven hours to travel the 270 miles from Morgantown to Welch—even in good

weather. Now, if one adds to this the fact that West Virginia has a population only of approximately two million, it becomes evident that any program, which involves delivery of information to the people without depersonalized, sophisticated and expensive electronic gadgetry but utilizing a people-to-people contact approach, is difficult to execute.

During the last 10 years, West Virginia University has brought continuing education programs to 15 local county pharmaceutical associations in the state, utilizing the traveling, speaker-group approach with success. The informal, personal atmosphere of pharmacy faculty meeting and discussing current topics and knowledge with the pharmacists of our state has been well received and has been a two-way learning process. It was within the scope of such continuing education programs that our drug abuse information program actually began.

As early as 1966, several of our faculty presented programs concerning contemporary drug abuse (hallucinogens, stimulants, depressants) at continuing education programs for local associations. In winter 1967-68, we were approached by several local schools to furnish programs on "drug abuse." Also, several pharmacists of the state expressed interest in sponsoring such programming for their areas.

At the time the university Student APhA chapter had been active in poison prevention programs, presenting slide-talks to Cub Scout and Brownie groups in Morgantown. At the same time we noticed that several pilot projects in drug abuse information programming were being developed by students at other schools of pharmacy. Recognizing an opportunity for further service and feeling that young people would be more receptive to informational programs delivered by young knowledgeable people—especially those within the health professions—the Student APhA developed its first drug abuse information program in spring 1968. Our approach was, and still is, a simple one—the delivery of factual information by young health professionals concerning the risks and dangers of abusive use of the mind-influencing drugs upon the body and mind avoiding as much as possible "scare" techniques, "preaching" and value or moral judgments, thus leaving the final decision of "doing drugs" to the individual. Our experience indicates that teenage audiences have received this approach well. They like the idea of instructive material followed by constructive dialogue ("rapping") with other young people, as well as the "here are the facts, you make the decision" concept. This fits nicely into their strong acceptance of peer attitudes.

The second part of our preventive program centers around the need for community awareness of the contemporary drug problem. This entails presentation of drug abuse information programs to concerned adult groups. Several of our faculty have developed appropriate presentations slanted toward adults' needs, especially parents', in understanding the current drug scene as well as the problems engendered by the all too casual acceptance and misuse of drugs today. (One teenager had indicated that ours is a "pill-popping" society with a cure for all ills from "minor tension to halitosis"; another has said that "tranquilizers are the popcorn of the suburbs.") Therefore, several of our faculty have developed presentations for adult audiences in response to many requests from PTA, church and civic groups.

#### ESTABLISHMENT AND IMPLEMENTATION

The personal approach—i.e., of live presentations versus movies or canned-tapes—was selected for both adult and youth audiences as being more meaningful, for it was felt this would result in active question and answer

sessions. This has proved to be so; the question and answer portions of the programs are generally very valuable contributions to the delivering of our message. However, it became evident quickly that some audio-visual aids were needed as "grabbers" to get and hold attention. Thus, the program format has evolved into a 40-minute slide presentation followed by a discussion or question and answer session. In the case of the adult programs one or two faculty members make the presentation, while our student program involves traveling teams of four members each. Currently the presentations are divided into several subtalks—depressants (narcotics, barbiturates, alcohol and the deleriant inhalants); stimulants (amphetamines and cocaine), and the hallucinogens, including marijuana. Our slide library now numbers well over 300 slides, so the talks can be altered to match audience requirements—grade school, junior high, senior high, college and adult. Recently we have decided, in the case of fifth and sixth graders, not to use slides and to shorten the presentation slightly. In place of the slides we have developed a short outline which is mimeographed and passed out to each student. This is supplemented with some pamphlets made available by a local Kiwanis Club and Blue Cross-Blue Shield agency.

The programs are arranged locally by the county pharmaceutical associations of the West Virginia Pharmaceutical Association and a pharmacist accompanies our teams to the schools in his area. The local pharmacists have generously supported the program by financial aid to cover travel, meals and lodging. As the need for more programs has increased, local clubs and organizations—Kiwanis, 4-H, YWCA, women's clubs, county mental health groups, etc.—have joined the pharmaceutical associations as co-sponsors.

Depending on the size of the school requesting the program and the administration's wishes, we have presented as many as seven programs in one day at a single school. This was done to minimize the audience size, for we have found that programs presented to small audiences result in more meaningful discussion periods. We also have given presentations before large school assemblies, although we do not prefer it.

Due to scholastic commitments and pressures, we have found the maximum time suitable for the student teams to be gone from classes to be three days. During such periods, the teams have spoken in as many as ten schools in a district. The itinerary must be well planned for maximum program exposure.

During the first period of concentrated effort of the Student APhA Chapter's program (September 1968-July 1969), the teams presented programs at 47 schools, reaching more than 25,000 students and traveling more than 3,000 miles. During summer 1969 the chapter decided to further its commitments to the program. With approximately \$300 enrichment money from local clubs and organizations and a new slide projector donated by a pharmacist, they set about doing so. In late August they mailed brochures to each county superintendent of schools in West Virginia urging him to use our program through his local pharmaceutical association. They printed and distributed mailing cards to various organizations as further advertising, using the slogan—"Pot Is Not . . . The Answer." Thus, from July 1969-June 1970, our students traveled nearly 6,000 miles, presenting programs in 77 schools, contacting over 35,000 students.

This year for the first time, our student teams also were asked to provide evening programs for adult groups during their trips around the state. There were 12 such programs involving more than 1,000 adults. Since these programs have been termed successful by the student group and since the

faculty is not able to cover all adult requests, especially beyond a 75-mile radius of Morgantown, we plan to continue this phase of the student programming.

Since September 1968, West Virginia University Student APhA Chapter has presented 136 programs. This represents over 62,000 people and more than 10,000 miles of travel. The programs have been in 36 of the 55 West Virginia counties. Several schools in bordering states have asked for the program during this period—Oakland and Cumberland, Maryland; Uniontown, Pennsylvania; Williamson, Kentucky, and Bluefield, Virginia. In this time period, we have not covered a school twice.

The faculty portion of our total program also has been very active, with requests outnumbering available manpower and travel capabilities. Although restricted mainly to evening presentations near Morgantown, the faculty has provided approximately 100 such programs since June 1969.

#### INVOLVEMENT WITH OTHER AGENCIES

Since we could not provide drug abuse information programs to all groups desiring them, we were happy to cooperate with the West Virginia 4-H, when it approached us in summer 1969 to develop a drug information program as its 1969-71 Health Program. The results were a manual slide-tape series, portfolio of literature for club leaders and a film library.

The manual was developed to deliver a message concerning drugs beyond that of drug abuse alone. Tailored to match the age groups within 4-H, the first section is geared to the theme of "Respect for Drugs"—what are drugs?, importance of product labeling, good drug use practices, etc. The second portion centers on poison prevention and the dangers involved in improper handling and storage of drugs and household chemicals in the home. The third section concerns contemporary drug abuse.

The 4-H program began in October 1969 and 4-H leaders reported satisfaction and wide acceptance. For the first six months of the program over 130 showings of the films were booked with many requests impossible to honor. The slide sets had been used 46 times during this period with some county 4-H offices reproducing their own sets. The manual has gone through two printings of 2,500 each. This summer, we presented five one-day seminars throughout the state to better acquaint 4-H and other youth leaders with the program.

Several other aspects of our total drug abuse information program are worthy of note—

#### 1. The Monongalia County Drug Information Council

Recognizing that besides preventive programs there was a need locally for some group to offer assistance to young people already "on" drugs, a group of university and town young people and adults, including several pharmacy students and faculty members, formed the council. Besides offering preventive programs, the main thrust of the council is to offer a helping hand to drug users in trouble and looking for aid. This is done mainly by staffing an office at the ecumenical center on campus to provide drug information, maintaining a 24-hour "crisis" phone number and sponsoring weekly "rap" sessions. There apparently is a great distrust of established agencies by young drug users and such groups as the council serve to make the initial contact with the troubled individuals and steer them to available professional counseling and rehabilitation agencies.

#### 2. Kiwanis

We have cooperated with a local Kiwanis club in developing a town-forum program on drugs in Morgantown, as part of Kiwanis International's Operation Drug Alert. We in

turn have been sponsored in several other areas for school and adult programs by Kiwanis Clubs and have distributed booklets which they have made available.

### 3. School curricula

Recently, we have been approached by local and state primary and secondary school administrators concerning suggestions for implementing drug-health programs in school curricula. The emphasis placed on the need for schools to provide such units of study has come from both parent and teacher groups and has been reinforced by recent funding through the Department of Health, Education, and Welfare to train teachers in such presentations. Hopefully, we will be able to offer further assistance to our schools.

### 4. Provision of drug abuse literature

We maintain sets of various pamphlets and mimeographed handouts for mailing in response to requests from parents, students, teachers and pharmacists. An encouraging note here is the increasing number of requests from pharmacists who are being asked to give drug abuse education programs in areas where our teams have been previously.

### EVALUATION OF PROGRAM

The success of programs such as ours is difficult to measure. Positive results in areas involving change or strengthening of attitudes, emotions and value judgments would take some time to develop. Also since accurate statistics are unavailable on how many people currently are "on" drugs, quantitating success for these programs is difficult.

To date our only measure of how we are doing comes from feedback. Locally, we have had parents comment favorably after their children have discussed at home our programs. Pharmacists around the state have commented that they receive good reports from parents and teachers in their areas after our presentations. The West Virginia Pharmaceutical Association has indicated to us that the response to our program from the local associations is great and the association looks forward to supporting our program next year on an expanding basis. Letters received from school administrators, pharmacists and teachers involved in our program have contained positive reactions to the presentations and the rapport our students are able to achieve with teenagers.

Occasionally, the question is raised concerning the fact that programs such as ours may arouse curiosity in teenagers to try drugs who would not otherwise do so. We realize that this is a distinct possibility. We debated for a while before starting the program that this might be the major reaction. However, with many indications that drugs were indeed in the schools already, we decided that the alternative to our programs, *i.e.*, avoidance of the issue, was more dangerous and, in reality, an ostrich-position—"If we don't recognize it, it will go away." Thus, we felt that an honest, factual, no scare, no value-judgment presentation would best meet the need—especially when delivered by young people—to strip away the glamour that currently surrounds drug use and present the true dangers that youngsters would not hear "on the street." Our ultimate aim is to get teenagers to talk to each other and convince each other that the abusive use of drugs is dangerous and stupid and really not the "cool scene." We believe strongly that only by such peer-pressure will drug abuse fade as a problem in our society. Although our convictions were strong regarding this, we first tried our programs on several local church youth organizations. When we questioned the clergy involved about the risk of arousing dangerous curiosity, their response was the same as ours—young people know about drugs in our society today, often more than their parents, and programs aimed at factually showing the risks and implications of drug abuse are definitely needed. Armed

with this encouragement, we developed our programs.

Probably the most encouraging aspect of the results of our program came during discussions with our student teams as they talked about their experiences. Their reports of active, stimulating question and answer sessions indicate that there is a need for such information and therefore some constructive results are occurring. The fact that schoolteachers and guidance counselors are requesting our program also justified and fortified such programming.

Results from faculty presentations also seem positive. Parents are very receptive. To this information, often are surprised that so much is involved and that teenagers know so much about drugs. They are pleased that programs of factual drug information are available to schools.

Infrequently, an adult with preconceived notions that all drugs are "dope" and all "junkies" should be jailed, etc., is encountered. Such an individual does not want to hear that teenage attitudes toward drugs can be molded by adult abuse of amphetamines, barbiturates, tranquilizers and alcohol. He initially becomes antagonistic. However, a reasonable dialogue usually can be achieved and, with help from others in the audience, a meaningful learning experience can result.

An important positive result of this program has been the personal gratification our students report they have received. Many say that for the first time they have been able to utilize their training to help people and it is a great feeling for them. It has happened several times that students who are reluctant to get in front of an audience and, when gently persuaded to do so, have come home raving about the experience, wanting to do more. Thus, interest has been keen on the part of our students toward this program, with 47 of the 108 students enrolled in our fourth and fifth-year classes having been voluntarily involved in the program during 1969-70. In its own way, we feel this could be viewed as a form of "clinical" pharmacy and is valuable in the training of what we all want our students to be—future drug information and service experts to their communities.

### THE FUTURE

As long as requests for our program are received, the students, faculty and administration of our school as well as the pharmaceutical associations of our state feel committed to provide them. This summer the students examined the actual presentation for strengthening and expansion, using the slogan, "Blow Bubble Gum, Not Your Mind," for 1970-71; money is being solicited to prepare and publish a facts sheet booklet for distribution, and the local county prosecuting attorney's office has been approached to legally donate confiscated drug samples for use in a display unit. The Governor's Committee on Crime, Delinquency and Correction has approached us concerning financial support for the school year in terms of a stipend for students and faculty involved in the program as well as support for visual aids, printing, etc. The committee also has proposed the appointment of a faculty member as state director of drug education and prevention to supervise statewide program operations and development and provide technical advice and guidance to state and local agencies on matters of drug education. Summer was development of a display booth and prevention. Another project begun this concerning drug information for use at fairs, seminars, etc., and with this done we set up a display at the West Virginia State Fair this summer.

### CONCLUSION

The main thrusts and bedrock of the West Virginia University school of pharmacy's Drug Abuse Information Program have come from—

1. The cooperation within our profession involving college administration, faculty and students, and state pharmacists and their organizations;

2. The tremendous acceptance of such programming as a professional obligation by our students and faculty; and

3. The students' enthusiasm to the cause on a 100 percent voluntary basis which proves, once again, that our profession will be in good and capable hands in the years to come.

### EXPLORER'S RETURN

## HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. TEAGUE of Texas. Mr. Speaker, the entire Nation and the world cannot help but be impressed with the sterling performance of the astronauts of Apollo 14, the ground crews, and the personnel from the industries and universities which supported this highly successful lunar landing. Perhaps most important is the fact the long and difficult road to scientific exploration of the moon is now being traversed. The editorial in the New York Times of Wednesday, February 10, 1971, makes an accurate assessment of the Apollo 14 mission and its implications. I commend this editorial to the reading of my colleagues and the general public:

### EXPLORER'S RETURN

The most successful manned space flight in history ended in brilliant style yesterday as the Apollo 14 crew landed on schedule in full television view of the world. The precision and speed of the Navy's recovery operation measured up to the extraordinary standards the astronauts themselves had set throughout the flight to the moon and back.

Psychologically and politically, of course, the superb outcome of Apollo 14's voyage was a lifesaver for the United States space program. Before astronauts Shepard, Mitchell and Roosa blasted off, predictions were general that failure for their effort would doom the Apollo program. Now, a week of historic achievements has erased much of the misfortunes of Apollo 13.

It is premature to try to assess precisely the scientific fruits of the Apollo 14 mission. Nevertheless, certain facts seem plain. There is a high probability that the astronauts brought back samples of the bedrock of the moon, material dating back almost five billion years to the creation of the solar system.

The instruments set up on the Fra Mauro terrain have already sent back useful data and will continue doing so for many months. Seismologists, particularly, are likely to gain much from the fact that there are now two moonquake recorders—rather than one—on the lunar surface. Finally, though this matter received little attention, important information may well have been gained from the experiments conducted during the return voyage, experiments aimed at ascertaining whether useful new industrial processes of various types can be advantageously conducted in the zero gravity conditions of space.

The bravery and skill of the astronauts played a large role in helping overcome the disturbing malfunctions encountered during the flight. Beginning with the docking difficulty in the first hours of the venture and ending with the minor problem posed by the parachute shrouds as the capsule rolled in the Pacific yesterday, a variety of unpleasant and troubling surprises were experienced. The number of these mishaps on the sixth

flight to the moon and its environs rules out any atmosphere of complacent euphoria as NASA looks toward Apollo 15 next summer.

Nevertheless, the cheering fact is that Apollo 14 accomplished its mission in fashion. The fifth and sixth men to visit the moon's surface have returned to earth safely along with their comrade who kept the essential vigil in lunar orbit. There is good reason for all men to rejoice at this latest and longest step toward the exploration of the earth-moon system and of the larger solar system to which all known life belongs.

#### THE HEALTH SECURITY ACT

### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. WILLIAM D. FORD. Mr. Speaker, amidst the many pressing problems, both foreign and domestic, which will challenge us in the months ahead, none is so far-reaching and important to us and the future of our Nation as the question of our national health.

It is no exaggeration to say that the United States faces a health-care crisis unparalleled in our history. The cost of health care and protection has risen at a fantastic rate in recent years, while the quality and quantity have both dropped in dismayingly reverse proportions. Far from being a world leader in this vital field, the United States ranks well below many other nations in key statistics—13th in infant mortality, 19th in male life expectancy, and seventh in women's death in childbirth.

A nation which has demonstrated the technological know-how to deliver men and machines to the moon in an almost routine manner cannot find moral justification for our failures in delivering health care to its people.

At the end of 1969, the average hospital expense per patient day was \$69.93, up 132 percent in 10 years. Of the almost 20 million persons over age 65, private health insurance companies covered less than half with some form of medical expense insurance. While total medical care expenditures totaled \$42 billion in 1969, health insurance benefits paid by private insuring organizations amounted to only one-third or \$14 billion of the total medical care cost.

Medical care costs are increasing faster than any other major category of personal expense. The difference between medical care cost and insurance coverage is growing more severe. The cost of coverage, increasing over 150 percent in a decade, is making adequate insurance coverage impossible for many, many Americans.

The picture is clear to the point of obviousness: America is suffering from a health-care crisis.

The current "Source Book of Health Insurance Data" published by the Health Insurance Institute cautiously predicts "the difficult health care situation" is making "adequate health care inaccessible to many and expensive for all." Government studies indicate that the poor and the elderly are most adversely

affected by the difficult health care situation. This is not just a recent occurrence, however; the poor and the elderly have always been least able to afford regular and comprehensive health care. But the enormous increase in health care cost, coupled with the critical economic situation in general, makes regular, preventive health care impossible for the poor and the elderly and difficult for all.

The Health Insurance Institute specifically identifies three factors as being primarily responsible for the present condition of the Nation's health care system: "First, shortages of physicians and other medical manpower; second, poorly distributed manpower and facilities; and third, duplicate health care facilities." Because of these problems and others, I have joined with over 75 of my colleagues to cosponsor a bill to create a national system of health security, entitled "The Health Security Act," H.R. 2162.

The health security program has two basic purposes: To create a national system of health security benefits which will make comprehensive personal health services available to all residents of the United States, and through the operation of the system, to effect major improvements in the organization and methods of developing personal health care services, so as to increase their availability, control rising costs, and safeguard their quality. This program will build for the residents of this country a rational system of national health security.

We, the cosponsors of H.R. 2162, believe it is the right of all Americans to receive proper health care. To make proper health care a reality for all Americans, I urge my colleagues to act favorably on the Health Security Act during the 92d Congress.

#### THE SS-9 "SIX PACK"

### HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. SCHMITZ. Mr. Speaker, as we are all very concerned with maintaining the United States as a whole and sovereign nation the following information concerning Soviet upgrading of their SS-9 nuclear rocket weapon should be of great interest to all.

Investigative reporter Paul Scott informs us that the Soviets are retrofitting their SS-9 missiles with six multiple warheads rather than three. This is not good news for the United States since when this process is completed it would seem to give the Soviets a capability for assured destruction of our Minuteman missiles.

The original statement from the Department of Defense concerning the Soviet construction slowdown of SS-9's mentioned the fact that the pause might well be due to the Soviets' desire to make major modifications in the effectiveness of their existing SS-9 missiles by giving

them a MIRV capability. Unfortunately the mass media did not dwell on this aspect of the situation.

The original statement from the Department of Defense made by Mr. Jerry W. Friedham on December 16, 1970, and the article by Mr. Paul Scott follow:

STATEMENT BY JERRY W. FRIEDHAM

Secretary Laird has authorized me to state that there are some preliminary indications that the Soviet Union may have recently started slowing somewhat the level of activity associated with SS-9 missile construction. As a consequence, we now believe that the Soviet Union could have somewhat fewer than 300 SS-9's operational or under construction. There are more than 250 SS-9's operational.

I want to point out that there have been previous years of low activity in the SS-9 construction program, followed by years of increased activity. We cannot yet tell exactly where the Soviet's SS-9 force level will come out after this year.

There has been some thought among some of our strategic weapons analysts that both the SS-9's and SS-11's are approaching what might be called levelling-off phases.

Also, it is most important to note that we have seen the Soviets conduct, during the past year, an accelerated test program of multiple reentry vehicles for both these strategic missiles. We cannot tell yet whether the current construction slow-down means that they intend to retrofit existing SS-9 and SS-11 missiles with multiple warheads. The Soviet Union, in addition to the SS-9, has more than 900 SS-11's operational or under construction.

By the time of Secretary Laird's Defense report early next year, it may be possible for us to make a better judgment about the significance of this year's Soviet ICBM effort, including construction and multiple reentry vehicle progress.

[From the Washington News-Intelligence Syndicate, Feb. 12, 1971]

THE SCOTT REPORT

(By Paul Scott)

WASHINGTON.—American military and intelligence authorities are having some second thoughts about Russia's apparent decision to slow down or halt temporarily at least the deployment of its huge SS-9 intercontinental missile.

Hailed as highly encouraging news when first detected last December, the SS-9 freeze is now taking on a very ominous meaning because of some very recent intelligence on new Russian nuclear warhead development.

Hard evidence has been gathered by the Central Intelligence Agency linking the SS-9 halt to a new Soviet breakthrough in the perfection of MIRVs, independently targeted warheads for missiles.

The CIA has learned that the Soviets have successfully fitted up to six MIRVs in a single SS-9 and test fired the warheads over a long range. This is double the target capacity that American officials believed the Russians would be able to achieve.

In other words, the Soviets now have an intercontinental missile which can carry six separate warheads with up to 2½ megatons of nuclear explosives to as many separate targets at the same time.

To fully grasp the magnitude of this military breakthrough, one should consider the recent frank report of John Foster, the Defense Department's chief scientist, to Congress.

In discussing the SS-9 development, Foster stated that the Russians would need approximately 420 missiles to seriously threaten the backbone of U.S. retaliatory force—the 1,000 Minuteman missiles.

This assumption was based on the Soviets being able to fit three MIRVs in their SS-9s

as the U.S. is doing in our far less powerful Minuteman III missiles.

Foster revealed that the Russians now have approximately 300 SS-9s deployed and operational and that it would take from eighteen months to two years to obtain a force of 420 deployed missiles.

If the Russians now equip 210 of their presently deployed 300 SS-9s with their new "six pack" warheads Defense Department officials admit privately that the Minuteman retaliatory force will be seriously threatened for the first time in history.

#### THE DANGER PERIOD

Satellite reconnaissance photographs of several of the SS-9 installations indicate that the Russians are already at work fitting their huge 5,000 mile missiles with the six independently targeted warheads.

The estimate is that the Russians will be able to complete the change-over of warheads on 200-plus missiles within the next twelve to fourteen months depending on the production rate of the MIRVs.

This development would permit the Soviets to gain missile superiority over the U.S. without the deployment of any large number of additional costly SS-9s.

The SS-9s now have an immense single warhead containing an explosive power of from 25 to 30 megatons as against the Minuteman's one megaton. These super-warheads are believed to be designed to destroy all communications in large areas of the U.S. in addition to hardened missile sites.

While the Russians are expected to keep from 50 to 75 of their SS-9s loaded with these super-warheads, they will probably put their "six packs" on all the other missiles—giving them a first strike nuclear force unequal in the world.

#### THE CHANGING BALANCE

What all this would mean to the U.S. in another Cuban type confrontation with Russia is now being carefully studied by President Nixon and his military and intelligence advisers.

At the time of the 1962 Cuban crisis, the U.S. enjoyed a three to one advantage in ICBMs over the Soviets. We also had a spy, later caught and shot, in the Kremlin who kept the late President Kennedy informed that the Russians weren't prepared to go to war.

Now, the U.S. has neither. It is also why the President's intelligence advisers are urging him to take a new look at the continuing unproductive Strategic Arms Limitations Talks (SALT) with the Soviets. They want the President to make sure that he doesn't get trapped into making concessions to the Russians that might limit this country's capability of dealing with the growing Soviet missile threat.

The new Soviet MIRV development has caused both the military and intelligence community to recommend to the President that he reject the Soviet proposal for eliminating all anti-missile (ABM) defenses except those in the Moscow and Washington areas.

Acceptance of that proposal now, they warn, would leave the backbone of U.S. missile strike force completely naked to attack by the Russian SS-9 force.

### MERCURY AS AN AIR POLLUTION PROBLEM

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. OBEY. Mr. Speaker, two thought-provoking articles on mercury pollution in our air appeared recently in the New

York Times. Among other things, they reveal that the mercury which has been discovered in fish and animals may have come from the air rather than from mercury contaminated water.

That mercury gets into the air from the burning of paper. Mercury is heavily used in the production of caustic soda which is used in the pulp and bleaching process in the making of paper. Thus, the paper contains mercury.

What all this really means, Mr. Speaker, is that we never lose mercury as a contaminant. When we use this substance, we will ultimately have to deal with it as a residue in the air, or in the water, or in the soil. It reminds us once again that we are, indeed, living on the small, relatively contained spaceship earth, responsible for our environmental deeds and the ultimate victims of our environmental misdeeds.

The articles appear below:

#### CANADIANS WARY ON MERCURY RATE

(By David Bird)

OTTAWA, Oct. 16.—Canadian officials who in 1969 set the world's strictest levels for mercury contamination permitted in fish said today that these levels might have to be made even more stringent.

The level set by the Canadians—0.5 parts per million—is the same level that was later adopted by the United States.

The new Canadian concern over mercury levels was expressed here today by Dr. Alex B. Morrison, deputy director general of the Food and Drug Directorate. He said the 0.5 level might not provide enough of a safety margin.

He said at the concluding session of a two-day international symposium on "Mercury in Man's Environment" that while the 0.5 level was many times lower than the 10 parts per million that had proved poisonous in Japan, there were still many questions about the 0.5 level. He noted, for example, that 0.5 was higher than the estimated average natural background level of 0.2.

#### OTHER LEVELS LOWER

Dr. Morrison, noting that mercury levels were much lower in other foods than in fish, said he would be highly concerned if levels of all food were at 0.5.

He added that he was especially concerned about the long-term dangers involved in the ingestion of small amounts of mercury. Attention has usually been focused on poisoning caused by large amounts of mercury ingested in a short time.

At least one American scientist, who has been studying the effects of mercury since 1936, scoffed at the idea of stricter mercury standards.

Dr. Leonard Goldwater of Duke University in Durham, N.C., said the standards were already too strict because higher amounts of mercury found in fish could be caused by a variation in natural concentrations of the element.

The scientist, who is a consultant to the National Fisheries Institute, said that enforcement of the 0.5 standard had badly harmed the swordfish industry. After levels of mercury over 0.5 were found in swordfish last December, virtually all swordfish were taken off the market in the United States.

#### ADMINISTRATION ACCUSED

Dr. Goldwater charged that the Nixon Administration had been trying to "out-Muskie Muskies" in adopting the Canadian standards on mercury.

He said that the Administration wanted to make sure that Senator Edmund S. Muskie, a leading Democratic contender for the Presidential nomination, would have no ammunition for charging that the Administration was soft on despoilers of the environment.

Swedish scientists at the symposium, which was sponsored by the Royal Society of Canada, said that they had to take social and economic factors into consideration in setting their permissible levels of mercury at one part per million, double the Canadian level.

Dr. Maths Berlin of the Royal University of Lund said that setting levels lower than one part per million could have led to the abandonment of all coastal and lake fishing in Sweden.

Swedes are advised instead to limit their eating of fish from contaminated waters.

"You can never make the risk zero," Dr. Berlin said.

### MERCURY AS AN AIR-POLLUTION PROBLEM IS STIRRING THE CONCERN OF SCIENTISTS AT SYMPOSIUM IN OTTAWA

(By David Bird)

OTTAWA, February 15.—Mercury, which has gained attention up to now as a contaminant in tuna and swordfish, is now stirring concern among scientists as a pollution problem in the air.

That concern was evident today as a two-day international symposium on "Mercury and Man's Environment" opened here.

Some scientists at the symposium suggested that the air—still relatively untested for mercury—could be the source of much of the mercury that appears in fish and animals.

Other scientists suggested that this airborne mercury might be an even greater source of contamination than is the mercury from industrial and natural sources that is found in the oceans.

Dr. A. Honson of the Swedish Environment Protection Board said that Sweden, which has been a leader in detecting mercury pollution, has been able to trace only 60 to 70 per cent of her mercury contamination to waterborne discharges from factories and towns. He said that the air was now a prime suspect of mercury pollution.

Backing the Swedish suspicion is a study by the Center for the Biology of Natural Systems at Washington University in St. Louis.

#### MERCURY FOUND IN FUMES

In that study, according to Dr. Donald Selig, chairman of the center's heavy-metal task force, a helicopter with mercury detection apparatus was flown over large smoke stacks—especially of power plants and municipal refuse incinerators—in St. Louis and Chicago. It was found that the concentrations of mercury were substantially higher in the fumes from the stacks than in the general air.

The St. Louis scientists reasoned that mercury, which is often closely bound with sulphur compounds in the earth, was freed when coal or oil was burned in the power-plant boilers to create steam to turn generators.

The mercury was high in fumes from stacks of municipal incinerators, Dr. Selig said, because paper is a major part of municipal refuse and mercury is a key factory in the production of paper.

Dr. H. D. Paavila of the Canadian Pulp and Paper Association, another speaker at the symposium, said that efforts had been made to reduce the amount of mercury used in paper production. He said that its use as an agent to poison and destroy organisms that disrupt the paper-making process had been discontinued in Canada.

But he said mercury was still an important element in making caustic soda, which is used in the pulping and bleaching process in paper production.

Dr. Paavila also said cellulose in wood pulp acts as a strong absorber that concentrates mercury from the large amounts of water used in paper making.

In some cases, he said, levels of mercury in the paper pulp are 10 times that in the original wood raw material.

## MERCURY FREED BY BURNING

When the paper is ultimately disposed of by burning this mercury apparently is released to the air.

Mercury has basically been thought of as a contaminant in water since the 1950's, when the deaths of those who ate fish caught in Minamata Bay, Japan, was traced to mercury discharge from an industrial plant.

In December Dr. Bruce McDuffie, a chemist at the State University of New York at Binghamton, found that there were high levels of mercury in some canned tuna and frozen swordfish.

Today, Dr. McDuffie said that the airborne mercury from burning oil and coal might be an even greater danger. He calculated that at least 15,000 to 20,000 tons of mercury a year were apparently released in the air through the consumption of fuel.

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 TRIBUTE TO THE LATE JOHN L. LEWIS
 

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## HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. CARNEY. Mr. Speaker, at the turn of the century, a man might labor for 12 hours in a mine for as little as a dollar a day. Mining was a hard and, too often, short life.

John Lewellyn Lewis was born into this mining world on February 12, 1880, the son of a Welsh born coal miner. He knew firsthand the tragedies and deprivations that were the lot of a miner and his family. When John L. Lewis decried the coal miner's shanty and his child's haunting plea for a slim crust of bread he did not speak from hearsay knowledge.

John L. Lewis headed the United Mine Workers Union for 43 years. During that time, he was the voice of American miners and their fearsome prophet. Lewis himself has eloquently described his cause and theirs.

He said:

I have never faltered or failed to present the cause or plead the case of the mine workers of this country . . . not in the quavering tones of a feeble mendicant asking alms, but in the thundering voice of the captain of a mighty host, demanding the rights to which free men are entitled.

Under Lewis' stewardship the Mine Workers of America jumped from a low pay of \$2.50 a day to a more equitable \$24 a day. This accomplishment was brought about, in large measure, by the undaunted courage and the untamed energy of one man—John L. Lewis.

His dedication to the cause of the workingman never wavered, and it extended beyond his devotion to the miners of his union. He very early saw the need for industrial unions, and the Committee for Industrial Organization came into being largely through his efforts. It has been said, in fact, that there might not have been the great unions in the steel, auto, and rubber industries had there been no John L. Lewis. Certainly, it is a fact that unions in these industries would not have caught on so quickly or as firmly had it not been for the organizational ability of this one man. In 1937, a scant

2 years after its founding, the CIO had a million-man membership. In his 5 short years of leadership, John L. Lewis used the CIO to change the economic face of the Nation.

During his lifetime, many tried to label John L. Lewis. He was not a man easily categorized. Some called him ruthless, and in some ways, perhaps, he was. But, then, such incidents as the 1937 Memorial Day massacre at Republic Steel's South Chicago plant where 10 union pickets lost their lives, could not be combated or endured by a man who had not learned to be strong.

John L. Lewis was, indeed, a man of great moral strength. He was one of the greatest labor leaders this country has produced. History will justly remember him in the words with which he often adjured his miners to be something of a man.

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 PORNOGRAPHY
 

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## HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MOLLOHAN. Mr. Speaker, in the last Congress, this body took substantial steps to safeguard the privacy of the home from the deluge of pornography that has invaded the American way of life. While there was legislation on the books at the time which allowed the individual to file a complaint with the Post Office Department and thereby stop one mailing house from sending its filth to a home, these laws were easily circumvented by establishing several business entities to produce the pornography.

The legislation we passed in the last Congress required the Post Office to establish a master list of companies who publish and distribute this filth and to give them notice of every person who did not wish to receive the materials. Once notified, the company was subject to both criminal and civil penalties if they violated the law by sending materials to any name on the list of people who had notified the Post Office that they did not wish to receive any mailings or advertisements.

There are also provisions in the law for a parent to insure that his children's names do not become the property of pornography mailers through the same procedure.

But what of the parents who are not aware of this legislation and therefore have not taken advantage of it? Shall we leave their children vulnerable to this sea of filth? I think this Congress has an obligation to take steps to plug this gap as well. And I am today introducing legislation to make it illegal to knowingly send or sell or loan or otherwise deliver through interstate commerce or through the mails pornography to anyone under the age of 18.

This legislation would impose fines of up to \$5,000 for a first offender and \$10,000 for a subsequent offender and would also impose prison sentences of up to 5 years for a first offender and 10 years for a subsequent offender.

These are stringent terms that may seem harsh to some, but the seriousness of the problem demands no less.

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 WORTHY REPORT ON FEDERAL ADVISORY COMMITTEES
 

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## HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. BOLAND. Mr. Speaker, I wish to bring to the attention of my colleagues the tribute paid by the Washington Monthly magazine to a report entitled "The Role and Effectiveness of Federal Advisory Committees," issued on December 11, 1970 by the House Committee on Government Operations.

The report was prepared by the Special Studies Subcommittee chaired by my good and able friend from Connecticut, Congressman JOHN S. MONAGAN. This House report and a Senate report were chosen by the editors for the February magazine issue to initiate a new feature in Washington Monthly, in which the journal recommends and comments on Government reports of special interest and importance. I include the Washington Monthly article with my remarks in the RECORD:

## THE ROLE AND EFFECTIVENESS OF FEDERAL ADVISORY COMMITTEES

(Forty-Third Report by the Committee on Government Operations, U.S. House of Representatives.)

(NOTE.—With these two reports—only one included in the RECORD—The Washington Monthly is initiating a new feature. From time to time, we will recommend and comment on other government reports of special interest or importance. We depend on our readers to help us identify materials that will make up this feature, as we do for the Memo of the Month.)

By publishing these two documents,<sup>1</sup> the Government Printing Office recently scored rare successes on at least three counts. The reports are brief—a combined total of 73 pages. They relieve the normal drone of government prose with some spritely comments. And, most importantly, both reports deal intelligently with little-known problems of major political importance.

"Security Agreements and Commitments Abroad" is the final report of Senator Stuart Symington's subcommittee on its two-year probe into American entanglements in foreign countries. The investigation involved extensive travel by the committee staff, often hostile negotiations with various agencies of a reticent executive branch—and 37 days of hearings, which produced 2,500 pages of testimony riddled with security deletions of controversial necessity. (The Taiwan hearings are the subject of James C. Thompson, Jr.'s "The Inscrutable Commitment," beginning on page 44 of this issue.)

The report begins with a country-by-country review of the shadowy operations uncovered, or at least partially uncovered, by the subcommittee. The only elements of this

<sup>1</sup> "Security Agreements and Commitments Abroad" is available from the Committee on Foreign Relations, U.S. Senate, Washington, D.C. 20510, and "The Role and Effectiveness of Federal Advisory Committees" from the Special Studies Subcommittee, Rayburn Building, Washington, D.C. 20515.

summary review which have been widely reported in the press are those involving secret U.S. "inducements" to Thailand, South Korea, and the Philippines for their support of the American effort in Vietnam. There are many other revelations, some of which evoke a kind of bittersweet absurdity. In the section on Japan, for example, the subcommittee found:

"Included in this military syndrome are four United States golf courses, a 450-acre ammunition dump which is used as a religious retreat and boy scout camp, and the Mito bombing range. At the latter facility, United States fighter-bombers engage in gunnery practice only 2.6 miles from the Japan Atomic Fuel Corporation laboratory and 2.2 miles from public beaches.

United States military officials, however, up to now have taken the position that these facilities will be returned to Japan when the Japanese provide alternate-equivalent facilities."

The report develops the "creeping commitment" theme, as in Ethiopia, where the executive branch agreed secretly in 1960 to support a 40,000-man Ethiopian army and keep military aid flowing in return for the continued use of Kagnew Station—a communications base which the subcommittee finds of dubious value. Somalia, Ethiopia's neighbor and opponent in frequent border disputes, then felt obliged to seek outside military assistance as a counterbalance to Ethiopia's new support, which built up over the decade. Somalia asked the United States for aid, which was denied partly because of Ethiopian opposition (an example of the tail-wagging-the-dog syndrome). After being rebuffed, Somalia went to the Soviet Union for assistance, and the Russians soon gained a foothold in Somalia. The Symington subcommittee found out about the agreements with Ethiopia after they had been in effect for 10 years, and the report concludes that "our policies, by proxy, have set up a miniature cold war situation in the eastern portion of Africa."

Spain, the report concludes, "is a good example of a commitment which has not only crept but which has also in the process generated new justifications as old ones became obsolete." Rota Naval Base has repeatedly shifted the rationale for its existence under intermittent criticism since the 1950s. And for sheer uselessness, there is Moron Air Base, which housed some 3,000 U.S. military personnel and dependents in 1969, at a cost of \$14 million. "Nevertheless," explains the report, "other than an Air Rescue squadron, there were no major aircraft units assigned to the base at the time." Rota and Moron have a significance far beyond their cost, however. For in probing to determine exactly what a U.S. military commitment is, the subcommittee found it necessary to cite the former chairman of the Joint Chiefs of Staff: "General Wheeler said, in a statement previously cleared by both the State and Defense Departments, that the presence of United States troops on Spanish soil represented a stronger security guarantee than anything written on paper."

The subcommittee discusses many other commitments that are creeping, invisible, de facto, hidden, or otherwise difficult to pin down. This summary alone makes the document worth reading. But there are other aspects to the report, such as the sections on the foreign deployment of tactical nuclear weapons and on the extent of U.S. intelligence activity. Finally, the report offers a pungent appraisal of the secrecy involved in all these critical matters, observing that even the Congress is kept often deliberately in the dark. The subcommittee's thoughtful discussion of the implications in the commitments tangle is not comforting, but the report itself is a very useful document and the product of an enormously valuable effort on

the part of Senator Symington and his cohorts.

"The Role and Effectiveness of Federal Advisory Committees" is a report of the House Government Operations Committee on an investigation into the murky world of advisory bodies carried out by its Special Studies Subcommittee. The subject matter here is perhaps less explosive than foreign commitments, but the document is no less instructive of how government muddles on in confusion.

Actually, the Special Studies Subcommittee never really had an opportunity to pass judgment on the effectiveness of the myriad committees, commissions, task forces, and special coordinating teams which float in Washington, for it could not get past the elementary task of counting them. The group strode forth persistently in this effort, armed with Subcommittee Chairman John S. Monagan's (D-Conn.) description of the species to be tallied, as: "Sort of like satellites, I think of them in that way. . . . They go out into outer space but they keep circling around, you know, and no one really knows how many there are or what direction they are going in, or what duplication there is."

The subcommittee decided to begin with a relatively limited group of advisory bodies—those citizen panels and government interagency committees reporting directly to the President. The conclusion was discouraging: "It was discovered that it is impossible to find accurate and complete records on all Presidential committees. The definition, particular moment of time, and discovery play a large role in determining the number of Presidential committees in existence." Nevertheless, the subcommittee found, as of early 1970, "198 Presidential committees with annual estimated operating costs of nearly \$50 million. . . ." The Office of Management and Budget, after some deliberation, countered by announcing in the March hearings that there were only 60 active presidential committees. The subcommittee, after pointing out some omissions in the OMB tally, found 171 presidential committees in a later study. The report also cites an April, 1970, survey of interagency committees alone, which "revealed a total of 73 interagency committees with two or more cabinet members and 117 interagency committees with one or more cabinet members, most of which were set up to advise the President. Even this reported number was incomplete because it was found that departments and agencies do not maintain accurate and complete records on all committees and subpanels."

This statistical fickleness on the part of departments and agencies hamstrung the subcommittee in its general survey of advisory committees within the executive branch. It led to the report's highly imprecise calculation that there are "at least 2,600 interagency and advisory committees and possibly as many as 3,200 existing presently." Obtaining information beyond the mere existence of these bodies was still another matter—and the subcommittee was given data sheets on only 1,519 of the group, which required more than \$65 million to support a total committee membership of about 20,000 people and staff of about 4,400.

The report is not without its pitfalls. For one thing, there is evidence that dormant committees will be revived after being identified by the Monagan subcommittee. The report operates under the generous assumption that an advisory committee is doing its job if it has met within the last two years, as revealed in the discovery that "at least 51 of the 1,519 reported advisory committees were identified as inactive in that they had not met for two years or more. Another 368 advisory committees failed to answer whether they had met in the last two years." After reeling off a long list of committees which had failed to toe this line, the report notes,

with apparent approval, that "since the hearing, the President has appointed members and activated all the above committees except for the Distinguished Civilian Service Award Board and the Economic Opportunity Council."

One of the tests put to committees is whether they can "maintain viability and carry out the statutory mission." It is unclear what this means, but there is speculation it involves payment of a staff.

The subcommittee report really gets into trouble when it abandons the toil of counting advisory commissions and moves on to recommendations for improvement. The report states that it would be a good idea to upgrade the performance of committee members with additional "education and training" and to improve the coordination of political information by erecting a "central repository" for all committee reports. Finally, the Monagan subcommittee recommends the establishment of a "Committee Secretariat"—a kind of superstar in the galaxy of committee "satellites," which "could plan and evaluate future needs of the committees."

#### BOTTLED WATER

### HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. MONAGAN. Mr. Speaker, a February 12 article in the Washington Post by Kirk Scharfenberg, entitled "Smelly, Bad-Tasting Water Leads to a Bottled-Water Boom," describes the sharp increase in demand for bottled drinking water by Montgomery County citizens due to the unpleasant odor and taste of their municipal water supply.

In light of this increased consumption, I find it distressing that Maryland has no specific regulations pertaining to bottled drinking water. While Maryland does include bottled water under the category of "soft drinks" for licensing purposes, this regulation states only in vague terms that a license may be denied if the source of the product is known to be dangerously polluted.

Maryland is not unique in this respect. Most State laws are equally vague concerning health and safety standards for bottled drinking water, and some States have no standards at all. Federal law also contains no specific or uniform standards for bottled water quality.

On February 10, I introduced legislation to remedy this lack of consumer protection. My bill, H.R. 4147, would authorize the Administrator of the Environmental Protection Agency to prescribe minimum health and safety standards for bottled water based on scientific investigation. These standards would apply to all bottled water products which the Administrator finds in need of regulation, and the bill would make illegal the interstate transportation of those products which failed to meet these standards.

Mr. Scharfenberg's article, which I should like to include here for the consideration of my colleagues, presents only one example of the sudden increase in demand for bottled drinking water. In fact, bottled water sales have ex-

panded sharply in many sections of the country. The American Bottled Water Association reports that sales are growing at the rate of 15 to 20 percent a year. Pollution scares and the unpleasant odor and taste of much municipally supplied water are creating a whole new market. The Congress should now provide protection for the consumers in this market. By providing uniform standards for the entire industry, my legislation will provide needed progress in the promotion of safety and health in this field.

I should also like to include at this point an excellent column by Miss Josephine Ripley in the Christian Science Monitor on February 1, 1971, entitled, "How Pure Is Our Water, Anyway?" Miss Ripley's column provides much-needed public information about bottled water consumption and the bottled water industry. As little is known about this subject, I recommend this column to all Members of the Congress.

Mr. Scharfenberg's and Miss Ripley's articles follow:

**SMELLY, BAD-TASTING WATER LEADS TO A BOTTLED-WATER BOOM**

(By Kirk Scharfenberg)

The only trouble with Montgomery County's drinking water yesterday, according to local officials, was that ammonia had combined with chlorine to form a compound known as chloramine plus hydrogen chloride. The result tasted and smelled—bad, or at least, different.

"The water is perfectly safe. It's just not palatable," said a representative of the Washington Suburban Sanitary Commission who spent most of the day answering calls from customers upset by the peculiar odor and taste of the tap water.

"It's got a medicinal taste or a chlorine taste," said Arthur P. Brigham, a spokesman for the WSSC. "We hope it will clear out in a few days, but we really don't know. We can't tell. There's just no way in the home to get rid of it."

Meanwhile, sales of bottled water boomed. What apparently happened, according to Brigham, is that the rain of recent days was not able to seep into the frozen ground and ran over ground into the Potomac River, the source of drinking water in most of the Metropolitan area.

Along the way, according to Brigham, the hydrogen in the water apparently combined with nitrogen in fertilizer and decaying plant life to form ammonia.

Then, at the WSSC's Potomac River Filtration Plant, the ammonia in the river combined with the chlorine (chemical symbol: Cl<sub>2</sub>), placed in the water to kill bacteria, to form chloramine. That's the stuff that smelled and tasted bad and promoted hundreds of calls to the WSSC, according to Brigham.

Unlike the straight chlorine gas, much of which escapes from water before it reaches a customer's tap, the chloramine stays in the water, Brigham said.

The chemistry of the situation was confirmed yesterday by Dr. John Barker, an assistant professor of chemistry at the University of Maryland, who said he found a description of chloramine (the bad stuff) in a 1945 chemistry book.

Barker said the chemistry book said chloramine was preferable to straight chlorine gas for treating water because it "has a less disagreeable odor and taste."

Barker suggested that maybe the problem was that the water tasted and smelled "differently" rather than "badly."

"I wouldn't want to put my neck out," he said. "But I'd almost be tempted to suggest that it's all a beautiful case of overreaction."

Newspapers in Washington received scores

of telephone calls yesterday from persons in Bethesda, Wheaton, Rockville, and other areas complaining about the taste of their water. Other calls came from Arlington, but officials there said they received no complaints yesterday.

Brigham said he received some calls from Prince George's County, but much of the water there comes from the Patuxent, not the Potomac.

The situation appeared to be a boom to distributors of bottled water.

Irving Miller, president of the Montgomery Ice Co., which distributes two brands of spring water, said he had three people manning telephones to handle a 20-fold increase in the demand for bottled water.

"Business is way up in the last two days," he said. He said he could not give a precise count of the number of bottles sold.

James Beard, a Hyattsville distributor of "famous health waters," also reported an increase in business.

**HOW PURE IS OUR WATER, ANYWAY?**

(By Josephine Ripley)

WASHINGTON.—The nation's drinking water is not always as pure as some Americans think.

Not that there is cause for alarm—yet.

But a recent spot check of drinking water systems, in various parts of the United States prompted this comment by the administrator of the Environmental Protection Agency of the United States Public Health Service, Charles C. Johnson Jr.:

"We are too complacent about the quality of the water we drink."

The study areas in the survey covered some 18 million people. Out of these, almost a million were being served "potentially hazardous water." Another 2 million were drinking water "of inferior quality."

Why doesn't someone do something? The federal government has no direct control over the situation. It can make surveys such as this. It can check the water carried in interstate commerce. That is, on planes, trains, and buses. And it can establish a national standard for water purity, to be adopted by states if they choose.

But the drinking water systems which spread across the U.S. are under local control—not federal.

And most of these systems were constructed more than 20 years ago, before the population explosion and the expansion of cities.

James H. McDermott, director of the Bureau of Hygiene, believes the survey "left no doubt that many systems are delivering drinking water of marginal quality on the average, and many are delivering poor quality in one or more areas of their water distribution system today."

"To add to this quality problem," he said, "the deficiencies identified with most water systems justify real concern over the ability of most systems to deliver adequate quantities of safe water in the future."

An interesting related development is the zooming sale of bottled water. It is estimated that more than \$100 million of bottled, or so-called spring water, is being sold in the U.S. today, compared with \$63 million in 1963.

The market is growing rapidly. Many soft drink companies are now entering the field. Canada Dry, Coca-Cola, Nestle Co., Pepsi, and Schweppes are reported to be test marketing bottled purified drinking water in various parts of the U.S..

Most people, it is thought, turn to bottled water because they prefer its taste to that which comes out of the faucet.

The chlorine which is used to kill any bacteria in the water system and purify water before it reaches the tap leaves a taste that is unpleasant and sometimes has an odor. And, although fluoride is naturally present in water, more is added in some parts

of the U.S. to bring it up to a higher level which, it is claimed, prevents tooth decay.

But those who switch to bottled water may as well know that "spring water" does not come always from natural springs. Spring water is often a trade name. Most bottled water, it is said, actually comes from artesian wells. Not that this detracts from its quality or taste.

Some bottled water, according to authorities, comes from the tap and is "re-manufactured." That is, chlorinated or distilled to kill bacteria, then enriched with natural minerals for taste.

The American Bottled Water Association in California asks its members to designate spring water as that which issues from the ground naturally. Some states require that the label state how bottled water was purified and if minerals have been added.

Bottled water has become extremely popular in some areas where it is sold in supermarkets, in vending machines, and home delivered along with milk.

The Environmental Protection Agency pooh-poohs any health claims made by firms which sell bottled water.

Experts at the agency point out that there are simple ways to eliminate the taste of chlorine in tap water.

For instance, just fill a pitcher with tap water and let it stand for an hour or two until the chlorine evaporates. If it stands in the sunlight, the evaporation will take place within an hour. If it is left in the refrigerator, the process takes longer.

Or the chlorine may be removed by attaching a charcoal filter to the faucet. These cartridges may be obtained in most stores which carry accessories of this kind.

But for those who want to get behind efforts to make pure drinking water a national responsibility, they can express support for two bills in Congress. One, The National Water Hygiene Act of 1970 (which will be reintroduced in 1971) is by Rep. Paul G. Rogers (D) of Florida. Its purpose is to provide the public with an adequate supply of safe water for drinking, recreation, and other human uses.

The other, to establish health standards for all types of bottled water, was introduced by Rep. John S. Monagan (D) of Connecticut.

He points out that there are now no enforceable standards for such dangerous substances as arsenic, lead, mercury, cyanide, or organic carcinogens.

His bill would require states to meet federal standards, and include a testing and surveillance program.

**THE ARMY'S INVOLVEMENT IN CIVILIAN SURVEILLANCE**

**HON. OGDEN R. REID**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 18, 1971

Mr. REID of New York. Mr. Speaker, as a result of an article in the Washington Monthly last year concerning Army surveillance of civilian political activity, subsequent correspondence with the Army, and debate under Mr. MIKVA's special order last December 18, I have pursued the Army's activities in this regard in some detail. This inquiry has culminated in a letter from Secretary of the Army Resor in response to a letter I wrote to him on December 21, 1970. The Secretary's letter sheds important light on the Army's involvement in civilian surveillance, and I am including both letters in the RECORD since I think they will be of interest to Members:

DEPARTMENT OF THE ARMY,

Washington, D.C., February 13, 1971.

HON. OGDEN R. REID,  
House of Representatives,  
Washington, D.C.

DEAR MR. REID: Your letter of December 21, 1970 concerning the recent allegations that Army intelligence personnel have gathered information on political figures mirrors a concern which the military leaders of the Department and I share. I also share your view that a full explanation of our prior activities in this area, which involves the collection of civil disturbance intelligence, "would help to clear the air" and would be of considerable assistance to you in discharging your duties.

As you know, an initial allegation in mid-December that the Army "spied" upon Senator Stevenson, Representative Mikva, and former Governor Kerner was followed by other allegations relating to Army intelligence activities. My public statement on December 17 was limited to Senator Stevenson, Representative Mikva, and former Governor Kerner and emphasized that, as best we can determine, none of these men is or ever has been the subject of military intelligence activities or investigations related to political activities. I am having a detailed inquiry made to determine all the relevant facts relating both to that allegation and to others which have appeared in the press.

As I have previously explained to you, the Army policy of June 9, 1970 completely restructured and drastically curtailed the Army's civil disturbance intelligence program. In order to understand fully what happened prior to June of last year, it is necessary to review briefly the situation with which the Army was confronted in 1967 and 1968. In that context, you can better understand the kinds of directives which were issued and the kinds of activities which may have taken place.

In the late summer of 1967, the President ordered active Army troops committed to restore order during the rioting in Detroit. This rioting lasted several days with substantial property destruction and the loss of 43 lives. Again, in April 1968, Army troops were committed and employed in Washington, Baltimore and Chicago following the assassination of Dr. Martin Luther King. In Washington, for example, extensive looting, property destruction, and arson took place before Federal troops could be effectively deployed. As a result of the arson about a dozen persons were burned to death. Sparked by the 1967 Detroit riots, concern spread throughout the country about the possibility of continued, serious violence in our cities, and as a result the Army began to prepare to respond should the President again order troops to be utilized.

While state and local law enforcement agencies and the National Guard hold initial responsibility for restoring order, it became clear that the only satisfactory way to deal with serious outbreaks exceeding the control capability of state and local forces was to keep large Federal resources available to act rapidly and decisively. The objective was to move as rapidly as possible to deploy a sufficient number of troops to control the situation with minimum force. Intelligence collection plans were devised in light of this need. Attempts were made to gather information which would allow us to predict when and where disturbances were going to occur. In addition, certain basic information about the areas in which troops might have to be deployed had to be gathered—for example, the locations of key facilities and the availability of communications had to be surveyed in high priority areas. It was feared that without this information sufficient forces could not be assembled rapidly enough and that unnecessary loss of life or property damage could result.

As part of this intelligence collection pro-

gram, reports were to be submitted about violent incidents, about demonstrations and other activities which might lead to violence, and about groups and individuals who might participate in such activities. The intelligence collection plan issued in 1968 required submission of reports not only about violent or potentially violent activities, but also about peaceful activities of individuals or groups who might, in some fashion, become involved in disturbances. Attention was also to be given to activities within the community which might aggravate tensions and perhaps lead to disturbances, and to activities which might be exploited by those intent on creating civil disturbances. Information was also obtained in order to identify community leaders who might assist in restoring order. Almost all of this information was obtained from local or Federal law enforcement agencies or from the press media. A very small fraction of it was obtained by sending military intelligence personnel, who routinely are dressed in civilian clothes, to open, public meetings as observers. Even where such personnel were sent to meetings their basic assignment was only to observe what any other citizen could observe and report it. So-called "undercover" activities, such as having a person pose as a member of an organization to gather information about it, were seldom employed. Such operations had to be approved in advance by the Federal Bureau of Investigation and were resorted to only if all other collection methods were ineffective. Moreover, as you know from our discussion, covert operations in the civil disturbance area have required the personal advance approval of the Under Secretary of the Army since the spring of 1969. Since that limitation was imposed, there have been no requests for approval of such operations.

The civil disturbance intelligence program never included a requirement to develop files on the activities and beliefs of members of Congress. The same is generally true with respect to other prominent persons, although some such persons might have been of intelligence interest under this program if they were associated with groups who might become involved in disturbances. It is, of course, possible that some scattered reports of the public activities of prominent persons, and even of some elected officials, might have appeared in the files; if, for example, Army personnel were covering a public event at which such a person spoke, the report submitted might well contain the name of the speaker and a summary of his presentation. The public event would have been covered not because the political figure was speaking, but because intelligence personnel felt that the meeting was relevant to the civil disturbance potential in the particular city in question. Thus, we believe that some reports submitted by intelligence personnel could have contained the names of political figures, such as Senator Stevenson, Representative Mikva or former Governor Kerner, even though they were not the subject of our military intelligence activities. It is also possible that some newspaper articles were clipped and filed which contained references to prominent figures. Our inquiries have indicated that there was no systematic attempt to go beyond this and gather "dossiers" or detailed files on prominent national officials. Although all civil disturbance files which were kept at the local level were ordered destroyed as a result of our new June policy directive, information from those familiar with the pre-June program supports the analysis set forth above.

Outside the civil disturbance field, the Army's intelligence functions in the United States are limited to two other narrowly defined missions. The personnel security program accounts for the vast majority of the man-hours expended by personnel of the U.S. Army Intelligence Command. The Army is responsible for conducting necessary in-

vestigations relating to the suitability of certain individuals for employment or for access to classified defense information; only military personnel and civilians affiliated with the Department of Defense are subject to such investigations. Second, the Army retains a legitimate need to know about actions which directly threaten its ability to perform its various missions. Examples include activities such as espionage and sabotage relating to the Army; theft of weapons or destruction of facilities, including ROTC facilities; and counselling soldiers to desert or individually or collectively to disobey the lawful orders of their superiors.

As our earlier correspondence to you indicates, we have been active for many months in devising new policies which will make certain that Army intelligence activities are strictly limited to our own narrow areas of interest, and that civilian law enforcement agencies will be left with the tasks which more properly belong to them. In addition to our restrictive policy on computer data banks issued in April and our general civil disturbance intelligence policy issued in June, we issued new orders on December 15, 1970 delimiting counterintelligence coverage of civilians not affiliated with the Department of Defense. The December 15 policy makes it clear that general antiwar or protest activities are not of interest to the Army under this program. In fact, the December 15 policy guidance specifically states that "individuals and organizations do not become of concern to the Department of the Army solely because they oppose Government policy."

The most drastic changes have been made in our civil disturbance intelligence collection program. For the past two years, this program has been under intensive review by the top civilian and military leaders of the Department of Defense and the Department of the Army. It became apparent that the nature of civil disturbances had changed since 1967. Large-scale violence and arson in large cities had given way to more general "grass-roots" peaceful demonstrations and rallies across the country. Even when many thousands gathered to protest in Boston, San Francisco, and Washington, D.C., the attendant violence was well within the control capabilities of local and state authorities. This reflected both a trend toward more peaceful protest of public grievances, and a decided improvement in the capabilities of local and state authorities to manage potentially violent and violent situations. We also concluded from our experience in collecting civil disturbance information for over two years that we could not predict, with any degree of assurance, which disturbances would be sufficiently severe to require the Army to assist state and local law enforcement agencies. In light of these conclusions, and in light of our basic belief that the Army's involvement in this sensitive area must be strictly limited to areas of legitimate need, on June 9, 1970, the Army formalized its new and extremely strict policy governing the collection of civil disturbance information.

Under our current policy the Department of the Army relies on the Department of Justice at the national level for the collection of civil disturbance threat information, and therefore collection of this information even by liaison between Army intelligence personnel and other agencies is not permitted. Such collection activities can only be undertaken upon specific order of the Department of the Army when it is determined in a particular situation that there is a distinct threat of a civil disturbance beyond the capability of local and state authorities to control. Retention of even this limited information is not permitted; upon the completion of a disturbance where collection of information was permitted, the information will either be destroyed or trans-

ferred to the Department of Justice. Covert agent operations, discussed above, are not permitted without the specific advance concurrence of the FBI and the advance, personal approval of the Under Secretary of the Army in each instance. We no longer maintain any computerized intelligence data banks in this area, and a previously maintained identification list was ordered destroyed. Intelligence files at local installations throughout the Army have been screened pursuant to our June policy letter in order to eliminate civil disturbance information, and significant reductions in the quantity and scope of the information retained have already been accomplished and further reductions are planned.

The Constitution of the United States imposes on the Federal Government an obligation to protect the states against "domestic violence." Within the Federal Government, the responsibility for discharging this Constitutional obligation falls principally upon the Army. We are taking every precaution to balance properly this Constitutional duty with the need to observe the Constitutional rights of citizens as we collect information.

The role of restoring order in our cities is not an attractive one for our military men, involving as it does conflict with our own citizens. But we are conscious—as we were especially conscious in 1967 and 1968—that the American people expect that the armed forces, when ordered by the President, will be ready to discharge this unattractive duty, which is imposed only when all the resources of state and local governments have been exhausted. The implications of inadequate preparedness in the face of multi-city disorders were and are clearly unacceptable.

It was this kind of concern which got us into the civil disturbance intelligence business. Aided by the clarity peculiar to hindsight, we can now perceive things we might have done differently or better. For one thing, not fully realizing the potential for overly-expansive efforts, we in the Pentagon—both civilians and military—did not provide sufficiently detailed limitations and controls. And some field personnel, perhaps out of an over-abundance of zeal, on some very limited occasions may have over-stepped the boundaries of good sense and the spirit of our policy. As we have identified areas requiring greater controls, we have developed restrictive policies governing: covert operations (February 1969); computer data banks (March 1970); civil disturbance information generally (June 1970); and information concerning threats to Army property or functions (December 1970). We will not hesitate to impose any additional controls which are required to assure that our collection activities do not over-step proper bounds.

Learning from experience, we found that certain kinds of detailed information were not sufficiently useful to require collection. But I do hope that you, the Congress and the American people can understand that we did not and do not have a program of spying on elected or appointed officials—or in fact on any civilians unless by their conduct they brought themselves to our attention by associating with disturbance-related activities or activities directed against the Army. To the extent we had information on demonstrations and the like, it was primarily material no more sinister than the average wire-service or local newspaper report of similar incidents. And, far from being eager to develop a role in this area, we have sought since early 1969 to find others to provide the information we need.

I hope that this explanation will place in context many of the allegations which have been receiving widespread publicity. We have, within the past two years, devised a series of new policies which should prevent the recurrence of the type of activities which are

alleged to have occurred. We agree that military involvement in this sensitive area must be carefully circumscribed and closely supervised. In general, I think we can now say with assurance that our policies comply with the objective stated by Secretary Laird on December 23, 1970—that intelligence activities are "conducted in a manner which recognizes and preserves individual human rights." We will continue to monitor this area closely to make certain that our regulations are complied with and that Mr. Laird's concern, which we share, is reflected in the practices of units in the field.

I shall answer your specific, numbered questions as soon as the information is available. If I can be of further assistance, please do not hesitate to call upon me.

Sincerely,

STANLEY R. RESOR,  
Secretary of the Army.

CONGRESS OF THE UNITED STATES,  
Washington, D.C., December 21, 1970.

HON. STANLEY RESOR,  
Secretary of the Army,  
Washington, D.C.

DEAR MR. SECRETARY: Over the past several months, I have exchanged letters with Robert E. Jordan III, the General Counsel of the Army, with regard to alleged civilian surveillance activities by the Department of the Army.

His letters to me of February 25, 1970, April 16, 1970, and August 5, 1970 indicate that certain data which had been collected by the Army has been destroyed. In addition, paragraph 3 of page 3 of his letter to me of February 25; paragraphs 3(c), (d), and (e) of the June 9, 1970 letter of the Acting Adjutant General to other Army units; and the Delimitation Agreement, AR 381-115, updated to July 2, 1969, all seem to indicate that whatever "civil disturbance-related information" is required by the Army is to be obtained from the FBI and state and local police agencies.

The charges made last week by a former Army intelligence agent that he and others in the 113th Military Intelligence Group had under surveillance Senator Stevenson, Congressman Mikva, former Governor Kerner and about 800 other civilians in Illinois raise grave questions in my mind as to the Army's adherence to the policies outlined by Mr. Jordan to me in our previous correspondence.

While I have no reason to doubt your statement of December 17 that "had any such alleged activities been conducted, they would have been in violation of Army policies," there has not yet been a clear answer as to whether these activities did in fact take place, especially with regard to the 800 other civilians mentioned who are not public officials. The possibility of such surveillance threatens the basic liberties of all Americans, and the cloud of confusion hanging over the facts in this instance only raises further suspicions of Army involvement in such monitoring activities.

As Congressman Poff said on the floor of the House on December 18th, "If the military can spy upon the people's freely chosen representative, it can spy upon those who chose him. And then, no man's liberty is secure."

It seems to me that a full and frank statement by the Army on the Illinois matter and on any civilian surveillance generally would help to clear the air and would enable those of us charged with the public trust to take such actions as are necessary to insure that such monitoring and the suspicion of it are forever removed from our country.

Accordingly, I would appreciate your prompt answers to the following questions:

(1) Has the Army at any level monitored and collected information on the activities of Senator Adlai Stevenson, Congressman Abner Mikva, Judge Otto Kerner and some

800 other civilians in the State of Illinois, whether or not such collection of data was authorized by current Army policy? If so, what are the specifics of such data collected, including period of time involved, type of data collected, and methods employed to obtain and store it?

(2) At any time, was collection of such data authorized by Army policy? If so, by what authority and how is such authority consistent with AR 381-115 and the letter of the Acting Adjutant General of June 9, 1970?

(3) If such data was collected, are the files now in existence? If so, where are they located?

(4) Under the terms of Section 4 (f) and (g) of the letter of June 9, 1970 of the Acting Adjutant General, on how many occasions and for what purposes was approval given by the Department of the Army and the F.B.I., as the case may be, to "employ methods of collection other than liaison" (4f) and to utilize "covert agent operations" (4g)?

(5) If the three public officials named above and 800 other civilians were the subjects of Army surveillance, what criteria were used to determine which individuals would be the subjects of surveillance?

(6) Does a microfilm record of any files collected by the 113th MIG on civilians exist? If so, where is it?

(7) Does a microfilm record exist of an identification list (or blacklist) and a data bank, located at Fort Holabird, which Mr. Jordan's letter of February 25, 1970 said were destroyed? Does a microfilm record exist of data from a bank at Fort Hood which Mr. Jordan's letter of February 25, 1970 said were destroyed? Does a microfilm record exist of data from a bank at Fort Hood which Mr. Jordan's letter of August 5, 1970 said was destroyed? If so, where are such microfilms located?

(8) Were the following activities monitored by Army intelligence agents in order to gather data on the individuals involved: the 1968 Republican and Democratic National Conventions, the Poor Peoples March in 1968, the Vietnam Moratorium in Washington in October 1969? If so, under what authority did such monitoring take place?

As you may know, the Foreign Operations and Government Information Subcommittee of the House Government Operations Committee, on which I am the ranking minority member, has a continuing oversight responsibility over collection and dissemination of information by the government. If any of the charges recently made are true, then our subcommittee has a clear duty to see that these practices are halted at once and appropriate records destroyed. I very much hope that the Army will set at rest the minds of all Americans by making a full and clear statement of all the facts concerning the alleged surveillance in Illinois and concerning the Army's civilian surveillance activities generally. The absence of explicit and complete statements by the Army only encourages the suspicion that these activities did in fact take place.

Except for a specific national security requirement authorized by the Secretary and the President, any generalized surveillance of civilians by the Army clearly would be repugnant and an intrusion by the military in an area reserved by Army regulations and interagency agreement to the FBI and civilian law enforcement agencies. It seems to me that the Army must be absolutely scrupulous not only in issuing appropriate regulations and orders, but in seeing to it that there is strict monitoring and accountability for all intelligence activities so that local initiative does not take place on a wide scale contrary to national policy.

With best regards,

Sincerely yours,

ODGEN R. REID,