Terry A. Tarantino
Dennis L. Teitsworth
Richard C. Tennant
Nicholas J. Tennyson
Timothy L. Thickstun
Thomas W. Thiesse
Michael R. Thomas
John A. Thomson
Charles L. Threet, Jr.
Terran J. Tidewell
Frank A. Titus II
Michael R. Tofalo
James M. Tompkins
David M. Torbenson
Joseph E. Torgesen
John R. Traughber
Michael D. Trudeau
Anthony J. Twardziak, Jr.
Paul E. Tyre, Jr.
Jay P. Unwin
Peter M. Vandyk
Jerome J. Vanparys
Thomas G. Vetter
Dennis A. Vidmar
Kenneth A. Vincent
Michael P. Vincent
James C. Voter
Paul J. Vuchetich
Wayne L. Wagner
Howard E. Wagoner III
John G. Waldmann
James R. Wallace
James A. Walters
Charles R. Waters
Michael A. Wathen
Ralph S. Watts
Stephen F. Waylett
Gregg C. Weatherly
Walter L. Weber
James A. Werner
Paul D. Wesley
Lynn G. Wessman
Robert A. Wesolowski
James R. Wheeler
David G. White
George W. White
Millar J. C. White
William S. White
William T. White
Norman R. Wight
William J. Willkie
Charles W. Spradlin, Jr.
Donald C. Stanton
Richard D. Stark, Jr.
John A. Stauter, Jr.
Howard L. Steele III
John E. Steele
Peter W. Steele
Rodney C. Steffens
Kenneth M. Stein
Clyde E. Sterling
Don T. Stevens
John R. Stewart, Jr.
Jeffrey L. Stine
Jeffrey M. Stone
Bradley D. Storm.
Kevin S. Stotmeister
Michael Strong
Lawrence W. Strunk
Joseph Stusnick III
David B. Sutton
Jhan C. Swanson
Anthony G. Tamaccio
Bradley S. Tammes
Daniel F. Tandy
Herlis A. Williams, Jr.
John P. Wilmeth
Dallas G. Wilfong III
Paul S. Winberry
Neil S. Wingert
John S. Woodward
James R. Worth
James L. Wright
Richard C. Wright II
Robert J. Wright
William D. Wright, Jr.
Joseph C. Yancy, Jr.
Michael E. Yates
Robert W. Yerkes
William A. Young
Peter C. Zackrison
Ralph C. Zagrabbe
Philip L. Zeeck
Howell C. Zeigler
William R. Zeird
Dale O. Snodgrass
Richard E. Snook
Michael G. Somadelis
George F. Sparks
George E. Spaulding
Scott L. Speicher

The following named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualification therefor as provided by law:

Jonathan F. Davies
Julius W. Eickenhorst
Richard I. Glasgow

Stephen A. Grzenda (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander in the Medical Corps of the Navy, subject to the qualification therefor as provided by law:

Michael W. Lau (civilian college graduate) to be a permanent captain in the Medical Corps in the Reserve of the U.S. Navy, subject to the qualification therefor as provided by law:

Bruce D. Noonan (civilian college graduate) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Medical Corps of the Navy, subject to the qualification therefor as provided by law.

DIPLOMATIC AND FOREIGN SERVICE

Anthony B. Marshall, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Trinidad and Tobago.

EXTENSIONS OF REMARKS

HOMER BABBIDGE, UNIVERSITY OF CONNECTICUT PRESIDENT, ANNOUNCES RETIREMENT

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. McKINNEY. Mr. Speaker, like many residents of Connecticut and elsewhere, I was saddened to learn that Homer D. Babbidge had announced his retirement as president of the University of Connecticut. A scholar, author, and educator, Dr. Babbidge is more importantly a compassionate human who brought to the office of University of Connecticut president a deep understanding and grasp on how to communicate with his fellow man. He not only weathered a decade of turmoil on America's college campuses, but he came through it with the respect and admiration of all.

In recent days, John Peterson, a reporter for the New London, Conn., Day, has authored two articles which deal with the accomplishments and personality of Dr. Babbidge. These are excellent accounts of Dr. Babbidge's career and I would like to share them with my colleagues now.

The articles follow:

BABBIDGE WILL LEAVE MANY FRIENDS WHEN HE STEPS DOWN FROM THE UNIVERSITY OF CONNECTICUT

(By John Peterson)

STORRS, CONN.—Homer D. Babbidge, University of Connecticut president who retires next year, is a dime among 10 pennies.

While some college presidents stumble and fall, Dr. Babbidge walks with confidence and the support of thousands.

That support was exemplified 48 hours after he announced his resignation when 500 students demonstrated and presented Babbidge with petitions signed by 7,000 students and faculty members urging him to reconsider his position.

But Babbidge was keeping his first promise to the university: To limit his tenure to 10 years. Babbidge described it as a relay race, now he must hand over the baton.

Babbidge is described by those on campus as considerate, extremely interested, unbelievable and "cast in the mold of the gods."

The thought of a new president shook the university in October and a month later tremors remained.

As one veteran professor observed, "With Babbidge we could tread water, but I'm afraid we'll sink now."

Many faculty members feel that under Babbidge the university moved forward. But under a new president and a Board of Trustees influenced by the administration of Gov. Thomas J. Meskill, they look for the worse.

There were some who speculated that Meskill was one of the reasons Babbidge resigned. The two had a number of differences—some of them public and most of them heated.

One was the governor's push earlier this year for students to pay tuition costs. Another involved a confrontation between Babbidge and Meskill's finance and control commissioner, Adolph G. Carlson.

Carlson refused to approve contracts for 35 students to spend the year abroad. Babbidge was determined that the university would decide its educational programs, not any state agency.

Funds had been appropriated for the program, the students had paid their fares and were awaiting departure in New York when Babbidge, with trustee support, ordered them to leave.

"There's room for honest differences among honest men," Babbidge says of the incident.

When Babbidge became the eighth president of UConn in 1962, he was 36 years old and the youngest chief administrator of a major university. He had had a number of high-ranking positions. He was vice president of the American Council of Education in Washington when he became president of UConn.

In 1961 the Yale graduate received the Distinguished Service Medal of the Health, Education, and Welfare Department.

Born in Newton, Mass., but raised in New Haven, Babbidge is the author of "Noah Webster: On Being American" and coauthored the book, "The Federal Interest in Higher Education."

Despite a wide assortment of obstacles, Babbidge can count a number of accomplishments during his tenure at the university.

He has recruited a number of highly qualified persons for his staff and faculty. He doubled the faculty salaries and greatly decreased the student-teacher ratio.

Eight new departments were added and other curriculums were expanded. Next spring the university will graduate its first classes of dental and medical students.

It was under the pressure of the takeover of the administrative offices in 1968 that John Breen, then new to the faculty, first saw Babbidge in action.

"It was a bitterly cold night," Breen recalled. Students occupied the building while hundreds of others roamed about outside, threatening violence.

To Breen, Babbidge was the man in the tan coat, moving through the crowds calming students, urging them to talk it over with him. He led about 300 students to a nearby classroom and talked with them until the students dropped thoughts of violence.

Wallace S. Moreland, who came out of retirement to be Babbidge's special assistant, recalled Babbidge's actions during that disturbance and a second involving occupation of the ROTC building.

"During the time of tension he would talk with students, day or night for an hour, two hours or whatever it took," Moreland said.

He remembered Babbidge listening to the demands of students inside the ROTC building, being shouted over a bullhorn. The students wanted the university to convert the building into a day care center and provide its staff of students with free room and board for the summer.

"The answer to that question is, No!" Babbidge yelled back.

Moreland recalled the decision to call in state police to regain control of the administration building was a tough one for Babbidge and came after all other alternatives were exhausted.

"He knew he couldn't communicate with the hard core of 40 or 50," Moreland said. "We could have had a Kent State here, all the elements were present."

Moreland, who has worked for four university presidents, says, "In my score book, Homer Babbidge is one of the greatest.

"The tougher the going, the cooler he comes," Moreland said. "He has a way of getting at a problem quickly."

Babbidge also is described as a listener.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

He is available to any student, at any time. As one faculty member observed: "It's often harder for a member of the faculty to see him then it is for a student."

BABBIDGE WANTS TO QUIT POST AT THE UNIVERSITY OF CONNECTICUT QUIETLY

(By John Peterson)

STORRS, CONN.—Dr. Homer Babbidge, outgoing president of the University of Connecticut, gives the impression he wishes he could fade away without fanfare.

"It makes me nervous to assign all this significance to myself," he says of the reaction on campus to the announcement that he is leaving.

"A Yankee can't stop to enjoy the good things that happen for fear they'll stop happening . . .," Babbidge says, borrowing a bit from Mark Twain.

During an interview he criticized the way people tend to dehumanize those in public jobs.

"I'm more of an ordinary person than some people think I am," Babbidge said.

"I keep reminding students that I put my pants on one leg at a time—just like everyone else," he said at another point.

Babbidge talks in generalities, declining to take any credit for accomplishments at UConn during his nine years as president.

"There were some very unpleasant times, but the casualties have been minimal," he said. "None died, only a couple injured and the psychic bruises seemed to have healed."

Leaning back in his chair, smiling, he added: "I'm pleased with the way things have gone."

Babbidge hedged when asked to outline the qualities of a good college president and the factors behind his success.

"I never sat down and asked myself that question," he said. After a pause, he added, "You have to say what makes a good president of this college at this time."

He mentioned such qualities as breadth of sympathy and interest, stamina and sense of humor.

"I can't say the qualities of a university president are any different from any position," he said. "Luck is the biggest factor in surmounting problems—and I had a lot of it."

He said a college president "is not an authority on everything that goes on in the institution . . . it's important to surround yourself with good people—people who are often better than you are."

He attributes any good qualities he might have to his upbringing which he termed an "old fashioned, moralist-Calvinist mold."

It was laced, he said with "not very philosophical-not very intellectual" sayings by his mother.

One, he recalled, was "Pride goeth before a fall."

The last nine years haven't left much time for Babbidge's personal interests.

"I haven't had much time for hobbies and I can't remember the last time I read a novel," he said.

The job has had its lighter moments.

Babbidge has answered the phone of his assistant, Wallace S. Moreland, after hours by saying, "Hello, Mr. Moreland's secretary."

He entered a turtle, "The Hustler," in the first invitational turtle tournament and during the "Loving Together" weekend in 1969 he joined students in love beads and kazooes.

As for the future, Babbidge says, "We'd like to stay in Connecticut." He notes he did not resign his professor's position in the university's History Department.

But, he adds, "I just might do something very different."

Some have mentioned him as a possible candidate for public office, perhaps governor.

THE MARINE MAMMAL PROTECTION ACT OF 1971

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. ANDERSON of California. Mr. Speaker, in order to amplify my earlier remarks on H.R. 10420, at this time I would like to include in the RECORD the comments of various conservationists regarding the Marine Mammal Protection Act of 1971.

In September 1971, our committee held 4 days of hearings on marine mammal legislation. The comments of various groups on the concept embodied in H.R. 10420 follows:

The National Audubon Society stated:

H.R. 10420 would provide the directive and machinery for accomplishing a new look with fresh eyes at the Pacific fur seal program, and also needed investigation of the conditions and opportunities for improved management and protection, of other marine mammals. We endorse H.R. 10420 in principle . . .

The spokesman for the American Humane Association stated:

The provisions of H.R. 10420 meet for the most part what we would expect in a marine mammal protection bill.

William E. Towell, executive vice president of the American Forestry Association, stated:

I can enthusiastically support H.R. 10420.

He continued:

Continuous overview by an independent Marine Mammal Commission and the assistance of a committee of expert scientific advisors would assure the safety of these ocean resources.

Robert Hughes, of the Sierra Club, stated:

We have long recognized the benefits of scientific management practices in certain carefully regulated circumstances.

The Wilderness Society spokesman stated:

H.R. 10420, the Marine Mammal Protection Act of 1971 offers the most viable basis for developing a sound program of protection and management. In addition to the broad protections it affords, this bill provides for organized research and management review, and directs the development of international agreements for the protection of marine mammals, two concepts we believe are indispensible to the eventual effectiveness of this legislation.

The executive director of the National Wildlife Federation endorsed H.R. 10420 as "it embraces the concept of resource management and sustained yield which is so vital to this issue."

Mr. Speaker, the concept embodied in H.R. 10420 was endorsed by the Izaak Walton League, the World Wildlife Fund, the Wildlife Management Institute, the North American Wildlife Federation, and other groups who are interested in preserving and protecting our wildlife.

HONEST LABEL ACT OF 1971

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. ROSENTHAL. Mr. Speaker, the recent incident involving contaminated vichyssoise that led to the death of a New York man from botulism points up an aggravating problem facing the food retailer and the consumer.

The fatal soup was produced by Bon Vivant, Inc., of Newark, N.J. The same company marketed vichyssoise under its own name as well as under at least 34 different labels and brands. When the producer began recalling its products, at the request of the Food and Drug Administration, confusion reigned.

How was a retailer to know if the soup on his shelf was not made by Bon Vivant? How was the housewife to know if the soup in her cupboard was not the suspected Bon Vivant?

Certainly not by the name on the can. That could have been any one of 34 different names, like Hickory Farms, Connoisseur, Cal Pre, White Rose, or Lord & Taylor. Yet all these and many more are a sort of gastronomic noms de plume for Bon Vivant.

To paraphrasc an old cliche, you cannot judge a can by its label. Or any other package, for that matter.

When the danger was clear and retailers and consumers wanted to rid their shelves of potentially harmful soup, they were stymied. The news was slow coming that Bon Vivant had marketed its product under a variety of names, and when that fact became known, it was still some time before all the names were out. Even at that, not all newspapers bothered printing the entire list, and certainly no one could be expected to memorize all those names while searching his shelves.

So what is to be done?

Mr. Speaker, I have an answer. It is the Honest Label Act of 1971, and I am introducing it today. This bill would require the name and place of business of the manufacturer, packager, and distributor be printed on the packages of food, drugs, and cosmetics.

Passage of this bill would be of great benefit to producers, sellers, and consumers alike, and it would be in the interest of public welfare and safety.

There is no valid reason to hide from the American consumer the name of the manufacturer, packager, and distributor of the products he buys. No honest businessman should support this type of concealment.

Mr. Speaker, until this legislation is enacted, I call on all manufacturers, packagers, distributors, and sellers of private label products to voluntarily disclose this information on their products in the public interest.

Part of what consumers are paying for today in the high price of the national brand goods they buy is an intangible element that adds nothing to the nutri-

tional value of their food or the quality of other products. That element is usually nothing more than advertising and promotion.

Alert consumers know they often can get a better buy when they select the house brand over a nationally advertised label.

What I am talking about are those products sold under the name of a particular store—sometimes called the store label—and those goods offered under a brand name used only by that seller but different from the store name—sometimes called private brand. There is no way for the consumer to tell from the label who manufactured or packaged the product.

For example, Ann Page and Jane Parker brand items in supermarkets or A & P, the Nation's largest grocery chain, may have been manufactured by A & P itself or may have been produced by a larger company which also turns out identical or nearly identical nationally known brand name products.

A & P sells products under its own labels that are made by a wide variety of companies. Some of these include: Seabrook Farms; A & P frozen vegetables: Dole, A & P pineapple; Minute Maid, orange juice drink; Stokely Van-Camp and Libby, canned fruits; Del Monte, tuna and tomato sauce; Carnation, evaporated milk; Mrs. Filbert, margerine; Vicks, cough drops.

Giant Cream Cheese, marketed by Giant Foods, Inc., a Washington, D.C. chain, is produced by Bordens. Jumbo bread, sold by another Washington chain, Jumbo Food Stores, Inc., is produced by Continental Baking Co. which makes Wonder Bread.

Watsonville Canning Co. of California produces broccoli, lima beans, and other frozen vegetables under 42 different labels.

There is usually no way for the consumer to know who makes what when it comes to private labels, yet this may be very vital information. It is important not only for health and safety reasons, as I pointed out, but for economic reasons as well.

Private label goods tend to be lower in price and not nearly as heavily advertised as their nationally promoted brand name counterparts. But that does not mean they are any worse—or any better. In fact, they frequently are identical.

Consumers are catching on that they often can get a better buy when they select the house brand over the national brand. They also are becoming increasingly skeptical of brand names, losing their old loyalties and putting greater trust in their own judgment. And they are aware that brand names are used to isolate competition by creating the illusion of a different product when in fact there is no difference.

Between 10 to 15 percent of the grocery items in supermarkets today are private brands and store labels, and the number is growing.

With major manufacturers devoting an increasing portion of their output to private label products, the only difference between many products on shelves today is the label.

At stores where nearly identical products from the same manufacturer compete with themselves under different names, the private label item tends to be priced lower.

This whole area of one company manufacturing the same product under two or more competing names raises serious ethical questions, especially in the realm of advertising claims.

In some instances, a single private brand product may be manufactured simultaneously by several different producers.

The only way to determine this is by cracking the manufacturer's code. The maker's code appears on the package for his own use, but it is totally indecipherable for the consumer and, usually, for the retailer as well. This information should be openly stated in clear language.

Private labels also frequently mean bigger profits for retailers than national brands because the store often deals directly with the manufacturer and, through the elimination of large sales forces and huge advertising budgets, costs are cut considerably.

Surveys have shown that private label foods are priced as much as 25 percent below national brands. One investigation revealed that private brand foods tested contained 1 percent less product but cost 13 percent less than name brands. A study of 31 market basket items in Rochester, N.Y.'s four major grocery chains showed an average savings of 13.8 percent when private labels were substituted for brand name products, according to the Rochester Democrat and Chronicle.

My bill would help consumers police the marketplace themselves. For example, they could keep down the price of milk in Missouri. That State's Unfair Milk Sales Practices Act prohibits processors and distributors from discriminating in price between customers for dairy products.

Nevertheless, reports John Hardin, chief milk control inspector for the Missouri Department of Agriculture:

> Large chain grocery stores like to sell private label dairy products at a much lower price than the dairy brand products processed by the same dairy. I see no reason why the consumer should pay as much as 10 to 15 cents a half gallon more for dairy brand than for private label brand when it is the same milk, delivered on the same truck by the same company and processed at the same plant. Merchants take a larger percent mark-up on dairy brands than on private label brands.

Because the need for the Honest Label Act is most dramatically emphasized by the Bon Vivant episode, I wish to return to it for a moment.

Samuel Cochran, Jr., of Bedford, N.Y., died June 30 and his wife became paralyzed after eating Bon Vivant vichyssoise tainted by botulin toxin. This led to the recall of 5 million cans of Bon Vivant products under at least 34 different labels.

The cans were identified only by codes such as V–141/USA 71, V–154, V–174, BB–112, and so on. The use of such cryptic markings is not only confusing to consumers and retailers, but potentially harmful, as this incident shows.

Had consumers and retailers simply been told to beware of cans dated May 21, 1971, or June 3, June 23, April 22—that is what the above codes stand for—it would have been quicker and easier to remove the correct cans. And it could have protected the manufacturer against needless removal of safe products.

This is another reason for prompt enactment of my bill, H.R. 8438, the Open Dating Act, which would require all food packages should clearly show the date after which the product should no longer be sold.

But in this case, an open date would not have been enough. The name of the manufacturer also was necessary—but missing.

Shortly after the Bon Vivant incident, the FDA announced the recall of some Campbell's soups because of possible botulin contamination. Once again, retailers and consumers began searching their shelves. Campbell's, unlike Bon Vivant, does not produce soups under any name other than its own, but before that information became widespread, there was a possible shadow of uncertainty cast over every can of soup, regardless of its brand.

That would not have happened had my bill been in effect. Consumers and retailers could simply have looked at the label and seen the manufacturer's name. So you can see that my bill not only protects the retailer and the consumer, but it protects the producer as well.

It is another effort to put makers, sellers, and buyers on a more even footing in the marketplace and promote honesty in marketing.

The text of the Honest Label Act of 1971 follows:

A bill to amend the Federal Food, Drug, and Cosmetic Act to require the labels on certain package goods to contain the name and place of business of the manufacturer, packer, and distributor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Honest Label Act of 1971".

SEC. 2. The Congress finds that consumers have no ready means of determining when packaged foods, drugs, and cosmetics are actually manufactured or packed by persons other than the distributor. Disclosure on the labels of packaged goods of the name and place of business of the manufacturers, packers, and distributors would substantially improve consumer awareness and provide for safe and effective labeling. Therefore, it is the purpose of this Act to amend the Federal Food, Drug, and Cosmetic Act to require that labels of certain packaged goods contain a disclosure of the manufacturer, packer, and distributor of each such good.

SEC. 3. (a) Section 403(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amended by striking out "or" in clause (1) and inserting "and" in lieu thereof.

(b) Section 502(b) of Such Act (21 U.S.C. 352) is amended by striking out "or" in clause (1) and inserting "and" in lieu thereof.

(c) Section 602(b) of such Act. (21 U.S.C. 362) is amended by striking out "or" in clause (1) and inserting "and" in lieu thereof.

SEC. 4. The amendments made by this Act shall take effect upon the expiration of the 180 day period which begins on the date of the enactment of this Act.

EULOGY OF MRS. JOHN McCORMACK

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, today at St. Margaret's Church former President Lyndon B. Johnson and Mrs. Richard M. Nixon lead a large delegation of public figures at the funeral of Mrs. John McCormack.

More than 75 Members of Congress, the leadership, the Irish Ambassador in Washington, William Warnock; Terrence Cardinal Cooke, archbishop of New York; Patrick Cardinal O'Boyle, Archbishop of Washington, the Governor of Massachusetts and many local dignitaries attended the rites.

Boston Archbishop Humberto Medeiros was the celebrant of the Mass, and the eulogy was given by Rev. Walter Flaherty, who, until he entered the priesthood, was an aide to the former Speaker. I would like to share with my colleagues Father Flaherty's eulogy.

The eulogy follows:

EULOGY

"A perfect wife—who can find her? She is far beyond the price of pearls"—Book of Proverbs.

We are gathered here this morning to pray in a special way for Harriett Joyce McCormack and to remember her in the celebration of this Eucharist. Over fifty years ago she left this place—this very church. But today she is back home again. And so this morning we have come here to celebrate a homecoming—a homecoming that is a sorrowful task for her husband—her family—and her friends. Our task is not an easy one—but the burden becomes lighter—the sorrow becomes bearable—for those of faith and hope.

This is the lovely season of advent. It is a time of deepest longing and desire: a time of great expectation and hope; a time when we cry out "come, Lord Jesus." We know that the Lord Jesus is calling us to "come" to him—even as He has called Harriet McCormack to Himself. And we who are left behind yet await another coming. The final coming of Christ in glory—when we will be re-united with Him and our loved ones. And so we cry out, "Come Lord Jesus." This is the root of our Christian faith. This is the faith that sustained Harriet McCormack.

Advent, as we have said, is a time of hope. Man has an inborn desire to look to a future day that will bring happiness and fulfillment. This morning we are being asked to look ahead—to think big—to expand and extend our thoughts—away beyond our immediate grief and our immediate sorrow.

This may sound unrealistic to all—but to those of faith. If we have known the beginning of God's power in our lives as Harriet did—if our pride has been humbled by the humility of Christ—as was Harriet's—if our fears have been calmed by the peace that Christ imparts—as Harriet's was; if this saving work has begun in us—then we know—by the invincible logic of a living experience—that the final power will not fail. If faith in the Saviour does not lead us to a living hope—it is not genuine faith. For it is only by such a living hope that we can live and work—because the commitment of the Christian is so radical—so complete—so hazardous in an earthly sense—that no man can fulfill this commitment apart from hope in Christ. Harriet McCormack had that living hope. Harriet McCormack had that genuine faith. Harriet McCormack fulfilled the commitment of a Christian with dedication.

We know by faith that today is a new beginning for her—and not an ending. We know by faith that the reward that she is experiencing far surpasses what we can imagine; for: "Eye has not seen, nor ear heard, neither has it entered into the heart of man, what things God has prepared for those who love Him." (1 Cor. 2, 9)

"A perfect wife—who can find her? She is far beyond the price of pearls."

It is difficult to stand here and pay tribute to a grand and holy woman without mentioning her loyal and loving husband. Even in death it is difficult to speak only of one of the spouses of this marriage of fifty-one years. In the Vatican II documents, we read: "Let the spouses, themselves, made to the image of the living God and enjoying the authentic dignity of persons, be joined to one another in equal affection, harmony of mind, and the work of mutual sanctification. Thus they will follow Christ who is the principle of life." These words, taken from a chapter entitled "The nobility of marriage" are very beautiful, and very powerful words—and they describe what a Christian marriage is; they describe the McCormack marriage.

"A perfect wife—who can find her?
She is far beyond the price of pearls."

Harriet's husband, John, never left her side during her illness. Right up until the day of her death—he was at her side—not because it was a duty—but because he wanted to be there: And there, daily, they exchanged their promise of love. "Do you love me? Yes, I love you."

Harriet McCormack died as peacefully as she lived. And she lived and died heart to heart with her husband. She gave up a promising career in music to marry John McCormack. Her support, encouragement, and inspiration throughout their married life was so precious to her husband. She was untiringly active in Catholic activities and Catholic charities. She was honored and respected by many great church leaders—because she not only professed her faith—she truly lived it. She was awarded the pro pontifice ecclesia medal—a papal honor—by her late friend, Cardinal Cushing.

"A perfect wife—who can find her?
She is far beyond the price of pearls."

We are all familiar with the McCormack Love Story. We know how they both shunned the social life in Washington—so that they could spend quiet evenings at home. If a book were ever written about John and Harriet McCormack—it would have to be entitled, "The Greatest Love Story Ever Told."

She did not have her own family. She had her "official" family, made up of those close to her and those who worked with her husband. I can personally attest to her deep kindness. I was a member of that family. My life was truly enriched—and my faith made strong by knowing her.

When someone we love dies—our grief over the separation is natural. It is a witness to our affection and our love. And yet a deeper love demands that we go beyond grief. Beyond grief to a genuine faith—to a living hope in the resurrection of the Lord. In Harriet McCormack, we have a lasting memorial of a holy woman of God. A woman of faith—hope—and love.

This is a sad day, and yet a joyful day because we have the assurance that Harriet McCormack has received the reward that God promised to those "who have kept the faith."

We hear the word of God through the scriptures. What better way to think of Harriet Joyce McCormack than in these words from the ancient Book of Proverbs:

"A perfect wife—who can find her? She is far beyond the price of pearls.

Her husband's heart has confidence in her, from her he will derive no little profit.

Advantage and not hurt she brings him all the days of her life.

She finds her labour well worth while; her lamp does not go out at night.

She holds out her hand to the poor she opens her arms to the needy.

Her husband is respected at the city gates, taking his seat among the elders of the land.

She is clothed in strength and dignity, she can laugh at the days to come.

When she opens her mouth, she does so wisely, on her tongue is kindly instruction.

Her husband sings her praises, and he says: 'Many women have done admirable things, but you surpass them all.'

Charm is deceitful, and beauty empty; the woman who is wise is the one to praise.

Give her a share in what her hands have worked for, and let her works tell her praises at the city gates."—(Book of Proverbs—31).

COOPERATING SCHOOLS GET DRUG FILMS FROM PET, INC.

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. SYMINGTON. Mr. Speaker, I would like to call to the attention of my colleagues and the public an extremely worthwhile drug education program instituted by a St. Louis firm, Pet, Inc. The company has made available to cooperating high schools, a film series titled, "Focus on Drugs."

Pet, Inc.'s action is more than good citizenship; it is evidence of the real concern all sectors of the St. Louis community have in dealing with the drug abuse problem that afflicts our youth.

At this point, I would like to insert in the RECORD a news article concerning the drug education program:

[From the St. Louis Post-Dispatch, Dec. 2, 1971]

COOPERATING SCHOOLS GET DRUG FILMS FROM PET, INC.

The Audiovisual Education Department of the Cooperating School Districts of the St. Louis Suburban Area has received 15 drug education films with a total value of $3000 from Pet Inc.

Pet Inc. which has world headquarters in St. Louis, said it had recognized the growing and widespread use of drugs among the youth of the metropolitan area. Pet made the grant available for purchase of three sets of five films dealing with the drug abuse problem produced particularly for the upper elementary and junior high school age levels.

Ronald D. Oesch, supervisor of firm programs, said that the amount will be matched by the Audiovisual Department in order to provide sufficient copies for circulation. The films will be available to the cooperating school districts in late January.

The film series titled, "Focus on Drugs," has won several national film competition awards including the Golden Eagle Award sponsored by the Congress of International Non-Theatrical Events.

Narrating the scenes are well-known personalities with whom young people can identify, includin Greg Morris of Mission impossible, singer Tommy Roe and actor David Hartman.

The grant is particularly significant at this time because the State Department of Education of Missouri recently formulated plans to include drug education as a part of the public school curriculum throughout the state, said Oesch.

THE WIVES OF PRISONERS OF WAR AWAITING ANOTHER LONELY CHRISTMAS

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, may I take this opportunity to bring to the attention of the Members of the U.S. Congress a news article that appeared in today's edition of the Boston Herald Traveler by Columnist Pam Bishop. Mrs. Maureen Dunn of Randolph, Mass., has been awaiting some word about her missing husband, Lt. (jg.) Joseph P. Dunn, a Navy pilot, who was shot down February 14, 1968, over Chinese waters while on a ferry flight in his unarmed Sky Raider from the Philippines to the Gulf of Tonkin. The American Government later reported him missing and Mrs. Dunn has had no communication from him or the Peking Government.

The long wait day in and day out without any word is an unbearable hardship that wives and relatives have been forced to endure during these past several years. I am taking the liberty of forwarding a copy of this news item to the White House in the hope that when the President visits Peking he will be able to use his good office to bring the matter of POW's to the attention of the Red Chinese in the hope that an early release can be accomplished. As we approach the Christmas season we should do everything in our power to help resolve the problem of the POW's.

The news article follows:

[From the Boston Herald Traveler, Dec. 6, 1971]

POW WIVES AWAITING ANOTHER LONELY CHRISTMAS

(By Pam Bishop)

"Where do we lose out on concern?" wondered Maureen Dunn of Randolph yesterday.

Maybe it's the Christmas season or her cold that made her sound bitter, she said. But she can't understand why so few Bay Staters seem to care about the 37 Massachusetts men who are prisoners of war, or missing in action in Indochina.

This is the fourth Christmas since her husband, Lt. (j.g.) Joseph P. Dunn, a Navy pilot, was shot down Feb. 14, 1968, over Chinese waters while on a ferry flight in his unarmed Sky Raider from the Philippines to the Gulf of Tonkin. The American government later reported him missing and Mrs. Dunn has had no communication from him or the Chinese.

"It's only been four years for me, but it's been eight years for some of my best friends. I know other people's husbands die and they're buried in three days. But a living death for eight years?" said Mrs. Dunn who is northeast regional coordinator for the National League of Families of POWs and MIAs.

The children, nieces and nephews of Massachusetts POWs and MIAs were special guests at a Christmas-Hanukkah party yesterday at the Sonesta Hotel in Cambridge, given by United Commercial Travelers Bay State Council Number 584.

Mrs. Dunn brought her five-year-old son, "Joe-D," to the party. The guests included nine children of POWs and MIAs, 22 of their cousins, nine children from the Perkins School for the Blind and 160 children and grandchildren of UCT members, as well as adults.

"This is the first group in eight years that has ever done anything for our kids in Massachusetts at Christmastime," Mrs. Dunn said.

The Southern states are "much more involved" in helping the POW families, she said.

She has waited nine months for a response from the Massachusetts legislature to her request for a resolution about the POWs and MIAs.

"I'm not going to beg anymore," she said. "To ask people around here to help is a lost cause." She is touched especially by the lack of interest here because she was born and brought up in Boston.

She added, "I enjoy life, because it's my personality. I'm not going to let it get me down. My husband wouldn't like it."

RESOLUTION 630

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. JACOBS. Mr. Speaker, I was wondering if, at this late date, any Member of Congress or any member of the executive branch would care to say he or she is willing, from this day forward, to give his or her life, limb, sanity, or freedom—POW even for another day—further to prop up the Saigon dictatorship.

Other Americans are being ordered to do so today.

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

RESOLUTION 630

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

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

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

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

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

"A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces and the Armed Forces of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from South Vietnam within sixty days following the signing of the agreement: *Provided,* That the agreement shall contain guarantees by the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

AFL–CIO TO PURSUE LATIN LABOR LINKS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. FASCELL. Mr. Speaker, the American labor movement has had a long history of interest in developing free institutions in Latin America, particularly through the strengthening of labor unions in the countries of Central and South America. The AFL–CIO signified its interest by passing a resolution on this subject at its recent convention in Miami, and I insert in the RECORD an article from the AFL–CIO News of November 27, 1971, describing the AFL–CIO's attitude toward free institutions in Latin America:

[From the AFL–CIO News, Nov. 27, 1971]

FEDERATION TO PURSUE LATIN LABOR LINKS

BAL HARBOUR, FLA.—The AFL–CIO will continue to strive for full cooperation with bona fide labor movements throughout the Americas, a convention resolution declared.

"The great mass of the Latin American peoples are still plagued by widespread social injustice, massive poverty, inadequate housing and educational opportunities and dictatorial military rule," the convention said.

While noting "numerous turbulent changes within the last two years," the convention said that democratic trade union movements in Argentina, Mexico, Venezuela, Colombia, Ecuador and Honduras "are making significant gains in terms of collective action to benefit their membership."

The AFL–CIO pledged to keep abreast of developments in Latin America, to maintain its affiliation with the Inter-American Regional Organization of Workers (ORIT) and continue its efforts through the Inter-American Office and the American Institute for Free Labor Development (AIFLD).

"Latin American free labor and the AFL–CIO should be in the forefront" in fighting to preserve the Americas from Communist domination, the convention said, and it viewed some recent events with alarm. They are:

The expanding relations between Chile's Allende regime with Communist powers.

The continued delay in restoring constitutional government in Brazil.

The destructive activities of guerrilla groups acting like Fascist bands and keeping Uruguay in a state of siege.

Peru's unconstitutional and unrepresentative government, which has recognized and favored the Communist workers' federation.

THADDEUS RUDNICKI HONORED FOR 50 YEARS OF SCOUTING

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. DULSKI. Mr. Speaker, 43 years ago, I was one of the charter members of Troop 36, Boy Scouts of America, when it was reorganized in my home city of Buffalo, N.Y.

The driving force and first scoutmaster was Thaddeus "Ted" Rudnicki, who already had been active in Scouting for 7 years in various capacities.

Last Friday evening, some 125 of Ted's friends gathered in the Polish National Hall to honor him for 50 years of devotion and leadership in the cause of Scouting.

It was an evening of inspiration for all, even including Ted who was appreciative but a little embarrassed by all of the attention. The testimonial was truly deserved and I am grateful that I was able to be on hand personally to join with Ted's many friends.

It is my firm belief that the Boy Scout movement is one of the greatest forces on behalf of boys and young men today when they need strong leadership and counsel in their daily lives. My only regret is that there are not more men like Ted Rudnicki who are willing to spend endless hours over the years in working with boys who will be our men of tomorrow.

Ted Rudnicki is and has been a dedicated Scout leader who made sure in his effective way that each Scout abided not only by the Scout oath but by the Scout laws.

TWO STRONG IMPRESSIONS

There are two strong impressions of Ted Rudnicki which are indelible in my mind. Both of them, as it happens, occurred when I went to camp at Scout Haven, located at Crystal Lake near Arcade.

I am deeply grateful to Ted Rudnicki for having given me my first opportunity at leadership. I was named a tent leader. My recollection of this opportunity for leadership is the close observation which Ted gave to my work while at the same time allowing me the full responsibilities that go with leadership.

The other occasion was the eve of the traditional camp ceremony known as "Good Indian." At this ceremony, each Scout was placed on his honor when he was called upon to state whether he felt he had been a "Good Indian" and deserving of the honor.

The night before the ceremony, Ted Rudnicki called my group together for a fatherly lecture that I will never forget. He impressed upon us the vital responsibility which we had to judge ourselves with complete honesty. Ted Rudnicki knows so very well how to tell a group of boys "like it is."

Over the years my friendship with Ted Rudnicki has continued and expanded. His counsel and friendship are invaluable and I am grateful that we have never lost touch.

In referring to the great dedication and influence of Ted Rudnicki, I feel sincerely that we cannot omit mention of his beloved wife, Clara, who passed on several years ago. Over the years they worked side by side in many, many ways and particularly in connection with Ted's devotion to the Boy Scout movement.

PRESENTED HIM U.S. FLAG

It was my pleasure to present to Ted an American flag which had been flown over the U.S. Capitol. Another charter member, Adam Bakowski, took part, as did Troop Committeemen Stephen Kuberka and Arthur Wyglon and former Committeeman Daniel Pawlak.

A special guest was Most Rev. Thaddeus Zielinski, formerly of Buffalo, prime bishop of the Polish National Catholic Church.

A citation from Buffalo's Common Council was presented to Ted by Leo Franczak, acting for his brother, Fillmore District Councilman Gus Franczak, who was ill.

Others taking part were Scoutmaster Eugene Wyglondalski and Felix Czerwonka, chairman of the board of trustees of Mother of Holy Rosary Cathedral.

Mr. Speaker, as part of my remarks, I include an article from Rola Boza—God's Field—a Polish-English biweekly of the Polish National Church, also an article from the Buffalo News:

BUFFALO CATHEDRAL BOY SCOUT TROOP NO. 36 TO HONOR THADDEUS "TED" RUDNICKI

Troop No. 36 will pay tribute to Thaddeus Rudnicki, honoring him on his 50 active years in the Boy Scout movement. Better known to hundreds of boys as Ted, he first joined Troop No. 36 as a young boy in 1921.

Lacking adult leadership, this troop ceased to exist, but in 1928 it was immediately reorganized by Mr. Rudnicki under a new sponsoring institution, the Holy Mother of the Rosary Cathedral of the Polish National Catholic Church, with the help of the Bishop of this Church, the late Rt. Rev. John Z. Jasinski.

The present leaders and members of the troop committee have invited prominent and distinguished guests to take part in this tribute which will take place in the auditorium of this Church, located at 150 Sobieski Street, Buffalo, New York, on Friday, December 3, 1971. Expected to attend will be the Prime Bishop of the Polish National Catholic Church of America and Canada, who formerly was Bishop-Ordinary of the Buffalo-Pittsburgh diocese, now residing in Scranton, Pennsylvania, and Congressman Thaddeus Dulski, former member of Troop No. 36. Efforts are being made by members to contact all who were boy scouts of Troop No. 36 during the past 50 years. These will be invited also, and the majority are expected to attend this testimonial.

Mr. Rudnicki, a prominent layman of the Holy Mother of the Rosary Cathedral, is holder of the Silver Beaver, the highest award presented by the National Council, Boy Scouts of America, for outstanding leadership in this movement. Major parts of his contribution to the Scouting program were widely recognized during his adult years.

WON MANY HONORS

He was a receipient of the Buffalo Council Training Key award in 1932, National Council Scoutmaster-Training Key in 1935 and is a member of the order of the Arrow in the Greater Niagara Frontier Council since 1953.

He took charge of the Nature Department at Camp Scouthaven throughout the camping season of 1932 and was Scoutmaster of Jamboree Troop No. 7, which was composed of a contingent of Buffalo Boy Scouts taking part in the National Jamboree, held in Santa Anna, California, in 1953. At the present time, he is still serving as Merit Badge Counsellor, a post he has held for many years.

In his boyhood years, Ted Rudnicki had held all leadership positions in Troop No. 36, from Assistant Patrol Leader to Scoutmaster. He served as scoutmaster from 1928 to 1958. An Eagle Scout award was presented to him in 1930.

After inaugurating the God and Country Award program in the Polish National Catholic Church of America, a religious award made to Boy Scouts and Explorers who are members of this faith, Mr. Rudnicki was designated Chairman of the Committee on Scouting by the Supreme Council of the Polish National Catholic Church in 1954. He had also prepared and instituted the Religion in life program of the Boy Scout movement in the Polish National Church of Canada.

Semi-retired from active participation in the Boy Scout program, Mr. Rudnicki is still registered as a Troop Committeeman of No. 36. He is presently occupied in doing a little farming and lives with his daughter Carol, in Newstead, New York. His other hobby, carving Totem Poles, reflects on His lifetime ambition, Scouting. His home site is adorned with numerous such decorative pieces, the latest masterpiece measuring twenty-six feet in height.

ACTIVE IN CHURCH, TOO

Being very interested and active in other endeavors, Mr. Rudnicki attain recognition as a very distinguished servant of the Polish National Catholic Church. He served on the Supreme Council of this Church from 1955 until 1964. Representing the Buffalo Cathedral in the Buffalo and Erie County Council of Churches, he was delegated by First Prime Bishop, the late Most Reverend Francis Hodur, to attend the World Conference of Christian Churches in the Youth Department, held in the Ontario Women's College, Whitby, Ontario, Canada, in 1950. He also took part as a delegate to the General Synods of the Polish National Catholic Church. He attended and worked on Youth and various other Commissions in seven of these Synods from 1931 until 1971.

The late Bishop-Ordinate, of the Buffalo-Pittsburg Diocese, Rt. Reverend John Z. Jasinski, also appointed Mr. Rudnicki to the Diocesan Council in 1948. He had also served on the faculty of the Christmas Workshop, sponsored by the Buffalo and Erie County Council of Churches in 1945, of which the Theme was, The Creche.

From 1929 until 1932, he was Editor of The National Informer (Informator Narodowy) a weekly publication of the Holy Mother of the Rosary Cathedral in Buffalo, New York.

Having a wide knowledge of the history of the Buffalo Cathedral, he was constantly selected as Chairman of the Editing Committee of Jubilee Souvenir Books which were published, commemorating the 35th, 40th, 45th, 50th and 75th Anniversaries of the Church.

Holding many citations and awards, presented to him by various Veteran and American Legion Posts, for Meritorious Service to our Nation and the Armed Forces, Mr. Thaddeus Rudnicki was chairman of the Patriotic Committee of the Buffalo Cathedral from 1941 until 1947. This Committee took active part in keeping contact with all members of this Church who were serving in the United States of America's Armed Forces during World War Two, by sending them various sorts of gifts and a Monthly Publication, The Cathedral Messenger, with all news round-ups of the Cathedral Parish. This Committee functioned until 1947, when the members presented and installed two Bronze Plaques in the Cathedral and also purchased

a War Memorial which was erected at the Parish Cemetery and dedicated as a tribute to the memory of the six members of this Cathedral who gave up their lives in that war.

ROLE AT HOME IN WW II

Mr. Rudnicki, also, served as an Air-Raid Warden and was a Red Cross First-Aid Instructor during World War Two. He donated blood to the Red Cross Organization for a total of seventeen times. He received a Certificate from this Organization in recognition of Meritorious Service performed in behalf of the Nation, her Armed Forces and Suffering Humanity during this war.

In 1945, the Hamilton Ward Post No. 2956, presented him with an award from the Veterans of Foreign Wars, an Americanization and Citizenship Medal. In 1948, he also received a Citation from the Regular Veterans Association Cathedral Post No. 1084, for recognition of Patriotic Work in behalf of the Members of The Holy Mother of the Rosary Cathedral, who served in the Armed Forces of the United States of America. He was then made an Honorary Member of this Post with authorization issued by the National Office.

In 1951, Mr. Rudnicki received the Youth Work Award from the Joint Veterans Council of Erie County. Then in 1953, he also received an award for Americanism and Community Service from the Adam Plewacki Post No. 799, American Legion, at a Flag Day ceremony held in Buffalo's Humboldt Park.

Mr. Thaddeus Rudnicki and his daughter Carol are members of the Polish National Union, Branch No. 85, for many years.

[From the Buffalo (N.Y.) Evening News, Dec. 4, 1971]

FIFTY YEARS OF SCOUTING RECALLED AT TESTIMONIAL

(By Alan Pergament)

It all started more than 50 years ago when Thaddeus Rudnicki was thrilled by the sight of the Boy Scout uniform.

Friday evening in the Polish National Hall, 150 Sobieski St. the old memories were as numerous as merit badges as about 125 persons honored Mr. Rudnicki for his 50 years of service to Scouting and Troop 36.

Known as Mister Troop 36, Mr. Rudnicki joined the troop in 1921 and was scoutmaster from 1928 through 1958.

"There are so many of my scouts that I am proud of," Mr. Rudnicki said with a smile prior to the testimonial, "Doctor, lawyers, priests."

A procession of his scouts recalled the past. H. P. (Spike) Nagel, wearing his uniform for the first time in 10 years told of Mr. Rudnicki's pledge to earn every merit badge his troop did, while Bernard Basinski recalled a hilarious Columbus Day fishing trip to Scout Haven.

Letters to Mr. Rudnicki were assembled in a book. Some came from Buffalo, New England, Virginia and California.

"Twenty-five years ago, I joined Troop 36," wrote Daniel Bushley. "I was scared and shook like a kitten."

"I remember you put your hand on my arm and told me not to worry. You sure knew how to calm a kid down. From that time on, Friday was a day to look forward to."

Another letter came from Buffalo Congressman Thaddeus Dulski.

"I am deeply grateful to Thaddeus Rudnicki for having given me my first opportunity at leadership," wrote the Buffalo Democrat. "I was named a tent leader."

Mr. Dulski who also attended the testimonial, awarded his former scoutmaster a flag that flew over the Capitol on Monday.

Mr. Rudnicki, who bowed his head and scribbled with a pencil as his Scouts praised him "as a man who took the raw material of a boy and made a man."

LUDWIG VON MISES' 90TH BIRTHDAY

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. CRANE. Mr. Speaker, on September 29, 1971, the distinguished economist, Ludwig von Mises celebrated his 90th birthday. Dr. Von Mises understood, as have few men in our time, the intrinsic link between economic freedom and political and intellectual freedom.

Every time Government attempts to bypass the laws of the free market economy it finds itself on the road, not to solving economic problems, but to creating additional ones. In his classic work, "Human Action," Von Mises notes that:

Princes and democratic majorities are drunk with power. They must reluctantly admit that they are subject to the laws of nature. But they reject the very notion of economic law. Are they not the supreme legislators? . . . In fact, economic history is a long record of government policies that failed because they were designed with a bold disinterest for the laws of economics.

Unfortunately, many American economists have rejected the idea of a free economy as an old-fashioned one, and have adopted the Keynesian view of Government intervention, and of a so-called mixed economy, with both a public and private sector. This approach has led us directly to the crisis of inflation, devaluation, and economic instability which we face today.

Commenting upon this view of the need and affirmative good of government involvement in the economy, Professor Von Mises shows that an act of intervention generates unintended consequences and difficulties, which then present the Government with the alternative: Either more intervention to solve these problems, or repeal of the whole interventionist structure.

In an important article in honor of Ludwig Von Mises' 90th birthday, Prof. Murray Rothbard points out that:

The American economy has virtually reached the point where the crippling taxation, the continuing inflation, the grave inefficiencies and breakdowns in such areas as urban life, transportation, education, telephone and postal service, the restrictions and shattering strikes of labor unions, the accelerating growth of welfare dependency, all have brought about the full scale crisis of interventionism that Mises has long foreseen.

Professor Rothbard laments the fact that American students of economics spend so little time studying economic history, or studying competing theories and approaches. He writes:

History of economic thought, once required in most graduate departments, is now a rapidly dying discipline, reserved for antiquarians alone. Graduate students are locked into the most recent journal articles, the reading of economists published before the 1960's is considered a dilettantish waste of time, and any challenging of fundamental assumptions behind current theories is severely discouraged.

The result has been disastrous for all of us. It has been the dominance of a theory which has little relationship to economic realities and whose implementation has led to economic crisis and a movement toward almost total government power.

Professor Rothbard, however, is not a pessimist. He concludes by stating that:

Thanks in no small measure to the life and work of Ludwig Von Mises, we can realistically hope and expect that mankind will choose the path of life, liberty, and progress, and will at last turn decisively away from death and despotism.

I wish to share Professor Rothbard's article, which appears in the fall, 1971 issue of Modern Age, with my colleagues, and request its insertion into the RECORD at this time.

LUDWIG VON MISES AND THE PARADIGM FOR OUR AGE

(By Murray N. Rothbard)

Unquestionably the most significant and challenging development in the historiography of science in the last decade is the theory of Thomas S. Kuhn. Without defending Kuhn's questionable subjectivist and relativistic philosophy, his contribution is a brilliant *sociological* insight into the ways in which scientific theories change and develop.[1] Essentially, Kuhn's theory is a critical challenge to what might be called the "Whig theory of the history of science." This "Whig" theory, which until Kuhn was the unchallenged orthodoxy in the field, sees the progress of science as a gradual, continuous ever-upward process; year by year, decade by decade, century by century, the body of scientific knowledge gradually grows and accretes through the process of framing hypotheses, testing them empirically, and discarding the invalid and keeping the valid theories. Every age stands on the shoulders of and sees further and more clearly than every preceding age. In the Whig approach, furthermore, there is no *substantive* knowledge to be gained from reading, say, nineteenth century physicists or seventeenth century astronomers; we may be interested in reading Priestley or Newton or Maxwell to see how creative minds work into the history of the period; but we can never read them to learn something about science which we didn't know already. After all, their contributions are, almost by definition, incorporated into the latest textbooks or treaties in their disciplines.

Many of us, in our daily experience, know enough to be unhappy with this idealized version of the development of science. Without endorsing the validity of Immanuel Velikovsky's theory, for example, we have seen Velikovsky brusquely and angrily dismissed by the scientific community without waiting for the patient testing of the open-minded scientist that we have been led to believe is the essence of scientific inquiry.[2] And we have seen Rachel Carson's critique of pesticides generally scorned by scientists only to be adopted a decade later.

But it took Professor Kuhn to provide a comprehensive model of the adoption and maintenance of scientific belief. Basically, he states that scientists, in any given area, come to adopt a fundamental vision or matrix of an explanatory theory, a vision that Kuhn calls a "paradigm." And whatever the paradigm, whether it be the atomic theory or the phlogiston theory, once adopted the paradigm governs all the scientists in the field *without* being any longer checked or questioned—as the Whig model would have it. The fundamental paradigm, once established, is no longer tested or questioned, and all further research soon becomes minor applications of the paradigm, minor clearing

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Footnotes at end of article.

up of loopholes or anomalies that still remain in the basic vision. For years, decades or longer, scientific research becomes narrow, specialized, always within the basic paradigmatic framework.

But then, gradually, more and more anomalies pile up; puzzles can no longer be solved by the paradigm. But the scientists do not give up the paradigm; quite the contrary, increasingly desperate attempts are made to modify the particulars of the basic theory so as to fit the unpleasant facts and to preserve the framework provided by the paradigm. Only when anomalies pile up to such an extent that the paradigm itself is brought into question do we have a "crisis situation" in science. And even here, the paradigm is never simply discarded until it can be replaced by a new, competing paradigm which appears to close the loopholes and liquidate the anomalies. When this occurs, there arrives a "scientific revolution," a chaotic period during which one paradigm is replaced by another, and which never occurs smoothly and gradually as the Whig theory would suggest. And even here, the *older* scientists, mired in their intellectual vested interests, will often cling to the obsolete paradigm, with the new theory only being adopted by the younger and more flexible scientists. Thus, of the co-discoverers of oxygen in the late eighteenth century, Priestley and Lavoisier, Joseph Priestly never, till the day he died, conceded that he had in fact discovered oxygen; to the end he insisted that what he had discovered was merely "dephlogisticated air," thus remaining within the framework of the phlogiston theory.[3]

And so, armed with Kuhn's own paradigm of the history of scientific theories, which is now in the process of replacing the Whig framework, we see a very different picture of the process of science. Instead of a slow and gradual upward march into the light, testing and revising at each step of the way, we see a series of "revolutionary" leaps, as paradigms displace each other only after much time, travail, and resistance. Furthermore, without adopting Kuhn's own philosophical relativism, it becomes clear that, since intellectual vested interests play a more dominant role than continual open-minded testing, it may well happen that a successor paradigm is *less* correct than a predecessor. And if that is true, then we must always be open to the possibility that, indeed, we often know *less* about a given science now than we did decades or even centuries ago. Because paradigms become discarded and are never looked at again, the world may have *forgotten* scientific truth that was once known, as well as added to its stock of knowledge. Reading older scientists now opens up the distinct possibility that we may learn something that we haven't known—or have collectively forgotten—about the discipline. Professor de Grazia states that "much more is discovered and forgotten than is known," and much that has been forgotten may be more correct than theories that are now accepted as true.[4]

If the Kuhn thesis is correct about the physical sciences, where we can obtain empirical and laboratory tests of hypotheses fairly easily, how much more must it be true in philosophy and the social sciences, where no such laboratory tests are possible! For in the disciplines relating to human action, there are no clear and evident laboratory tests available; the truths must be arrived at by the processes of introspection, "common sense" knowledge, and deductive reasoning, and such processes, while arriving at solid truths, are not as starkly or compellingly evident as in the physical sciences. Hence, it is all the more easy for philosophers or social scientsts to fall into tragically wrong and fallacious paradigms, and thus to lead themselves down the garden path for decades, and even centuries. For once the sciences of human action adopted their fundamental paradigms, it becomes much easier than in the physical sciences to ignore the existence of anomalies, and therefore easier to retain erroneous doctrines for a very long time. There is a further well-known difficulty in philosophy and the social sciences which makes systematic error still more likely: the infusion of emotions, value judgments, and political ideologies into the scientific process. The angry treatment accorded to Jensen, Shockley, and the theorists of inequalities of racial intelligence by their fellow scientists, for example, is a case in point. For underlying the bulk of the *scientific* reception of Jensen and Shockley is that even if their theories are true, they should not say so, at least for a century, because of the unfortunate *political* consequences that may be involved. While this sort of stultifying of the quest for scientific truth has happened at times in the physical sciences, it is fortunately far less prevalent there; and whatever the intellectual vested interests at stake, there was at least no ideological and political buttressing for the phlogiston theory or the valence theory in chemistry.

Until recent decades, philosophers and social scientists harbored a healthy recognition of vast differences between their disciplines and the natural sciences; in particular, the classics of philosophy, political theory, and economics were read *not* just for antiquarian interest but for the truths that might lie there. The student of philosophy read Aristotle, Aquinas, or Kant not as an antiquarian game but to learn about the answers to philosophical questions. The student of political theory read Aristotle and Machiavelli in the same light. It was not assumed that, as in the physical sciences, all the contributions of past thinkers have been successfully incorporated into the latest edition of the currently popular textbook; and it was therefore not assumed that it was far more important to read the latest journal article in the field than to read the classical philosophers.

In recent decades, however, the disciplines of human action—philosophy and the social sciences—have been frantically attempting to ape the methodology of the physical sciences. There have been many grave flaws in this approach which have increasingly divorced the social sciences from reality; the vain substitute of statistics for laboratory experimentation, the adoption of the positivistic hypothesis-testing model, the unfortunate conquest of all of the disciplines—even history to some extent—by mathematics, are cases in point. But here the important point is that in the aping of the physical sciences, the social disciplines have become narrow specialties; as in the physical sciences, no one reads the classics in the field or indeed is familiar with the history of the discipline further back than this year's journal articles. No one writes systematic treatises anymore; systematic presentations are left for jejune textbooks, while the "real" scholars in the field spend their energy on technical minutiae for the professional journals.

We have seen that even the physical sciences have their problems from uncritical perpetuation of fundamental assumptions and paradigms; but in the social sciences and philosophy this aping of the methods of physical science has been disastrous. For while the social sciences were slow to change their fundamental assumptions in the past, they were eventually *able* to do so by pure reasoning and criticism of the basic paradigm. It took, for example, a long time for "marginal utility" economics to replace classical economics in the late nineteenth century, but it was finally done through such fundamental reasoning and questioning. But no systematic treatise—with one exception to be discussed below—has been written in economics, not a single one, since World War I. And if there are to be no systematic treatises, there can be no questioning of the fundamental assumptions; deprived of the laboratory testing that furnishes the ultimate checks on the theories of physical science, and now also deprived of the systematic use of reason to challenge fundamental assumptions, it is almost impossible to see how contemporary philosophy and social science can ever change the fundamental paradigms in which they have been gripped for most of this century. Even if one were in total agreement with the fundamental drift of the social sciences in this century, the absence of fundamental questioning—the reduction of every discipline to narrow niggling in the journals—would be cause for grave doubts about the soundness of the social sciences.

But if one believes, as the present author does, that the fundamental paradigms of modern, twentieth century philosophy and the social sciences have been grievously flawed and fallacious from the very beginning, including the aping of the physical sciences, then one is justified in a call for a radical and fundamental reconstruction of all these disciplines, and the opening up of the current specialized bureaucracies in the social sciences to a total critique of their assumptions and procedures.

Of all the social sciences, economics has suffered the most from this degenerative process. For economics is erroneously considered the most "scientific" of the disciplines. Philosophers still read Plato or Kant for insights into truth; political theorists still read Aristotle and Machiavelli for the same reason. But no economist reads Adam Smith or James Mill for the same purpose any longer. History of economic thought, once required in most graduate departments, is now a rapidly dying discipline, reserved for antiquarians alone. Graduate students are locked into the most recent journal articles, the reading of economists published before the 1960's is considered a dilettantish waste of time, and any challenging of fundamental assumptions behind current theories is severely discouraged. If there is any mention of older economists at all, it is only in a few perfunctory brush strokes to limn the precursors of the current Great Men in the field. The result is not only that economics is locked into a tragically wrong path, but also that the truths furnished by the great economists of the past have been collectively *forgotten* by the profession, lost in a form of Orwellian "memory hole."

Of all the tragedies wrought by this collective amnesia in economics, the greatest loss to the world is the eclipse of the "Austrian School." Founded in the 1870's and 1880's, and still barely alive, the Austrian School has had to suffer far more neglect than the other schools of economics for a variety of powerful reasons. First, of course, it was founded a century ago, which in the current scientistic age, is in itself suspicious. Secondly, the Austrian School has from the beginning been self-consciously *philosophic* rather than "scientistic"; far more concerned with methodology and epistemology than other modern economists, the Austrians early arrived at a principled opposition to the use of mathematics or of statistical "testing" in economic theory. By doing so, they set themselves in opposition to all the positivistic, natural-science-imitating trends of this century. It meant, furthermore, that Austrians continued to write fundamental treatises while other economists were setting their sights on narrow, mathematically oriented articles. And thirdly, by stressing the individual and his choices, both methodologically and politically, the Austrians were setting themselves against the holism and statism of this century as well.

These three radical divergences from cur-

Footnotes at end of article.

rent trends were enough to propel the Austrians into undeserved oblivion. But there was another important factor, which at first might seem banal: the language barrier. It is notorious in the scholarly world that, "language tests" to the contrary notwithstanding, no American or English economists or social scientists can *really* read a foreign language. Hence, the acceptance of foreign-based economics must depend on the vagaries of translation. Of the great founders of the Austrian School, Carl Menger's work of the 1870's and 1880's remained untranslated into English until the 1950's; Menger's student Eugen von Bohm-Bawerk fared much better, but even his completed work was not translated until the late 1950's. Bohn-Bawerk's great student Ludwig von Mises, the founder and head of the "neo-Austrian" school, has fared almost as badly as Menger. His classic *Theory of Money and Credit*, published in 1912, which applied Austrian economics to the problems of money and banking, and which contained the seeds of a radically new (and still largely unknown) theory of business cycles, was highly influential on the Continent of Europe, but remained untranslated until 1934. By that time Mises' work was to be quickly buried in England and the United States by the fervor of the "Keynesian Revolution," which was at opposite poles from Mises' theory. Mises' book of 1928, *Geldwerstabillisierung und Kanjunkturpolitik*, which predicted the Great Depression on the basis of his developed business cycle theory, remains untranslated to this day. Mises' monumental systematic treatise, *National okonomic*, integrating economic theory on the grounds of a sound basic spistemology, was overlooked also from its being published in 1940, in the midst of war-torn Europe. Again its English translation as *Human Action* (1949) came at a time when economics had set its methodological and political face in a radically different direction, and therefore Mises' work, as in the case of other challenges to fundamental paradigms in science, was not refuted or criticized but simply ignored.

Thus, while Ludwig von Mises was acknowledged as one of Europe's most eminent economists in the 1920's and 30's, the language barrier shut off any recognition of Mises in the Anglo-American world until the mid-1930's; then, just as his business cycle theory was beginning to achieve renown as an explanation for the Great Depression, Mises' overdue recognition was lost in the hoopla of the Keynesian Revolution. A refugee deprived of his academic or social base in Europe, Mises emigrated to the United States at the mercy of his new-found environment. But while, in the climate of the day, the leftist and socialist refugees from Europe were cultivated, fêted, and given prestigious academic posts, a different fate was meted out to a man who embodied a methodological and political individualism that was anathema to American academia. Indeed, the fact that a man of Mises' eminence was not offered a single regular academic post, and that he was never able to teach in a prestigious graduate department in this country, is one of the most shameful blots on the none too illustrious history of American higher education. The fact that Mises himself was able to preserve his great energy, his remarkable productivity, and his unfailing gentleness and good humor in the face of this shabby treatment is simply one more tribute to the qualities of this remarkable man whom we now honor on his 90th birthday.

Agreed then that Ludwig von Mises' writings are the embodiment of a courageous and eminent man hewing to his discipline and to this vision unheeding of shabby maltreatment. Apart from this, what substantive truths do they have to offer an American in 1971? Do they present truths not found elsewhere and therefore do they offer intrinsic interest beyond the historical record of a fascinating personal struggle? The answer—which obviously cannot be documented in the compass of this article—is simply and startlingly this: that Ludwig von Mises offers to us nothing less than the complete and developed *correct paradigm* of a science that has gone tragically astray over the last half-century. Mises' work presents us with the correct and radically divergent alternative to the flaws, errors, and fallacies which a growing number of students are sensing in present-day economic orthodoxy. Many students *feel* that there is something very wrong with contemporary economics, and often their criticisms are trenchant, but they are ignorant of any theoretical alternative. And, as Thomas Kuhn has shown, a paradigm, however faulty, will not be discarded until it can be replaced by a competing theory. Or, in the vernacular, "you can't beat something with nothing," and "nothing" is all that many present-day critics of economic science can offer. But the work of Ludwig von Mises furnishes that "something"; it furnishes an economics grounded not on the aping of physical science, but on the very nature of man and of individual choice. And it furnishes that economics is a systematic, integrated form that is admirably equipped to serve as a correct paradigmatic alternative to the veritable crisis situation—in theory and public policy—that modern economics has been bringing down upon us. It is not exaggeration to say that Ludwig von Mises is the Way Out of the methodological and political dilemmas that have been piling up in the modern world. But what is needed now is a host of "Austrians" who can spread the word of the existence of this neglected path.

Briefly, Mises' economic system—as set forth particularly in his Human Action—grounds economics squarely upon the Axiom of Action; on an analysis of the primordial truth that individual men exist and act, i.e. make purposive choices among alternatives. Upon this simple and evident axiom of action Ludwig von Mises deduces the entire systematic edifice of economic theory, an edifice that is as true as the basic axiom and the fundamental laws of logic. The entire theory is the working out of methodological individualism in economics, the nature and consequences of the choices and exchanges of individuals. Mises' uncompromising devotion to the free market, his opposition to every form of statism, stems from his analysis of the nature and consequences of individuals acting freely on the one hand, as against governmental coercive interference or planning on the other. For, basing himself on the action axiom, Mises is able to show the happy consequences of freedom and the free market in social efficiency, prosperity, and development; as against the disastrous consequences of government intervention in poverty, war, social chaos, and retrogression. This political consequence alone, of course, makes the methodology as well as the conclusions of Misesian economics anathema to modern social science.

As Mises puts it:

"Princes and democratic majorities are drunk with power. They must reluctantly admit that they are subject to the laws of nature. But they reject the very notion of economic law. Are they not the supreme legislators? . . . In fact, economic history is a long record of government policies that failed because they were designed with a bold disregard for the laws of economics.

"It is impossible to understand the history of economic thought if one does not pay attention to the fact that economics as such is a challenge to the conceit of those in power. An economist can never be a favorite of autocrats and demagogues. With them he is always the mischief-maker. . . .

"In the face of all this frenzied agitation it is expedient to establish the fact that the starting point of all praxocological and economic reasoning, the category of human action, is proof against any criticisms and objections. . . . From the unshakable foundation of the category of human action praxeology and economics proceed step by step by means of discursive reasoning. Precisely defining assumptions and conditions, they construct a system of concepts and draw all the inferences implied by logically unassailable ratiocination.[5]"

And again:

"The laws of the universe about which physics, biology, and praxeology [essentially economics] provide knowledge are independent of the human will, they are primary ontological facts rigidly restricting man's power to act. . . .

"Only the insane venture to disregard physical and biological laws. But it is quite common to disdain economic laws. Rulers do not like to admit that their power is restricted by any laws other than those of physics and biology. They never ascribe their failures and frustrations to the violation of economic law."[6]

A notable feature of Mises' analysis of "interventionism"—of government intervention in the economy—is that it is fundamentally what could now be called "ecological"; for it shows that an act of intervention generates unintended consequences and difficulties, which then present the government with the alternative: either more intervention to "solve" these problems, or repeal of the whole interventionist structure. In short, Mises shows that the market ecomomy is a finely constructed, interrelated web; and coercive intervention at various points of the structure will create unforeseen troubles elsewhere. The logic of intervention, then, is cumulative; and so a mixed economy is unstable—always tending either toward full-scale socialism or back to a free-market economy. The American farm-price support program, as well as the New York City rent-control program, are almost textbook cases of the consequences and pitfalls of intervention. Indeed, the American economy has virtually reached the point where the crippling taxation, the continuing inflation, the grave inefficiencies and breakdowns in such areas as urban life, transportation, education, telephone and postal service, the restrictions and shattering strikes of labor unions, the accelerating growth of welfare dependency, all have brought about the full-scale crisis of interventionism that Mises has long foreseen. The instability of the interventionist welfare-state system is now making fully clear the fundamental choice that confronts us between socialism on the one hand and free-market capitalism on the other.

Perhaps the most important single contribution of von Mises to the economics of intervention is also the one most grievously neglected in the present day: his analysis of money and business cycles. We are living in an age when even those economists supposedly most devoted to the free market are willing and eager to see the state monopolize and direct the issuance of money. Yet Mises has shown that:

1. there is never any social or economic benefit to be conferred by an increase in the supply of money;

2. the government's intervention into the monetary system is invariably inflationary;

3. therefore government should be separated from the monetary system, just as the free-market requires that government not intervene in any other sphere of the economy.

Here Mises emphasies that there is only one way to ensure this freedom and separation: to have a money that is also a useful *commodity*, one whose production is like other commodities subject to the supply and demand forces of the market. In short, that commodity money—which in practice means

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Footnotes at end of article.

the full gold standard—shall replace the fiat issue of paper money by the government and its controlled banking system.[7]

Mises' brilliant theory of the business cycle is the only such theory to be integrated with the economists' general analysis of the pricing system and of capital and interest. Mises shows that the business cycle phenomenon: the recurring alternations of boom and bust with which we have become all too familiar, cannot occur in a free and unhampered market. Neither is the business cycle a mysterious series of random events to be checked and counteracted by an ever-vigilant central government. On the contrary, the business cycle is *generated* by government: specifically, by bank credit expansion promoted and fueled by governmental expansion of bank reserves. The present-day "monetarists" have emphasized that this credit expansion process inflates the money supply and therefore the price level; but they have totally neglected the crucial Misesian insight that an even more damaging consequence is distortion of the whole system of prices and production. Specifically, expansion of bank money causes an artificial lowering of the rate of interest, and an artificial and uneconomic overinvestment in capital goods: machinery, plant, industrial raw materials, construction projects. As long as the inflationary expansion of money and bank credit continues, the unsoundness of this process is masked, and the economy can ride on the well-known euphoria of the boom; but when the bank credit expansion finally stops, as stop it must if we are to avoid a runaway inflation, then the day of reckoning will have arrived. For without the anodyne of continuing inflation of money, the distortion and misallocations of production, the overinvestment in uneconomic capital projects and excessively high prices and wages in those capital goods industries, become evident and obvious. It is then the inevitable recession sets in, the recession being the reaction by which the market economy readjusts itself, liquidates the unsound investments, and realigns the prices and outputs of the economy so as to eliminate the unsound consequences of the boom. The recovery arrives when the readjustment has been completed.

It is clear that the policy prescriptions stemming from the Misesian theory of the business cycle are the diametric opposite of the "post-Keynesian" policies of modern orthodox economics. If there is an inflation, the Misesian prescription is, simply, for the government to *stop* inflating the money supply. When the inevitable recession occurs, in contrast to the modern view that the government should rush in to expand the money supply (the monetarists) or to engage in deficit spending (the Keynesians), the Austrians assert that the government should keep its hands off the economic system—should, in this case, allow the painful but necessary adjustment process of the recession to work itself out as quickly as possible. At best, generating another inflation to end the recession will simply set the stage for another, and deeper, recession later on; at worst, the inflation will simply delay the adjustment process and thereby prolong the recession indefinitely, as happened tragically in the 1930's. Thus, while current orthodoxy maintains that the business cycle is caused by mysterious processes within the market economy and must be counteracted by an active government policy, the Mises theory shows that business cycles are generated by the inflationary policies of government, and that, once under way, the best thing the government can do is to leave the economy alone. In short, the Austrian doctrine is the only *consistent* espousal of *laisez-faire;* for, in contrast to other "free-market" schools in economics, Mises and the Austrians would apply *laisez-faire* to the "macro" as well as the "micro" areas of the economy.

If interventionism is invariably calamitous and self-defeating, what of the third alternative: socialism? Here Ludwig von Mises is acknowledged to have made his best-known contribution to economic science: his demonstration, over fifty years ago, that socialist central planning was irrational, since socialism could not engage in that "economic calculation" of prices indispensable to any modern, industralized economy. Only a true market, based on private ownership of the means of production and on the exchange of such property titles, can establish such genuine market prices, prices which serve to allocate productive resources—land, labor, and capital—to those areas and fields which will most efficiently satisfy the demands of consumers. But Mises showed that even if the government were willing to forget consumer desires, it could not even allocate efficiently for its *own* ends without a market economy to set prices and costs. Mises was hailed even by socialists for being the first to raise the whole problem of rational calculation of prices in a socialist economy; but socialists and other economists erroneously assumed that Oskar Lange and others had satisfactorily solved this calculation problem in their writing of the 1930's. Actually, Mises had anticipated the Lange "solutions" and had refuted them in his original article.[8]

It is highly ironic that, no sooner had the economics profession settled contentedly into the notion that Mises' charge had been refuted, when the Communist countries of Eastern Europe began to find, pragmatically and much against their will, that socialist planning was indeed unsatisfactory, especially as their economies were becoming industrialized. Beginning with Yugoslovia's breakway from state planning in 1952, the countries of Eastern Europe have been heading with astonishing rapidity away from socialist planning and toward free markets, a price-system, profit-and-loss tests for enterprises, etc. Yugoslavia has been particularly determined in its cumulative shift toward a free market, and away even from state control of investments—the last government stronghold in a socialistic economy. It is unfortunate but not surprising that, neither in the East nor in the West, has Ludwig von Mises' name been brought up as the prophet of the collapse of central planning.[9]

If it is becoming increasingly evident that the socialist economies are collapsing in the East, and, on the other hand, that interventionism is falling apart in the West, then the outlook is becoming increasingly favorable for both East and West to turn before very long to the free market and the free society. For this courageous and devoted champion of liberty, there could be no more welcome prospect in his ninetieth year. But what should never be forgotten is that these events are a confirmation and a vindication of the stature of Ludwig von Mises, and of the importance of his contribution and his role. For Mises, almost single-handed, has offered us the correct paradigm for economic theory, for social science, and for the economy itself, and it is high time that this paradigm be embraced, in all of its parts.

There is no more fitting conclusion to a tribute to Ludwig von Mises' than the moving last sentences of his greatest achievement, *Human Action:*

"The body of economic knowledge is an essential element in the structure of human civilization; it is the foundation upon which modern industrialism and all the moral, intellectual, technological, and therapeutical achievements of the last centuries have been built. It rests with men whether they will make the proper use of the rich treasure with which this knowledge provides them or whether they will leave it unused. But if they fail to take the best advantage of it and disregard its teachings and warnings, they will not annul economics; they will stamp out society and the human race.[10]"

Thanks in no small measure to the life and work of Ludwig von Mises, we can realistically hope and expect that mankind will choose the path of life, liberty, and progress, and will at last turn decisively away from death and despotism.

FOOTNOTES

[1] Philosophically, Kuhn tends to deny the existence of objective truth and therefore denies the *possibility* of genuine scientific progress. Thomas S. Kuhn, *The Structure of Scientific Revolutions* (2nd ed., Chicago: University of Chicago Press, 1970 (first ed. 1962)).

[2] On the sociology of the reception of Velikovsky in the scientific community, see Alfred de Grazia, "The Scientific Reception Systems," in A. de Grazia, ed., *The Velikovsky Affair* (New Hyde Park, N.Y.; University Books, 1966), pp. 171–231.

[3] Kuhn, *op. cit.*, pp. 53–56.

[4] DeGrazia, *op. cit.*, p. 197.

[5] Ludwig von Mises, *Human Action* (New Haven, Conn.: Yale University Press, 1949), p. 67.

[6] *Ibid.*, pp. 755–56. As Mises indicates, the revolt against economics as the harbinger of a free-market economy is as old as the classical economists whom Mises acknowledges as his forebears. It is no accident, for example, that George Fitzhugh, the foremost Southern apologist for slavery and one of America's first sociologists, brusquely attacked classical economics as "the science of free society," while upholding socialism as "the science of slavery." See George Fitzhugh, *Cannibals All!* (ed. by C. Vann Woodward, Cambridge: Harvard University Press, 1960), p. xviii; and Joseph Dorfman, *The Economic Mind in American Civilization* (New York: Viking Press, 1946), II, 929. On the statist and anti-individualist bias embedded deep in the foundations of sociology, see Leon Bramson, *The Political Context of Sociology* (Princeton, N.J.: Princeton University Press, 1961), esp. pp. 11–17.

[7] Thus, see Ludwig von Mises, *The Theory of Money and Credit* (Irvington-on-Hudson, N.Y.: Foundation for Economic Education, 1971).

[8] Mises' classic article was translated as "Economic Calculation in the Socialist Commonwealth," in F. A. Hayek, ed., *Collectivist Economic Planning* (London: George Routledge & Sons, 1935), pp. 87–130. Mises' and other articles by Lange and Hayek are reprinted in Morris Bornstein, ed., *Comparative Economic Systems* (rev. ed., Homewood, Ill.: Richard D. Irwin, 1969). An excellent discussion and critique of the whole controversy may be found in Trygve J. B. Hoff, *Economic Calculation in the Socialist Society* (London: William Hodge, 1949).

[9] On Yugoslavia, see Rudolf Bicanic, "Economics of Socialism in a Developed Country," in Bornstein, *op. cit.*, pp. 222–35; on the other countries of Eastern Europe, see Michael Gamarnikow, *Economic Reforms in Eastern Europe* (Detroit: Wayne State University Press, 1968).

[10] Mises, *Human Action*, p. 881.

THE VIEWS OF NORTHWEST TEXANS

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. PRICE of Texas. Mr. Speaker, in my efforts to more adequately represent

the views of northwest Texas area residents here in the Congress, I have solicited their views on a variety of issues through the use of opinion postcard inquiries.

The text of the next questionnaire to be sent from my office shall read as follows:

As part of my continuing effort to stay abreast of the views of the residents of northwest Texas, I would appreciate it very much if you could take a moment to express your opinion on issues facing our Nation.

In your opinion, what are the three most important problems facing the United States today? Please rank—1–2–3—in order of importance.

Viet Nam War; Inflation; Foreign Aid; Busing; Education; Communism; High Taxes; Welfare; Other.

ILLEGAL ALIENS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. McDONALD of Michigan. Mr. Speaker, the steadily rising rate of illegal immigration into the United States is due to many diverse factors contributing to a common result—the presence of millions of aliens illegally here and draining our economy.

One of the critical factors contributing to this situation is the lack of manpower to properly patrol our borders.

We are justly proud of the fact that our 4,000 mile border with Canada is the longest unguarded frontier in the world. But the very fact that it is unguarded is an open invitation to aliens who cannot legally pass our entry ports. The same, to a lesser extent, is true of our 2,000 mile border with Mexico.

The Immigration and Naturalization Service has only 1,655 men in its border patrol to man 6,000 miles of frontier. Most of these men are concentrated on the Mexican border, and even there it is estimated that coverage is far from satisfactory.

The Border Patrol seems to have been given a low priority where our immigration budget is concerned.

In order to cope with sharp increases in legal entries, the Immigration and Naturalization Service has had to beef up personnel at ports of entry. The magnitude of this problem can be seen in terms of 2 million entries from sea and airports in 1955 to 10.4 million in 1970, a jump of 420 percent. Meanwhile, entries at land border ports increased from 119.8 million in 1955 to over 238 million in 1970, almost 100 percent.

This increased the workloads of immigration examiners, Border Patrol agents, criminal investigators, deportation officers, and so forth. While the workloads increased, personnel totals went up only slightly. The Border Patrol has increased only 173 since 1955.

Because of budgetary limitations, the Border Patrol has not been able to expand enough to cope with the problem of illegal border crossers.

Our 4,000 mile Canadian border, between ports of entry, is truly unguarded, and offering a choice route into the country for those who could not enter legally.

BOY'S SETTLEMENT DOUBLED TO $550,000

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, we in the House have the opportunity and duty to concur with the Senate's action on Friday in funding the Nurse Training Act of 1971—Public Law 92–158—legislation which will substantially increase our presently critical supply of health manpower personnel. This legislation is yet another example of an excellent authorization measure ready for adequate appropriation.

At this point I would like to bring to the attention of my colleagues the following article from the Washington Post of November 28, 1971, which vividly illustrates the tragedy that can result from hospital attempts to cut corners by employing inadequately trained people in positions of responsibility for patient care. At the same time the article serves to dramatize the need for the training of more registered nurses to insure the best possible care for every patient in every hospital in this country. The tragedy experienced by George Rose, Jr., must be averted. The Congress must increase the number of registered nurses by adequately funding the Nurse Training Act of 1971.

The article follows:

DOCTOR, HOSPITAL BOTH PAY IN BLINDING—BOY'S SETTLEMENT DOUBLED TO $550,000

(By Philip A. McCombs)

George W. Rose Jr., 9, has become a bright student, a joy to his parents and a lively playmate for his brother, sister and other children in the Southeast neighborhood where the Roses live.

All these things according to Mr. and Mrs. George W. Rose, 3619 Austin St. SE, are very close to being miracles.

George Jr.—or "Geo (Gee-Oh)," his nickname—will probably spend the rest of his life blind and without muscular control in his arms and legs.

A federal court jury ruled last February that the child's condition was due to negligent treatment during an operation at the Washington Hospital Center. It awarded the boy's parents a total of $294,777.25.

Now the presiding judge at the trial, U.S. District Judge William B. Jones, has issued a complicated 35-page opinion, one effect of which is to insure that the Rose family will receive a total settlement in excess of $550,000.

Judge Jones ruled that pretrial settlements (which informed legal sources said totaled about $260,000), paid to the family by the doctor and the anesthesiologists may not be credited against the money the jury awarded on Feb. 19 following a seven-week trial.

The ruling, dated Nov. 10, found that the doctor who had performed the operation, Arcadius H. Hakim, and Associated Anesthesiologists, had not been negligent and thus their settlements were in the nature of voluntary contributions or gifts.

Because Dr. Hakim and the anesthesiologists had settled before the verdict, the jury did not consider whether they had been negligent.

Dr. Hakim said last night that both he and the anesthesiologists were covered by the same insurance company, which has paid the Roses.

"If I have to fight in court, the insurance (company) might lose more that way," he said. "They wanted to get out of the case and settled and keep them on the safer side."

Judge Jones' opinion dealt with cross claims filed by the various defendants and a request by the Hospital Center that the pretrial settlement be credited against the jury-imposed judgment.

The hospital center had sought to have the judgment placed against Associated Anesthesioyogists; Associated Anesthesiologists contend the liability was with the hospital center; Dr. Hakim also argued that the liability was with the hospital center.

The judge denied all the cross claims and the hospital center's request for credit against the settlement. The claims brought by the anesthesiologists and Dr. Hakim were disallowed because having been found free of negligence, they were not entitled to a voice in the determination of who was liable.

The boy had entered the hospital for removal of his tonsils and adenoids, not an unusual procedure, but there were complications and, when George Jr. finally came home, as his father says, he was a "vegetable."

Now that has changed. Though he still cannot see and his arms and legs are what his mother calls "floppy," George Jr. is doing well in mathematics, geography, history, science and other courses at the Melvin Sharpe School, a school for handicapped children in the District.

"He's got a fantastic personality," his mother said the other day. "If people could come by and talk to him—he gives you so much to live for, to be thankful for. He can't see and he can't walk. You'd think he'd be the one complaining all the time, but he never complains."

The boy's father, an insurance salesman with The Prudential Insurance Co. of America, said, "It's breathtaking to see him in action, wanting to dance, to walk, to do everything. . . . His attitude brightens up everyone else's day."

The father said that relationships in the tightly knit, religious family of five (George Jr. has a brother, Darryl, 4, and a sister, Tracie, 11) are healthy, lively and natural.

"My younger son is extremely helpful in feeding and dressing and playing with Geo" he said. "Tracie reads to him. Nobody has any pity on him—they fight just like cats and dogs."

George Jr. discussed his schooling and said he liked it. He said that of all his subjects, "I'm best on science."

Teachers at the Sharpe school testified during the trial that George Jr. would have the mental capacity to attend college, were he not prevented from doing so by his physical handicaps.

The family has received the money from the out-of-court settlement, and has set up a trust fund for George Jr. When the jury-ordered settlement, held up pending the judge's opinion, is awarded, it too will go into the fund, Mrs. Rose said.

Jones found in his opinion that the permanent brain damage with which George Jr. will have to live for the rest of his life was entirely caused by the hospital "through the negligent acts and omissions of its employees and the defective equipment utilized in the care of the infant plaintiff in the intensive care unit . . ."

As a result of negligence by hospital staff members, one of whom was not a registered nurse "since she had passed only two of the subjects required to achieve that status," the boy suffered several convulsions that caused the brain damage following his operation, the judge found in his opinion.

A spokeswoman for the hospital said on Friday, that, "We have unregistered nurses with limited responsibilities." The spokeswoman said hospital administrators had no further comment on the Jones opinion and added, "We will be glad to comment when we've read it."

District of Columbia nursing standards require only that no one shall represent herself to be a trained nurse unless she is or has been registered, according to Joyce Elmore, president of the D.C. Nurses' Examining Board.

The Jones opinion said that during the operation on Feb. 21, 1968, the boy's heart stopped beating for 2½ minutes and was started again—not unusual because according to testimony, there were more than 1,000 cardiac arrests at the hospital between 1964 and 1970 and arrests "do happen during surgery without negligence." In this case, Jones found it was not the cardiac arrest that caused the brain damage, but what happened afterward.

After the operation, George Jr. was taken to the recovery room where, according to the judge, the doctor ordered many types of care and medicine for him, including a reduction to and maintenance of his body temperature at 90 degrees Fahrenheit through hypothermia, a mechanical cooling process involving a machine pumping cooling material through tubes in a blanket.

Increasing body temperature increases the brain's demand for oxygen and unless corrected will result in convulsions, wrote the judge—and thus, "It was to give the infant plaintiff's brain and heart the rest needed after the cardiac arrest that Hakim . . . ordered hypothermia at 90 degrees Fahrenheit."

At 10:30 p.m., George Jr., was transferred to the hospital's intensive care unit where, the judge said in his opinion:

The only resuscitator assigned to the intensive care unit "either wasn't there, or if it was there, it was broken and inoperative."

The unit did not have a glass thermometer that would register lower than 94 degrees Fahrenheit.

The unit nurses "knew" that the telethermometer attached to the hypothermia machine "was not always accurate."

The unit did not have, when George Jr. needed it, a heart monitor with a defibrilator on it to shock the heart if it started to fail, "or if it did have such a monitor it was not attached to the infant plaintiff."

The nurse assigned exclusively to care for George Jr. after 11 p.m. was not a registered nurse.

After his arrival in the intensive care unit, George Jr.'s temperature began to rise and he had small convulsions every 15 minutes, the judge wrote.

These were "observed and recorded by the unregistered nurse on duty . . . but she did not notify Hakim of those facts nor did anyone else," wrote the judge. "If Hakim had been called, he could have ordered various drugs to lower the temperature."

It was not until about 7 a.m. the next morning that a nurse took George Jr.'s temperature with a glass thermometer and found that, by comparison, the telethermometer on the hypothermia machine was recording a temperature 4.6 degrees lower than the actual temperature, the judge wrote.

By 1:30 a.m., the judge wrote, the telethermometer had registered 95.4 degrees while in fact George Jr.'s temperature was 4.6 degrees higher than that. At 1:45 a.m., George Jr. had suffered the first of three major convulsions, according to the judge's opinion.

Judge Jones wrote, "The attending nurse, upon noting the rising temperature during the night, did not give him aspirin, or increase the intravenous medication he was receiving, or pack him in ice, or sponge the infant plaintiff with alcohol. All of those things she should and could have done for her patient without further orders from a doctor. Her failure to do so failed to meet the standard of good nursing practice."

Further, the judge wrote, because the nursing staff knew that the telethermometer did not always accurately record the true temperature, they should have checked its accuracy with a glass thermometer "long before" the 1:45 a.m. convulsion.

When that convulsion took place, said Jones, George Jr. stopped breathing. Since there was no resuscitator available, he wrote, a nurse gave mouth-to-tube resuscitation for more than 10 minutes until a respirator machine was brought in.

George Jr. remained in the respirator all night, although he had two more major convulsions at 3:30 and 5:20 a.m., the judge wrote.

At 6:50 in the morning, he wrote, a nurse noted that George Jr. was not getting the necessary amount of oxygen and called the hospital's inhalation therapy unit. A member of that unit arrived at 7 a.m. and "discovered an obvious kink in one of the tubes of the . . . respirator and corrected it."

Dr. Hakim, according to Judge Jones, was not notified of any of the three major convulsions or of the respirator problem and did not learn of them until later on the morning of Feb. 22.

After the first major convulsion and until April 18 of that year, the judge wrote, George Jr. needed the respirator occasionally to breathe for him or to assist him in breathing.

After this summary of the facts, Judge Jones concluded that it was the "negligent acts and omissions" of hospital employees and the "defective equipment" that by denying to George Jr.'s brain, permanently damaged it.

UNITED STATES ASSISTS ST. VINCENT ISLAND

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. FASCELL. Mr. Speaker, bad news seems to pour in on us from every direction. It is therefore refreshing to be able to report that in at least one instance the United States seems to be literally on top of the situation.

The following press release from the Agency for International Development describes U.S. efforts to prevent loss of life from a possible volcanic eruption on the island of St. Vincent in the Lesser Antilles:

UNITED STATES KEEPING WATCH ON VOLCANO ACTIVITY IN THE CARIBBEAN

The Disaster Relief Center of the Agency for International Development is coordinating U.S. efforts to prevent loss of life on the island of St. Vincent in the event of a possible eruption of Mt. Soufriere, where lava flows and earth tremors have caused alarm in recent days. St. Vincent is located about 100 miles west of Barbados in the Lesser Antilles.

U.S. Ambassador to Barbados Eileen R. Donovan has exercised her authority to spend $25,000 for overseas disaster situations to pay for U.S. Coast and Geodetic Survey infrared photographs of volcanic activity taken from U.S. military aircraft. Experts from the USCGS should be able to predict a serious eruption in time to evacuate the 11,000 persons who would be affected.

Acting on a request from Premier Milton Cato of St. Vincent, the overflights of Mt. Soufriere are made about 5 times daily and will continue for some ten days. The water inside its crater has risen considerably, its temperature has increased and one fissure has emitted a ridge of molten lava some 100 meters long. Other smaller islands of lava have also appeared.

Infra-red aerial photography was used in the prediction of the eruption of the Taal Volcano in the Philippines in July of 1966, when the evacuation warning given by USCGS experts saved hundreds of lives.

Ambassador Donovan is also U.S. Special Representative to the West Indies Associated States, of which St. Vincent is a member. The funds are available from the President's Contingency Fund under a provision of the Foreign Assistance Act.

A PROGRAM TO CONSERVE WORLD FISHERY RESOURCES

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. PELLY. Mr. Speaker, the December 3, 1971, issue of Life contains an article with graphic color illustrations on the "Crisis At Sea: The Threat of No More Fish." This article reveals that the worlds multiplying population which badly needs control and conservation of fish for food is in danger of losing this valuable resource due to overfishing.

Life points out that there is no good reason for any fish to become extinct and actually the world could harvest twice the present catch if certain simple rules of conservation were followed.

Mr. Speaker, in 1973, an international convention is scheduled on the law of the sea.

As far as I know, representatives of the fishing industry are being shunted aside by our State Department officials because of the attitude that Government knows best. The leaders of the fishing industry say the State Department only gives lipservice to their views and makes it clear no outside interference is wanted.

Mr. Speaker, Life magazine suggests in the article on the fish crisis a program which is almost identical to the views I have long advocated and which offers a way of overcoming objections to most other plans by our Navy.

Under unanimous consent, Mr. Speaker, I include an excerpt from Life magazine addressing itself to their suggested program to avert disaster to world fisheries. This excerpt entitled "A Program That Could Avert Disaster" follows:

A PROGRAM THAT COULD AVERT DISASTER

In 1973 the U.S. will take part in a worldwide "Law of the Sea" conference in Geneva. We could lead a return to sanity by sponsoring three measures there:

Dual seaward limits for all coastal states: 12 miles as the limit of sovereignty, with an additional fishery conservation zone extending out to the point where the continental shelf slopes off into the ocean depths. Most fish live on the shelf, not in the depths. By placing responsibility for the world's fish stock in the hands of the nations bordering the seas, the world would take a practical step toward preservation and regulation. A coastal state should not be able to restrict all fishing to its own boats. But it should be able, through licensing, to limit the total catch to a sustainable yield.

International limits on the different species of tuna that would cut off the fishing world-

wide when a set quota is reached. Tuna range through all the world's oceans, and tight conservation measures in one area mean nothing if it's open season at the fishers' next port of call.

Agreement that river-spawning fish such as salmon should never be caught on the high seas but only at the mouths of the rivers in which they are born and where they return to spawn and die. If salmon are netted during the oceanic part of their life cycle, it may well mean that when the time comes for them to return to their native rivers, none are left to strike up certain streams, while other rivers are glutted. Two improbable villains in the present situation are Denmark in the Atlantic and South Korea in the Pacific. Neither nation has a salmon river of its own and both insist on the right to catch salmon on the high seas. If their attitude wins out in the name of "freedom of the seas," the salmon may go the way of the whale.

There is no reason why laws cannot be written that would acknowledge the basic right of free passage and still allow for the conservation of the world's fisheries. In fact, unless such laws are written, we will be preserving only the right of passage over a dead sea.

TRIBUTE TO MR. AUBREY CLINTON (BUD) KEITH

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. VEYSEY. Mr. Speaker, at the end of this year one of Riverside County's most outstanding officials will retire—Mr. Aubrey Clinton (Bud) Keith, county road commissioner and county surveyor, after more than 45 years.

He entered the county service back in 1925 in the temporary position of a draftsman when the survey office and road department consisted of but a handful of men. Today he heads a combined department of more than 350.

When he began, the county roads, for the most part, were dirt roads with stretches of corduroy planking in desert regions. Today, because of population growth and a marked increase in highway use, we have over 3,000 miles of modern road in the county system, all under Bud Keith's supervision.

During his 46 years, Bud Keith has worked under more than 30 county supervisors. In 1947 he was made both surveyor and road commissioner—each of the five supervisors used to be commissioner for his own district.

As road commissioner, he has been active on a number of statewide committees which have made decisions that ended up as legislation. From 1955–56 he served as president of the County Engineers Association; in 1959 he was chairman of the engineering division of the Governor's Traffic Safety Conference; from 1965–66, he was chairman of the Metropolitan Transportation Engineering Board; and he is currently the president of the Southern California Regional Association of County Engineers.

As Bud Keith prepares to lay down the burdens of his many duties, his hundreds of friends and admirers wish him a long and happy retirement. I am proud to count myself amongst his well-wishers.

VIETNAM WAR BABIES: A SERIOUS PROBLEM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. FRASER. Mr. Speaker, recently I cosponsored H.R. 8462 which provides for the issuance of special immigrant visas for children of Vietnamese-American parentage who have been orphaned or abandoned by either or both parents.

A Christian Science Monitor survey illuminates the problem. The 15,000 American-fathered Vietnam war children face a precarious future.

Social service organizations dealing with the problem in the United States and Asia disclose that thousands of American-fathered Japanese and Korean children have grown up ostracized by society which sweep them under the rug.

The U.S. Government also had a hand on the broom.

I commend the articles to my colleagues. I urge that we not repeat the mistakes in Vietnam that we have made elsewhere in Asia.

The articles follow:

[From the Christian Science Monitor, Nov. 2, 1971]

VIETNAM WAR BABIES: A SERIOUS PROBLEM

(By Florence Mouckley)

As United States forces pull out of Vietnam they leave behind some 15,000 American-fathered children to a precarious future.

A monitor survey finds that children of American-servicemen and Vietnamese women—especially half-black children—face serious problems of racial discrimination.

The survey of social-service organizations dealing with the problem in the U.S. and Asia disclose also that thousands of American-fathered Japanese and Korean children have grown up into misfits because their societies ostracized them and because their governments initially tried to sweep them under the rug.

The United States Government also had a hand on the broom.

The subject was taboo during the American occupation of Japan and in its own words the U.S. Government says today it ". . . has not established, by legislation, any special program for Korean-American or Japanese-American children."

And in Vietnam, after almost a decade of American military involvement, the first bills are pending in Congress which would recognize some U.S. responsibility and provide funds and programs specifically for these Amerasian children as well as other Vietnamese children victimized by the war.

Only a very small amount of U.S. Agency for International Development (AID) money has filtered down to any of the children in Vietnam. Now with the cutoff of U.S. foreign assistance even this small amount may not be forthcoming.

No one claims to know exactly how many Amerasian babies have been born since the Americans came to Vietnam. But officials of U.S. voluntary agencies providing social services in that country are almost unanimous in contending that there probably are between 10,000 and 15,000 of these children. This agrees with the estimate of the South Vietnam Ministry of Social Service and with which the United States concurs.

The figures of 200,000 to 400,000 which have gained some credence in the United States are considered "ridiculously high" by most child-welfare experts in South Vietnam.

MOST LIVE WITH MOTHERS

The vast majority of Amerasian children are living with their mothers or with their mothers' families.

It is believed that about 10 percent of the overall number are black American-Vietnamese. However, of the 400 children in orphanages 52 percent are half black. This suggests that the half-black child is more likely to be abandoned than the child that is half-white.

The racially mixed child is not a phonomenon Vietnam. The country has a long history of conquests and colonialism. And while a light-skinned child is considered beautiful, discrimination is likely to come about because his partly-Caucasian features may suggest to the Vietnamese that his mother is a prostitute and he is illegitimate.

But black is not beautiful in Vietnam.

And the half-black child faces an even more hostile situation because of this distinct prejudice against dark skin.

Some sources in Vietnam say it comes partly from the fact that the dark-skinned Montagnards of South Vietnam are considered inferior by the Vietnamese. Others say it results partly from the fear which the Vietnamese had for Sengalese troops who fought in the French expeditionary corps in the Indo-China war.

In any case, prejudice is likely to erupt when these children start school and leave the protection of their families.

SOME MADE GOOD LIVING

Many of the mothers are bar hostesses, some of whom were making a relatively good living as long as the American GIs were around. Some could afford not only to take care of their child or children but also to give financial help to their parents and sisters and brothers. Some of these girls have become prostitutes but many were able to earn a relatively good living simply by working in bars.

Some end up having steady relationships with one or more GIs during the GIs' one-year tours. And some apparently want to have babies in the hope that this might force their GI boyfriends to marry them or to take them to the United States.

The typical pattern, however, has been that after the soldier returns to the U.S. he writes a few times and perhaps sends some money but he soon loses interest probably because of renewed ties with loved ones at home. Sometimes the soldier promises to write and never does.

Now, with American troops withdrawing, many thousands of bar hostesses are being forced out of work. Without an income they will be more likely to abandon their children.

FACTS KEPT FROM KIN

One bar hostess interviewed by Monitor correspondent Daniel Southerland told him that although she was helping to put her sister and brother through school with her earnings, she was working far away from home in Qui Nohn so that her relatives in Saigon would not know what she was doing for a living and that she had a child by a U.S. Air Force Sergeant. Only her mother and father knew the true situation, she said.

The future of Amerasian children is as uncertain as that of South Vietnam itself. If anti-Western or anti-American feeling increases dramatically, then there may be an equally dramatic deterioration in the acceptance of racially-mixed children.

What the future holds for all children in war-ravaged Vietnam, not only for Amerasian children, is the prime concern of most of the American social-service organizations involved there.

"Let's not zero in on one specific group," says Miss Gloria C. Matthews, international executive director of the Foster Parents plan (FPP) whose donors support children in Vietnam as well as in many other countries around the world. The point is not to isolate

Amerasian children from the rest of the community.

It is estimated that more than 320,000 Vietnamese children have lost one or both parents in the war. Thousands of others have physical handicaps.

FLEXIBLE REGULATIONS

The official Saigon government position on adoption is that the racially mixed children are Vietnamese children and that consideration is given for their adoption overseas only after investigation by a recognized adoption agency.

But in practice, while never officially acknowledging it, the Saigon government has gone along with a number of other adoptions by foreigners.

According to one estimate, more than 100 children have been sent to the United States for adoption each year for the past two years. Most of them were sent under private auspices. It is not known how many of them were racially mixed children.

At the present time, the Ministry of Social Welfare does not control or supervise adoptions. But the red tape involved in carrying out an adoption here can be horrendous.

A newly proposed adoption law drawn up by the Saigon government would give the ministry a more active role in the adoption process and cut some of the red tape. In theory, the proposed law would provide the legal machinery to protect the rights of the adopted child.

Approximately 19,000 children are being cared for in 120 registered orphanages and another 6,000 in unregistered institutions. But about 50 percent of these children have only been placed there temporarily by their families.

"We've had our My Lais but we've also had thousands of GIs providing food, putting up buildings and organizing financial support on a company wide basis to maintain the orphanages," said one social-service official. "I don't know what we would have done without them. What happens when they all pull out?"

MINIMAL OFFICIAL SUPPORT

Only minimal financial support is given to family and child-welfare programs by the United States and South Vietnamese Governments.

The South Vietnamese Ministry of Social Welfare has a very small budget and is swamped with war priorities. Only $2 a month is provided for each child in registered orphanages. Most of the support comes from private sources.

The official U.S. Government position is: "Under current American legislation, there is no authority for the U.S. Government to assume responsibility for children who may have been fathered by Americans, who are born out of wedlock overseas of an alien mother, and who are not subsequently legitimized . . ."

In contrast the French Government extended the option of French citizenship to every French-Vietnamese child whose paternity could be proven when the French were involved in Vietnam.

The child also had the opportunity to go to France for an education. And under French law, a French soldier who officially acknowledged paternity could confer citizenship upon his offspring without marrying.

Further, the French organization En French social agencies dealing with Eurasian children, established 40 centers in France to receive these children. More than 4,000 French Vietnamese children have been sent to France from Vietnam under this system. If the mother did not want to send her child to France she could receive support from FOEFI until the child was eight years old.

PLAN CALLED UNFEASIBLE

U.S. officials in Saigon say that such a system while possible for a colonial power would not be feasible for the United States.

Wells C. Klein, general director, American Branch of International Social Service in New York, put it this way:

"We're realists. We have an obligation to give the government time to respond. However, if nothing is forthcoming, with our responsibility to the public and to our donors, if may be that we will have to make the public aware of what we feel are needs not being met by the government . . ."

Meanwhile the children of Vietnam wait.

[From the Christian Science Monitor, Nov. 3, 1971]

GI BABIES REARED IN HOSTILE WORLD

(By Elizabeth Pond and Florence Mouckley)

"Children of mixed parentage are considered nobodies. The girls usually become prostitutes; the fellows usually turn to crime. They have no future here."

This blunt statement comes from the director of the Holt Adoption Program in Seoul, Robert Chamnes, describing what has happened to illegitimate American-fathered Korean children.

In Japan, where there is perhaps less racial discrimination than in Korea, some Japanese-American children, now grown up, have found their mixed parentage an advantage. But usually this is only in the maverick worlds of fashion and entertainment. They were exotic; and they had good voices, perhaps a talent for rock music or the tall and leggy (and un-Japanese) figures prized in modeling.

A few, like this year's oriental middleweight boxing champion, find prominence in athletics.

Those who achieve success—a relative success at best—have been rewarded by having the public stop calling them "konketsu-ji" (mixed-blood child, implying an illegitimate child of the American occupation days) and begin calling them simply "konketsu" (a more neutral mixed-blood).

Many others have not fared so well. They have become prostitutes in Yokohama or have joined the crowd of "hippie" dropout "glue-sniffers" in Tokyo's Shinjuku Station. Some have attempted suicide.

Others are leading more obscure lives, driving bulldozers, sanding floors, or bellhopping in hotels.

This is the price they have paid for being illegitimately fathered by Americans.

There are no reliable figures for the number of these children in either Japan or Korea.

The subject was taboo in occupation years, with both American and Japanese Governments, and apparently it still is, at least officially, with the Korean Government.

COOPERATION GROWS

In the past several years, however, with the problem diminishing because of the cutback in American forces in Korea and far fewer Amerasian children being born, the Korean Government has cooperated closely on a local and community level with many of the foreign social-service agencies to work for intercountry adoptions.

In Japan the only government survey conducted in 1953 turned up only 4,000 Japanese-American children. However, guesses have ranged as high as 100,000 or 200,000. As a rule of thumb Tokyo journalists seem to have settled on 20,000 to 25,000.

It is estimated that there are at least 3,000 in Okinawa.

There are no clues at all as to how many black-American Korean children there are. In Japan the 1953 Social Welfare Ministry survey of 4,000 illegitimate Amerasians showed one-eighth black and the rest white.

For the port of Yokohama in 1960 journalists estimated two-thirds of these children were of black fathers.

VIETNAM LEAVE CITED

The major orphanage for these Japanese-American children reports that when it started in the early postwar years, there were more whites than blacks; now, however, out of dwindling numbers, more than half are black. Most in the orphanage now were fathered by GIs on leave from Vietnam.

Japan, one of the most homogeneous, racially unmixed nations in the world, has had essentially no problem of racial tension or prejudice as such. But at the same time Japan has had no experience in absorbing alien races into society.

In the initial contacts with the West and then again in the Meiji period (1868–1912), Westerners were often looked on as teachers of new techniques or modernization. But World War II attitudes included strong anti-foreign nationalism.

A TRIPLE ONUS

With this history, the illegitimate American-fathered Japanese babies after World War II were thrust into a society that carried the triple onus of being without fathers and without families in a highly family-structured society. They were children of enemy soldiers and half-foreign—just as an acute foreign prejudice was coming to a conscious focus because of frequent contact with occupying Americans.

For a start the children were often rejected by their maternal grandparents. When they were very young they were constantly taunted by other children. It was not uncommon for them to be stoned or beaten up unless they themselves developed into tough fighters. As they grew older they were ostracized by their schoolmates.

Still later they found they didn't have the crucial family connections necessary to get into the university, to get good jobs, or to marry into the more highly respected families.

ABANDONMENT IN KOREA

And all along the way many had identity problems ranging from simple curiosity about who or what their father was to a fundamental social alienation. In general, those with black fathers were subject to worse discrimination than whites.

Many Korean children were abandoned.

Those mothers who kept their children faced social ostracism.

In Korean society, less Westernized, less industrialized, and less urbanized than Japan, opportunities for grown Amerasians are few. Job openings in fashion and entertainment, such as those in Japan, are not available.

No assistance has been rendered to these Amerasian children by the United States, Korean, or Japanese Governments apart from very small assistance given to regular orphanages.

Pearl S. Buck, the Nobel Prize-winning author and a prime force in bringing attention to American-fathered children throughout Asia, points out that while new bills introduced in Congress would assist American-fathered Vietnamese children, nothing is being done in other countries where, she says, "Amerasians exist and are still being born."

BRIGHT NOTE

One bright note on a bleak situation:

In Korea, a major adoption program has been conducted since 1953 by the Holt agency. Interest in adoptions has increased in the past few years, as the birth-control pill and concern about overpopulation have taken effect in the attitudes of American and European couples. More than 4,000 children have been adopted since the end of the Korean war. Last year the orphanage placed more than 1,000 children in adoption, mostly in the United States and Europe. However, it is more difficult to find homes for blacks than for whites. This year the total is expected to reach 1,200. The current

rate of adoptions is 135 a month. The Holt director says he is getting good reports on how these children are adjusting.

Also in Korea, the Pearl Buck Foundation concentrates on providing financial assistance for children who are living with their families.

SECOND GENERATION UNCLEAR

Relatively few Amerasian children have been adopted in Japan.

The second generation is still infant, so there are no clear answers yet. Prejudice against mixed blood still exists in Japan, and the derogatory nicknames still exist. But these children probably won't run into the same stone wall their parents did—particularly if they are not fatherless themselves.

Probably there will be considerably more difficulties in social integration in Korea than in Japan, even for second generation.

A KETTLE OF SNAKES

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, my friend and constituent, Col. Matthew P. McKeon, editor of a periodical, Task Force, published in Annandale, Va., recently called my attention to an article in his November issue adding a frightening dimension to the many valid arguments against building a sea level canal to replace the Panama Canal.

As I believe many Americans may be unaware of the threat to the Atlantic posed by migration of certain marine animals from the eastern Pacific, I insert the text of the article, "A Kettle of Snakes," by Philip Conrad, at this point in the RECORD:

A KETTLE OF SNAKES

(By Philip Conrad)

(EDITOR'S NOTE.—If you own seashore property, or enjoy boating and swimming along the Atlantic coast, or water sports including fishing, both fun and commercial, or if you have a business dependent upon safe shoreline recreation anywhere along the gulf states north to the Virginia beaches, you will be especially interested in the following:)

The State Department is determined to negotiate a new treaty with Panama that would give away all or part of the 500-square-mile Panama Canal Zone to the communist infested government and people of Panama. After 17 meetings, since last June 29th, the United States and Panamanian negotiators are reported as just about ready to scrap the 1903 treaty, through which United States taxpayers purchased the land involved, and sign a new treaty that gives the land and the canal back to Panama for free. But wait, all is not lost. Our bright negotiators are insisting on the right of the United States to (a) operate and defend the strategic waterway, and (b) the right to either install a third set of locks at a cost of over 1.5 billion dollars. Or a sea level canal at over 3 billion dollars. Without title of ownership—for whom are we building? Without land to defend—for whom are we defending?

A presidential panel recommended that either a new canal or an improved canal be undertaken before the year 2,000. It is therefore apparent that the White House is backing the State Department in the further usurpation of powers not granted to the executive branch of government by the Constitution. Such a usurpation is in fact a swindle of American taxpayers out of billions of tax dollars already invested in the existing canal which we citizens, *at this writing*, still own.

On the 7th October an impatient Panama placed its case for a new canal treaty before the United Nations membership. On the 19th October the United States reacted by preparing to cede to Panama substantial grants of land, commercial concessions and legal jurisdictions in the 500-square-miles of United States territory. Meanwhile it has been reported in the popular *Woman Constitutionalist* of 6th November, "Russian technicians have been arriving in Panama to train Panamanians in the operation of the Canal as they trained Egyptians in the management of the Suez Canal".

It can hardly be expected that the decision to either improve the existing canal or to build a new sea-level canal will be long delayed. If the sea-level canal is decided upon, then the interests of many people, having nothing to do with the canal, will be immediately involved. No one will guarantee that the poisonous sea snakes in the Pacific will not swim through a sea-level canal to the snakefree Atlantic.

On the 16th October, this reporter attended a meeting of the Panama Canal Society at the highly respected COSMOS Club in Washington, D.C. Among the distinguished speakers a Dr. John C. Briggs, Professor of Biology, University of South Florida, and one of the nation's leading authorities on marine biology, discussed the ecological dangers of the proposed sea-level canal. Dr. Briggs' lecture was based in part upon the findings of a National Academy of Science Committee and in part upon his own lengthy and valued studies. Dr. Briggs stated, "there do exist in the Eastern Pacific a number of marine animals that originally came from the Indo-West Pacific, the largest and most diverse of all the tropical regions. Among them are such animals as the poisonous sea snake and the (coral island destroying) crown-of-thorns starfish. It is expected that these animals would be capable of migrating through a salt-water canal and, once having gained access to the Atlantic, would establish themselves in that ocean."

An illustrated nine page article entitled "The Sea Snakes are Coming", by William A. Dunson, appears in the November issue of the Journal of The American Museum of Natural Histroy and throws additional light on this frightening subject. The article reveals that the fanged bite of the sea snake is more poisonous than that of a rattlesnake and there is no antivenom for its poison. The snakes are about three feet long when full grown and, being air-breathers, are capable of staying underwater for 15 to 30 minutes at a time. Distinguished by a yellow belly, and often mistaken for a piece of harmless driftwood, they range from several miles to several hundred feet from land and are frequently washed up on the beach. On Gato Island, in the Philippines, as many as 100,000 sea snakes are killed for their skins each year. This could become a leading industry for Miami, for example, because who would care to fish, or swim, or even wade in snake infested waters?

FOREIGN-BORN AMERICANS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. HELSTOSKI. Mr. Speaker, there has been considerable coverage in the press recently of the problem of illegal aliens holding jobs in the United States. While it is clear that our immigration laws must be fully enforced in order to protect the employment rights of American workers, I also believe that this problem must be kept in perspective.

Unless public discussion of the hiring of illegal aliens is kept restrained and rational, we might see the devclopment of a witchhunt in which foreign-born Americans are held to be suspect or disloyal. In an effort to counter growing hysteria surrounding this subject, the Fur, Leather, and Machine Workers Union's joint board recently passed a resolution condemning attacks on the foreign born. As the resolution notes:

Since the early days of our republic, the reactionary forces in our country have tried to make the foreign-born scapegoats for the failure of our government to solve the problems of the people.

Mr. Speaker, I strongly endorse the action of this union in blowing the whistle on prejudice against first generation Americans and include the resolution at this point in the RECORD under unanimous consent:

RESOLUTION ON ATTACKS ON THE FOREIGN-BORN

We are deeply disturbed by the campaign being conducted by some newspapers against the foreign-born in our midst. Scare headlines trumpet the charge that "illegal aliens" are depriving Americans of jobs and inflating relief rolls.

That there are some aliens who are here illegally or who have overstayed their authorized time is certainly true—but the extent of the problem is by no means as great as the headline writers would have us believe. Even the Immigration and Naturalization Service has conceded that 97% of the so-called "illegals" are Mexicans, who have been induced to come here by unscrupulous employers. Nevertheless, the House of Representatives Subcommittee on Immigration is holding hearings on an Administration bill that would impose criminal penalties on *all* employers knowingly hiring noncitizens in illegal status.

Since the early days of our republic, the reactionary forces in our country have tried to make the foreign-born scapegoats for the failure of our government to solve the problems of the people. In Jefferson's day, it was the Alien and Sedition Laws. Today, it is the Walter-McCarran Act and other legislation that persecutes the aliens in our country.

Unemployment and rising relief costs are real problems. They will not be solved by pitting the native-born workers against the foreign-born, but rather by measures that will provide jobs and security for *all* Americans. Such a program has nothing in common with the Nixon Administration's program for economic depression and political repression. We urge the defeat of any measure that would further intensify the second-class status of foreign-born Americans.

PROSPERITY

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. BURKE of Florida. Mr. Speaker, during these trying times my colleagues in the Congress and I receive numerous letters from citizens demanding that our Government spend more and more to

make them prosperous. We also hear that the Government should do more and more to help the poor and to raise their income above the definition of what is presumed to be the poverty level.

Everyone, it seems, wants the Government to bring prosperity to them but in most instances, their definition of prosperity means material accumulation, rather than spiritual and the enjoyment of the endowment which nature has bestowed up us.

Recently, Tom Mosier, who writes a column for the Miami Herald wrote his observation that the trouble with prosperity is that it has such a tendency to turn into poverty. His conclusion is that we are all rich if we take time to enjoy our blessings and that the more prosperous we have become, the poorer we are.

Mr. Mosier's column which appeared in the Broward County edition of the December 3 issue of the Miami Herald was entitled "Prosperity Turns Sour." His article is well thought out and his views worth contemplating. I take pleasure, therefore, in suggesting that my colleagues read this article which reads as follows:

PROSPERITY TURNS SOUR

(By Tom Mosier)

The trouble with prosperity is that it has such a tendency to turn into poverty.

Americans have been toying with the idea of universal prosperity for nearly 200 years without ever actually achieving it. We've had it just over the horizon from time to time, or so it seemed.

Herbert Hoover thought so. So did a lot of other people in the fall of 1928, and the prosperity that lurked just around the corner is now known as the Great Depression.

More recently Lyndon Johnson told us we were so prosperous we could have both guns and butter. He was half-right.

Now we have Phase Two and the President tells me I'm going to be much better off because he is going to control the rate at which my rising prosperity drives me into poverty—at least that's the way I interpret it.

Well, it's a step in a new direction. At least I'm not being promised unlimited riches.

WE ARE RICH

Actually, I think we've all been deceiving ourselves these 200 years. We've never been short of richness, not even during the Great Depression.

Our ancestors' original enthusiasm over this New World centered on its potential. Potential for growth and development, for personal freedom and a chance to begin again. They looked at the land, to paraphrase an earlier author, and saw that it was good.

The land has not betrayed us. No people could ask for more than we have extracted from it.

Along the Gold Coast we have turned a lush and fertile land into a sterile tangle of asphalt, concrete and polluted waterways. Hastily constructed drainage canals have threatened our supply of fresh water and the vast and unique Everglades faces threat after threat to its continued existence.

In our greed to turn potential into quick profit, growth and development have been measured in dollars and cents. Personal freedom has beer subordinated to the needs of an exploding population as we continue to overcrowd the land in an effort to extract the last possible dollar from every inch of open space. And for many black or immigrant Americans, the chance to begin again has meant virtual slavery as they labor in vegetable fields or great hotels to power the illusion of prosperity in awe of which we all huddle.

GREED RUINS

And the more prosperous we have become, the poorer we are. The cruel hoax of prosperity is that it does not produce contentment—it produces greed. We judge prosperity in terms of what we do not have; what we expect that Midas Touch to provide for us.

So, like that ancient king, we measure our riches against our expectations and always come up short—until our riches are taken away.

Several years ago I lived for a short while in Tennessee, in the heart of the Appalachian poverty area. Natives there lived in the run-down remains of coal mine company towns, scratching out an existence on the scarred and rocky hillsides their fathers had labored so hard over in someone else's pursuit of prosperity.

They are a proud and contented people—poor as church mice by our Gold Coast standards, but with an inner peace that comes from having finally learned to live in harmony with the land.

They had betrayed the land and the land forgave them, teaching them a bitter but valuable lesson in the progress.

I left Tennessee in search of prosperity, for I had not learned that poverty, like prosperity, is really just a state of mind.

Must we too ruin our land to learn the richness of contentment?

OFFSHORE OIL LEASES

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. WOLFF. Mr. Speaker, recently, the Department of Interior announced its intention to begin leasing offshore sites for the purpose of drilling for oil in Long Island Sound and in the general vicinity of the North Atlantic coast of the United States.

Technology has not advanced to the stage that we can prevent another disaster from occurring such as that which ravaged the Santa Barbara, Calif., coastline in January of 1969. Consequently, many citizens, conservationists, businessmen, scientists, and others have become increasingly alarmed at the possibility of another catastrophe of similar proportion, a very real likelihood in light of our present lack of technological safeguards. Clearly, the ecological and economic stakes are too high to risk another blowout or similar disaster.

The board of trustees of my hometown, the village of Kensington, N.Y., has clearly expressed this deep concern in a resolution which was passed on November 17, 1971. The resolution, which follows, expressly opposes the leasing of offshore oil drilling rights in the area of Long Island. Mr. Speaker, I commend the trustees of the village of Kensington for their forthright action, and I join them in calling for a termination of all leasing plans.

The resolution follows:

RESOLUTION

Whereas, it has come to the attention of the Board of Trustees of the Village of Kensington, County of Nassau, State of New York, that the U.S. Department of Interior is contemplating the leasing of off-shore sites for drilling of oil in an area which would affect Long Island, and

Whereas, it is the feeling of the Board of Trustees that such action by the Department of Interior would adversely affect the ecological conditions and esthetic appearance in the area of Long Island,

Now, therefore, be it unanimously resolved, at a regular meeting of the Board of Trustees of the Village of Kensington, County of Nassau, State of New York, held at the Village Hall on the 17th day of November, 1971, that the Mayor and Trustees do hereby declare they are firmly opposed to any action by the U.S. Department of Interior for the leasing of off-shore oil drilling rights in the area of Long Island and urge the Department of Interior to terminate such plans.

OVERREGULATION OF SURFACE TRANSPORTATION

HON. ROBERT TAFT, JR.

OF OHIO

IN THE SENATE OF THE UNITED STATES

Tuesday, December 7, 1971

Mr. TAFT. Mr. President, on September 28 I placed in the RECORD the text of a study undertaken for the Brookings Institution by Prof. Thomas Gale Moore of Michigan State University. This study concluded that overregulation of surface transportation cost America's consumers and shippers approximately $7 billion per year. If we are able to cut back this overregulation and place surface transportation in a more competitive framework, we could translate these savings into cheaper cars and cheaper food for the American people.

On November 29 the Wall Street Journal published an editorial entitled, "Nobody Loves it but the People." It points out the need for a greater effort in behalf of the administration's proposals for partial deregulation. These proposals largely parallel those which I had made on March 3, when I introduced S. 1092, the Modern Railway Transportation Act.

Because of the importance of this subject to the consumers of this country, I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Wall Street Journal, Nov. 29, 1971]

NOBODY LOVES IT BUT THE PEOPLE

When the Nixon administration sent its long-awaited transportation regulation bill to Congress, the operation was almost surreptitious. Mr. Nixon didn't proclaim it on television or even radio, and even the plans for a quiet White House news conference were scrapped.

The administration's low-key approach is understandable, if regrettable. After all, the government has been trying for years to inject a little more competition into surface transportation, and it has yet to come up with any formula acceptable to the railroads, the truckers and the barge lines.

For varying reasons the industries also oppose the present bill. So the administration, with no shortage of problems already, scarcely could relish the prospect of a tooth-and-nail fight for a lost cause.

But is the cause really so hopeless? The purpose of all regulation is supposedly to protect the public's interest, not to suit the sensibilities of the regulated. And the public would indeed benefit from a move to make transportation more competitive.

The bill actually would be only a small step in that direction. Railroads would be allowed to raise or lower rates without Interstate Commerce Commission approval within a specified "zone of reasonableness." The government would rely more on competition and the antitrust laws, and less on the ICC, to protect the public.

In addition, the bill would make it easier for railroads to abandon unprofitable service. It would restrict the powers of regional industry rate-making bodies to set rates, while enjoying freedom from antitrust prosecution. And it would make it easier for truckers and barge lines to enter the market, thus encouraging more competition.

Truckers and barge lines don't like the plan, chiefly because it would permit the railroads to become more competitive. The railroads certainly have suffered most from the existing setup, but even they object to one aspect of the new proposal: the curb on regional rate-making groups. Those groups set identical rates for railroads competing in a certain market, and however anxious the roads may be to compete with barges and trucks they still would prefer to avoid competition with one another.

Competition can indeed be a messy system. Even in the limited form proposed by the administration it probably would cause serious trouble for some truckers and barge lines. It could even cause some inconveniences for the public.

For decades the nation's transportation resources have been allocated in large part in accordance with the dictates of the ICC. With the best of intentions the ICC has made mistakes: setting some rates too high and some too low, limiting service where it should have been expanded, preserving service unjustified by economic need.

If the market takes over more of these decisions there are bound to be some dislocations. Trains won't always operate where they used to, and neither will barges and trucks. Some rates will rise and some will fall. For an economy long accustomed to the long and laborious processes of the ICC, the changes at first might appear a bit overwhelming.

The chances for any really upsetting changes, though, are minimized by the timidity of the bill's approach. Part of the truck-barge opposition to the bill probably is rooted in a belief that the dislocations would be so minimal that Congress would then be encouraged to move farther toward deregulation.

In time, too, the public would see that less regulation would help bring down transportation costs. According to the Transportation Department, shippers and consumers pay "more than is required" in the amount of "billions of dollars annually" because of regulation-induced inefficiency.

The administration thus may make a mistake if it bows to special-interest groups and fails to fight for its measure. There's little political gain in neglecting a cause simply because no one loves it but the people.

ILLEGAL ALIENS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. McDONALD of Michigan. Mr. Speaker, untold thousands of aliens enter the United States each year as visitors, then take jobs in violation of the law that prohibits these same tourists from working.

Tourist visas are not difficult to obtain from our overseas consulates. The individual wishing to visit America need only prove he has a home or job or family to return to, swear that he will return, produce a round-trip ticket or a bond and show he has enough money to sustain himself.

Now, the money matter is not much of a problem, because many have relatives already in this country who will help them. Visitor vias are issued for a period of 4 years and are limited at ports of entry to 6 months by immigration, but the "tourist" working illegally here can come and go as often as he pleases as long as he leaves every 6 months and is not caught holding a job.

Because of his plan to work, he usually will find an employee who specializes in hiring illegals, because they can be paid less than citizens and legal immigrants and can be denied those fringe benefits enjoyed by most American workers.

The illegal knows this, but he can make many times the amount of money he can make at home, and so it is a profitable arrangment which neither employer nor employee wishes to disturb.

Thus we can see that the "tourist" who comes here to work often can become a 6-month long-distance commuter.

Sometimes the immigration people catch these phony "visitors." But even when they do, the deportation process may be long and expensive, perhaps anywhere from 6 months to a year or more. And during this time, the illegal may continue working because he is at liberty.

Those who just vanish may never be found, because the Immigration and Naturalization Service has neither the means nor the manpower to keep track of them all.

THE VITAL AMERICAN DAIRY INDUSTRY

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ROY. Mr. Speaker, there are many aspects to our continuous effort to raise farm income. I have recently become aware of a situation involving the dairy industry which deserves our attention and action.

For several years dairy imports have been increasing. The United States has quotas on many dairy items, but importers continue to find new ways to evade these limits.

In 1969, several types of cheeses were placed under quota. It was decided, however, that any cheese in these categories which cost 47 cents or more would be exempt from this restriction. The reasoning was that cheese in this price range are specialty cheeses which are not normally manufactured in this country.

Importers quickly seized this loophole, so that last year the "over 47-cent" cheeses accounted for nearly 25 percent of all dairy imports. This year imports of these cheeses is up even more.

Last March, President Nixon asked the Tariff Commission to hold hearings and make recommendations on this matter. On July 28, the Tariff Commission issued its report, recommending that the 47-cent price break be abolished and that a quota be established for the various types of cheeses involved regardless of price. The decision was an eminently fair one, one demanded by the ever-increasing quantity of nonquota cheese coming into the country.

However, it has now been over 4 months since the Tariff Commission report, and still the President has not acted to implement its recommendation.

Mr. Speaker, I urge the President to take action in this matter by extending the quota as the Tariff Commission has recommended.

INEPT LATIN AMERICAN DIPLOMACY

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BADILLO. Mr. Speaker, the recent Latin American trip of White House counselor Robert Finch simply highlights this administration's complete failure to understand or appreciate the sensitivities of our Western Hemisphere neighbors and once again indicates the absolute lack of any meaningful policy. Mr. Finch began his ill-fated venture by a partisan attack on the only two previous 20th century U.S. policies which sought to treat the Latin American republics as equals and which offered some hope for the future. As far as I can tell, little of substance was accomplished by this 14-day excursion and I am fearful that more damage may have been done to our already very tarnished image in Latin America.

Last Saturday the New York Times presented a rather perceptive editorial on the Finch mission's failure and I believe our colleagues should very carefully consider its message. I present this editorial herewith for inclusion in the RECORD:

[From The New York Times, Dec. 4, 1971]

FAILURE OF A MISSION

Robert H. Finch, Counselor to President Nixon, started his "goodwill" mission to Latin America by derogating the Good Neighbor policy of Franklin D. Roosevelt and the Alliance for Progress, begun by John F. Kennedy. He said these policies had "lumped the Latin-American countries together as banana republics."

Having thus launched his career in hemisphere diplomacy by denigrating the only two Presidents of the United States in this century to be almost universally esteemed in Latin America, Mr. Finch went off to visit six countries in two weeks. In Ecuador he said his goal was "to build bridges of understanding" and "open roads of friendship."

Ecuador's navy saluted his arrival by seizing four more American tuna boats (the 1971 total now exceeds fifty), and the Counselor had no luck building bridges or opening roads to a solution of this vexing problem. In Brazil, Mr. Finch made news by accusing Senator Fulbright of a "Fortress Arkansas" mentality with his opposition to the Administration's foreign aid bill.

Among other activities, Mr. Finch signed loans for reconstruction from earthquake

devastation in Peru and a treaty ceding the Swan Islands (total area: three square miles) to Honduras, ending 108 years of United States sovereignty. In Mexico he inaugurated an exhibition of tourism.

The Finch mission is now home and one member, Herbert G. Klein, Mr. Nixon's Director of Communications publicly reported he and Mr. Finch gained the "feeling" that the Marxist Government of Chile (not one of their ports of call) "won't last long." Even if there may be a basis for Mr. Klein's "feeling," it is painfully embarrassing at such a time to have such a prediction emanate from the White House.

Chile's prompt protest makes the point: Mr. Klein's indiscretion has made much more difficult the "correct" relations Mr. Nixon has repeatedly said he desires with Chile. It is also clear that instead of a genuine policy for the hemisphere the Latin Americans have been given yet another "goodwill" mission, garnished with the clubfooted amateur diplomacy they find particularly offensive.

DELAWARE DAY

HON. J. CALEB BOGGS

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Tuesday, December 7, 1971

Mr. BOGGS. Mr. President, today marks the 184th anniversary of the ratification of the U.S. Constitution by the delegation from Delaware.

This action, taken unanimously by the 30-member delegation to the Constitutional Convention, made Delaware the first State, a title we have proudly retained over the intervening years.

Today there will be a ceremony honoring the occasion at the southern branch of the Delaware Technical and Community College at Georgetown, Del. This is a relatively new college in our State, but it has made great progress in its short history and is contributing much to our State's development. It is only fitting that this college be the site of today's program at which Bill Frank, columnist for the Wilmington News-Journal newspapers, will be the speaker.

This event culminates the celebration of the anniversary which began last Saturday with the annual banquet of the Delaware Society, Sons of the American Revolution.

At that banquet, Dr. James E. Marvil, an author, historian, and president of the Lewes Historical Society, was presented the Gold Good Citizenship Medal of the SAR for his role in preserving Delaware's heritage.

Others honored at that banquet included Capt. James L. Ford, Jr., of the Delaware State Police Training Academy, Mr. James P. Simpson, of the Sons of the American Revolution, Mrs. Charles I. Hoch, of the Daughters of the American Revolution, Miss Helen Cordelia Lyon of the Children of the American Revolution.

I would like to take this occasion to join their friends and colleagues in congratulating them on their great accomplishments.

Mr. President, our State derived its name from Lord De La Warr, an early Governor of Virginia. In 1610 Capt. Samuel Argall, sailing for Lord De La Warr, was blown off course and sailed into a strange bay which he named De La Warr Bay in honor of his Governor.

The Dutch made the first white settlement on Delaware soil. A party of approximately 30 individuals landed near the present town of Lewes in 1631. Their settlement, named Zwaanendael—Valley of the Swans—was destroyed by Indians in less than a year. In 1638 Swedish colonists led by Peter Minuit landed at a spot that is now part of downtown Wilmington. This first permanent settlement was called Fort Christina.

The Swedes expanded the colony of New Sweden in 1654 when they took over a Dutch post, Fort Casimir, which had been established in 1651. The following year the Dutch, coming down from New Amsterdam and led by Peter Stuyvesant, captured New Sweden, renamed it New Netherlands, and the colony continued to grow for several years.

In 1664 the British gained possession and ruled for the next 112 years. William Penn was deeded the colony in 1682, and the following year the territory was annexed to the Province of Pennsylvania and was known as the Lower Counties. Not until 1776 did Delaware become a separate State.

Delaware played a substantial role in the Revolution, sending nearly 4,000 men to fight in almost every principal engagement from the battle of Long Island to the siege of Yorktown. The only Revolutionary engagement fought on Delaware soil was the skirmish at Cooch's Bridge near Newark on September 3, 1777. Tradition has it that it was here that the American flag was first unfurled in land battle on U.S. soil.

Mr. President, Delaware Day has always been a great event in our State and I am happy that this tradition is continuing. I especially would like to congratulate this year's coordinator, Mr. John T. Purnell, of the Division of Historical and Cultural Affairs, for his work on the celebration. Many others also played parts and they, too, are to be commended.

Mr. W. Emerson Wilson of the News-Journal newspapers is one of Delaware's foremost historians. He wrote an excellent column in last Saturday's Morning News about the Delaware Day celebration in 1892. I take the liberty to ask unanimous consent that it be printed in the RECORD.

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

DELAWARE DAY WAS ONCE A VERY GALA AFFAIR

Delaware Day back in 1892 saw the launching of two major projects which gained fame over the years. One of these was the first annual dinner of the Sons of Delaware in Philadelphia and the other the opening of the Central Hotel in Milford. Delaware Day went unnoticed in the rest of the state.

The Sons of Delaware were made up of natives of this state who had moved to Philadelphia and it was rather an exclusive organization since most of the members had gained prominence in their new home.

More than 150 persons attended this first dinner meeting in the Hotel Continental in Philadelphia. I. Layton Register, the president, acted as the toastmaster.

Sen. George Gray spoke of the importance of Delaware's becoming the first state through the ratification of the Constitution on Dec. 7, 1787, and described some of the leaders who attended that ratification convention.

He introduced his colleague, U.S. Sen. J. M. Carey of Wyoming but a native of Milton, Del., who surprised the assemblage by his knowledge of the state, insisting that it was one of the best in the Union and that Sussex was the best county in the state. His state of Wyoming if carved up would make 33 states the size of Delaware yet their populations were about the same, he said.

B. B. Comegys paid tribute to Thomas McKean and John Dickinson of Revolutionary times and compared them with the great Delawareans Thomas F. Bayard and George Gray of his time.

Judge R. W. Pennypacker spoke on the history of Delaware, stressing particularly Plockhoy's ill-fated colony near Lewes.

The menu of this gala affair listed blue point oysters, followed by Consomme Deslignac, then broiled lake white fish, with the entree of tenderloin of beef with spinach, peas, and potatoes followed by Punch Chateau La Rosa and ending with ice cream, fruits and nuts.

The Sons of Delaware, started in 1892, continued to hold annual dinner meetings on Delaware Day until the 1950s and these were often important social affairs with good speakers, good food, and good drinks.

The other big affair that Delaware Day was the formal opening of the Central Hotel in Milford, which had been completed some weeks before but whose opening had been deferred until that auspicious date.

The hotel was described as a large four-story brick structure, handsomely furnished and fitted with all of the latest electrical equipment. It had a bathroom on every floor and claimed to be the equal in convenience of any city hotel. Actually its owners claimed it was the finest hotel on the Delmarva Peninsula with the possible exception of the Richardson House in Dover.

It was thrown open to the public at noon and hundreds of persons inspected its special lobby and parlors on the first floors and the various rooms on the other floors.

Oglesby's orchestra, which had come from Chester, Pa., by train, played classical music in the parlors to entertain these visitors. In the evening the hotel was brilliantly illuminated by electricity from the ground floor to the roof.

At 7:30 the dining room was thrown open for the first time and more than 300 persons were served a varied menu of game, fowl, beef, pork and mutton dishes. Imported wines were served and the diners expressed great satisfaction with the offerings of the chef.

After the dinner there were brief addresses, mostly congratulating the owners of the new hotel by Secretary of State D. F. Marvel, Col. E. T. Cooper, H. C. Carpenter of Dover and John G. Gray of Wilmington.

At 9 p.m., the orchestra moved from the parlors to the large ballroom for dancing which continued until midnight when there was an intermission with entertainment by Dr. J. Porter, a ventriloquist and magician. Then the dancing was resumed and continued until the early morning hours.

Among the guests at the dance were Dr. and Mrs. George Marshall, Dr. and Mrs. Nathan Pratt, Dr. G. Layton Grier, Mrs. A. T. A. Torbert, the widow of the famous Civil War general, Prof. Samuel Adkins and Miss Maria Causey, to mention only a few of the more prominent Milford residents. There were other guests from Georgetown, Milton, Lewes, and Laurel.

Members of the Milford City Council expressed pride in the new establishment, taking it as an indication that Milford had a bright future ahead as possibly the most important of the Lower Delaware towns.

The young people of the town were delighted because it provided a place for wining and dining and for gala dances, something which Milford had lacked in the past.

U.S. RELATIONS WITH JAPAN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAMILTON. Mr. Speaker, the November 11 issue of the Washington Post contains an excellent editorial on the recent hearings held by our colleague, Congressman JOHN CULVER, on the United States' Foreign Economic Policy Toward Japan.

Recognizing that the United States is at a watershed in its relations with Japan, Congressman CULVER, as chairman of the House Subcommittee on Foreign Economic Policy, brought together the Nation's foremost experts on United States-Japanese political and economic relations in order to find ways in which they could be refocused to contribute positively to economic and political cooperation.

Congressman CULVER's initiative comes at a time when our relations with Japan have plummeted to the lowest point in at least a decade. In rapid succession and without prior consultation, the U.S. confronted the Japanese first with an abrupt change in the policy toward mainland China and then with an abrupt shift in international economic policy. These actions have been taken with apparently little regard for their long term disruptive effects on United States-Japanese relations.

I hope the administration and Congress will take into consideration this important set of hearings before our relations with Japan deteriorate further.

It is only fitting, Mr. Speaker, that I place the following editorial by the Washington Post in the RECORD on Pearl Harbor Day.

The editorial follows:

A STRATEGY FOR THE DOLLAR

The questions of strategy are becoming urgent in the U.S. campaign to correct its balance of payments. This country has presented the rest of the world with a sweeping list of demands. Some can be met relatively quickly. Others will take years of bargaining. Mr. Nixon and Mr. Connally are approaching the point at which they must decide whether to settle now where they can get a settlement. While of course it may only be a feint, they currently give the impression that they have lumped the whole list together and intend to hold out for all or nothing.

All-or-nothing is particularly unwise in this case. The effectiveness of the present American weapons—particularly the 10 per cent surcharge on imports—will diminish sharply as time passes. The surcharge is currently exerting great pressure upon our trading partners because it disrupts their exports. But once they have adjusted to it (at whatever cost in bankruptcies and unemployment) they will have much less interest in making further painful concessions to get it removed.

The United States now wants three things from its trading partners. It wants new currency exchange rates, so that Americans will sell more and buy less. It wants new rules for world trade to make other countries more accessible to American goods and capital (and perhaps to make America less accessible to other people's goods). Finally, it wants other countries to help carry the U.S. overseas defense costs.

Congressman John C. Culver, chairman of the House Subcommittee on Foreign Economic Policy, has been holding a series of highly illuminating hearings on our commerce with Japan. From the former government officials, businessmen and academic economists who have testified, a remarkably clear consensus emerges.

Mr. Nixon and Mr. Connally are now within reach of the first and most important of their objectives, the new dollar exchange rates. By promising to lift the surcharge, they can obtain immediately a very substantial devaluation of the dollar. (The yen is already trading at 9.5 per cent above the mid-August parity.)

The wisest course now, for the United States, is clearly to split the exchange rates away from the much more tangled issues of trade restrictions and burden sharing. If the United States obtains promptly the exchange rates that it seeks, it can afford to leave the trade negotiations until later. If it drops the surcharge in order to obtain the exchange rates, the political atmosphere for negotiation will improve sharply.

In reorganizing world trade, Michael Blumenthal told the Culver subcommittee, the United States can get what it wants only through the most prolonged and arduous bargaining. Mr. Blumenthal speaks with great authority on the matter, since he was this country's chief negotiator in the Kennedy Round of tariff reductions. The Nixon administration's intentions, so far as they have been disclosed, appear to be far more radical than those of the Kennedy Round. And as Mr. Blumenthal also pointed out, a substantial reorganization of world trade cannot be carried out by countries acting individually. Japan cannot, as a practical matter, do all that the United States is asking without the participation of third countries, particularly in Europe.

There are still other strong reasons for deferring trade talks until after the new exchange parities are in effect. No one knows precisely what effect the new parities will have. All the forecasts are extremely foggy, and the United States needs actual experience under the new exchange rates before it can know exactly what other trade adjustments may be necessary.

Beyond the purely economic argument, there is the political truth that most governments consider it entirely legitimate for nations to cut their currency exchange rates in times of need. But trade restrictions are extremely inflammatory, and generate great emnity among nations.

As for the sharing of defense burdens, George Ball, under secretary of State in the Kennedy and Johnson administrations, spelled out in some detail the error in pressing Japan to expand its military power. The Nixon administration says that it is not pushing Japan to expand its forces, but merely wishes to see them better equipped—with, of course, American equipment. "I do not think," Mr. Ball observed, "that Japan can be led to lay out larger amounts for armaments without deciding to build its own arms industry . . . in fact, there are already reports of pressures in the industrial sector for domestic construction of sophisticated armaments." The development of the Japanese armaments industry would have very serious consequences throughout the Pacific.

Mr. Connally has now descended upon Tokyo, preceded by reports that the United States wants quotas, like the textile quotas, on a wide range of Japanese manufactured goods—automobiles, perhaps, and television sets. The United States risks giving the impression that it set up the surcharge last August with only the most general purposes in mind, and that, in the manner of a campus demonstration, it is now raising a variety of non-negotiable demands as it thinks of them.

In fact, the time has arrived to decide which advantages to press now, and which to leave until later. The proper choice seems clear: to settle on new exchange rates now, and leave the trade issues to the much longer and slower process of world conferences into which we must eventually enter.

The foreign half of Mr. Nixon's economic program is not, after all, independent of the domestic half. A cheaper dollar on the international markets will help Mr. Nixon's drive against unemployment and inflation at home. Quotas and a trade war will not.

PEARL HARBOR DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BIAGGI. Mr. Speaker, a constituent of mine, Mr. George Papanic, was a survivor of the terrible attack on Pearl Harbor 30 years ago. Now 46, and employed in the Yonkers, N.Y., public works department, he served in the U.S. Army from 1940–45 attaining the rank of sergeant.

I would like to present for my colleagues' benefit, his story of that ill-fated day of infamy that catapulted the United States into World War II. The article is reprinted from the December 7, 1966, Herald Statesman of Yonkers, N.Y.:

WHY WASN'T A WARNING GIVEN?

(By George Papanic)

It seems funny after 25 years that I can still recall incidents before, during and after the attack on the Island of Oahu, Territory of Hawaii.

Shortly before 8 a.m. on that unforgettable morning, the planes roared in from the north shore and thru Kole Kole Pass, hit Schofield Barracks, Wheeler Field, Hickham Field . . . then, at 7:55, Pearl Harbor.

I arrived at Schofield Barracks in early 1940 and was a member of Co. D. 19th Infantry. The next few months were routine training until the first week of June 1940, when the commanding general (Gen. Herron) issued an alert number three, which meant occupation of all field positions by all units, prepared for maximum defense of Oahu and the army installations of outlying islands.

The National Guard also was called for defense and ammunition was passed around like confetti.

This was called because intelligence reports indicated the Japanese Fleet was on manueuvers and disappeared somewhere east of the China Sea.

We stayed at our positions on the north shore, from Kaena Point to Wallua Bay, for about two weeks until the alert was called off as the Fleet returned to base.

After a short rest, we were more like engineers as we built concrete emplacements for machine guns and at the rear Echelon a concrete command post.

As the months rolled by a strange incident occurred at the Ololeu Lower Pier.

An Air Force colonel, returning from the Far East in civilian clothes, was disembarking from an ocean liner with a briefcase when he was questioned by Hawaiian-Japanese immigration officers as to its contents.

He showed his credentials and requested a military police release but was shot and killed by the officer as he walked away. The knowledge the colonel gained was never known. The briefcase was empty.

In another incident as I was coming out of a hotel with friends we were approached by a Japanese cab driver who asked if we cared to go to a club to drink after hours. He asked if we were Army men.

After seeing our credentials, he drove around to confuse our bearings. Finally we arrived at a big red barn near Fort Shafter. The area was well policed with dogs.

Upon entering I found mostly Navy officers with very attractive oriental girls. The one thing that interested me was that the wall had a phone every 10 feet.

About August 1941, our company was put on an alert number one, alert which meant a defense against acts of sabotage and uprising within the islands but no threat from without.

I must tell you that on Oahu we had about 145,000 Japanese, including 34,000 aliens.

Every three days our company patroled and checked all installations between Kawaihapi and Laie on the North shore of Oahu.

In November, 1941, during a patrol, I seized a would-be saboteur and took him to G–2 (Intelligence). I was then informed of a recent order from the commanding general that stated: "To all members concerned: Please do not molest or hold any Japanese or foreign agents."

Later I found out that it was because at that time they didn't want to cause trouble, as the Japanese ambassador was on a peace mission to Washington, D.C.

About Thanksgiving Day, the aircraft carrier Enterprise was sent on a mission toward Midway and the battleship Arizona occupied the spot left by the carrier.

There were three task forces out—all heading south or west—leaving the northern areas wide open.

I must admit at that time, during the summer of 1941, there were more than 200 agents acting under the Japanese consul in Honolulu.

On Dec. 6, 1941, a large transport loaded with U.S. Marines landed at Honolulu. That evening, I went to town for a little entertainment.

My friend suggested the Japanese Tea Room off Nuunao Avenue. Then we were informed that the tea room was closed and the girls were tired.

Little did I realize the tea room was told to cut activities. Returning back to post I was looking forward for a quiet, restful Sunday.

During Alert Number one Alert, planes from Hickham Field would take off before dawn and make a routine search of the area.

On Dec. 7, 1941, at 4:58 a.m. the submarine net was opened to let a U.S. minesweeper in and was left opened.

A Japanese two-man sub was rammed by the USS Ward and bombed by a U.S. Navy patrol bomber. No warning was relayed to increase patrol. Another Jap sub was depth-charged and sunk at 8:30. A third sub was grounded at Kanehoe Bay and captured.

At 7 a.m. the aircraft warning system detected planes in large numbers.

An inexperienced Army lieutenant, having information that certain U.S. planes may be in the vicinity at the time, assumed that the planes were friendly and took no action.

Range at that time was 130 miles north-northwest.

When our planes arrived, they were helpless because only .45 caliber pistols were available to protect the Norden bomb site in emergencies. The B–17s were forced to land at Kahuka and other golf courses.

Sunday or holiday mess call was at 7:45 a.m. and all services abided by the same schedule. Halfway through breakfast, we heard many planes coming down in a dive and then a great explosion. We thought no one pulled out.

Outside we saw the sons of Nippon hit Wheeler Field and start to strafe every quadrangle and zero on the big red crosses on the roofs of our station hospital.

We had just come off Saturday morning duty and all equipment was in plain sight.

We set up machine guns at all places for a field of fire. I set one up outside the quadrangle near post theatre area.

We normally had 27 boxes of ammo (250-round belts) for each gun. Truck drivers ran to the motor pool to scatter their trucks. They drove to our company area to load food, ammunition and equipment. All trucks had anti-aircraft mounts. We were trained to hit our area in 15 minutes.

At Wheeler field, all planes were lined up as if an inspection was due. The day before 10 P–40 Tomahawks were secretly moved to an emergency air field near Holeiwa.

They were gassed and armed with machine guns. When Wheeler Field was being bombed five pilots jumped in a convertible car and raced at 90 miles-per-hour to the emergency air strip, using Kamehameha Highway.

The only officers to my knowledge to engage the enemy were pilots named Brown, Roamusse, Taylor, Welsh and Sanders. Welsh shot down four Jap planes; Taylor two planes; and the others one each.

The post stockade is located near Wheeler Field and when the attack began all prisoners were released. Some were cut down by planes as they ran across the open ground. They would have been safer if they'd stayed in the stockade.

A National Guard non-commissioned officer near his installation outside Wahiawa saw a Jap plane coming very low. The noncom used his automatic rifle.

He emptied the clip of ammo and brought the plane down.

He examined the inside of the plane and found charts of Pearl Harbor, accurate and precise even to the depth of water. He also found propaganda leaflets.

The pilot carried packets of concentrated food, a first aid kit, mineral water, a bottle of whisky and chap sticks.

At Pearl Harbor, the fleet consisted of 88 ships. They were bunched six or eight together in brackets and no steam was up.

The Japanese planes used special torpedoes designed for shallow water.

I believe that if a warning had been given during the submarine attack at 6:30 a.m. or from the 7 a.m. air craft warning detections we would not have suffered as many losses of image. At this time, I will pause and try to forget this great tragedy of 25 years ago.

NO SUCH THING AS FREE TRADE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. QUILLEN. Mr. Speaker, many of us here in the Congress feel that where international trade is concerned, the United States has been on the short end of the stick for too long.

Tennessee's Second District Congressman John J. Duncan laid it on the line in a recent speech before a Knoxville civic club when he contended that the frequently used expression "free trade" is no longer applicable to the international trade situation.

Duncan asserted:

There is no such thing as free trade among nations, and our trading partners have drifted from trade that is both free and fair.

Pointing out the effect of imports of textile goods and wearing apparel on the domestic economy, Duncan noted that unemployment in the textile field dropped 14 percent in Tennessee between 1947 and 1968, while employment in other manufacturing fields increased by more than 78 percent.

In a recent editorial, the Knoxville Journal said Duncan's remarks have special significance in light of the current squabbling over the import surcharge ordered by President Nixon in August as part of his new economic policy.

Congressman Duncan, now in his fourth term in the House, is doing an outstanding job as a member of the powerful Ways and Means Committee.

I would like to make the Journal's editorial available to readers of the RECORD.

NEITHER FREE NOR FAIR

"Some years ago in international trade we coined the expression 'free trade,' but the truth is that all we have today is the expression. There is no such thing as free trade among nations, and our trading partners have drifted from trade that is both free and fair."

This was how Rep. John Duncan summed up the question of America's deteriorating position in world commerce in a speech before a Knoxville civic club Friday.

His remarks have special significance in light of the current squabble over the import surcharge ordered by President Nixon in August as part of his new economic policy.

"Countries have been complaining because of our 10 per cent surcharge on their exports to the United States, imposed August 15," Congressman Duncan said, "but our manufacturers have had to face higher border taxes in other countries for years. To get its product into another country the U.S. firm pays from 11 per cent in Germany up to 23 per cent in France. On electrical appliances and television imports Japan charges 20 per cent and England 36 per cent."

Of special interest to Knoxville and East Tennessee is the effect of imports of textile goods and wearing apparel on the domestic economy. The 2nd District congressman noted that employment in the textile field dropped 14 per cent in Tennessee between 1947 and 1968, while employment in other manufacturing fields increased by more than 78 per cent.

In Knox County, Duncan pointed out, the 10,000 existing textile jobs are threatened by the upsurge in textile imports.

Part of the reason for this decline in domestic textile employment and the coinciding skyrocketing of textile imports, Duncan said, is the fact that the United States has been the only major import market with no quantitative restrictions on imports of wool and man-made fiber textiles and apparel. As a result, total imports have soared during the past five years—up by 157 per cent from Japan; Korea, 1,238 per cent; Hong Kong, 466 per cent, as examples.

Another important point, Duncan noted, is that many of this country's trading partners subsidize the exports of their manufactures, while U.S. manufactures get no help from their government.

Thus, while the United States has been operating its side of the international market with few restrictions on volume and little or no import tax, other countries have erected protective barriers to shield their shores from American goods which are competitive with their own products.

This circumstance, combined with soaring labor costs in the United States, has resulted in a flood of imports and a decline in certain areas of domestic employment.

As Duncan aptly noted, international trade is neither free nor fair. The howls of anguish over the U.S. surcharge should not be permitted to cloud the central issue of the matter, namely that the United States has been on the short end of the stick for entirely too long.

THWARTING CONGRESSIONAL INVESTIGATIONS

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. SCHERLE. Mr. Speaker, certainly no group of citizens should receive the compassionate and efficient care of our Government more than those who are enrolled in the medicare program. An article in the December 5, 1971, Des Moines Sunday Register by one of their excellent investigative reporters, James Risser, highlights activities revealed during the House Governmental Operations Intergovernmental Relations Subcommittee's investigation into the effectiveness of the current medicare program. Of particular interest to all is the testimony that any bureaucrat would order evidence, which was sought by a congressional panel, to be destroyed. President Nixon has made it clear on many occasions that his administration will be an open administration. I certainly hope that the following article by Mr. Risser will be carefully read by my colleagues.

The article follows:

CITES ORDER ON PEROT DATA

(By James Risser)

WASHINGTON, D.C.—Early last spring, a high official of the federal Medicare program came to the desk of his chief contracts officer and told him, in a "quite excited and nervous" state, that there was going to be a congressional investigation of Medicare's dealings with a computer firm headed by Texas multi-millionaire H. Ross Perot.

"He said for me to take all of the material that I had, and all of the material that my section chiefs had, and have it destroyed," the contracts officer, Walker Evans, said.

The order to get rid of evidence dealing with Electronic Data Systems Corp. (EDS) was largely ignored, said Evans because when his own workers heard there was to be an investigation by Congress "they all said 'hallelujah'."

STARTLING TESTIMONY

Some startling testimony about the relationship between the Perot firm and the Social Security Administration (SSA), which administers the Medicare program of healthcare for the elderly, was given last week before the House intergovernmental relations subcommittee, the panel that is now conducting the investigation into possible excessive payments for computer processing of Medicare claims.

Evans' testimony was disputed by the official involved. James L. Calhoon, assistant deputy director of Medicare program operations, said "I do not recall having told Mr. Evans to destroy anything . . . I am certain in my own mind that I did not ask him to destroy materials."

Calhoon, said all he had done was to ask Evans to pull all materials relating to EDS from the files and send them to Calhoon so they could be put in one place and thus provide a better "history" of the contracts.

But Evans reiterated his claim and insisted that "I got the clear impression, when he discussed it with me orally, it was for the purpose of these documents not falling into the hands of the (House) committee." Actually, said Evans, the House panel already had most of the SSA office materials relating to EDS because a committee investigator "was all around there like Grant around Richmond."

At the same hearing another lower-echelon Medicare official testified that last June Calhoon ordered destroyed a staff memorandum which recommended against awarding a contract to EDS to process Medicare claims in Arkansas.

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The memorandum stressed that EDS planned to charge $1.10 for each claim run through its computers, while another Dallas-based firm, Systems Resources, Inc., had submitted a proposal to do the same work at 88 cents a claim.

William C. Lanning, a systems officer, said that Calhoon issued "an instruction to destroy the memorandum, indicating that he did not want a conflicting document of that kind in front of him."

The memo was destroyed, but not before the House subcommittee's chief counsel, Sioux City native James R. Naughton, had obtained a copy. Subcommittee Chairman L. H. Fountain (Dem., N.C.,) charged that Calhoon apparently either wanted to keep the memo away from the subcommittee or "you just did not want to have to be bothered with something with which you did not agree."

Calhoon claimed the memo was "not a good staff document" and was "poorly drawn" and "incomplete." He said he ordered its destruction because "all of the documents that are prepared in Social Security eventually end up on Mr. Naughton's desk."

A redrawn version of the memorandum did not contain a recommendation on the Arkansas contract, and SSA officials now have given "verbal approval" to Arkansas Blue Shield to go ahead and hire the Perot firm, the subcommittee was told.

Calhoon and other top SSA officials insisted that the two competing proposals are actually about equal in cost and that EDS, which processes Medicare claims in Iowa and eight other states, was given the go-ahead largely on the basis of its prior experience.

FEWER WORKERS NEEDED

Naughton brought out in later testimony, however, that Arkansas Blue Shield had estimated it would take 112 employes to handle the data processing. Subsequently, Arkansas Blue Shield, which had made it clear it preferred EDS, said the Perot firm could do the work with only 66 employes while Systems resources would need 114.

SSA officials acknowledged the origin of the "66" estimate, and Naughton said that the new figure was the only reason EDS was even close to the bid submitted by Systems Resources. Discounting the personnel estimate, EDS's bid was $250,000-a-year higher than Systems Resources' bid, he noted.

Earlier subcommittee hearings have raised the question of whether EDS has reduced costs by cutting back on staffing, to the detriment of the quality of the claims processing work. A specific complaint to that effect was registered at one point by the SSA regional office in Dallas, with regard to the firm's handling of Texas Medicare claims.

During last week's hearing, Representative Bill Alexander (Dem., Ark.) disclosed that he has sent a letter to Elliot Richardson, secretary of Health, Education and Welfare, asking him to delay approval of the EDS-Arkansas Blue Shield data processing contract until "a thorough and objective review" has been made.

Alexander said in his letter that Systems Resources' bid is "at a substantially lower price per claim" than that proposed by EDS. He said he fears that the lower number of personnel now proposed by EDS could result in poor-quality work.

The Arkansas congressman also told Richardson that although Perot's firm has been paid more than $37 million under the Medicare program, "the subcommittee investigation has disclosed that federal auditors have never yet been able to obtain full access to pertinent cost records."

REASON FOR SPEEDY WORK?

Subcommittee counsel Naughton said during last week's hearing that in some states, EDS is able to show that it does better than other computer firms on speedy processing of claims. But, said Naughton, the reason EDS appears to be fast is that when it has reason to question a Medicare claim, it simply marks it "denied" rather than "pending." Then when the questions are cleared up, it is given a new claim number and either paid or rejected.

This gives EDS a good record on an SSA rating of "claims pending for more than 90 days" because the claim appears as two separate claims, each pending for only a short time, rather than one claim pending for a long time, said Naughton.

It also was disclosed during last week's hearing that EDS is already at work in Arkansas, even though final federal approval of its contract with Arkansas Blue Shield has not been received. It was not clear whether any federal payments have yet been made to Arkansas Blue Shield, which would include reimbursements for payments made to EDS by Blue Shield.

Calhoon's immediate superior, Robert Mayne, told the subcommittee that the Arkansas Medicare situation got into bad shape in 1970, from the standpoint of claims processing and over-all management. Arkansas Blue Shield was told it would be terminated as the Arkansas Medicare carrier if the situation were not corrected, he said.

As a result, the subcommittee was told, the National Association of Blue Shield Plans apparently helped Arkansas Blue Shield secure proposals from computer processing firms. Mayne said that EDS has shown it "can go into a place where there are difficulties and can quickly get the situation in hand." Also, he said, Systems Resources is newer and less experienced.

On that point, a subcommittee source recalled later that a recent audit by the Department of Health, Education and Welfare showed that the method used by EDS to clear up a 150,000-claim backlog in Iowa in early 1970 was to simply suspend the usual prepayment safeguards and approve all claims for payment without checking on their validity.

The question of comparative costs between EDS and other firms doing Medicare processing is expected to be explored further by the subcommittee in hearings next year.

At one earlier hearing, an SSA computer specialist estimated that EDS has made a 100 per cent profit on much of its Medicare business.

Perot's Washington attorney, Robert Martin, has attended all the subcommittee hearings. After each, he has supplied verbal and written information to newsmen covering the hearing, in an effort to refute some of the allegations about EDS services and costs.

Asked why Perot does not request to testify on his own behalf, Martin accused the subcommittee of prejudging the outcome and said it would do little good to have Perot come in.

It was learned that Perot has appeared and testified at least once before the subcommittee in a secret session.

"THE VANTAGE POINT" SCORES AS BEST SELLER

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. EDMONDSON. Mr. Speaker, a long-awaited book has just recently been published and already is a great success; last week the Washington Post listed "The Vantage Point," by former President Lyndon Baines Johnson, in seventh place in its second week on the best selling list.

This is a remarkable chronicle of the difficult decisions of a lonely man in a solitary position during the crucial years 1963–69. President Johnson has stressed that these memoirs do not attempt to set or elevate his place in our history. Rather, from his firsthand knowledge, they are an effort to discuss the problems, the alternatives available to solve them, and the reasons for the courses chosen. From the "vantage point" of his narrative his recent—and continuing—history makes absorbing reading for all Americans.

Robert Kirsch, in the Los Angeles Times of November 14, 1971, wrote a thoughtful and perceptive review of this work, and I would like to share it with you at this time.

The review follows:

L. B. J.: SEARCH FOR AN AMERICA THAT WASN'T THERE

(By Robert Kirsch)

Former President Lyndon Baines Johnson stands in that twilight zone between news and history. It is too early to assess his administration, his stewardship as chief executive of this nation. His memoir, The Vantage Point: Perspectives of the Presidency, 1963–69 (Holt, Rinehart & Winston: $15; illustrated), has received some back-page attention as political writers comb through it for its revelation of behind-the-scenes anecdotes.

Future generations will judge his place in history. He has made clear his intent in this work: "I have not written these chapters to say, 'This is how it was,' but to say, 'This is how I saw it from my vantage point.'" At this point in time we can only judge it by its own frame of reference. ". . . I have tried to avoid engaging in historical pamphleteering. I did not set out to write a propaganda piece in support of my decision. My purpose has been to state the problems that I faced, to list the alternatives available, and to review what I did and why I did it."

We who have lived through these years, far from the corridors of power, can only make a tentative judgment. There are those who will claim, despite President Johnson's reservations, that he has written here an apologia for his policies. Indeed, he has; he would be less than human if he hadn't. Those who see in this exactly what he has set out to do would be right as well. The answer to this seeming paradox lies precisely in President Johnson's character. He is a complex man, combining within himself politician and statesman, romantic and realist, sentiment and toughness, idealism and pragmatism.

This is the clue to the fascination and importance of the book. It is, at this point in time, a study in political psychology, in the relationship of traits to action, of personality to position. The Presidency may be regarded as a projective test, the challenges of which must inevitably reveal the nature of the man in "the glory and the agony of his office."

On this level, the question of right or wrong becomes secondary. Not because it lacks importance but because we do not yet have the distance and perspective necessary to make anything more than the most tentative of verdicts. We may see the shape and foreshadowing of verdicts, may feel deeply as to their moral and ethical implications. But how can we yet know?

ESSENCE OF TEST

I do not mean to imply that in the Presidency these questions do not exist. They do, and they are the very essence of the test. No man who has the lives and fates of millions resting on his decisions can avoid that terrible burden. But history is of what men did rather than what they intended, of what issues they had to face, rather than the issues they would have chosen. When President Johnson says, almost ruefully, "He (the President) cannot pick and choose his issues," that is precisely what he means.

At the center of his administration was the insistent issue of the Vietnamese conflict. It was endlessly debated, polarizing the country, leaving scars which still ache today and continue unresolved. Lyndon Johnson became the scapegoat of that contention. But here we see him as the prisoner of his own history, his own character.

At the moment Richard Nixon concluded his oath of office, President Johnson writes, ". . . I remember two thoughts running through my mind: first, that I would not have to face the decision any more of taking any step, in the Middle East or elsewhere, that might lead to world conflagration—the nightmare of my having to be the man who pressed the button to start World War III was passing; and second, that I had fervently sought peace through every available channel and at every opportunity."

Even more revealing are the words which follow. "Now my service was over, and it had ended without my having had to haul down the flag, compromise my principles, or run out on our obligations, our commitments, and our men who were upholding those obligations and commitments in Vietnam."

Then the passage printed as a headnote becomes significant, the words from his first address before the joint session of Congress, Nov. 27, 1963, after the burial of President Kennedy: "This nation will keep its commitments from South Vietnam to West Berlin."

President Johnson is above all a man of his times, not a man for all seasons. Conditioned by the Depression, apprenticed politically in the New Deal, inspired by President Franklin Delano Roosevelt, annealed in the unified nation which fought World War II, living through the Cold War, rightly or wrongly he tried to apply those lessons to a new time. It is not that he was unaware of change or the new realities of America. It was that he yearned for a patriarchal role, an attempt to heal or ameliorate, a bringing together. To accomplish his ends, he needed a unified America, resolved to attack its problems, to sacrifice for its vision of the Promised Land.

The irony was not so much that his perception was of a broad road to the goals of racial justice and economic opportunity, of education and housing, in which his administration made the most substantial advances since the New Deal. It was that he tended to underestimate the tide of reaction against the war in Vietnam. A whole new generation had arisen, beyond the Depression, the Cold War, the McCarthy Era, in a raucous, outspoken, and occasionally riotous resistance. Lyndon Johnson, the expert in the Old Politics, was off balance in the New Politics.

Not completely. He could understand and act on the demands of civil rights, of the war on poverty, the demand for a better life. But he could not bring himself to go down in history as the first President who had surrendered in an American war. He once told Stewart Alsop, "I'm always pressed for time. An hour late and a dollar short." Vietnam was the greatest pressure. An ambitious man, a fighter, suspected of deviousness and disingenuousness, his decision not to run in 1968 was an example of his preference to step down rather than give in. In retrospect he makes it clear he believes he could have won: ". . . I am convinced that if I had run again I would have been reelected . . . the American people do not casually turn an incumbent President out of office."

Nothing became him so well as the taking of office and the leaving of it. In the aftermath of the assassination, with vicious rumors and slanders raging against him, Lyndon Johnson tried to heal the wounds, to give continuity to American policy. On leaving office, he attempted to make his decision a factor in the achievement of a peace in Vietnam and he took pains to ease the transition from his administration to the next.

Much has been made of his personality conflicts with Robert Kennedy and Sen. J. William Fulbright. But, of the many faces pinned on the man, the least convincing is that of pique. He may have felt it (who does not?), but I am disposed to believe him when he expresses the shock he felt at the assassination of Senator Kennedy. "During the four and a half years of my Presidency I had never been able to establish a close relationship with Bobby Kennedy. It was not so much a question of issues; on most matters of national importance we had similar views, after he became a senator. We even agreed on Vietnam for a long time. We did not come to any sort of parting of the ways on that question until 1966.

PART OF THE PROBLEM

"Perhaps his political ambitions were part of the problem. Maybe it was just a matter of chemistry. I honestly do not know. I recognized and admired his leadership qualities. He had surrounded himself with loyal and able men and women, and he had organized them effectively.

"When tragedy had struck him down, I was glad that my last meeting with Bobby Kennedy had been friendly."

There are moments of bitterness here. Lyndon Johnson's long service in Congress had suited his personality. There could be hard fights between men of differing persuasions but there could also be respect and even affection for antagonists. In the rough and tumble of the New Politics, this component had changed. He writes: "Robert Kennedy's death seemed to symbolize the irrationality that was besieging our nation and the world. The summer months of 1968 brought no easing of disorder and unrest . . . That same week, fighting between police and students at the Democratic National Convention in Chicago proved to every television viewer in America how deep the cleavage was in our society, how intense the hatreds, and how wide the gulf between law enforcers and those who have nothing but contempt for the law. Those conflicts also exposed the ugly side of the New Politics, in spite of its claims of idealism."

Lyndon Johnson's own ideals of politics and policies collided with the new actuality. He had once given the tenets of his own beliefs: "First, I believe that every American has something to say and, under our system, a right to an audience.

"Second, I believe there is always a national answer to each national problem and, believing this, I do not believe that there are necessarily two sides to every question."

In that same speech, he had defined part of the complexity of his position: "I am a free man, an American, a United States senator and a Democrat in that order. I am also a liberal, a conservative, a Texan, a taxpayer, a rancher, a businessman, a consumer, a par-

ent, a voter, and not as young as I used to be nor as old as I expect to be—and I am all those things in no fixed order."

When he became President, that unique office put his requirements on him. He said: "We will serve all of the nation, not one section or one sector, or one group, but all Americans. These are the United States—a united people with a united purpose."

By 1964, he knew that the unity was not there. He considered retiring. His sermons did not seem powerful enough to restore the unity. Perhaps no sermons could. There were those who mocked his notion of consensus as a search for the lowest common denominator. But he makes clear what the word means to him: ". . . First deciding what needed to be done regardless of the political implications and, second, convincing a majority of the Congress and the American people of the necessity for doing these things."

For a man brought up the rough-and-tumble of American politics, he reveals a sensitivity to criticism. "The burden of national unity rests heaviest on one man, the President. And I did not believe, any more than I ever had, that the nation would unite indefinitely behind any Southerner," he wrote, describing his conflict over entering the race in 1964. Like others, he blamed the "metropolitan press of the Eastern Seaboard . . . I was not thinking just of the derisive articles about my style, my clothes, my manner, my accent, and my family—although I admit I received enough of that kind of treatment in my first few months as President to last a lifetime.

"I was also thinking of a more deep-seated and far-reaching attitude—a disdain for the South that seems to be woven into the fabric of Northern experience . . . Perhaps it all stems from the deep-seated bitterness engendered by civil strife over a hundred years ago, for emotional cliches outlast all others and the Southern cliche is perhaps the most emotional of all."

He wanted an America which perhaps existed only in his imagination but what Lyndon Johnson got was a nation in ordeal. He did his best to reach the Promised Land but perhaps that was beyond the reach of any man. In these pages he accomplishes something rare in the annals of presidential memoirs. He compels empathy and understanding—and perhaps when the furore ends, sympathy as well.

THE COST OF ECOLOGY

HON. OTTO E. PASSMAN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. PASSMAN. Mr. Speaker, for many months we have heard more about ecology and environment than almost any other subject. In fact, these words have almost become the daily passwords, and the Congress has gone so far in legislating and proposing additional legislation that we have frightened industry to the extent that in many instances they are actually reluctant to make capital investments so as to create jobs and support our economy.

I have supported several of the laws on the statute books, and I shall continue to support a well-planned program to clean our streams and air and control pollution. But we must not go too far with too many programs until we have devised a positive plan by which industry and the Government can live.

It has been estimated in many places that legislation presently on the statute books, if carried to conclusion, would cost the American taxpayers who, in reality, are American industry and the workingman, as much as $450 billion. Others have estimated that the cost could reach one-half trillion dollars. This would exceed our entire public debt.

In addition to the legislation presently on the statute books, it would appear that sooner or later S. 2770 will be considered by the House, and if this legislation should be enacted into law, it could conceivably have as bad an effect on the American economy as a mild depression because there is a limit to which industry could and should go. If we would only give industry time to absorb some of the present laws, in all probability, they would come up with a much better solution to some of our pollution problems than some of us who spend time thinking up ways to spend money that the other fellow earns.

So that the membership may have some idea of the sentiments of industry on this subject, I am including in my remarks a telegram from an American industrialist who must create jobs and meet payrolls as an executive of the Olin Mathieson Corp.:

OLINKRAFT, INC.,
West Monroe, La.

Congressman OTTO E. PASSMAN,
Washington, D.C.:

The Muskie bill on water pollution S. 2770 as it passed the Senate November 2 contains long range costs and provides unconscionable administrative power that can cripple our national economy add major price inflation for all paper products and destroy our substantial and growing export markets for pulp and paper products.

The House Public Works Committee has announced public hearings on water pollution legislation beginning December 7 and on December 10 American industry will have a single day to express their views. Peter Wrist of Mead Corporation will give testimony for the entire paper industry and we hope you will be able to hear his remarks which by rule are restricted to ten minutes.

As you know, Olinkraft is dedicated to a sound program of control and abatement of water and air pollution. At our West Monroe kraft mill we have already spent millions of dollars in our commitment to improve the environment and we recognize that additional expenditures of capital and technical skills will be called for in the future.

However, if S. 2770 were to become law of the land exorbitant additional costs would be required to stay in business. Such costs would have to be passed on to the American and foreign buyers of our goods creating inflation and increasing imports at home and the loss to the United States of foreign markets.

Great discretionary power is left in the hands of the administrator so that the—best of the art—and—zero pollutant discharge—will mean repeated changes in standards which will result in unlimited capital spending and operating costs far beyond what is necessary to achieve clean water. Our current estimate of the added cost to meet phase I/1976/ requirements of the Muskie bill at our plant amount to 1.5 million dollars per year. Best estimates presently available for phase II /1976–1981/ requirements of the Muskie bill range from 10–15 times the cost of phase I requirements. Additionally the Muskie bill effluent treatment costs at West Monroe after 1981 could result in a 30–50 percent inflation in our costs. This will either drive us out of business or will add vastly to our domestic inflation and be ruinous in our overseas markets.

You have long and ably represented the people of your district and in behalf of the 4500 salaried and hourly employees of Olinkraft we now enlist your help in this serious threat to our national economy our industry and our Olinkraft enterprise. I am sure you will find a similar situation confronting the other pulp and paper mills in your district. The critical nature of our situation prompts us to ask for your support with the members of the Public Works Committee and your other associates in the House to secure major modifications in the Muskie bill so that we may have sensible federal legislation in the water pollution field.

M. H. COLLET.

LEAVING THE POOR TO ROT

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BOLLING. Mr. Speaker, John P. Roche makes some interesting points concerning the poor in his column of Saturday, December 4, in the Washington Post. It follows:

LEAVING THE POOR TO ROT

(By John P. Roche)

Some recent observations here about the barbarous character of the life of the poor have led to irate accusations that I am a "snob," and "elitist," and—worst of all—an "aristocrat!" Actually, what has aroused my ire is that so many of the antipoverty programs, particularly in the housing area, are not designed to bring the poor into the community. On the contrary, they provide a cosmetic cover for leaving the poor to rot in new buildings rather than old, for moving them and their culture of poverty around the landscape rather than breaking it up.

Underlying this view is the assumption that what I have called the "culture of poverty" is a bad thing. It is essentially an anticulture with no stable rules, no sense of organization. It is what the English philosopher Thomas Hobbes, would have called the "state of nature" where everyone is on his own in a savage environment. Many poor people do not live in this condition: they are part of a vital ethnic or religious tradition that orders their lives, provides ideals, and above all gives them a sense of belonging to society.

But increasingly the big-city poor—both black and white (and whites do constitute an overwhelming majority of poor Americans, though blacks are disproportionately represented)—are literally dropouts from society. Paradoxically, one of the major problems is that they are not "exploited" in the classical sense: they are not sweated in factories or hauled off in masses to dig subways or build railroads. They are economically marginal. If all the American poor were shipped to, say, Brazil tomorrow, the country would manage very well without them.

This means that poverty has to be seen as a social and political issue more than an economic one. Conservatives, applying traditional capitalist rules, scoff at special skill-training programs, noting that they cost more than a college education. What they fail to appreciate is that a successful training program is in fact more valuable to our society than a college. Colleges are augmenting the abilities of members of the community; training programs are providing a ticket of admission.

To put it another way, what the rootless poor need is a sense of social discipline—an operative "superego," to use Freud's term. The acceptance of regular patterns of life and work is a good example. (And before anyone sneers that I am trying to impose the "capitalist ethic," he might examine the Maoist model, which makes capitalism look like a hippie commune.) To accomplish this—to revert to the main theme—it is essential to break up the slums, instead of institutionalizing them in huge, low-income housing projects. And it is particularly important to extract the young people from what is for most of them a deadend; not just for their sakes, but for ours as well. God only knows what talents are lost in that jungle of random violence.

This is not a new problem in America. My father once told me that when he was a kid the police patrolled Red Hook in Brooklyn in trios. What is novel is that the traditional ladders to upward mobility seem to have lost many of their rungs. So now we have to look for new remedies, realizing that giving the poor money without changing their values is self-defeating. Nor can you inject "community organization" with a statutory hypodermic needle that just brings out the hustlers.

Obviously there is no pat answer, but one that seems to me to make the most sense is universal national service, the drafting of every young American for a two-year period. This is not a military draft, though some men might take that route, and the program would be organized and disciplined—not a progressive kindergarten.

This immense pool of man and womanpower could undertake all sorts of health and welfare projects, including the education of the young members, and could provide the sense of participation in American society that is lacking at both ends of the economic spectrum: the upper class because it is alienated; the poor because they have never had the values to become alienated from.

For those who consider this to be militaristic or utopian, I suggest a careful study of the fantastic job of "civilizing" that has been performed over the last 20 years by the Israeli Defense Force. the Israelis care about their "community"—do we?

HUNGARIAN REVOLT

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BROOMFIELD. Mr. Speaker, 16 years have passed since the people of Hungary rose up against the oppressive tyranny of the Soviet Government so that they someday might live in a world of peace. The events of the 13 days following that memorable event will always be remembered as one of the most vivid examples of patriotism and love of liberty in the world. But those conditions, which so many gave their lives to eliminate, still remain; lack of sovereignty, Communist oppression, lack of regard of human dignity and economic poverty.

Seldom in history has man been so sorely tested—his beliefs, principles, and desires so magnificently demonstrated. It truly was one of the most heartbreaking and awe-inspiring events of our lifetime. Heartbreaking, because of the destruction and massacre wrought by the Soviet and Communist forces on the population of Hungary. Awe-inspiring, because virtually unarmed and unprepared, the valiant Hungarians fought for 13 days against suicidal, insurmountable odds.

In the face of Soviet troops and tanks, these brave men fought with few small arms, and whatever weapons they could muster; and for a short period, they succeeded in throwing off the chains of totalitarian government, and established a democracy that would truly represent the aspirations of the nation. The victory was short lived, for the Communist oppression prevailed after a short period of time.

However, the spirit of patriotism and liberty did not die with the suppression of the uprising. Although thousands died, and hundreds of thousands fled the country, there are still many freedom-loving Hungarians who hope that someday the tyrannical bonds will be broken and they can live in freedom, independence, and democracy.

Mr. Speaker, the Hungarian freedom fighter became the symbol of man's unconquerable faith in himself and his future. Dreams of liberty cannot be quenched under a hail of bullets, bombs, and mortars. Man will endure privation, but ultimately he will be free. The Hungarian freedom fighters died shouting their belief in a better world. Their cry of defiant faith was heard by all men, everywhere, enslaved or free.

In all parts of the land today, people still remember that bleak October of 1956 when the world waited, hoped, and prayed for those valiant men and women who pitted themselves against the overwhelming forces of the Soviet Army in order to free their nation.

I feel deeply honored to pay tribute to the courageous people who took part in this ill-fated revolution and sincerely hope that the future will bring realization of the Hungarian's hopes and dreams.

The Hungarian revolt had great significance for the entire world, not only because it was a contribution to man's historic struggle for independence and freedom, but also because it gave a true picture of Communist oppression.

Ideas cannot be suppressed forever; man's curiosity about himself and his neighbors on earth can never be denied.

WATER RESOURCES PROGRAM IN PERIL

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. UDALL. Mr. Speaker, in a few extremely well chosen words, Chairman WAYNE N. ASPINALL of the House Committee on Interior and Insular Affairs recently warned the water resource leadership of this country: Wake up and change because the program is sick and in peril.

Speaking in Dallas at the annual convention of the National Water Resources Association, the chairman warned that the majority of American citizens no longer think that water resource programs are of great importance or even consistent with the national interest.

These are important words indeed coming from a man with Mr. ASPINALL's broad overview of our water resources.

He suggests abandonment of the "old politics" and adoption of some basic reforms, not the least of which is to forgo narrow, short-range gains in favor of programs promising much broader and long-range benefits.

I hope everyone concerned with water—and we all better be—will read these remarks by Mr. ASPINALL:

REMARKS OF CHAIRMAN ASPINALL

My constituent and personal friend Bob Barkley, my Colleagues in the Congress, other distinguished head table guests, delegates to the convention, and friends—let me first state my sincere thanks for being asked to be here this week and to share with you some of my thoughts on the abiding issue of how to restore some life to our National water development programs and particularly those in the West.

Two years ago at your meeting in Spokane, I noted that the water resources community was in disarray and that the only thing that would cure it was a massive dose of investment capital. This may still be true to a large extent, but today I want to go beyond this generalized evaluation as I try to help you identify what you as individuals, State Associations, a great National Trade Association, and the water resources community in general can and must do if you are to preserve yourselves as factors in shaping the future.

What is this so-called water resources community? Perhaps I can best describe it as a secular trinity—of sorts—one body with three elements in the form of the Legislative, Executive, and private sectors. It is one body in the sense that it has a single public motivation; preservation of our economic well-being through balanced use of water and related land resources. A question may well be asked, however, whether this is the real motivation or are we, in varying degrees, being controlled and shaped by something else, like financial self-interest, petty elective partisanship, or perhaps personal ego? I feel that these factors may be shaping the attitude of some of us and may have in turn contributed to some degree to our present condition. If so, it is imperative that these trends be identified, acknowledged, and put aside, wherever they occur, before meaningful progress can be made toward restoration of the program.

Now—let's leave this theme for the moment while we look at some of the symptoms of this sick program, keeping in mind the tendency to mistake effects for causes. Obviously, the most easily-identified symptom is the shortage of money. To ascribe all of our difficulties to this problem, however, is to be overly simplistic and superficial in our analysis. We must go beyond and look for the real underlying cause.

Some might say, as indeed has been said, that the Indochina campaigns were taking all of our money and that purely domestic programs must await a happier time. This is, of course, specious and self-deluding; as the last few years of the Vietnam adventure have seen a steady decrease in the percentage represented by our overall defense expenditures; yet Water resources have not gained any from this shortfall.

Today, as everyone recognizes, it is convenient to attribute our problems to misguided opposition from so-called environmentalists. Once again, this is a symptom.

In previous times, we railed against the economic purists in the academic community, who found fault with our evaluations

and our cost-sharing principles. These, too, are symptoms which we have been prone to ignore on the premise that water resources are unique in emphasizing economic studies and that Reclamation was unique among water programs in pioneering repayment.

More recently, we detect a new symptom about which we are certain to hear more in the months and years to come; as it is now apparently pretty good politics in some circles to claim that the Reclamation program has stolen all of the water from the Indians and is thus, root and stock, the cause of all Indian misery in the West.

Another matter which may become equally provoking is the tendency to tinker with acreage limitations. This issue has the momentum of some of our other problems, but it is drawing the attention of widespread viewpoints. They range all of the way from outright repeal on one end of the scale to a point of view that would have the government confiscate excess lands and give the proceeds to charity. Please understand that I am not bringing up this question with a view to resolving it today, but merely to list it as another area where there has been more talking than there has been thinking.

None of these problem areas are strangers to us. We have seen them develop over the years, preoccupy our concern for a while, and recede as a new one arises to capture our immediate attention. None of them have completely gone away and cumulatively they represent a serious threat to the health and existence of our institutions and accomplishment of our goals.

We don't have enough time to talk about all of these things today, but I would be remiss not to say a few words about the most acute problem facing water resources, indeed all resource-based economic development, at this time. I refer, of course, to the ecology binge as practiced by the lunatic fringe of the environmental movement. These are over-indulged zealots to whom balance means nothing and in my mind their motivation is suspect, indeed. While they are in the ascendancy at the moment there are signs that their issue is peaking out. This is not to say, however, that sober, sensible, well-considered attention to the environmental consequences of our actions will not be a continuing requirement for the indefinite future.

It seems quite clear to me that this issue has captured the imagination of a majority of our people, and regardless of my own sense of values, what is really important in this society is what most people think is important at any given moment. Given the fact that environmental concern is here to stay in one degree or another, accommodation to it represents the most difficult challenge facing water resources. It is difficult because it is widespread and easily understood. The average man may not really understand the high-flown rhetoric of project evaluation, interest rates, cost-sharing, water rights and acreage limitations; but he has no trouble grasping salinity, smog, sedimentation, erosion, and what have you.

Perhaps more than any other factor, the way in which we as a community, working in concert, adjust our activities to the legitimate positions of our environmental friends will determine whether water resources will continue to make a contribution to our economic posture.

These, then, are some of the more visible symptoms of a sick program. If they are merely symptoms, then what is the cause? I submit that the overriding cause is to be found in the simple fact that the majority of the American people no longer feel that water resource programs, as we now know them, are important to or consistent with the National interest as they are given to understand such interest. This insight is reflected, as our system contemplates, in the attitudes of legislators and executives, alike; and all too frequently in recent years in the findings of our courts. In other words, water resource development has simply lost its base of political support. It is easy, indeed, for the budgeteers to slash programs whose political support is so marginal that the decision-maker does not have to be concerned with political redress.

What I am trying to say is that when our citizenry begins to believe that its affairs are being managed consistently, fairly, and in keeping with the wishes of the majority, then it will revest its confidence in the institutions that are then at hand, and the effect that we seek will be on the way to realization.

How are we to bring this about? I wish I knew for sure. There is one thing that is certain, however, we have nothing to lose by trying. For we are not going any place very fast at the present time.

Whatever we undertake to do, and I am now specifically talking about the Federal Water Reclamation program, will have to be accomplished jointly by the three elements of the community that I spoke of earlier; the Legislative, the Executive and the public. Moreover, there will have to be a "putting aside" of all vestiges of selfishness, partisanship, and personality. Instead, we must all think exclusively of what is good for the future of the West, leaving short-term considerations out of the picture.

You people of the National Water Resources Association actually hold the key to survival of this program. Whether you recognize it or not, the Legislative and Executive elements of this equation can do little or nothing more than you will have them do. This is certainly true of the Congress, which reflects most accurately the outlook and attitude of its constituents. This is to say that as far as general legislation is concerned, you are getting precisely what you ask for, and it will doubtless continue that way.

The Executive, on the other hand, with its money and staff resources, is situated to offer some leadership, but my instincts are that it, too, is generally mirroring the values and desires of its client groups. It certainly cannot be said to be innovating in terms of suggesting basic reforms or other desirable changes. So, if anything is to be changed, it is incumbent that NWRA take visible leadership. If your organization is not now structured to permit this type of activity, then my message to you is to get busy and change that first.

Your Program Chairman suggested that I tell you some of the things that you can do. I have hinted at some of them already, and I will now list them in specific terms. First of all—you must come to the realization that the old politics of water resource authorizations and funding will no longer get the job done. Second, you must start talking to people in terms of the basic reforms that must be taken if the program is to persevere. Third, organize your best minds to do some staff work, and some deep thinking about these problems. Fourth, let your administrators in government and your representation in the Congress know that you want a good hard look taken at possible solutions to all of these issues. Fifth, make them believe that you mean business by supporting things that sacrifice short-term gains for long-term benefits. An example of the latter might well be an idea about which some have been doing a little thinking; that is, a series of investigative-type hearings where a carefully selected list of witnesses representing a broad spectrum of interests are interviewed on the topic of the future role and nature of the Reclamation program. The purpose of this hearing would be to identify what National purpose is really sought to be achieved by the Federal reclamation program in this era; after which desirable changes in implementing statutes could be formulated.

There are any number of other areas of immediate program significance where vigorous and imaginative administrative action could be stimulated on behalf of new attitudes and ideas for attacking the causes of program decay. The question is—will you insist that your administrators and your legislators take action or support proposals calculated to improve public acceptability of water resource programs? Are you ready to pay the prices? Are you ready to face up to the fact that there is no more free or low-cost water in the West and accept a measure of pricing policy reform? Are you willing to abandon support of legislation designed only to give you even a better deal than you now have? Are you willing to accept the fact that the vast majority of the Nation's population still regard your program as a pork barrel, and identify with programs formulated to maximize the total public interest? Are you ready to entertain a serious introspective inquiry into the question of whether there should still be a Federal Reclamation Program and, if so, what should be its goals and objectives? If the answer to these queries is "yes", then we are ready to start the long road back. On the other hand, if your response is halting or negative, then God help you, for the Congress cannot.

THE U.S. PURSUIT OF DISASTER IN SOUTH ASIA

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HELSTOSKI. Mr. Speaker, yesterday I called to my colleagues' attention the hypocrisy inherent in the State Department's attacks on India's role in initiating the current conflict between that country and Pakistan. An administration which has continually played ball with the Pakistani dictatorship and looked the other way as a reign of terror was established in Bangla Desh is hardly in a position to criticize India's resort to force to bring an end to the crisis in South Asia.

In reading the Washington Post this morning, I was happy to note that that newspaper's lead editorial reflected this view. As the Post points out—

The United States should not only be failing to contribute to such a solution but could be making one more difficult to attain is a measure of how far we in fact have traveled under the much trumpeted Nixon Doctrine toward a new foreign policy.

Under unanimous consent, Mr. Speaker, I include in the RECORD the Post's timely and pointed editorial:

THE U.S. PURSUIT OF DISASTER IN SOUTH ASIA

Suppose President Nixon had deliberately set out: to aggravate tensions in South Asia; to identify the United States with a military regime almost universally condemned for its abuse of its own people; to shred American ties with the most populous and powerful nation of that region, a democracy and a traditional friend; to help drive that dominant state into a waiting Soviet embrace; and, once war had erupted, to diminish possibilities of political compromise and undermine what moderates might remain. What would he have done differently with respect to the developing conflict between India and Paki-

stan over the last eight months? In our view, not much.

The whole rationale of American policy eludes us. Some payment was owed Pakistan for helping arrange Henry Kissinger's first trip to Peking. And Mr. Nixon evidently has long had a soft spot in his heart for Pakistan, at one time a model military anti-Communist regime. But at some point as the tragedy grew, cold calculations of power politics should have overtaken these largely sentimental considerations. Sound policy dictated an effort to maintain friendship with both India and Pakistan; if that were not possible, why put all the American chips on a discredited failing regime in much the smaller and more trouble-ridden of the two nations involved? If the answer lies somewhere in the political geometry of the Moscow-Peking-Washington triangle, we fail to perceive it.

The announcement yesterday that the United States had suspended development aid in the pipe-line to India is equally puzzling. The stated grounds, that such aid contributes to short-term economic welfare and war-making potential, are laughable: the gesture was purely punitive and the party that is to be punished is not the government nearly so much as the impoverished people of India. A more telling abuse of foreign aid—at a more delicate moment, when a new aid bill is hanging by a thread in conference—could not be imagined.

As we have said before, India deserves sharp criticism for its calculated use of the refugee crisis to promote the dismemberment of Pakistan, although such criticism ill befits any government, such as the American government, which tolerated Pakistan's manufacture of that crisis. Where was the quick clampdown on arms aid to Pakistan then? India's invasion of West Pekistan and its now-open designs on Pakistan-held Kashmir are entirely unsupportable. But the source of the present crisis is Pakistani policy in East Pakistan. Only there can a solution be found. That the United States should not only be failing to contribute to such a solution but could be making one more difficult to attain is a measure of how far we in fact have traveled under the much trumpeted Nixon Doctrine toward a new foreign policy. In South Asia, we have moved backward—if we have moved at all—toward those early postwar cold war attitudes that gave us CENTO and SEATO and the heavy-handed employment of foreign aid as a bludgeon or a bribe.

HOUSE RESOLUTION 630

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

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

Other Americans are being ordered to do so today.

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

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

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

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

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

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

"A cease-fire will be observed between the South Vietnam People's Liberation Armed Forces and the Armed Forces of the other foreign countries in the United States camp, as soon as the parties reach agreement on the withdrawal from South Vietnam of the totality of United States forces and those of the other foreign countries in the United States camp."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from South Vietnam within sixty days following the signing of the agreement: *Provided,* That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the Provisional Revolutionary Government of the Republic of South Vietnam of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

AN ENVIRONMENTAL MANIFESTO

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to share an article written by Prof. Jeffrey M. Elliot of Cerritos College in California. I do not share Mr. Elliot's fears that we in Government cannot meet the challenge of the environmental crisis, although it is clear that Government has not yet met the problem with the vigor that is required. However, Professor Elliot's fears are shared by many across the Nation and from the past performance of many in Government there may be grounds for these fears. Professor Elliot, in this article, also discusses the role of a new and emerging environmental group, the "People's Lobby." With the effort of dedicated groups such as this one and our own rededicated efforts I have no doubt that we can solve these problems. And, indeed, if we are to survive we must face and solve the problem of our deteriorating environment.

The article follows:

AN ENVIRONMENTAL MANIFESTO BY PROF. JEFFREY M. ELLIOT, DEPARTMENT OF POLITICAL SCIENCE, CERRITOS COLLEGE

In an eloquent and impassioned address to the American people, Senator George McGovern beckoned us to commit ourselves to the ecological struggle which now confronts our nation: "The challenge of our age is whether we shall seize the opportunity to decide what kind of life, what kind of environment, and what kind of opportunities we want for ourselves and for our children."

A bitter fact about twentieth century America is, that the most affluent of nations has, because of disinterest, avarice, and carelessness plunged itself into an environmental crisis of monumental proportions.

Although the problem of environmental pollution is grave, it is not unsolvable. It is clear, despite lofty denials from many of our public officials, that we can ill afford the luxury of waiting another decade for the answers. If we are to survive the ecological disaster which now theatens mankind, it is imperative that we face this sorry and perilous situation realistically.

Not long ago, Chris Kirkman, a ten-year-old boy died because he could not get enough oxygen. His doctors said he was "eaten alive" by smog. Although the dangers of pollution are known, we seem unwilling to save the planet from this dreaded predator. Moreover, the public has lulled itself into believing that utopia is just around the corner. Well, the truth of the matter is, the only way that there will be a better tomorrow is if we make it so.

The realities of the present suggest that we have been betrayed; betrayed by those we elected to represent us and, further, betrayed by those claiming to be the leaders of the fight to save our natural resources. The result of this betrayal is mirrored in the steady deterioration of our state, its unique beauty and plentiful resources.

Why this horrible failure to clean up the environment? Over the years, many groups and organizations have come into existence. Many of these survived for a short time and passed from the scene. However, a number of organizations continued their involvement until they came to regard the "environmental crisis" as sort of their own "pet project," thus making it extremely difficult for other concerned citizens to join them in that fight.

In addition, we trusted our public officials when they told us to have faith, that things were getting better, that the end of pollution was in sight. In fact, the reason so little has been done to combat smog is because neither the legislature nor the governor has been willing to enforce the laws against industrial polluters.

The inability of the State Legislature to enact tough, effective anti-pollution legislation was evidenced again last week. The most important coastline conservation bill of the 1971 legislative session was killed by a 4–4 vote of the Senate Natural Resources Committee.[1] Although the outcome was terribly disappointing, it was not really surprising. Actually, this tragic scenario of governmental indifference, corporate meddling, and public apathy is a rather common occurrence.

While campaigning, politicians traditionally speak of bringing the government closer to the people. Once in office, however, a functional gap develops between the people and their elected representatives. The issues on which rigorous campaigns are built are the same ones which are quietly ignored once these men take office. The lobby system takes control and these elected representatives are no longer faithful to the people. The system is so ingrained that when the interests of the people conflict with those of the lobbyists, the people invariably lose out. Now, all this doesn't mean that the system won't work. But it is worth noting that the State Capitol is not a citadel of raw courage or absolute reason but is composed now, as always, of men who act more on the basis of what is popular, than what is right.

Many Americans claim, and with some justification, that government has simply become too big, too complex to cope with

Footnotes at end of article.

those social ills which blight the mind and spirit of man—hunger, poverty, racism, illiteracy, disease, pollution and war. In fact, they charge that in many problem areas, government is actually oblivious to human suffering. In denouncing what they consider abuses of power, these sincere people hope to reverse many of the government's present programs, particularly in the environmental arena.

Meanwhile, an overwhelming sense of hopelessness and futility consumes the average citizen who feels powerless not only to affect his own life, but that of his country as well. How can any pressing reforms be undertaken so long as those in positions of power respond to such grevious problems with disdain and contempt? There is in the end a feeling that the individual is helpless, quite unable to make any worthwhile contribution to the society in which he lives.

More than ever before, the very integrity of our social and political institutions are being questioned. A great many people have given up on our nation, its traditions and fundamental precepts. These skeptics, nurtured by the daily nightmare of violence and poverty, prejudice and pollution, are not so naive as to believe that all the men and women we send to the capitol to write our laws are always going to place the people's welfare ahead of their own private, vested interests.

There is really no point in continuing to diagnose the problem. We have come perilously close to studying ourselves out of a planet. There is information enough for action. All that is lacking is political will. The time for letter writing, picketing, or boycotts has passed. What is needed now, today, is a positive program to help remedy this ominous situation.

At long last, there is a responsible and realistic alternative to this environmental nightmare. An organization known as the People's Lobby, Inc., has appeared on the scene. Issue oriented, solution motivated, and armed with the initiative, injunction, and lawsuit, this group has qualified for the ballot in 1972, the toughest anti-pollution law in the country.[2]

What is so important about the People's Lobby as distinguished from all other environmental groups, is that it has found a viable way of circumventing all of this political chicanery while working within the system in order to effect meaningful change.

To those unbelievers who say that no man, no single organization can make a difference, the record of the People's Lobby is a dramatic example of what can be done when a dedicated group of concerned citizens accept responsibility for improving and enhancing the quality of life.

This small organization, with limited resources and no political experience, has begun to turn things around. In January 1970, People's Lobby asked for independent testing of Standard Oil's F–310. Soon after its initial investigation, it filed, on behalf of all Californians, a consumer fraud class action lawsuit against Standard Oil for its deceptive F–310 advertising. People's Lobby successfully held the suit in court (a first for California consumers); subpoenaed Astronaut Scott Carpenter and the Los Angeles County Board of Supervisors for depositions; and called for government hearings and quick action. Within a matter of days, the Federal Trade Commission filed a complaint against Standard Oil charging it with conducting a fraudulent advertising campaign.[3]

Not long ago a lawsuit was filed by the People's Lobby against the Los Angeles and Bay Area Pollution Control Districts charging that these two governmental agencies knowingly disseminate false reports on smog conditions. Mr. Roger J. Diamond, an attorney for the People's Lobby, maintained that under the constitution, the public had the right to receive correct and complete information from a public agency. In an unprecedented move by the Air Pollution Control Districts, Los Angeles deputy county counsel, Andrew Schutz, told the court that under the First and Fourteenth Amendments, it does not specify whether or not the public is entitled to receive accurate information from the government, therefore, the government, if it so chooses, has the right to lie. Judge Francis C. Whelan, after length deliberations, ruled that his court had no jurisdiction over the case. It is presently being appealed to a higher court, where a decision should be forthcoming.[4]

In a landmark case, the People's Lobby claimed it had a right, under the freedom of speech guarantee, to use the public areas of shopping centers for purposes of gathering signatures for initiative petitions on environmental and other matters. The California Supreme Court ruled in favor of the People's Lobby, basing its decision primarily on the grounds that peaceful, nondisruptive action of this kind is constitutionally protected. The high court said "modern shopping centers, serving as the business districts for the surrounding residential communities, have important public functions, and their owners may not rely on their private ownership to justify such usurpations of the First Amendment. Indeed, in many instances the contemporary shopping center serves as the analogue of the traditional town square."[5] This historic case, heralded by many jurists as one of the great victories for the Bill of Rights, was brought to fruition by the concerted efforts of the People's Lobby.

Just recently, the People's Lobby went directly to the California Supreme Court and won a unanimous decision guaranteeing the rights of 18–21 year olds to register to vote where they reside. The case centered around Mark Randall who lived in Bellflower, California and attended school in the same area. His parents resided in Woodland Hills, California. Both cities are in Los Angeles County, but they are in different congressional, senatorial and supervisorial districts. Before the court action, Mr. Randall would have been required to register in Woodland Hills, and he would have had no voice in determining the affairs of his own home community. By assuring the right of Randall to register and vote where he lives, the People's Lobby case also guarantees that same right for more than a million newly enfranchised 18–21 year olds.[6]

These are but a few of the more dramatic victories of the People's Lobby, a non-profit, non-partisan California corporation staffed entirely by volunteers and supported through contributions and memberships. This group of concerned citizens, dedicated as they are to solving the problems of people, particularly in the area of environmental pollution has come up with an answer for the pollution problem.

The "Clean Environment Act," drafted by the People's Lobby, is in the form of a people's initiative. It calls for a halt to new offshore oil drilling; it imposes a five-year moratorium on new nuclear power plants; it bans DDT and other dangerous agricultural pesticides; it provides for phasing out leaded gasolines by July 1, 1976 and; it shuts down polluters who are getting too many variances until they install stand-by pollution control equipment. In addition, it establishes the right of people for immediate injunctions against polluters; it makes public the records of the Air Pollution Control Districts; it suspends or revokes the dealer's license of those who sell vehicles which do not comply with the present State emission standards; it eliminates conflicts of interest from regional and state water boards; and it makes current, many of our present anti-pollution safeguard procedures.[7]

A recent investigation has confirmed the fact that California's major corporate polluters are presently raising a $6 million war chest to defeat the "Clean Environment Act."[8] Can't 6,705,000 voters beat the lobbyists and their cronies? Start now and fight back. If you are not registered, get registered. If you are, make sure you vote on election day. The very survival of our State depends on it.

It seems obvious that our surroundings can enrich or impoverish our lives. By conserving and prizing our environment, we can add immeasurably to our private and public happiness. Don't we owe at least that much to ourselves, our children, and future generations?

Footnotes at end of article.

FOOTNOTES

[1] "State Senate Panel Kills Last Major Coastline Protection Bill," *Los Angeles Times*, November 16, 1971, sec. 1, p. 1. It is interesting to note that the ninth committee member, Senator James Q. Wedworth (D-Inglewood), who was the swing vote, did not attend the hearing. Before leaving, Wedworth told several of his colleagues that he supported the measure. When asked why he failed to show up, he said he was away on "personal business." Wedworth later admitted that he was out shopping for horses. The author of the bill, Assemblyman Alan Sieroty (D-Los Angeles), noted that "The 11th-hour activities of representatives for developments such as Sea Ranch, Pajaro Dunes, and other land developers and a number of utilities also played a role in the bill's defeat."

[2] People's Lobby maintains a staffed office 24 hours a day, 7 days a week in Los Angeles, California. In addition, it has other state offices in Santa Cruz and Pleasant Hills. It maintains voluminous files on pollution of all kinds, acting as an information and distribution center for students and other interested citizens. It also is actively engaged in registering voters. People's Lobby is a membership organization—$10 for adults and $2 for students. It receives monthly pledges and honorariums for speaking engagements, and derives much of its revenue from the sale of its newspaper, *AGENDA 71*, an anti-pollution tabloid.

[3] In its June 1970 issue of *We The People Talk*, the People's Lobby made a number of serious charges against Standard Oil which led to the Federal Trade Commission's subsequent investigation. The FTC charged that Standard Oil was falsely promoting its F–310 gasoline additive as an effective weapon against air pollution. It found that "Using Chevron F–310 will not significantly reduce air pollution generally, or air pollution caused by motor vehicles or automobile emissions of carbon monoxide and hydrocarbons." In an unprecedented move, the FTC proposed that all future gasoline advertisements by Standard should mention or display the charges against the company.

[4] "U.S. Has Right to Lie to Public," *Oakland Tribune*, May 30, 1970, sec. G, p. 3. This lawsuit was filed by the People's Lobby through Director Mrs. Joyce Koupal in January 1970, against the Los Angeles and Bay Area Pollution Control Districts. Since the advent of the lawsuit, the LAPCD has changed the way it reports on smog levels. It has also instituted "smog raids" on local industrial polluters. Its District Director, Mr. Louis Fuller, resigned his post "under fire" from the Lobby.

[5] "Nonviolent Protesters Can't Be Denied Use of Shopping Centers," *Wall Street Journal*, May 18, 1971, sec. 1, p. 2. The case was later appealed to the U.S. Supreme Court which refused to review it. Only Chief Justice Warren E. Burger and Justice Harry Blackman voted for review. The affirmative votes of at least four Justices are necessary for review.

[6] "18+ Voters Told They May Register At Places of Residence," *Los Angeles Times*, August 28, 1971, sec. 1, p. 1. This unanimous ruling countermanded an opinion issued February 17, 1971, by Attorney General Evelle

Younger. Under that opinion, county registrars have refused to place under-21 voters on the rolls except in the district where their parents live. "To compel minors living away from home to travel to their parents polling district to register and vote, or to cast an absentee ballot, will abridge their voting rights," the court held. Since the vote has been extended to 18-year-olds, fears have been expressed by residents of some communities, particularly college and university towns, that minors being away from home could dominate California elections. The new under-21 voters tend to be more liberal, registering about 3–1 Democratic over Republican. Where they are concentrated in a community, they could pose a definite challenge to an established conservative majority.

[7] People's Lobby successfully collected a half million signatures of registered voters to qualify the "Clean Environment Act" for the 1972 California primary ballot. Signatures are now being gathered by People's Lobby on the Santa Cruz County Coastal Protective Initiative, and will, if passed, save the coast for agriculture and recreation, declare Route 1 as scenic highway, require that any power plant must go to vote of the people, and maintain a five-year moratorium on the reconstruction of new nuclear power plants.

[8] "Polluters Plan Huge Outlay, Banker Says," *Los Angeles Times*, June 24, 1971, sec. 2, p. 3. Fortney H. (Pete) Stark, the president of Security National Bank, said he learned from an opponent of the environment act, whom he would not identify, that corporations plan to spend much more than the $350,000 spent last year to defeat Proposition 18, the so-called "clean air amendment," which would have permitted some gasoline tax funds to be used for mass transit, rather than highways only. Stark said he also learned $2 million was already allocated to a Republican campaign firm to conduct a statewide survey of voter attitude and plan an opposition campaign.

A MAN WITHOUT A COUNTRY—BECOMES FACTUAL

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAGAN. Mr. Speaker, sad indeed is the story of Thomas Jolley who renounced his country and is now a man without a country as the result of the Supreme Court's affirmation of the Immigration Board's order that Jolley must leave the country within 90 days.

Unlike many immature American draftees and prospective draftees, Jolley went the last mile and took an oath of renunciation of the United States and signed papers to back up his action. He was sure he was through with America because he did not like the draft law. Others have deserted from military duty, evaded their draft boards, and sought sanctuary in other countries, but took no oaths and signed no papers.

Jolley sneaked back into the country from Canada and for some months has been working on a newspaper in Florida. Now he has decided he likes this country and wants to stay, but it cannot be. He is through here.

Who has not shuddered over the strange tale of "A Man Without a Country" by Edward Everett Hale. Now we have a modern version that is true and every bit as forbidding as Hale's fictional "hero." What a lesson for American young people to ponder.

The following is an editorial from the Savannah Morning News of November 15, 1971, entitled, "Leaving Native Soil:"

LEAVING NATIVE SOIL

In 1863, author Edward Everett Hale wrote his famous tale of Philip Nolan, "The Man Without a Country." A pro-Union fable at the height of the Civil War, the story of Nolan—transferred from ship to ship and never allowed to see his forsaken country's flag—was written with such realism that many believed fiction to be fact.

Now, fact almost seems to be fiction.

Thomas Jolley has become a man without a country. Dodging the draft by fleeing to Canada in 1967 (he was a University of Georgia student at the time), Jolley eventually showed up before the U.S. Consul in Toronto. Stating the United States draft laws "conflict with my beliefs," Jolley then formally executed an oath of renunciation of his American citizenship.

Later, he slipped back into this country, got a job in Florida, and fought his battle against deportation through the courts. Last week, the Supreme Court affirmed the Immigration Board's order that Jolley must leave the country within 90 days. Unless a complete reversal takes place, he will.

If the decision to strip Jolley of his citizenship was an arbitrary one, many Americans would have risen in his defense. After all, the consequences not only are harsh but unusual. But Mr. Jolley's action was a voluntary one, perhaps made in the heat of war protest, but nonetheless made by him, and for him. It is not a tragedy in the sense that he was unaware of what he was doing; what is tragic is what must follow—for there is loneliness ahead, and there are "friends" who will seek only to use him for their own political purposes. In effect, a life is ruined.

In one sense, perhaps it is not fair because Jolley went through with the formality of renunciation, while others acted it out through desertion from active military service, through escape from their own respective draft boards, through violence at home directed against the government. They took no formal oath, signed no official papers, and will probably be reprimanded but forgiven when all of them decide to return.

And what makes the Jolley case especially pathetic, and eliminates any claim upon martyrdom, is that after renouncing his country he tried to become a part of her again. This, perhaps, is the tragedy of the ordeal of a real "man without a country."

EASTERN MICHIGAN UNIVERSITY

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ESCH. Mr. Speaker, earlier this month the University of Michigan was invited to represent the Big Ten at the Rose Bowl. I am now proud to announce that another football team in the Second Congressional District, Eastern Michigan University's Hurons, have been invited to the NCAA College Division's Pioneer Bowl at Wichita Falls, Tex. Finishing the season with a 7–0–2 record, the Hurons will face Louisiana Tech in the bowl game. I should like to insert in the RECORD the newspaper article announcing the bowl game:

Eastern Michigan University has accepted a bid to the NCAA's Pioneer Bowl at Wichita Falls, Texas, and reached the second of three goals set by the Hurons for the season.

At the beginning of the season our team had three main objectives, those of being undefeated, going to a bowl game and being ranked No. 1 in the final poll," said Coach Dan Boisture.

We've accomplished two of these objectives and are striving for the third, that of being the No. 1 team in the country.

The Pioneer Bowl will mark Eastern Michigan's first appearance in a postseason game, while Louisiana Tech took part in the NCAA Grantland Rice Bowl 2 years ago. I might add that despite the presence of All-American quarterback Terry Bradshaw, Louisiana Tech was thumped 34 to 14.

I would like to congratulate EMU's football team on their most successful season. I am particularly proud in that Eastern's success has now made ours the only congressional district with two bowl-bound teams.

MUST THERE BE ANOTHER PEARL HARBOR?

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. SIKES. Mr. Speaker, today, December 7, marks the 30th anniversary of the attack on Pearl Harbor by the Japanese.

How quickly some of us forget the lessons learned in that tragic attack.

We were attacked 30 years ago, Mr. Speaker, because it was thought we were weak. Had it not been for the bravery of America's youth, the all-out patriotism and support of the American people, and the determination of American industry to place this Nation on a war footing, we might well have lost that war and with it, our freedom and our cherished traditions.

The determination and enthusiasm which saw us successfully through the world's greatest conflict is nowhere evidenced today. Regretfully, the great patriotic spirit which has so often guided America through periods of peril was not reawakened for the Vietnamese conflict. Failure to press for victory left the American people puzzled and uncertain. Those who opposed the war have had the stage very much to themselves. In part, as a result of this situation, there is growing emphasis for continued reductions in America's military strength. Some are seeking cuts in their zeal to strengthen America's domestic programs. Some feel that we now live in the kind of world where armed might is no longer essential for security. There also are a vocal few who denounce patriotic motivation, our country's uniform, and its flag. They would have us believe that America's military industry is dedicated primarily to fraud, deception, and profiteering.

It is unfortunately true that the sum total of these voices is pushing America toward the weakening of its military es-

tablishment to a dangerous level and to a cutback in military spending to the point that we may all too soon find ourselves with no effective weapons in our arsenal with which to defend our Nation.

In recent days raw, naked aggression has plunged a new part of the world into warfare. It is obvious that the Soviets are blocking attempts at conciliation in this conflict in order that they may control another piece of the world. This should make it clear that America's armed strength continues to be our first line of defense.

Did we not learn from the lesson of 30 years ago? Have we forgotten so soon?

Let us not forget that there also are those among us who see as the best way to achieve the goal of a United States taken over by enemies of the American system of government and the American way of life is to discredit the military, to take away our weapons, and to soften our industrial capability to manufacture the means with which to defend ourselves. This Communist-inspired and directed group will take advantage of every oportunity to confuse and confound the thinking of the American people on the vital issues of survival.

As we mark this 30th anniversary of the day President Roosevelt said would live in infamy, let us not be taken in by our enemies or misled by those who mean well but who are misguided. If ever the United States should bend to the will of those who would enslave us. we will stand convicted as having ignored the most basic lessons of history.

That, Mr. Speaker, would be a day far more infamous than the aniversary we mark today.

PROBLEMS OF THE AGING

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. GARMATZ. Mr. Speaker, the 1971 White House Conference on Aging brought some 4,000 interested individuals to Washington last week to discuss the problems of the elderly and to recommend means by which solutions to those problems may be found.

Since last August the Special Studies Subcommittee of the Committee on Government Operations has functioned as a House committee on problems of the aging. The Special Studies Subcommittee, of which I am ranking majority member, is chaired by the able and distinguished gentleman from Missouri, the Honorable WILLIAM J. RANDALL.

Mr. RANDALL and the subcommittee have had the unstinting support and encouragement of the chairman of the full committee on Government Operations, the Honorable CHET HOLIFIELD. Twenty days of exhaustive hearings have been held to date. The subcommitte has endeavored to pull together a virtual mountain of printed material that has been developed on this subject since the first White House conference was held more than 10 years ago. The major authoritative works on the various problems of peculiar application to the aged and aging have been researched.

In terms of desirability, the findings of the Special Studies Subcommittee to date have been highly consistent with the recommendations that emerged from the White House conference last week. But, when the subcommittee's recommendations are made some time next year for legislative programs to meet the needs of the Nation's senior citizens, who now comprise about 10 percent of our total population, the cooperation of many other House committees will be necessary in order to deliver new and badly needed services to the aged and aging. If that cooperation is not enthusiastically given, or if the legislative product is not commiserate with the value of our senior citizens or the urgency and legitimacy of their needs, then the efforts of the White House conference and the Special Studies Subcommittee will have been wasted.

Subcommittee Chairman RANDALL addressed one of the sessions of the White House conference on aging on Wednesday, December 1. As a part of these remarks I wish to include that address:

ADDRESS OF HON. WILLIAM J. RANDALL, CHAIRMAN, SPECIAL STUDIES SUBCOMMITTEE OF HOUSE COMMITTEE ON GOVERNMENT OPERATIONS BEFORE THE WHITE HOUSE CONFERENCE ON AGING, DECEMBER 1, 1971

The twentieth century has been an age of magnificent change. In the fields of science, technocracy and social consciousness greater progress has been made in the past 70 years than in all the years since the birth of our country. Who would have believed at the dawn of this century back in 1900 that within a few years women would not only be given the right to vote, but many would also hold high public office. Who would have believed that in the same time required in 1900 to travel from New York to Washington we would, by 1971, be able to span the continent or even cross the Atlantic Ocean.

Yet, what a shame it is—and I say it is a national shame—that in this age of change we have come to the last quarter of this most progressive century before starting to take positive action on the serious problems that confront one-tenth of the people in our country—our aging Americans.

We should not forget that those people who comprise our elderly population today helped to pay for two great wars and, yes, two so-called lesser ones. Some of that generation are not with us today because they gave their lives on the battlefields. The sons of many of our older citizens also died in the cause of our country's freedom. The senior citizens of 1971 endured the greatest economic depression in the history of our nation; they helped buy trips to the moon for our astronauts. These people have spent their lives in helping to respond to the problems of our nation. But until now the nation's response to their problems has been to talk only about "national policy." Now the time has come to implement that policy with action. And I believe that is what this White House Conference is all about.

It may be well, before proceeding further in my remarks, to tell you a little about the Special Studies Subcommittee, of which I am Chairman. We are a subcommittee of the House Committee on Government Operations. The Government Operations Committee, under the very able Chairmanship of Congressman Chet Holifield of California, has oversight responsibilities with respect to the economy and efficiency of operations of every Department and every agency of the Federal Government. The Government Operations Committee also has jurisdiction over any reorganization within the Government. So, if a new department or agency were to be created in the federal structure, including any special office or department to deal with the problems of the aging, it is most likely that the Government Operations Committee would handle the reorganization legislation.

Early in the 92nd Congress I enthusiastically co-sponsored legislation to create a Select Committee in the House of Representatives to study problems of the aging. But there are already 176 Committees and Subcommittees, repeating 176, on the House side of the Capitol. The space situation is so critical that we now have legislative subcommittees housed in storage rooms, in the basement garage and, in at least one case, a Committee has no office at all.

I doubt if there is a Member of either House of Congress who is not sensitive to the plight of our senior citizens; I doubt if there is a vote in either House against creating a Special Committee to consider this plight, if there were no other way to focus upon it. The House leadership, certainly, is aware of the need for action at the earliest possible time. That is why, instead of waiting perhaps years, one, two, three or more years, until more space becomes available, the House leadership asked the Special Studies Subcommittee to function as a Committee on the aged. It seemed like a practical or logical solution, particularly for this year. We already had a staff and office facilities and assigned hearing rooms. And, I hope you recall that I mentioned a moment ago that the Government Operations Committee, parent group of the Special Studies Subcommittee, has oversight jurisdiction in the case of all federal government departments and agencies. That, of course, includes the dozen or so offices charged with administering different programs for the aged, and including those which might or could become responsible for any new programs that will be proposed and enacted.

Since September 15, the Special Studies Subcommittee has held 20 days of hearings on problems of the aging. 17 of these hearings were in Washington; two in Chicago and one was in Baltimore.

Our staff has isolated nearly 50 separate problem areas of special application to the aged. These closely parallel the enumerations which you have made under the 14 sections of study associated with this White House Conference on Aging. Our hearings have already touched upon several of these. Before we finish our study and file our legislative recommendations sometime next year, we will have had expert testimony on every one of these subjects. The Subcommittee and its staff will have inspected as many of the various kinds of facilities across the United States as we need to see in order to have a comprehensive view of all the problems confronting the aged. Before the end of 1972 we will have researched every major authoritative work on various aspects of being old and growing old. I think you may agree this is a major project. I can report it is being undertaken by a group of hard-working committee colleagues who have shown they are willing to find and give as much time to the task as it may require.

As our hearings of problems of the aging progress, I realize more and more that determining *how* to meet the needs of our senior citizens is a greater challenge to the subcommittee than simply learning what those needs are. The White House Conference on the Aging which was held ten years ago, in 1961, clearly identified the needs. I, along with three other members of the Special Studies Subcommittee was in Congress when that Conference was held. We were aware of the recommendations that came out of the 1961 Conference. The importance and correctness of those recommendations have been

more indelibly impressed upon each of us with the passing of time. We supported passage of the Older Americans Act, the creation of the Administration on Aging, and the Medicare-Medicaid legislation which had their genesis at least in part—in the 1961 White House Conference. Each of us have voted for adequate funding for activities under those acts.

But *more* needs to be done. *Much more.*

In many cases—indeed, in most cases, the States and local communities have moved more quickly and more positively than has the Federal Government, to answer the pleas of the aged for special consideration of their special needs. But I feel it necessary to digress for just a moment to call attention to one glaring failure on the parts of the States and local governments. I refer, of course, to the matter of safety standards and inspection practices as they apply to nursing homes and other facilities for caring for the disabled and homeless aged.

I completely disassociate myself from those who seem willing to issue a blanket indictment against all nursing homes as an evil institution.

The members and the staff of the subcommittee have inspected many nursing homes. We have seen some very good ones. True, and unfortunately, we have also seen some bad ones. I dislike saying it, but in most, if not all the cases of substandard conditions and deficiencies of service we have observed, studied or investigated, blame was traceable to varying degrees of inadequacies on the parts of local units of government in their setting of standards and supervisory practices. In many cases we have observed diverse and divergent regulations on the parts of city, county, and State governing bodies within the same general area. Where Federal funds are involved, as with medicare patients, or in construction loans, then Federal standards and requirements may encourage more orderly regulation at the local level. But many nursing homes and other health care facilities for the aged are not recipients of Federal funds and are, therefore, outside the reach of Federal regulatory bodies.

This was the case with the Pennsylvania nursing home in which the most recent tragic fire occurred. This home was in fastidious conformity with all State and local regulations respecting construction, fire prevention requirements and number of attendants on duty per patient. Yet, 15 elderly lives were lost in a few tragic minutes because in all respects these regulations were not sufficient to keep a wooden building with no fire or smoke warning devices or sprinkler systems from quickly going up in flames.

But let us talk about the positive.

The most frequent recommendation by witnesses before the Special Studies Subcommittee has been that better protection be afforded retired persons' incomes. This protection could take many forms, one of which is the opportunity to earn additional money within the limits prescribed for recipients of social security benefits. A variety of self-help programs have been devised by voluntary groups in some communities through which elderly persons are afforded the opportunity to render needed, worthwhile services on a part-time basis. We need more of these programs. But two things are needed from the Federal Government. One, there must be a more realistic limit placed upon outside earnings before reductions are made in social security payments. I have long recognized this need and have introduced legislation to raise these limits. Modest increases were made in social security amendments which passed the House in 1970, but failed to become law, and again in H.R. 1, which passed the House last May. I am hopeful the other legislative body on the north side of the Capitol will act on this bill in timely fashion during this session of Congress.

Another thing the Congress can do now is to provide more liberal funding of the Older Americans Act to permit an expansion of existing activities, such as green thumb and foster grandparents programs.

Another income protection device that has been extended to the elderly by State and local governments has been in different kinds of concessions made on real estate and other taxes due at those levels. I strongly believe those efforts should be matched by the Federal Government in the form of more realistic tax treatment of the incomes of the elderly.

Health care is second in frequency of requests our subcommittee hears as necessary to meet the needs of the elderly. Here again, there are many avenues of relief. My limited time will permit identification of only the most recent case of local effort I have observed along this line. In a visit to McNeal Memorial Hospital in a Chicago suburb last week the Administrator told us what they are doing. This hospital is freeing beds for other patients needing geriatric care by early releases of those patients who have homes and can live in them if only they can have a minimum amount of care. That hospital is preparing meals for patients released under this plan. Meals are delivered to patients by Church and other volunteer groups, which also provide certain homemaking services. This one plan operated by a single hospital is of course just a little thing, or a small beginning. But, when and if multiplied by the community and individual efforts in hundreds of cities in all of our States, then thousands of aged persons with limited abilities to care for themselves would be enabled to stay in their own homes where I believe they prefer to be. And for each of these individuals freed from hospital or other institutional care, space is made available for someone else who is even less able to care for himself. Of course, we need better institutions for the care of the elderly. But I am satisfied that the populations of these institutions could be reduced by 12% to 15% or more if voluntary programs of home care could be expanded to meet the food requirements, minor therapeutic and medicinal needs of some of our older citizens.

Statistically speaking, housing seems to be the third most important problem brought before our subcommittee by the elderly. Unfortunately, our crowded agenda has not yet permitted any on-site inspections of housing constructed under provisions of the Federal Housing Act addressed specifically to the needs of senior citizens. But we have had testimony to describe the efforts of private local groups which have taken leadership in constructing housing facilities designed to meet the special needs of our older citizens. We have seen plans for additional facilities of this type. Our studies so far indicate that, in view of limited financing available for this kind of construction from federal sources and the seemingly endless maze of red tape that must be sliced through in dealing with federal agencies, local efforts in this area are of yeoman proportions. It seems clear that some of the complexities of dealing with the federal government must be eliminated—not *only* in the matter of specialized housing, but in *all* aspects of government services.

My final point to be made in this brief summary of our subcommittee's study of problems of the aging to date really encompasses a vital element that threads its way through all the categories of needs felt by the elderly: human dignity. The dignity of remaining a *useful* member of the community even though the calendar may indicate the age of usefulness is past. The dignity of collecting for the services the elderly have already paid for by a lifetime of contributions to their national and local communities without having these collections branded as "welfare," as seems to be the tendency by lumping together or making into one package badly needed and long overdue social security reforms with measures heavily directed to, and called, "welfare reform." The dignity of being able to board a public transportation conveyance without the athletic exertion that can be expected of the much younger generation for whom these buses, trains and planes seem to have been designed. The dignity of being able to apply for and get employment—or to be able to keep a job on the basis of ability to perform, rather than being rejected solely and only on the basis of the date of birth.

The dignity of having all these needs and the special health, dietary and other personal and spiritual requirements met, without enduring the impatience and intolerance of those who cannot or prefer not to understand that all of these are the needs of those citizens who have supported this nation for three score or more years.

I realize that in the time allotted to me today it was possible to discuss only the broadest generalities. The two major points which I *tried* to make—I will attempt to summarize as follows:

1. State Agencies and voluntary groups at the local level have done and are doing a commendable job in delivering to the aged the benefits intended by the various laws Congress has passed for making the golden years more pleasant and more secure. These financially hard-pressed state and local governments, when taken in relation to their ability to perform, are doing a better job than the Federal Government in providing benefits for their elderly citizens.

2. The pipelines through which Federal programs are delivered to the states must be cleared of the obstructions created by ambiguity and unnecessary complexities. To avoid red tape or to cut through it, there should be a high-level office for the aging—*not* in HEW or HUD or DOT or elsewhere—but in the Executive Office of the President.

Perhaps a 3rd point should be made, and this one is directed toward my own branch of government, the United States Congress. The programs that have already been authorized for the elderly, the ones now on the books, should be backed by sufficient appropriations to make their benefits more universally available. I believe it is better to make self-help opportunities more generally available to all classes of needy citizens, and especially the elderly needy, than it is to provide alternative methods of caring for those who cannot care for themselves.

In meeting the needs stressed in this third point, Members of Congress, themselves, may have to relax some of their long and tightly held jealousies of prerogatives. Whether there is ever established a special or select committee in the House of Representatives to deal with problems of the aging or not, there will remain some stumbling blocks both in the House as well as in the Senate. In my judgment, it would be a parliamentary impossibility, touched by Constitutional overtones, to create a legislative committee on problems of the aging. Therefore, recommendations for legislation coming from any select or special committee studying problems of the aging would have to be considered by the legislative committee having jurisdiction over the specific recommendation. On the Senate side, this jurisdictional authority is spread among thirteen of the seventeen standing committees. On the House side, fourteen of the twenty-one standing committees have jurisdiction to consider various proposals to benefit the aging.

It is my devout hope that when recommendations are made in the House or the Senate by any committee working and dedicated to ease the process of growing old or being old, the appropriate jurisdicitional committees will receive and consider these recommendations without prejudice and without regard to the fact that they originated in another committee.

Changing America's attitude toward our aged citizens and meeting the needs of these very special people require a partnership that includes the good will and the sincere efforts of every branch of this government and the cooperation of state, local and voluntary groups. With such a team, we can meet the challenge to overcome all the past years of neglect of our aged. We can no longer afford to waste the valuable contributions older Americans can continue to make to our society. Existing programs must be funded and new programs created under which future generations of our elderly citizens will be treated with compassion and appreciation.

HARRY HOMEWOOD COMMENTS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. DERWINSKI. Mr. Speaker, at the United Nations and all of the capitals of the world there is considerable speculation over political developments in Red China. One of the more thoughtful analyses of the situation that I have seen is by veteran news analyst Harry Homewood in the following article which appeared in the Suburbanite Economist on Sunday, November 28.

The article follows:

HARRY HOMEWOOD COMMENTS—NEWS ANALYST FOR WAIT RADIO

The mystery of Red China's political upheaval continues to stir speculation. Diplomatic sources in London which are reputed to have excellent sources within Red China have reported that President Nixon's visit to Peking will not take place until sometime in April, not sooner, as had previously been indicated.

The London sources say the reason for the delay is that Red China needs time to "prepare politically" for the visit of the American President. The phrase "prepare politically" is interpreted to mean that further purges are needed within the Red Chinese Communist party because there are still elements within the party that object violently to the visit of President Nixon and to any traffic with the United States.

There is no longer any doubt in world capitals that there has been a major upheaval within the ranks of the Chinese Communist party. The most credible theories revolve around the supposition that Lin Piao, the chosen successor to Mao Tse-tung and the chief of the Red Chinese Army, attempted a coup to displace Mao. The coup failed and Lin Piao, his wife and other conspirators attempted to flee Red China in an aircraft that was shot down over Mongolia on Sept. 12 or 13.

No one knows who shot the aircraft down. All that is known is that it was shot down. Nor has there been any confirmation of widespread reports that all nine passengers on the plane had been shot in the head. Mongolia, where the plane crashed, is under the protection of the Soviet Union.

What is known is that Lin Piao has not been seen in public since Sept. 8. Four other ranking officials, the chief of staff of the army, the political commissar of the navy, the head of the air force and the head of the army's supply services have also dropped out of public view since that same date, Sept. 8. It is known, also, that an issue of Mao Tse-tung's Little Red Book of his thoughts, which contained a forward by Lin Piao has been recalled and taken out of circulation. Nor has Lin or any of the other four officials been mentioned in Red Chinese newspapers, magazines or radio broadcasts.

All of this apparently adds up to a massive political upheaval within Red China's ruling hierarchy with Lin Piao and others leading the ultra-conservatives against Premier Chou En-lai, a known moderate.

The odds are that Lin has lost. But Lin controlled the army and the theory (and practice) in Red China has always been that control over the army is essential to control of the nation. It was Lin Piao who coined the phrase, "Power grows out of the barrel of a gun."

The diplomatic reports that indicate Red China needs more time to politically prepare for President Nixon's visit are taken to mean that Mao and Chou En-lai have not as yet whipped all the elements of the army into line and need a little more time to do so.

There is a significance to these developments. If the moderates in Red China are firmly in the saddle it is an indication that the time when Red China will reunite ideologically with the Soviet Union may not be as far off as everyone had surmised.

MODEL STATE ACT FOR THE TREATMENT AND REHABILITATION OF NARCOTIC ADDICTS

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. FREY. Mr. Speaker, recently I had the opportunity to address the National Society of State Legislators Conference in Philadelphia. I presented to them a model State statute for a comprehensive approach to the drug problem facing us today. Following is a copy of my remarks on this subject:

MODEL STATE ACT FOR THE TREATMENT AND REHABILITATION OF NARCOTIC ADDICTS

DECLARATION OF POLICY

It is the intent of the Legislature that persons charged with or convicted of violating state criminal laws (with certain enumerated exceptions) or persons not charged with a criminal offense, who are determined to be addicted to narcotic drugs and who require medical treatment should be civilly committed for confinement and treatment for such condition and its underlying causes. Such treatment shall be carried out for nonpunitive purposes not only for the protection of the addict against himself, but also for the prevention of contamination of others and the protection of the public.

It is further policy of the Legislature that individualized, community-based treatment taking into account the degree of addiction, age of the addict, and behavior and criminal record of the addict, will be provided to those committed under this program so that they may be treated and rehabilitated in the shortest possible period of time and once again become functioning members of society. Such treatment will include assistance in developing job skills, securing employment, and finding suitable housing.

Title I: Civil commitment of persons charged with or convicted of a crime

Section 101. *Definitions:*

For the purposes of this title—

(a) "Addict" means any individual who habitually uses any narcotic drug as defined by section 102(16) of the Controlled Substances Act so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drug as to have lost the power of self-control with reference to his addiction.

(b) "Treatment" includes confinement and treatment in an institution and/or supervised after care or out patient treatment in the community and includes, but is not limited to, medical, educational, social, psychological, vocational services, corrective and preventive guidance and training, and other rehabilitative or maintenance services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending or controlling his dependence on addicting drugs and his susceptibility to addiction.

(c) "Felony" includes any offense in violation of a law of the State which at the time of the offense was classified as a felony by the law of the State.

(d) "Conviction" and "convicted" mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

(e) "Eligible individual" means any individual who is charged with an offense against the State, but does not include those determined unsuitable due to one or more of the following factors—

(1) Previous convictions of murder, assault with intent to commit murder, attempt to commit murder, kidnapping, arson, robbery, burglary in the 1st degree, mayhem, felonies involving bodily harm or attempt to inflict bodily harm or offense for which the minimum term is more than 5 years in state prison.

(2) Excessive Criminality. Persons whose histories include criminality of any nature which is evaluated as chronic and/or extensive are considered unsuitable for the civil addict program.

(3) Sale of Narcotics, Dangerous Drugs or Marijuana. Persons who are involved in a large-scale trafficking operation, or persons who are found to be trafficking or in possession of narcotics, marijuana, or dangerous drugs beyond that which might be reasonably necessary to support their own need for narcotics.

(4) Assaultive Behavior. Persons with a history of assaults, battery and other offenses against the person, including—a) those with a pattern of aggressive and assaultive behavior. This pattern may be developed either by acts committed over several years with periods of nonviolent adjustment in between or it may demonstrate itself in a series of acts preceding the instant arrest; b) those who have a pattern of aggression which precedes their narcotic addiction and continues after their addiction; c) those for whom it is adjudged that long-term institutionalization is indicated because of the seriousness of their behavior. Single acts of aggression may warrant exclusion when the act was of such nature that it demonstrates aggression which was aggravated or vicious, or when the individual was involved in using dangerous or deadly weapons in the commission of the instant or prior offenses.

(5) Other Relevant Reasons: a) Extreme Recalcitrance: Case history shows subject can reasonably be classified as an escape risk or is recalcitrant to the extent that he unduly threatens the good order and the security of the minimum security facilities of the civil addict program; b) Other Medical or Psychiatric Disorders: Those who, while they may be addicted to narcotics, have major behavior or medical disorders distinguishable from narcotics addiction, and which would need treatment (in addition to treatment for addiction) which the civil addict program is not able to provide, including—I. Sex deviates—case history or diagnosis shows person to be a sex deviate who needs treatment for this pathology in order that he may be controlled and that he becomes less of a threat or menace to society; II. Chronic psychotics—persons who would require treatment of their psychosis before the addiction problem could be approached. III. Serious medical disorders—A. Persons with such serious medical

problems that treatment for their narcotic addiction is secondary and B. Persons whose medical problems are severe and may be deemed irreversible.

(f) "Patient" means any individual with respect to whom a petition has been filed by the district attorney (or his equivalent) as provided in section 105 of this title.

Section 102:

(a) If the district attorney (or his equivalent) or judge has reason to believe that an individual charged with or convicted of a criminal offense against the State is an addict, then the district attorney (or his equivalent) or judge will request the State Narcotic Treatment Commission (SNTC hereafter) to determine if there is reasonable cause to believe such. If the SNTC determines that there is reasonable cause, the district attorney (or his equivalent) will file a petition with the court to have such person examined to determine if he is, in fact, addicted.

(b) Upon the filing of any such petition by a district attorney, the court may order the individual to appear before it for an examination as provided in subsection (d) of this section. The court shall cause a copy of such petition and order to be personally served upon the defendant.

(c) The court shall advise the individual to be examined of his right to have his own physician present for consultation during any examination conducted under this section, but in no event shall such physician be entitled to participate in any such examination or in the making of the report required under this section with respect to such examination.

(d) The court shall then appoint 2 qualified physicians, one of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination the court may order the individual committed for a period not to exceed 72 hours to the custody of the chairman of the SNTC for confinement in a suitable hospital or other facility designated by the chairman of the SNTC Center. Each physician appointed by the court shall, within such 72 hour period, examine the individual and at the end of the examination file with the court a written report with respect to such examination. The examination shall consist of a physical examination and a psychiatric examination, except the psychiatric examination shall not be administered, and the individual shall be immediately returned to the court for such further proceedings as it may direct, if the physical examination indicates that the individual is not a narcotic addict. Each such report shall include a statement of the examining physician's conclusions as to whether the individual examined is a narcotic addict and requires medical treatment. Upon the filing of such reports, the individual so examined shall be returned to the court for the completion of the criminal proceedings. Copies of such reports shall be made available to the individual and the district attorney (or his equivalent).

Section 103:

(a) If both examining physicians (referred to in section 102 (e)) conclude in their respective written reports that the individual is not a narcotic addict, or is an addict not requiring medical treatment, the court shall immediately enter an order discharging the individual and the pending criminal proceeding shall be immediately resumed. If the written report of either such physician indicates that the individual is a narcotic addict who requires medical treatment, or that the physican submitting the report is unable to reach any conclusion by reason of the refusal of the individual to submit to a thorough examination, the court shall promptly set the case for completion of the criminal proceedings.

Section 104:

(a) Any individual who has been examined and found to be a narcotic addict in need of medical treatment under this title may be detained by the court for a reasonable period of time in a suitable hospital or other facility designated by the State Rehabilitation Center until after the criminal proceeding has been concluded, and such hospital or facility may administer to the patient such interim medical treatment as is necessary.

(b) An individual committed for examination shall not be released on bail or on his own recognizance.

Section 105:

At the completion of the criminal proceedings, an individual who was found innocent of the criminal charge and who was examined and determined to be an addict in need of medical treatment may, after being advised of the consequences of such commitment under section 303 of this Act, petition to be committed under Title III of this Act. If, however, he does not volunteer for treatment, the district attorney (or his equivalent) may petition for his commitment under Title II of this Act.

Section 106:

(a) At the completion of the criminal proceedings, an individual who was found guilty of the criminal charge and who was examined and determined to be an addict in need of medical treatment will be advised by the court that if, after hearing as provided in this title, he is found to be a narcotic addict who requires medical treatment and an "eligible individual" as defined in section 101(e), and desires to be committed for treatment—

(1) he may be civilly committed to the SNTC for treatment;

(2) he may not voluntarily withdraw from such treatment;

(3) the treatment will last for an indeterminate period of time not to exceed 5 years but in no event shall it exceed the sentence which would otherwise have been imposed.

(4) during treatment, he may be confined in an institution;

(5) the imposition or execution of the sentence will be stayed, pending the successful completion of treatment;

(b) The court shall also advise the individual appearing before it pursuant to subsection (a) of this section of his right to have counsel at every stage of the civil judicial proceedings under this title and, if he is unable because of financial reasons to obtain counsel, the court will, at the patient's request, assign counsel to represent him.

Section 107:

If the individual referred to in section 106 desires to be committed for treatment and if the SNTC certifies that appropriate facilities and trained personnel are available for the treatment of the person and that such person is an "eligible individual" as defined in section 101(e), the district attorney (or his equivalent) will petition for his commitment. After such petition has been filed, the individual will be transferred to the court of competent jurisdiction (referred to in section 501) located at the State Hospital or facility designated by the SNTC.

(a) The court of competent jurisdiction (referred to in section 501) will promptly set the case for civil hearing to review the report of the examination conducted by the SNTC and other information coming to its attention to determine if the patient is an addict and if he is an "eligible individual" as defined in section 101(e) of this title. The court shall cause a written notice of the time and place of such hearing to be served personally upon the patient and his attorney. Such notice shall also inform the patient that upon demand made by him within fifteen days after he has been served, he shall be entitled to have all issues of fact with respect to his alleged narcotic addiction determined by a jury. If no timely demand for a jury trial is made, the court, in conducting such hearing shall determine all issues of fact without a jury.

(b) In conducting any civil hearings under this title, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the reports referred to in section 102. Any patient with respect to whom such hearing is held shall be entitled to testify and to present and cross-examine witnesses.

Section 107:

Whenever an individual is committed to the custody of the SNTC for treatment under this chapter the sentence shall be continued without final disposition and shall be dismissed if the SNTC certifies to the court that the individual has successfully completed the treatment program. On receipt of such certification, the court shall discharge the individual from custody and waive the sentence. If prior to such certification the SNTC determines that the individual cannot be further treated as a medical problem, he shall advise the court. The court shall thereupon terminate the commitment and the patient shall be returned to the court for execution of the sentence.

Section 108:

An individual committed for treatment shall not be released on bail or on his own recognizance.

Section 109:

Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment, or whoever rescues or attempts to rescue or instigates, aids or assists the escape or attempt to escape of such a person is guilty of a crime punishable by imprisonment in the state prison for not exceeding 7 years. This section does not apply to unauthorized absence from a halfway house or other outpatient facility or program.

Section 110:

The total period of treatment for any individual committed to the custody of the SNTC under this title shall not exceed 5 years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed. If, at the expiration of such maximum period, the SNTC is unable to certify that the individual has successfully completed his treatment program, the pending criminal proceeding shall be resumed.

Section 111:

An individual committed under this title may not be conditionally released until he has been treated for 6 months following such commitment in the State Treatment and Rehabilitation Center established by the SNTC and the Department of Corrections under section 402 of this Act.

Section 112:

Nothing in this title shall preclude a person who has been discharged from the program from being recommitted under the program, irrespective of the periods of time of any previous treatments.

Section 113:

Whenever a pending criminal proceeding against an individual is resumed under this title, he shall receive full credit toward the service of any sentence which may be imposed for any time spent in the institutional custody of the SNTC or any other time spent in institutional custody in connection with the matter for which sentence is imposed.

Section 114:

The determination of narcotic addiction and the subsequent civil commitment under this chapter shall not be deemed a criminal conviction. The results of any tests or procedures conducted by the director of the State Rehabilitation Center or the supervisory aftercare authority to determine narcotic addiction may only be used in a further proceeding under this chapter. They shall not be used against the examined individual in any criminal proceeding except that the fact that he is a narcotic addict may be elicited on his cross-examination as bearing on his credibility as a witness.

Title II: Involuntary civil commitment of persons not charged or convicted of any criminal offense

Section 201. *Definitions:*

For the purpose of this title—

(a) "Addict" means any individual who habitually uses any narcotic drug as defined by section 102(16) of the Controlled Substances Act, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

(b) "Treatment" includes confinement and treatment in an institution and/or supervised aftercare or outpatient treatment in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative or maintenance services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending or controlling his dependence on addicting drugs and his susceptibility to addiction.

(c) "Related individual" means any person with whom the alleged narcotic addict may reside or at whose house he may be, or the husband or wife, father or mother, brother or sister, or the child or the nearest available relative of the alleged narcotic addict.

(d) "Patient" means any individual with respect to whom a petition has been filed by a district attorney (or his equivalent) as provided for in section 202 of this title.

(e) "Eligible individual" means any individual who volunteers for treatment himself or who is volunteered by another, but does not include those determined unsuitable due to one or more of the following factors—

(1) Previous convictions of murder, assault with intent to commit murder, attempt to commit murder, kidnapping, arson, robbery, burglary in the 1st degree, mayhem, felonies involving bodily harm or attempt to inflict bodily harm or offense for which the minimum term is more than 5 years in state prison.

(2) Excessive Criminality. Persons whose histories include criminality of any nature which is evaluated as chronic and/or extensive are considered unsuitable for the civil addict program.

(3) Sales of Narcotics, Dangerous Drugs of Marijuana. Persons who are involved in a large-scale trafficking operation, or persons who are found to be trafficking or in possession of narcotics, marijuana, or dangerous drugs beyond that which might be reasonably necessary to support their own need for narcotics.

(4) Assaultive Behavior. Persons with a history of assaults, battery and other offenses against the person, including—a) those with a pattern of aggressive and assaultive behavior. This pattern may be developed either by acts committed over several years with periods of nonviolent adjustment in between or it may demonstrate itself in a series of acts preceding the instant arrest; b) those who have a pattern of aggression which precedes their narcotic addiction and continues after their addiction; c) those for whom it is adjudged that long-term institutionalization is indicated because of the seriousness of their behavior. Single acts of aggression may warrant exclusion when the act was of such nature that it demonstrates aggression which was aggravated or vicious, or when the individual was involved in using dangerous or deadly weapons in the commission of the instant or prior offenses.

(5) Other Relevant Reasons: a) Extreme Recalcitrance: Case history shows subject can reasonably be classified as an escape risk or is recalcitrant to the extent that he unduly threatens the good order and the security of the minimum security facilities of the civil addict program; b) Other Medical or Psychiatric Disorders: Those who, while they may be addicted to narcotics, have major behavior or medical disorders distinguishable from narcotics addiction, and which would need treatment (in addition to treatment for addiction) which the civil addict program is not able to provide, including—I. Sex deviates—case history or diagnosis shows person to be a sex deviate who needs treatment for this pathology in order that he may be controlled and that he becomes less of a threat or menace to society; II. Chronic psychotics—persons who would require treatment for their psychosis before the addiction problem could be approached. III. Serious medical disorders—A. Persons with such serious medical problems that treatment for their narcotic addiction is secondary and B. Persons whose medical problems are severe and may be deemed irreversible.

Section 202: Except as otherwise provided in section 212 of this title, whenever a related individual, or any law enforcement officer or health official has reason to believe that any person is a narcotic addict, such related individual law enforcement officer, or health official may file a petition with the SNTC requesting that such person be admitted to the SNTC for treatment of his addiction. Any such petition filed by a related individual, law enforcement officer, or health official with respect to a person believed by such related individual, law enforcement officer, or health official to be a narcotic addict shall set forth the name and address of the alleged narcotic addict and the facts or other data on which the petitioner bases his belief that the person with respect to whom the petition is filed is a narcotic addict.

Section 203:

(a) The SNTC will after receiving the request for treatment and rehabilitation of a suspected addict under section 202 of this title shall, if it is determined that there is reasonable cause to believe that the individual is a narcotic addict, that appropriate facilities and trained personnel are available for the treatment of the person, and that the person is an "eligible individual" as defined in section 201(e), advise the district attorney or his equivalent, to file a petition with the court of competent jurisdiction (referred to in section 501) to commit such individual to the SNTC for treatment.

(b) Upon the filing of any such petition by a district attorney or his equivalent, the court may order the individual to appear before it for an examination by physicians as provided under section 204 of this title and for a hearing, if required, under section 205 of this title. The court shall cause a copy of such petition and order to be served personally upon the patient.

Section 204:

The court shall immediately advise any patient appearing before it pursuant to an order issued under subsection (b) of section 203 of his right to have (1) counsel at every stage of the judicial proceedings under this title and that, if he is unable because of financial reasons to obtain counsel the court will, at the patient's request, assign counsel to represent him; and (2) present for consultation during any examination conducted under this section, a qualified physician retained by such patient, but in no event shall such physician be entitled to participate in any such examination or in the making of any report required under this section with respect to such examination. The court shall also advise such patient that if, after an examination and hearing as provided in this title, he is found to be a narcotic addict who requires medical treatment, he will be civilly committed to the SNTC for treatment; that he may not voluntarily withdraw from such treatment; that the treatment (including post-hospitalization treatment and supervision) may last 36 months; that he may be confined in an institution for up to, but not exceeding, 6 months for treatment or, in the alternative, he may be placed in an outpatient program established by the SNTC for treatment and supervision; that if he is confined in an inpatient facility he will, following his release, be placed under the care and custody of the SNTC for treatment and supervision under a posthospitalization program established by the SNTC; and that should he fail or refuse to cooperate in such posthospitalization program or be determined by the SNTC to have relapsed to the use of naroctic drugs, he may be recommitted for additional confinement in an inpatient facility followed by additional posthospitalization treatment and supervision. After so advising the patient, the court shall appoint two qualified physicians, one of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination, the court may order the patient committed for such reasonable period of time as it shall determine, not to exceed 72 hours. The examination shall consist of a physical examination and a psychiatric examination except the psychiatric examination shall not be administered, and the patient shall be immediately returned to the court for such further proceedings as it may direct, if the physical examination indicates that the patient is not a narcotic addict. Each physician appointed by the court shall, within such period so determined by the court, examine the patient and file with the court, a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusions as to whether the patient examined is a narcotic addict and is likely to be rehabilitated through treatment. Upon the filing of such reports, the patient so examined shall be returned to the court for such further proceedings as it may direct under this title. Copies of such reports shall be made available to the patient and his counsel.

Section 205:

(a) If both examining physicians (referred to in section 204) conclude in their respective written reports that the patient is not a narcotic addict, or is not an addict who requires medical treatment, the court shall immediately enter an order discharging the patient and dismissing the proceedings under this title. If the written report of either such physician indicates that the patient is a narcotic addict who requires medical treatment, or that the physician submitting the report is unable to reach any conclusion by reason of the refusal of the patient to submit to a thorough examination, the court shall promptly set the case for hearing. The court shall cause a written notice of the time and place of such hearing to be served personally upon the patient and his attorney. Such notice shall also inform the patient that upon demand made by him within fifteen days after he has been served, he shall be entitled to have all issues of fact with respect to his alleged narcotic addiction determined by a jury. If no timely demand for a jury is made, the court, in conducting such hearing, shall determine all issues of fact without a jury.

(b) In conducting any hearing under this title, the court shall receive and consider all relevant evidence and testimony which may be offered, including the contents of the reports referred to in section 204. Any patient with respect to whom a hearing is held under this title shall be entitled to testify and to present and cross-examine witnesses.

(c) Any patient with respect to whom a hearing has been set under this title may be detained by the court for a reasonable period of time not to exceed 30 days in a suitable hospital or other facility designated by the director of the State Rehabilitation Center until after such hearing has been concluded.

Section 206:

If the court determines after a hearing that such patient is a narcotic addict who requires medical treatment, the court shall

order him committed to the care and custody of the SNTC for treatment in an inpatient facility or outpatient program to be established by the SNTC. The SNTC shall submit to the court written reports with respect to such patient at such times as the court may direct. Such reports shall include information as to the health and general condition of the patient, together with the recommendations of the SNTC concerning the continued confinement of such patient.

Section 207:

Any patient committed to the care and custody of the diretcor of the SNTC pursuant to section 206 of this title shall either be committed for a period up to six months in an inpatient facility subject to such post-hospitalization program as may be established pursuant to section 208 of this title, or in the alternative, he may be placed in an outpatient program established by the SNTC for treatment and supervision. After the director of the SNTC certifies that the individual has recovered from addiction to the extent that release on an outpatient status is warranted, the Narcotic Addict Evaluation authority (see section 404) in its discretion may conditionally release the individual under supervision.

Section 208:

If, at any time during such three year period, any patient (1) fails or refuses to comply with the directions and orders of the SNTC in connection with such patient's posthospitalization treatment and supervision, or (2) is determined by the SNTC to be again using narcotic drugs, the SNTC may order such patient's immediate return to the committing court which may recommit such patient to the SNTC for additional treatment for a period of not to exceed six months, and may require such patient thereafter to submit to a posthospitalization program.

Section 209:

Nothing in this title shall preclude a person who has been discharged from the program from being recommitted under the program, irrespective of the periods of time of any previous commitments.

Section 210:

Any determination by the court pursuant to this title that a patient is a narcotic addict shall not be deemed a criminal conviction, nor shall such patient be denominated a criminal by reason of that determination. The results of any hearing, examination, test or procedure to determine narcotic addiction of any patient under this title shall not be used against such patient in any criminal proceeding.

Section 211:

Any physician conducting an examination under this title shall be a competent and compellable witness at any hearing or other proceeding conducted pursuant to this title and the physician-patient privileges shall not be applicable.

Section 212:

The provisions of this title shall not be applicable with respect to any person against whom there is pending a criminal charge—whether by indictment or by information, which has not been fully determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release has not been fully served, except that such provision shall be applicable to any such person on probation, parole, or mandatory release if the authority authorized to require his return to custody consents to his commitment.

Section 213:

Notwithstanding any other provisions of this title, no patient shall be examined pursuant to section 204 of this title unless the SNTC certifies that adequate facilities or personnel for treatment of such patient are available.

Section 214:

Whoever escapes or attempts to escape while committed to institutional custody for examination or treatment under this title, or whoever rescues or attempts to rescue or instigates, aids, or assists the escape or attempt to escape of such a person is guilty of a crime punishable by imprisonment in the state prison for not exceeding 7 years. This section does not apply to unauthorized absence from a halfway house or other outpatient facility or program.

Section 215:

Any person who knowingly makes any false statement to the district attorney or his equivalent in any petition under section 202(b) of this title shall be guilty of a misdemeanor.

Title III. Treatment for noncriminal addicts who volunteer for treatment

Section 301. *Definition:*

(a) Addict.

(b) Treatment.

(c) Patient—any individual who has voluntarily petitioned for commitment under section 302 of this Title.

(d) Eligible individual.

Section 302:

Whenever any narcotic addict desires to obtain treatment for his addiction, such addict may file a petition with the Director of a community based multi-modality treatment program established pursuant to section 402(c) of this Act, requesting that he be examined and admitted for treatment for his addiction. Any such petition filed by a narcotic addict shall set forth his name and address and the facts relating to his addiction. Any person 13 years of age or older has the capacity to consent to such examination and treatment for any drug addiction or dependency.

Section 303. The Director of the community-based multi-modality treatment program will after receiving the request for treatment and rehabilitation of a suspected addict under section 302 advise the patient that if, after an examination as provided in section 304, he is found to be an "eligible" narcotic addict who requires medical treatment, he will be committed to the SNTC for treatment, that he may not voluntarily withdraw from such treatment; that the treatment (including post-hospitalization treatment and supervision) may last 24 months, that he may be confined in an institution for up to, but not exceeding, 6 months for treatment or, in the alternative, he may be placed in an outpatient program established by the SNTC for treatment and supervision; that if he is confined in an inpatient facility he will, following his release, be placed under the care and custody of the SNTC for treatment and supervision under a posthospitalization program established by the SNTC; and that should he fail or refuse to cooperate in such posthospitalization program or be determined by the SNTC to have relapsed to the use of narcotic drugs, he may be recommitted for additional confinement in an inpatient facility followed by additional posthospitalization treatment and supervision.

Section 304:

After being so advised, if the patient knowingly and voluntarily agrees to be committed for treatment, the Director shall appoint two qualified physicians, one of whom shall be a psychiatrist, to examine the patient. For the purpose of the examination, the Director may order the patient committed for such reasonable period of time as it shall determine but not to exceed 10 days. The examination shall consist of a physical examination and a psychiatric examination, except the psychiatric examination shall not be administered, and the patient shall be released, if the physical examination indicates that the patient is not a narcotic addict. Each physician appointed by the Director shall, within such period so determined by the Director, examine the patient and file with the Director a written report with respect to such examination. Each such report shall include a statement of the examining physician's conclusions as to whether the patient examined is a narcotic addict and is likely to be rehabilitated through treatment. Upon the filing of such reports, the patient so examined shall be returned to the Director for such further proceedings as he may direct under this title. Copies of such reports shall be made available to the patient.

Section 305:

(a) If both examining physicians (referred to in section 204) conclude in their respective written reports that the patient is not a narcotic addict, or is not an addict who requires medical treatment, the Director shall immediately enter an order discharging the patient. If the written report of either such physician indicates that the patient is a narcotic addict who requires medical treatment, and the Director determines that the patient is an "eligible individual," the Director shall commit him either to an inpatient program not to exceed 6 months, or to an outpatient program in the community for individualized treatment and supervision. After the Director certifies that the individual has recovered from addiction to the extent that release on an outpatient status is warranted, the Narcotic Addict Evaluation Authority (see section 404) in its discretion may conditionally release the individual under supervision.

Section 306:

If, at any time during such three year period, any patient (1) fails or refuses to comply with the directions and orders of the Director in connection with such patient's post-hospitalization treatment and supervision, or (2) is determined by the Director to be again using narcotic drugs, the Director may order such patient's immediate return for additional in-patient treatment for a period of not to exceed six months, and may require such patient thereafter to submit to a post-hospitalization program.

Section 307:

The provisions of this title shall not be applicable with respect to any person against whom there is pending a criminal charge—whether by indictment or by information, which has not been fully determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release has not been fully served, except that such provision shall be applicable to any such person on probation, parole, or mandatory release if the authority authorized to require his return to custody consents to his commitment.

Section 308:

The patient may any time after being committed petition for release from the treatment facility and/or program if—

(a) the patient did not knowingly and voluntarily agree to such commitment;

(b) the patient can prove that he is not receiving any medical benefit from such confinement; or

(c) the patient ceases to be an addict.

Section 309:

Any determination pursuant to this title that a patient is a narcotic addict shall not be deemed a criminal conviction, nor shall such patient be denominated a criminal by reason of that determination. The results of any hearing, examination, test or procedure to determine narcotic addiction of any patient under this title shall not be used against such patient in any criminal proceeding.

Title IV. State narcotic treatment commission

Section 401:

There is hereby established a state narcotic treatment commission either as a separate agency or within an existing agency. Such commission shall consist of five members, who shall be appointed by the governor, by and with the advice and consent of the senate. Insofar as practicable, the members of the commission shall possess broad knowledge and experience in medicine, psychology, social work, sociology, education or law. The term of office of each such member shall be for five years; provided that the members first appointed shall serve for terms of one, two, three, four and five years, re-

spectively, from January first next succeeding their appointment, and provided, further, that any member appointed to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the remainder of the unexpired term of the member whom he is to succeed.

(a) The members of such commission shall devote their whole time and capacity to their duties as such members. They shall receive an annual salary to be fixed by the governor within the amount made available therefor by appropriation, and shall be allowed their actual and necessary expenses in the performance of their duties hereunder.

(b) The governor may remove any member of the commission for cause after an opportunity to be heard. A statement of the cause of his removal shall be filed by the governor in the office of the secretary of state.

(c) The governor shall designate a member of the commission as chairman thereof to serve as such during the pleasure of the governor. The chairman shall direct the work of the commission and shall be the chief executive officer of the commission.

(d) The commission shall make an annual report to the governor and the legislature.

Section 402. Powers and Duties of Commission:

(a) The Commission shall assist the district attorney or his equivalent in making his decision to petition an individual for commitment by—

(1) Receiving the request from a person to commit himself or another suspected to be an addict under title II of this Act;

(2) Determining that there is reasonable cause to believe that a person is a narcotic addict and advising the district attorney or his equivalent as to such; and

(3) Determining that adequate facilities and trained personnel exist to treat the person for whom the petition was filed and advising the district attorney or his equivalent as to such.

(b) The commission shall survey and analyze the state's needs by gathering information and maintaining statistical and other records relating to narcotic addicts and narcotic addiction in the state. It shall be the duty of every physician, dentist, veterinarian or other person who is authorized to administer or professionally use narcotic drugs, or apothecaries, hospitals, clinics, dispensaries or persons authorized to dispense narcotic drugs and all public officials having duties to perform with respect to narcotic drugs or users of such drugs to report and supply such information in relation thereto as the commission shall by rule, regulation or order require.

(c) The commission shall promote, develop, establish, coordinate, and conduct through the utilization of federal, state, local and private resources, community-based multi-modality treatment programs in communities throughout the state which have severe narcotic addiction or drug dependency problems, for the treatment, after care, and rehabilitation of narcotic addicts certified to the care and custody of the SNTC. Such programs shall in order to provide comprehensive treatment at the community level, including, but not limited to, diagnostic, medical, educational, social, psychological, and vocational services, corrective and prevention guidance and training, and other rehabilitative or maintenance services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending or controlling his dependence on addicting drugs and his susceptibility to addiction.

(1) coordinate such existing public and nonprofit private treatment agencies and organizations, provided that such existing programs and/or facilities meet the standards established pursuant to subsection (g); and

(2) develop with federal, state, local and private resources additional treatment programs to complement and supplement existing programs.

(d) The Commission together with the State Department of Corrections shall establish and operate through the utilization of federal, and state, resources, a state treatment and rehabilitation center for addicts committed under Title I of this Act who were found guilty of a criminal offense or addicts committed under either Title I, II, or III, who have exhibited such anti-social tendencies that confinement in the center is considered necessary. The Center should provide comprehensive treatment including, but not limited to, diagnostic medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative or maintenance services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending or controlling his dependence on addicting drugs and his susceptibility to addiction. State treatment and rehabilitation programs and/or facilities shall be established for persons under the age of 18 and for men and women.

(e) The Commission together with the Department of Corrections shall establish a treatment and rehabilitation program for the detoxification and treatment of inmates in the state prison system.

(f) The Commission shall establish, maintain, operate and designate medical examination or other facilities for alleged narcotic addicts for the purpose of determining whether such persons are narcotic addicts and for the care and custody of alleged narcotic addicts with respect to whom court proceedings are pending.

(g) The Commission shall together with the Department of Corrections establish an addict parole program. Rules and regulations governing the operation of the program will be established to closely supervise the patient after release from the facility, to make periodic and surprise testing for narcotics use, to counsel the patient and assist him in securing employment and a place to live, to recommend to the Director of the State Rehabilitation Center if it is in the best interests of the patient and society that a patient should be returned to inpatient status at the State Rehablitation Center, and to limit the caseload of each parole officer so that he can effectively assist the individual addict.

(h) The Commission shall establish standards for licensing treatment programs and/or facilities in effect immediately prior to the effective date of this Act and the establishment of new ones that are components of a commodity-based, multi-modality treatment program.

(i) The Commission should exercise complete flexibility in dealing with addicts committed to the custody and care of the Commission for treatment and rehabilitation or who volunteer for treatment and provide them with individualized, multi-modality treatment.

(j) The Commission shall provide education and training in prevention, diagnosis, treatment, rehabilitation and control of narcotic addiction for medical students, physicians, nurses, social workers and others with responsibilities for narcotic addicts either alone or in conjunction with other agencies, public or private.

(k) The Commission shall provide public education on the nature and results of narcotic addiction and on the potentialities of prevention and rehabilitation in order to promote public understanding, interest and support.

(l) The Commission shall disseminate information relating to public and private services and facilities in the state available for the assistance of narcotic addicts and potential narcotic addicts.

Section 403:

Treatment for the maintenance or control of dependence on addicting drugs by the use of methadone and other heroin substitutes shall be strictly controlled, limited to narcotic addicts who are over 18 years of age and who have failed on two previous occasions to respond to treatment designed to end dependence on addicting drugs, and shall not be administered to pregnant women. Maintenance programs will not be administered for either detoxification or treatment purposes to addict inmates in the state prison system.

NARCOTIC ADDICT EVALUATION AUTHORITY

(a) There shall be established a Narcotic Addict Evaluation Authority, hereafter referred to in this Section as the Authority. The Authority shall be composed of five members, each of whom shall be appointed by the Governor, for a term of four years and until the appointment and qualification of his successor. Members shall be eligible for reappointment. The chairman of the Authority shall be designated by the Governor from the 5 members from time to time. The terms of the members first appointed to the Authority shall expire as follows: one on January 15, 1973, one on January 15, 1974, one on January 15, 1975, one on January 15, 1976 and one on January 15, 1977. Their successors shall hold office for terms of four years, each term to commence on the expiration date of the term of the predecessor. The Governor shall fill every vacancy for the balance of the unexpired term. Insofar as practicable, persons appointed to the Authority shall have a broad background in law, sociology, law enforcement, medicine, or education, and shall have a deep interest in the rehabilitation of narcotic addicts.

(b) Each member of the Authority shall devote such time to the duties of his office as required for performance of his duties and shall be entitled to an annual salary of ——— for attendance upon business of the Authority. The chairman shall be entitled to an annual salary of ———. In addition, each member shall be allowed actual expenses incurred in the discharge of his duties, including travel expenses.

(c) The Authority shall maintain its headquarters at the State Rehabilitation Center and shall be provided with necessary office space, equipment and services from funds appropriated to the State Rehabilitation Center.

(d) The Authority shall meet at the Center or its branches at such time as may be necessary for a full and complete study of the cases of all patients who are certified by the director of the State Rehabilitation Center to the Authority as having recovered from addiction or to such an extent that release in an outpatient status is warranted. Other times and places of meetings may also be fixed by the Authority. The Authority panel shall consist of at least two members of the Authority. Three members of the Authority shall constitute a quorum for the transaction of business. No action shall be valid unless concurred in by a majority of the members present.

(e) After an initial period of observation and treatment, whenever a person committed under this Act has recovered from his addiction to such an extent that, in the opinion of the director of the State Rehabilitation Center, release in an outpatient status is warranted, the director shall certify such fact to the Authority. If the director has not so certified within the preceding 6 months, his case shall automatically be referred to the Authority for consideration of the advisability of release in outpatient status. Upon any such certification by the director or such automatic certification, the Authority may release such person in an outpatient status subject to being retaken and returned to inpatient status by the committing court

as described in section 208 of this Act. The supervision of such persons while in an outpatient status shall be administered by the State Rehabilitation Center in conjunction with the Department of Corrections.

A single member of the Authority may by written or oral order suspend the release in outpatient status of such person and cause him to be retaken, until the next meeting of the Authority. The written order of any member of the Authority shall be sufficient warrant for any peace officer to return such persons to physical custody.

It is hereby made the duty of all peace officers to execute any such order in like manner as ordinary criminal process.

Title V. Civil commitment and the courts

Section 501:

It is the intent of the Legislature that, if possible, all hearings to be held pursuant to titles I and II of this Act for the civil commitment of alleged addicts will be held in a division of the court of competent jurisdiction to be located in the State Hospital or facility designated by the SNTC where such alleged addicts are confined for treatment and examination pending the hearing in order to facilitate the proceedings.

Section 502:

The Attorney General of the State is authorized and directed to establish training programs for the judges of the courts of competent jurisdiction who sit on the court referred to in section 401 of this title, and probation and parole officers under the addict parole program created in title III of this Act to better acquaint them with all aspects of the problems relating to drug addiction and dependency, and to enable them to carry out their duties and responsibilities regarding narcotic addiction in a manner that will best serve the interests of justice, safety, and humanity.

BOWS OUT WITH GRACEFUL AMUSEMENT

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BOLLING. Mr. Speaker, whether you are considering retirement or not, the attached advice from an old friend of mine, James L. Williams, is worth heeding. His article on this subject, which appeared in the Kansas City Times of December 2, follows:

[From the Kansas City Times, Dec. 2, 1971]

BOWS OUT WITH GRACEFUL AMUSEMENT

James L. Williams, former sheriff of Jackson County and a lawyer, farmer and politician here until his retirement to Port Angeles, Wash., 18 months ago, has written the following article on retiring. Although addressed specifically to lawyers, it should be of interest to any person approaching retirement age.

Retiring to most lawyers is like shaking hands with the undertaker, a matter which should be continued indefinitely, or at least put off until the next term of court. I know the feeling—I was scared, too, and remember how the judges and lawyers laughed in disbelief when I said I would retire at 65 and move away, never to return.

"But what will you do with your time?" they asked. "And how can you leave all your friends?" Well, the first was easy, the second, hard. But to tell the truth, now that I have juggled away a year "in the bliss of solitude" I hardly know what went with the time. This alone is encouraging.

If a lawyer can make a success of retirement, he ought in good conscience to pass along what he has learned to old friends who still labor in the vineyard. In doing this I tread softly and take my cue from the wisdom of that eminent American novelist, Kurt Vonnegut, who, when asked to reflect on his views of life, said: "A man standing on the gallows is asked if he has any last words and he says: 'not at this time.' "

Even so it is common knowledge that people grow old. This is nature's law of which everyone except the judge will take judicial notice. Judges, it seems, never grow old, are "as good as ever," and in some instances will not retire until they are no good at all. Realizing that proper legislation could cure this exception I will leave the judges out of this and confine my remarks to lawyers in the active practice. I will make some observations: I will give no advice on what happens to the average lawyer when he looks back and finds something gaining on him.

In my own case I saw that I was slipping when I lost a close one to Tommy Conway, and I decided I had better get out while there was still some hope. In leaving the practice I was comforted by what the writers tell us of the joys of seeing long endeavor come to ultimate fruition in retirement and a life of ease. Believe me, it was not that simple. It took me a whole year to get over the blues and the habit of waking up at midnight worrying about a certain lawsuit, how I had made a fool of myself in examining a witness or arguing a motion, and wondering what effect it would have on my future. After a year of this I found: "It is a great deal easier not to worry about the future when your future is behind you."

I know that you will worry about how the old law firm and associates will manage to keep the shop open, especially with all your own wit, wisdom and eloquence removed. Forget it. I worried, too, until this summer when one of my former associates and partners showed up out here in a brand new Lincoln Continental. Business was good. How transitory and how expendable is the passing of one man in our profession.

My next observation deals with that little streak of vanity common to all lawyers—the urge to write a book and give the young struggling members of the Bar the benefit of "my wide experience." You will do no such thing. You will find that others are already doing with ease what you could never do at your best. If you are honest you will be satisfied, even happy at being a quiet observer of the passing scene, and liking it. At 65 you have already seen your light on the road to Damascus, and the light grows dim. So why not get out while there is still some daylight left, and enjoy it? Let the young fellows write the books.

My next observation is a good one if it fits. Say you retire and move to another state; you will plan to file application for Admission under the Rules. You will plan to do it, but you will not. In the first place it costs $500, and in the second place it would be extremely unfair to the members of the local Bar to have to match wits with a lawyer who had tangled with Arthur Popham or Clay Rogers, or J. D. James or Hilary Bush or Tom Conway or Reed Gentry, Max Foust, Jack Beamer and a thousand others just as tough. You will decide not to distill such experience. It would be like pouring water in good whiskey.

I went to a tea one Sunday and was introduced to a Superior Court (circuit) judge. I was presented as a retired lawyer, nothing else. The judge passed me by. Had I been introduced as a Missouri lawyer his honor would have had to take notice. I bounced about the world a great deal before I moved here and have yet to find the peer of a genuine Missouri lawyer. Too bad the judge didn't know this, but he never will know.

A man who has practiced with Missouri lawyers before Missouri judges doesn't have to take his hat off to any foreign judge or lawyer that ever lived. You see being a retired Missouri lawyer means more than the average, we do not kow-tow, and this freedom is the chief consolation of our particular breed.

Many lawyers who could or should retire at 65 or 70 either hang on from force of old habit or from fear of boredom. All this despite the fact that they have passed the peak of their performance and know it. This should not be. No one would want a shaky or senile doctor to operate on the brain of his child. He would want a surgeon in his prime. And any man who attaches the least significance to the trifles of perfection, should, when he realizes that he cannot give his best, turn himself out to pasture and make room for those who can. Even a fan dancer has sense enough to stop hiding behind the fan when she no longer has anything to hide.

As for being bored in retirement or unable to adjust to the sudden change, the whole essence of education is the ability to adjust to environment, circumstances, change. Assuming that all lawyers are educated men and women, I see no great problem in adjustment or relocation of talent and domicile.

A lawyer wishing to retire at 65 is assured of a certain amount of income under Social Security, which when taken into account with savings and other income should make the average lawyer fairly independent financially. The question then is whether he prefers to walk out or keep on working until carried out.

If the lawyer should retire and move away from the old home town, he will make new friends without forgetting the old. He will find that geography has nothing to do with friendships. If he happens to be the restless type he will find the days much too short to do all the things awaiting him. He will not feel bored or useless. His services in other fields, his participation in the affairs of the community, will be eagerly sought and he will find all doors open and all signals go—civic clubs, educational, charitable, voluntary service organizations, churches and the Elks and other stimulating groups. He might even join the country club or the Republican party.

As for me I will take the fishing pole and meet you on the river. None of this action-packed retirement for me. The Good Book says six days to work and the seventh to rest, and I have reached the seventh day. If you are still Puritan enough to believe that happiness is a sin and that the only ticket to heaven is a pair of calloused hands, or as in the case of a lawyer, a calloused tongue, then you ought to see a doctor.

Look at old Chester A. Arthur. He was President of the United States—remember? But recently when those Michigan Friends of Chester A. Arthur organized a posse to go after something from among this forgotten man's belongings to place as a memento in the Smithsonian Institution, all they found was an old fishing reel. And so it begins to look as if everything depends on what you want out of life. Do you want money, fame, honors, glory, and a big funeral with politicians, statesmen, judges and a few clients vying for places on the front row, or do you want a well used fishing reel? It's up to you.

YOUTH UNEMPLOYMENT AND THE MINIMUM WAGE

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ERLENBORN. Mr. Speaker, in the near future, the House of Representatives will be considering H.R. 7130, a pro-

posal to increase the minimum wage. Members, I am certain, will want to know the effect of this proposal as it relates to our young people.

Present law, under the 1966 amendments to the Fair Labor Standards Act, provides that full-time students, under certain conditions certified by the Secretary of Labor, working fewer than 20 hours a week—except during vacation periods—in retail or service establishments, may not be paid less than 85 percent of the otherwise applicable minimum.

In spite of the aim of this student differential to encourage youth employment, the teenage unemployment rate, which was three times as high as the total unemployment rate in 1963, soared to four times as high by 1969. Today, the unadjusted jobless rate for teenagers stands at almost 20 percent. In the inner city poverty areas, it has gone from 23 percent in the first quarter of 1971 to more than 28 percent in the second. But for black teenagers in those areas, the extent and the increase of the unemployment rate is even more disturbing—it rose from 34 percent in the first quarter of 1971 to 39 percent in the second.

H.R. 7130, as reported by the Education and Labor Committee, will not remedy this situation. While it expands existing law by extending the youth differential beyond retail, service, and agricultural occupations, it excludes a long list of occupations: work in mines, factories, warehouses, storage, construction, longshoring, explosives, products containing explosives, plants storing the same, motor vehicle driving, logging, certain power-driven machines, slaughtering, meatpacking, bakery machines, brick and tile factories, wrecking, demolition, roofing, excavation, and other occupations determined by the Secretary to be hazardous for students.

Parenthetically, I cannot help but ask how such occupations can be hazardous if the salary is less than the minimum but magically become unhazardous if the minimum wage is paid.

In any event, the record demonstrates clearly that this modification will do nothing to result in more jobs for our unemployed young people. Rather, it will have the opposite effect, as evidenced by the following communication:

PHOENIX, ARIZ.,
November 29, 1971.

DEAR CONGRESSMAN ERLENBORN: The attached resolution by the Phoenix Metro National Alliance of Businessmen may be useful as additional ammunition in your laudable efforts to insert in H.R. 7130 the Administration's proposal to permit payment of a lower minimum wage to teenagers.

The gist of the resolution is that, through the year-round school, business and industry could greatly increase vacation employment for teenagers. Those who are pursuing this concept in the Phoenix area—including leading educators as well as businessmen—foresee an arrangement whereby vacation employment will be related directly to the high school curriculum.

In short, we want to do more for young people by providing meaningful employment, both to keep them in school and to aid them in shaping their careers.

This concept would be "shot down" if Congress chooses to continue pricing young people out of the labor market. Even though a small business wished to cooperate in the expanded youth program he could not afford to devote time to the training effort if trainees received the wage rate for fully qualified employees. This would be particularly true where his competitors were employing only fully qualified persons.

Sincerely,

BERL CAMPBELL,
Chairman, Industry-Education Committee, Phoenix NAB.

RESOLUTION

Whereas, young people of high school age are greatly in need of meaningful employment during school vacation periods, both (1) to further their knowledge of business and industry and thereby to aid in their preparations for successful careers and (2), for a disturbingly large number, to provide financial assistance necessary to the continuation of schooling and career training; and

Whereas, employment which would further career training of young people is not available to the extent now required, largely because all students are released from school and placed in competition for vacation employment at the same time during the summer months; and

Whereas, enforced idleness created by lack of constructive endeavor during summer months contributes directly to current unrest and uncertainties among younger people; and

Whereas, a school schedule which would release high school students for vacations in approximately equal numbers continuously throughout the year would enable business and industry: (1) to expand student vacation employment opportunities and (2) to coordinate such employment with courses of instruction in a manner which would further the objectives of "career education", wherein participating students might be graduated from high school with employable skills; and

Whereas, substantial economies could be achieved by operating existing schools on a year-round basis with staggered vacations; and

Whereas, high speed methods of record-keeping and retrieval make it feasible adequately to consider family preferences and other matters related to vacation schedules of individual students;

Now, therefore, be it resolved, that the Board of Directors of the Phoenix Metro National Alliance of Businessmen, meeting in regular session this twenty-sixth day of October, 1971, urges the early adoption of a year-round school schedule with staggered vacations, preferably on a quarterly schedule with summer months divided between two vacation periods; and

Be it further resolved, that the Phoenix Metro Director be, and he hereby is, authorized and instructed to distribute copies of or otherwise to circulate information concerning this Resolution to individuals and organizations whose cooperation and assistance are necessary to its acceptance and implementation, to-wit: Members of the Arizona Legislature; State of Arizona, High School District and other appropriate school officials and administrators; Members of the business and industrial community; Members of the news media;

Be it resolved finally, that the Phoenix Metro National Alliance of Businessmen hereby offers to cooperate fully in the development of action leading to achievement of objectives set forth in this Resolution.

When H.R. 7130 comes to the House floor, an amendment will be offered to permit a minimum wage rate of 85 percent of the applicable wage rate, or $1.60, whichever is higher, to young people under the age of 18 and to full-time students under the age of 21. The minimum rate would not be limited to part-time jobs. There would be no restrictions on type of occupation, except as restricted by the applicable child labor laws; no limit on the number which an employer may hire at the lower youth rate; and no requirements of governmental certification and the inevitable burdensome red-tape which always accompanies official certification requirements. There would be a requirement that the Secretary of Labor issue regulations to insure that the youth differential would not reduce full-time employment opportunities for those who are neither under 18 nor full-time students under 21.

In light of communications such as the preceding, I believe the Members of this body will want to support this amendment to H.R. 7130.

ANNIVERSARY OF SIMAS KUDIRKA'S TRAGIC RETURN TO THE SOVIET UNION

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. RUPPE. Mr. Speaker, a tragic 1-year anniversary has quietly passed by the attention of most of our Nation. I therefore would like to take this opportunity to remind my esteemed colleagues of the fate of Simas Kudirka and his fellow Lithuanians.

Simas Kudirka, a courageous Lithuanian seaman seeking political asylum in the United States, was forcibly abducted by Soviet sailors from the deck of a U.S. Coast Guard vessel on November 14, 1970. Snatched from the freedom he desperately sought, this unfortunate man is now serving a 10-year sentence at hard labor in the Soviet Union.

The abduction of Simas Kudirka was not entirely in vain, however. Through his daring escape attempt, he brought to the world's attention the oppressive policies which the Soviet Union has inflicted upon his Lithuanian countrymen.

Neither did his capture silence this brave man. Continuing to flaunt his political bondage, Simas Kudirka told the Soviet court which sentenced him—

I have nothing to add, only one wish, more specifically, a request both to the Supreme Court and the government of the Soviet Union; I ask that you grant my homeland, Lithuania, independence.

Simas Kudirka would not let the authorities stifle his plea for the liberty of Lithuania. Indeed, I firmly believe that those of who are blessed with freedom are the only ones who can silence a Simas Kudirka. It is we who will desecrate his valiant actions if we forget or ignore the injustices which humans such as Simas Kudirka and his countrymen are suffering.

Mr. Speaker, I implore the Congress and all Americans not to forget the courageous Lithuanian seaman. May we continue to strive for a world where no man can be denied the land of freedom which he seeks.

ALICE E. WILLARD: THE SPIRIT OF THE AMERICAN FRONTIER

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BYRON. Mr. Speaker, the spirit of the American frontier is not dead. In fact, it will always remain with us as long as independent mountain women like Alice E. Willard continue to live. The strength of her character and the personification of her attitudes were aptly told in a recent article in the Frederick News-Post by freelance writer, Ann Burnside Love. I take a few minutes to share it with all of you:

ALICE E. WILLARD: INDEPENDENT MOUNTAIN WOMAN

(By Ann Burnside Love)

The spirit of pioneer America is alive and well and living in the Catoctin Mountains.

With her feet planted squarely on the mountain land where she was born, Alice E. Willard at 76 is a very independent self-reliant woman who knows exactly who she is.

Miss Alice drives her own tractor, farms her own land, cuts her own firewood, feeds her livestock, keeps house, quilts, sews her own clothes, bakes her own bread, cans her own fruits and vegetables. Except for an occasional boarder, she has lived alone on her isolated mountain farm since her only son died of cancer a few years ago.

She's a descendant of the Hauver and Bussard families and is related—having been one of eight children—to practically everyone living in her part of the mountains, which is to say scores of people.

The strength of character, dignity and beauty in her face tell their own story of years of hard work. She values her privacy, resents any encroachment upon her land or her rights, and is the personification of the attitudes and traditions of the mountain folk for over two centuries.

To understand a woman like Miss Alice, it's necessary to know a little about the mountain folk and their heritage.

These people are direct descendants of the pioneers who began the western movement 250 years ago. While there were multiple economic factors involved in immigration and the subsequent movement west, the primary motivation of the forefathers of today's mountain folk was a driving need to get away from any and all authority.

Tradition is an overwhelmingly powerful force among today's mountain people. Their thinking, like that of their ancestors, is perhaps reactionary in political matters, fundamentalist in religion, cautious, clever, clannish, and suspicious of outside people—especially government—an attitude which dates back to 1732 when their hardy ancestors began the western movement.

These pioneers had a solid tradition of disregard for government authority. They paid no attention, for example, to the government's treaties with the Indians. The fact that the government had made a deal which obligated its citizens had nothing to do with them, so they thought. And the descendants of these pioneers had the same attitudes as the pioneers themselves had toward King George or the colonial governments of Pennsylvania and Virginia: government encroachment on the rights of the people was wrong. Therefore they would do as they pleased.

Today it has become extremely difficult for mountain people—or indeed anybody—to do as they please. The government, both state and federal, has bought up thousands of acres of mountain land.

Whereas mountain land used to be in the public domain—meaning everybody had the right to hunt, fish, cut firewood for their own use—the government and private individuals from cities bought up the land, essentially it is now all owned.

What they were able to do when they were children, these folk expected to do the rest of their lives. They deeply resent city people coming up, any and all government control over their land use (such as suggestions that the government pay a farmer NOT to farm his land!) or anything at all restrictive.

Rumor has it that long-time property owners, such as Miss Alice and her relatives, could have sold their property most advantageously many times. Yet what's important to them is that they fully expect to live out their lives right where they are, working their land.

Miss Alice had her own dealings with the government; her land borders Cunningham State Park, and everyone knows, parks are acquisitive by nature.

So what is her life like up there in the hills? She lives in one of the loveliest spots nature ever created, her own private mountain dale, a little valley off to itself far from any hard road, many miles from stores or schools or banks or gas stations. She admits to owning 25 acres, 11 tillable, farms six.

She lives in a tall thin weathered shake-shingle house, one central room below and one above, with a jam-packed root cellar underneath—full of Miss Alice's own home-grown vegetables, canned goods and staples.

"My father built this house in 1895 after he was married. He split and shaped the shingles himself on a shaving horse."

She cooks, heats both water and the house with a heavy 1932 black iron wood stove set in the middle of the floor of a well-worn room that is as neat and functional a room as you'd ever wish to be welcomed into. She likes company, but only the kind that comes straight to her door, not the kind that wanders onto her land during hunting season or prowls the hills at night. She's prepared to discourage the latter.

The temperature in the house is ideal for plants: her Angel Wings and Christmas Cactus flourish, and she has lots of cuttings taking root in little cans and jars which she gives generously to people she likes.

"Can't rain or snow too much to suit me," she says. "Then I get to work indoors. I love to do my sewing. I've pieced three quilts already this year." She proudly unfolds three lovely quilt tops, plans to get the material for the backs if she ever gets to Frederick, something she does quite rarely. She doesn't drive, relies on others for transportation.

Her grey hair is always tucked neatly into a ruffled cap.

"I love these caps. Wouldn't be without one. Made 'em off the same pattern for years. Usually have one or two at a time."

Miss Alice and her brothers and sisters attended school at Philip's Delight, a one-room school house where her son also went to school.

"Worst thing the government ever did was close the community schools. The children up here used to really learn something. And there was discipline. They didn't dare mess around at school because they knew the teacher wouldn't stand for it and their folks wouldn't either.

"And the young'ens never took sick, neither. They never got all those diseases the children give each other now. They had better things to do than ride the school bus from before sun up till supper time. Terrible mistake. Government should have known better."

At an early age Miss Alice began a lifetime of domestic work. In her treasure box of photographs and clippings there's a snapshot of her as a beautiful slim young 18-year-old with her hair piled high and long skirts about her ankles, seated on a lawn chair at a house in Thurmont where she tended the family's babies.

Over the years she was employed by many families in Thurmont and other communities on both sides of the mountains.

"I washed and dried and tended and fed more than 25 babies," she says proudly. And many area residents recall Miss Alice with great warmth and affection from their childhood days.

No matter where she went to work, she always returned to her mountain home. Some of her jobs involved the mountain itself, such as the six years from 1928 to 1934 she spent manning the Foxville fire tower. For a month or six weeks each spring and fall during the dry months she spent several hours every day at the top of the fire tower on the lookout for forest fires.

Were there many fires?

"Indeed there were lots of fires! And no lightning ever set those fires. Men set fires! Tossing a cigarette or some other fool thing, that's what done it.

"Many's the fire that was set on purpose, too. Did you know that? I'll tell you just why! They'd set fires to burn off a clearing in the woods. Then the huckleberries would grow up thick in the burned out places. Huckleberries were a big cash crop here in those days. Many a berry's been picked and sold for three cents a quart. Every child on the mountains picked huckleberries at one time or other."

In recent years Miss Alice hasn't come down the mountain to work but she does come to Thurmont every week or so to do her shopping and errands.

She sells some of her potatoes and peppers and such, grows her own corn for her livestock. She cans enormous quantities of food and is prepared to be snowed in a few times every winter, which she enjoys immensely. Then she can sew and listen to her radio—and not even worry about getting out for mail and newspapers.

She has lots of friends who visit her, especially in fine weather and during the hunting season. She is intensely loyal to those she likes, outspokenly blunt about people she plainly could do without. Her treasure box is filled with photographs of herself with groups of friends standing outside her house, the cars in the pictures changing over the years along with the seasons and the clothing styles of her guests.

Miss Alice herself seems to be unchanging. In all the pictures the first thing you notice is the strength and self-sufficiency in her face and bearing.

If she's heard of Women's Liberation, she's probably dismissed the whole idea. She's lived her whole life on her own terms as her own person and asks no favors.

As long as Alice E. Willard lives, the spirit of the American frontier is with us still.

SALUTE TO MR. NEW YEAR'S EVE

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ROONEY of New York. Mr. Speaker, Charles Richman, publisher of the Brooklyn Record, in taking note of the coming of the end of the year, has penned an appropriate salute to orchestra leader Guy Lombardo and his contribution over the decades to the bittersweet ceremonies marking New Year's Eve. For more years than I care to remember his rendition of "Auld Lang Syne" has been an integral part of New Year's Eve. May he

have many more happy ones. Under permission unanimously heretofore granted to me I include the editorial at this point:

GUY LOMBARDO: "MR. NEW YEAR'S EVE" DESERVING OF RECOGNITION BY U.S. CONGRESS FOR HIS CONTRIBUTIONS

Guy Lombardo, "Mr. New Year's Eve" and his Royal Canadians will be at it again comes December 31, ushering in 1972 with traditional songs and festivities from the Waldorf-Astoria Hotel in New York City. His musical message of hope, peace, happiness, prosperity and good-will towards all mankind, will be aired through the magic of radio and television throughout the world. We believe the time is now for the United States Congress to make official recognition of the magnificent humanitarian accomplishments of Guy Lombardo, a former Canadian who has brought pleasure and happiness to millions of Americans as we approach his day—the day he shares with all the world—New Year's Eve.

TAX DOLLARS FOR POLITICIANS—AN UNMITIGATED DISASTER

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. WYMAN. Mr. Speaker, I am dismayed that the New York Times should editorially endorse one of the most dangerously unsound legislative proposals ever to pass the other body—the diversion of tax dollars to political campaigns.

If a citizen wants to make a contribution to a candidate or the political party of his choice, fine, but to authorize a taxpayer to divert a portion of his tax dollars to campaign costs designed to continue a party or particular candidates in office is patently wrong in principle as well as undesirable in practice.

Each citizen in this country has a right that taxes of other citizens should be applied to the cost of running the government of the country. He has a right to object if another citizen seeks to divert any portion of his taxes to designated political campaigns or politicians.

Even in the most remote and nebulous sense, it cannot be validly contended that campaign spending is a cost of government.

And it does not make any difference to which party's advantage such a proposal would inure, whether in the long or short run. The concept is wrong in principle. It is quite probably unconstitutional. It is wholly inimical to the right way of financing political campaigns which should remain in the private sector with the appropriate limitations and publication requirements before election.

I have said before and I repeat again that any elected official voting to divert the public funds to the expenses of a political campaign to reelect himself or his political party ought to be defeated for reelection on this issue alone.

The Times editorial follows:

PARTISAN PRINCIPLES

President Nixon was all set, as a matter of principle, to veto a major revenue bill because it contained a tax checkoff plan for financing Presidential campaigns. Although that plan has been all but gutted by a conference committee, the same basic principle to which Mr. Nixon objected—letting taxpayers earmark $1 of their income tax for such campaigns—still remains in the bill. Yet the President's press secretary now clearly indicates that Mr. Nixon will sign it.

What, then, is the difference between the two versions? The first would be effective for the 1972 contest, in which the Republicans are otherwise assured of adequate private funds to finance Mr. Nixon's campaign for reelection against the nominee of the near-bankrupt Democrats. It would rescue the Democrats. The revised version would not come into effect until the election of 1976—when the situation could be very different. Yet conferees who supported the change piously argue that it removes the "partisan" nature of the provision.

The truth is that both the checkoff and the opposition to it have overwhelmingly partisan aspects. But the plan is much more than partisan. It would correct a dangerous imbalance between the two parties now. And it is surely better for millions of people to spend a dollar each to elect a President than for a handful of sponsors to have him forever in their debt. The case against the proposition boils down to a simple and natural desire of the G.O.P. to hold on to an undeserved advantage as long as possible. The Democrats would doubtless try to do the same if the situation were reversed.

Other compromises agreed to by the conferees gravely weaken the proposal, even apart from the question of timing. Congress would have to vote the appropriation every four years, and the President could always veto it, rendering the whole plan continually unpredictable and sporadic. The hope now is that it will be scrapped altogether and reintroduced in effective form in the next Congress. Sooner or later, the principle will finally be accepted that the election of a President is the business of all the people, not the private prerogative of special-interest groups.

SICKLE CELL ANEMIA: "A DISEASE DRAWS THE COLOR LINE"

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ROSENTHAL. Mr. Speaker, each year some 45,000 Americans are afflicted with sickle cell anemia; 99 percent of them are black. This hereditary blood disorder strikes down half of its victims by the age of 5. Almost all of its sufferers never reach their 40th birthday.

Sickle cell anemia is caused by a genetic deformation of the hemoglobin molecule. While normal red blood cells remain disc-shaped, diseased cells take on a crescent or sickle shape when their hemoglobin is deprived of oxygen. These deformed cells are unable to pass through the body's capillaries. Deprived of necessary oxygen, body tissues begin to die. The result is both traumatic and painful, a "crisis."

While little else is known about the disease, medical researchers have proven its hereditary nature. A person inherits one set of genes from each of his parents. When each parent contributes a sickle-cell gene, the offspring will have the disease. An individual receiving the deformed gene from only one parent is called a "trait." Producing a child with the disease requires that both parents be "traits." In this situation there is a 1 out of 4 chance that the child will have the disease.

Recently I introduced H.R. 11872, the National Sickle Cell Anemia Prevention Act. My bill calls for a comprehensive attack on this dread killer. In general, it provides for:

First. $75 million over 3 years to the Department of Health, Education, and Welfare for a program of identification, counseling, and education on the disease.

Second. $15 million over 3 years for demonstration grants to institutions to encourage research into the disease.

Third. A program of screening, counseling, and treatment of the disease in the armed services.

Fourth. A program of screening, counseling, and treatment of the disease by the Veterans' Administration.

One of the most tragic aspects of the disease is our near total ignorance about it. Surveys indicate that only three out of every 10 blacks have heard of sickle cell anemia. But, through greater publicity, awareness is beginning to increase. Recently, the National Observer published a valuable article on the subject titled "A Disease Draws the Color Line." I am inserting that article in the RECORD at this point:

A DISEASE DRAWS THE COLOR LINE—RESEARCHERS AROUSE PUBLIC TO SICKLE-CELL THREAT

(By Patrick Young)

Nellie Kendrick recalls a white friend who recently asked her if it were true that sickle-cell anemia—a painful and usually fatal blood disease—is found almost exclusively among blacks. Mrs. Kendrick, a black volunteer in the Milwaukee Community Sickle Cell Disease Project, assured her it was. "I thought it was just a lie spread to show that blacks were inferior to whites," the friend said.

Misconceptions abound about sickle-cell anemia, among blacks and whites, among physicians and laymen. The disease afflicts perhaps 45,000 black Americans. Nearly half of its victims die before age 5, and about 80 per cent by age 30. It occurs once in every 400 to 500 black births, a frequency 6 times greater than cystic fibrosis, and 20 times higher than phenylketonuria (PKU), both almost exclusively white diseases.

Yet for years medical researchers called sickle-cell anemia "the forgotten disease." One year ago, an editorial in the Journal of the American Medical Association complained that "the level of general ignorance concerning the nature of sickle-cell anemia remains depressingly high."

Now that ignorance is under attack. More money than ever is going into sickle-cell research. New diagnostic and treatment procedures are being developed. Large-scale testings are under way in several cities, including Milwaukee, to find blacks unknowingly suffering from the disease, and to determine who are carriers capable of passing on sickle-cell anemia to their children.

And blacks across the country are working to raise funds and to acquaint all Americans with the disease. As one example, more than 200 professional black athletes—including Willie Stargell and Dock Ellis of the Pittsburgh Pirates and boxer Muhammad Ali—have set up the Black Athletes Foundation for Research in Sickle Cell Disease.

BRINGING BLACKS TOGETHER

"This has brought black people together, from the Black Panthers to the Urban League," says Richard Campbell, director of the Foundation for Research and Education in Sickle Cell Disease in New York City.

Sickle-cell anemia, an inherited disease, is

the most common long-term illness among black children (about 1 per cent of its victims in the United States are white). It is incurable, and despite considerable knowledge of the disease's mechanism, treatment methods remain poor.

The disease is caused by a defect in the hemoglobin molecules within red blood cells, which carry oxygen throughout the body. Each hemoglobin molecule contains 574 amino acids. In sickle-cell hemoglobin, two of these amino acids are replaced by two others.

"At the basic level, the change is so minuscule, so tiny," says Dr. Makio Murayama, a biochemist at the National Institute of Arthritis and Metabolic Diseases. "Yet for the individual it is a matter of life and death."

When sickle-cell hemoglobin is deprived of oxygen, the red blood cells lose their round, doughnutlike shape and take on a sickle or quarter-moon appearance.

When this happens, the red blood cells are unable to pass through the body's microscopic capillaries. The cells jam up like driftwood clogging a drainpipe. As a result tissue is deprived of the oxygen it needs, and dies. This painful event is called a "crisis."

In crisis, a person suddenly develops intense pain, usually in the abdomen, back, chest, hips, arms, or legs. The heart may be partly or fatally damaged, or a stroke may result. Sickle-cell sufferers are extremely vulnerable to infection, particularly pneumonia, and many develop skin ulcers at the ankle.

"Sickling can occur in any organ system and so it can mimic any disease state," says Dr. Edwin Bemis, a pathologist working with the newly established Southeastern Wisconsin Sickle Cell Center at Deaconess Hospital here. This causes diagnostic difficulties for doctors unfamiliar with sickle cell, and sometimes results in unnecessary surgery.

The disease results from a gene mutation that occurred centuries ago in Africa, and which became common because it offered a protection against malaria. For some unknown reason malaria parasites cannot survive in sickled red blood cells.

Each person inherits two sets of genes, one from each parent. A person with sickle-cell anemia has inherited a sickle-cell gene from each parent. A person who inherits a sickle-cell gene from only one parent is called a "trait." (Far less common than sickle-cell anemia are "variants," forms of the disease less severe than the anemia, but more troublesome than the trait.) Estimates place the number of blacks carrying the trait at between 8 and 13 per cent.

It requires two traits to produce a child with sickle-cell anemia, and the odds are one in four for such a birth. The chances of producing another trait are one in two. These odds of genetic roulette are for each birth. A Racine, Wis., couple produced three children, all with sickle-cell anemia.

The only guarantee that two traits will avoid a child with sickle-cell anemia is if they have no children. Currently several research teams are trying to develop prenatal tests for the disease. If they succeed, parents will know in advance if their child will be born with sickle-cell anemia, and will have the option for abortion.

"TRAIT IS NOT A "DISEASE"

Most sickle-cell traits live normal lives and never experience a crisis. "Overall, we try to stress that sickle-cell trait is not a disease," says Dr. Robert B. Scott of the Medical College of Virginia in Richmond.

Nevertheless, cautions Dr. Robert M. Nalbandian of Blodgett Memorial Hospital in Grand Rapids, "the trait under certain physiological-stress conditions can be hazardous, and has been."

Traits may crisis while flying, at high altitudes in unpressurized aircraft, under general anesthesia during surgery, or sometimes during great physical exertion.

Last year a team of Army doctors blamed sickle-cell trait for the deaths of four black recruits—over an 11-month period—during basic training at Fort Bliss, Texas. Their conclusion, however, has been challenged by other researchers, who contend the doctors did not rule out sufficienly other possible factors in the deaths.

Women with sickle-cell trait have a higher incidence of urinary infection during pregnancy, and trait sometimes pass blood in their urine. Pittsburgh pitcher Dock Ellis, a trait, says he occasionally passes clots. "I've gone to the team physicians and they say there's nothing they can do about it," he says.

The public awakening to sickle-cell anemia is a recent thing, among blacks and whites. A 1968 survey in Richmond found that only 30 per cent of the blacks questioned had heard of the disease. Today blacks are more willing to accept the disease and no longer regard it as a racial slur.

"Part of the new pride among blacks is enabling us to look at ourselves, and to look with more objectivity," says Hazel Maxwell, chairman of the Milwaukee Community Sickle Cell Disease Project's advisory committee.

Sickle-cell fighters say the message of concern is finally getting across. Congress, at President Nixon's request, increased the National Institutes of Health's sickle-cell research budget from $1,000,000 to $6,000,000 this year. A bill to provide $142,000,000 in sickle-cell funds over three years is pending in the Senate. The National Foundation and its local March of Dimes chapters are providing increasing funds for research.

"I think we're getting over our benign neglect," says Dr. Bemis. "We're waking up to the fact that there is a black portion of our population. Whites, too, are demanding that blacks be treated on an equal medical basis."

The new awareness of sickle-cell anemia has led to greater efforts to identify people with the trait. Here in Milwaukee, Deaconess Hospital's sickle-cell center plans to test 118,000 blacks in seven counties. Three screenings have tested 2,232 blacks since Sept. 18, in addition to over 5,000 patients routinely tested upon admission to the hospital since 1969.

It is a community effort utilizing more than 250 black and white volunteers and Boy Scout Troop 200, a ghetto unit, to spread the testing message. The center will provide genetic counseling and a registry of persons with sickle-cell trait.

AN EFFORT IN PITTSBURGH

The Black Athletes Foundation and six other groups are sponsoring a similar effort in an attempt to test 250,000 blacks in the Pittsburgh area. Smaller screening programs have taken place among school children in Grand Rapids and Hartford.

Testings to date have been voluntary. But New York State recently passed a law providing sickle-cell tests for youngsters entering public schools. And laws requiring testing of school children or marriage-license applicants before marriage are pending in several states, including California and Illinois.

Such law delights some blacks, but not all. "If testing is compulsory, children identified as carriers could be stigmatized as less desirable parents or as weak individuals," says Dr. Robert Murray of Howard University in Washington, D.C.

The Milwaukee program and several others use a test developed by Dr. Nalbandian and Dr. Paul Wolf of Stanford University. Its advantage over previous tests lies in cost. The chemicals needed for the test, which can be run automatically at the rate of 120 an hour, cost only pennies a sample.

The test is a preliminary screening. A positive indicates sickling, but not necessarily sickle-cell disease. A second test—electrophoresis, which measures the distinctive electrical charges of various types of hemoglobin—can determine if the patient has sickle-cell anemia or the trait.

Treating sickle-anemia is more complex. Efforts to reverse sickling crises in patients, says Dr. Scott, "have not been terribly effective."

Dr. Nalbandian and his research colleagues are experimenting with urea, a natural chemical waste occurring in the body, in a sugar solution to treat patients in crisis. This "molecular surgery" says Dr. Nalbandian, breaks apart sickle-cell hemoglobin molecules that have locked together and reverses the crisis.

"We have been able to abort sickle-cell crises in over 20 patients, without using narcotics, and without medical misadventure, therapeutic failure, or death," he says.

The technique is extremely complicated. Unless extreme care is taken, the urea can cause dehydration, which itself can bring on a crisis by reducing oxygen.

Last month Dr. Paul McCurdy and Dr. Laviza Mahmood of Georegtown University medical school in Washington, D.C., reported treating 24 crises in 14 patients with urea. Seventeen crises were successfully treated, through the researchers noted dehydration as a major side effect.

"These results suggest that urea therapy has a beneficial effect on the painful crises of sickle-cell disease, but the method is still experimental," they wrote in the New England Journal of Medicine.

Currently the National Heart and Lung Institute is supporting six studies comparing three sickle-cell therapies, including urea. A second corrects dehydration, and the third reduces blood acidity, another cause of sickling, by lowering body oxygen.

A PROMISING TREATMENT

Other researchers are trying to find other chemicals that will reverse sickling without urea's handicaps. Dr. Anthony Cerami and Dr. James Manning of Rockefeller University in New York City recently reported excellent test-tube results in preventing sickling in human blood with potassium cyanate. They expect to begin human tests within a year.

Dr. Nalbandian says urea, taken four times daily mixed in soda pop to hide its bitter taste, can safely and effectively prevent sickle-cell crises. But he acknowledges difficulties in getting patients to down their preventive doses regularly.

"Frequently they take it when they feel pain," he says. "They head off a crisis and they ignore their urea. There has to be a better way of delivering it."

SECRET LAY IN THE STRUCTURE

Although there is no cure for sickle-cell anemia, and as yet no generally accepted treatment, the basic mechanism of "sickling" is no mystery.

Sickle-cell anemia was first described in 1910 by Dr. James Herrick of Chicago. In 1949, Nobel laureate Linus Pauling and Dr. Harvey Itano showed that the disease resulted from an inherited defect in the hemoglobin molecules within red blood cells. Nine years later, Dr. Vernon Ingram and John Hunt, working at England's Cambridge University, identified that defect.

Hemoglobin molecules, which transport oxygen throughout the body, contain a total of 574 amino acids, arranged in four chains. The four chains are actually two pairs of identical chains, called alpha and beta.

The English researchers found that at two points in the beta chain of sickle-cell hemoglobin an amino acid called valine exists where glutamic acid, another amino acid, exists in normal hemoglobin.

It remained for Dr. Makio Murayama, a biochemist at the National Institute of Arthritis

and Metabolic Diseases, to explain in 1966 how this minute difference in amino acids causes sickling. Considering the Cambridge research, he says, "it occurred to me that maybe the secret lay in the structure."

Normal hemoglobin molecules, about 300,000,000 per red blood cell, move at random within their cells. But Dr. Murayama found that substituting valine for glutamic acid allows sickle-cell hemoglobins to lock together when oxygen is reduced. They form chains up to 6,000,000 molecules long. These chains twist into six-strand cables, and these cables, in turn, bunch together to form rigid lines.

"The end effect is that the cell wall, which is like a balloon, complies with the shape of these long fibers within," Dr. Murayama says.

Last year Dr. Murayama photographed these microcables for the first time. Using a stream of argon ions—a technique he learned about from scientists shaving microscopic layers from moon rocks—he stripped away part of the wall from a sickled cell. With a scanning electron microscope, he photographed clumps of sickled hemoglobin.

This year Dr. Murayama proposed a theory to explain why sickle-cell anemia is more severe in some patients than in others. He suggests that an organic molecule, which he calls the "hemoglobin S cofactor," plays a role in sickling. Its severity depends on the amount of this molecule present.

Dr. Murayama has yet to identify the molecule. "When and if it is identified," he says, "I think we will be able to revolutionize the mode of control and treatment of the disease."

INDIAN CLAIMS BILLS

HON. K. GUNN McKAY

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, December 6, 1971

Mr. McKAY. Mr. Speaker, on October 16, 1962, the Indian Claims Commission filed an interlocutory order, made findings of fact, and delivered its opinion wherein the Commission found and concluded as a matter of law and fact that the Shoshone Tribe was a land-using entity composed of those Shoshone Indians who came under the leadership and influence of the famed Chief Washakie. The Shoshone Tribe consisted of the eastern bands, parties to the treaty of July 2, 1863; the northwestern bands, parties to the treaty of July 30, 1863; and the so-called "mixed bands of Bannocks and Shoshones," parties to the treaty of October 14, 1863. The foregoing decision of the Indian Claims Commission resulted in a gross judgment of $19,038,706 for the Shoshone Tribe for lands they had aboriginally occupied and which were taken by the United States.

This gross judgment was based upon a negotiated settlement using a valuation of $0.4968 per acre for 38,319,000 acres. The gross judgment was reduced by certain offsets previously paid to the groups either in cash or land, and out of this came costs and attorney fees. The sum was further augmented by an amount due specifically to the Shoshone-Bannock group at Fort Hall. A balance of approximately $13,678,500 is now left for distribution to the Indians themselves. The net judgment is now deposited in the U.S. Treasury and in certificates of deposit at the National Bank of Spokane, Wash., and the Bank of Boise, Idaho.

The disbursement of these funds fomented considerable controversy. Notwithstanding the fact that the Commission found that "there never existed a politically organized tribe embracing all Shoshone Indians which was a landholding entity," the judgment was awarded to the entire Shoshone Tribe. The identifiable group designated by the Indian Claims Commission as the Shoshone Tribe has no present-day organization. The Shoshone Tribe presently is divided into three groups: the Northwestern Bands, Washakie, Utah; the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho; and the Shoshone Tribe of the Wind River Reservation, Wyoming. The dispute arose over whether the proceeds should be divided on a per capita basis or on the basis of the amount of land aboriginally occupied by the group involved. Further, if a per capita basis for distribution were used the question arose as to whether the share should be based on the number in each group now or at the time of the taking. Finally, the dispute was complicated by the fact that the Wind River and Fort Hall groups had received reservation lands and the Northwest Bands had not.

The attorneys for the three groups met on several occasions in an effort to reach an agreement as to an equitable distribution of judgment funds, which agreement they, in turn, could recommend to their respective groups. These negotiations have taken over 2 years. It would serve no useful purpose to detail the history of those negotiations. It is enough to state that the three groups finally agreed upon a division and that this agreement is embodied in H.R. 10846, the bill before you today.

Mr. Speaker, I have reviewed that legislation and believe it to be a fair compromise. I urge its passage by the House.

CHARLES F. KENNEDY

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to pause for a moment to remember, fondly and with appreciation, Mr. Charles F. Kennedy of Union City who died suddenly in an automobile accident last month. He left his wife, Rose, and three children, Helen, Patricia, and Charles.

Chuck became Union City's director of parks and recreation in 1964. Since that time, Union City has seen a tremendous growth in populations. Chuck was there to see that parks and open spaces were preserved and established to meet the needs of the growing city.

Not only was he a dedicated and civic-spirited man, but Chuck was the kind of warm and easygoing gentleman that one hopes for in good neighbors and friends. He will be remembered by all of Union City who will enjoy the fruits of his labor for many years and by all those who knew him, and knew him to be a fine and wonderful man.

ABOUT THOSE EXILES

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HARRINGTON. Mr. Speaker, the creative and innovative Congressman from New York (Mr. KOCH) has written a very balanced, intelligent, and calm analysis of the problem of the repatriation of those who have left this country to avoid military service in the Vietnam war. His article entitled "About Those Exiles" appeared in the New York Times of Saturday, November 27, 1971.

Between 20,000 and 60,000 young Americans have emigrated to other countries in order to avoid fighting in a war in which they do not believe. What will happen when the war ends and these men want to return home? As Congressman KOCH says:

We should face up to the problem, controversial and painful as it may be. With the war dragging on, but hopefully closer to an end, I think it even more important to encourage discussion of this tender subject by reasonable men and women.

Mr. KOCH calls on all Americans to handle the situation with reason and understanding. He acknowledges that these young people, having broken the law "must face some penalty." But he calls for rationality in the determination of that penalty.

Whatever the solution, Mr. KOCH has defined the problem and brought to light a situation which we cannot and should not ignore any longer. We have thousands of young Americans who will want to come home. Let us show them justice.

The article follows:

ABOUT THOSE EXILES

(By Edward I. Koch)

WASHINGTON.—In a recent column on this page, Roger Williams, currently "in exile," stridently demanded as conditions of returning home, first, punishment of American political leaders and then an official apology to those, like himself, who left this country to avoid military service. Mr. Williams was among some forty exiles I met in Canada in December 1969. I thought and said then that we should face up to the problem, controversial and painful as it may be. With the war dragging on, but hopefully closer to an end, I think it even more important to encourage discussion of this tender subject by reasonable men and women.

Mr. Williams is not, however, a reasonable man. It seems quite clear that Mr. Williams speaks for only a tiny minority of those who resisted personal involvement in an immoral war by choosing to flee from their country and violate its laws. The great majority of these men—now numbering between 20,000 to 60,000, the estimates vary considerably—truly love the United States. They want to come home and take their places among their families and countrymen.

This problem should be resolved as soon as American troops are no longer fighting in Vietnam. Otherwise for more than a generation to come there will be bitterness, unhap-

piness and family tragedy. There are difficult issues of public policy, philosophy and fairness involved. The legitimate feelings of those who served in Vietnam, many of whom opposed the war, and the families of those who lost their lives there and in other wars cannot be ignored. Nevertheless, the problem can be approached constructively if the following premises are accepted.

First, we should eschew the juvenile shibboleths and rhetoric of the extremists on both left and right—those that espouse Williams' views that America should apologize to the exiles and invite them back as liberators and also those who consider all these men indiscriminately as despicable traitors.

Second, we should accept as an ultimate goal the return of the great majority of these young people and their speedy reintegration into American life.

Third, we should recognize that they are neither heroes nor traitors. They are simply young people who broke the law for a variety of motives—some selfish, most idealistic. Although many Americans may not find their conduct justifiable, it is at least to some degree explainable by the great moral, social and political transformations we have all witnessed these last few years.

Fourth, these young people, having broken the law, must face some penalty. But what penalty? We know enough about our system of criminal justice to recognize how counterproductive and how irrational it would be to impose jail terms on them. Jail would only brutalize or break them. Besides, it is not really a solution since it is an option presently available to them and obviously not one that will bring them back.

We can make progress on this subject by concentrating on the question of what new options should be made available in order to bring these men home. Prison is not a realistic option but some lesser penalty might be acceptable to them and to most Americans in a post-Vietnam era. For example, they might be given the option of working for a year or two in VISTA or at some other public service job. Such an obligation, together with the discomfort of years in exile, would in my view be more than an adequate penalty. But, it would be a penalty with a purpose. And it would be consistent with America's tradition of magnanimity at the end of hostilities. Indeed, after the Civil War we granted an immediate amnesty to all who fought against their own countrymen.

Let us reach out to all the victims of this monstrous war—the imprisoned, the bereaved, the wounded, the jobless, and those young men in self-imposed exile.

ABATING THE BACKLASH

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. DINGELL. Mr. Speaker, the Christian Science Monitor of November 23, 1971, carried a most perceptive editorial under the heading "Abating the Backlash" concerning the desire of certain economic groupings to go slow on the drive to clean up our environment. So that my colleagues may have an opportunity to be aware of this editorial, I insert text at this point in the RECORD:

ABATING THE BACKLASH

Last week's weather conditions left a sack of seriously polluted air slung along the Appalachian backbone of the Eastern United States.

Birmingham, Alabama, had about the worst situation caused by the air movement lull—although atmospheric pollution neared the critical level in a number of other cities. When Birmingham's key polluting industries failed to comply willingly with air pollution alert warnings, the Environmental Protection Agency got a court order to make them do so.

Now what is significant in the Birmingham episode is not simply that it marked the first time the emergency provisions of the Clean Air Act of 1970 have been called into effect. This is an historic first, to be sure. One can marvel that such emergency measures, reminiscent in spirit of civil defense precautions in cold-war America, can be put into effect.

However, what most interests us is the increasingly apparent tension between the forces to control pollution and those who want to preserve the status quo. In the Birmingham instance, the polluters had to give ground. But the shutoff was only for a short period. And the fact that the air contamination was twice the safe level left officials no choice but to act.

Environmental experts in Washington in the past have boasted that air pollution stands a good chance of being beaten in the next few years. And yet EPA chief William Ruckelshaus said last Thursday that the 1975 clean-air deadlines can't be met if the full burden is put on smokestack cleanup or auto exhaust controls. He said auto bans, greater use of mass transit—even walking and bicycling— and staggered workshifts and work weeks might have to be used.

Was he preparing the nation for a shift of the pollution control burden from industry to the general public? Or was he really trying to detour an alleged White House campaign to do just this—was he suggesting to the public that they would have to pay in inconvenience for any letup in federal action?

In any event, it is clear that counterforces to pollution control are emerging. Mr. Ruckelshaus is perhaps quite right that a main drag on ending pollution is the limited state of American antipollution technology. Where this is true, as debatably in the case of the auto and the 1975 emissions deadline, no amount of wishing and willing may be able to do the job without invoking transit and work pattern inconveniences. But more than the state of technology and government intent is involved. As the Wall Street Journal reported Friday, labor is beginning to side with management to put off pollution controls. Job loss, of course, is the bogey.

From Florida where construction companies and workers want to revive the cross-Florida canal, up to the Maine coast where unionists want a new and environmentally hazardous oil refinery, evidence of pollution control backlash is appearing.

There can't really be a halt to the pollution control movement, even if labor joins management to fight it, most experts agree. But they add that the cleanup campaign could be slowed considerably.

There may be alternatives to unloading the onus of pollution abatement on the general public. No doubt many businessmen realize that an extensive overhaul of American industrial processes to end air and water pollution could also accomplish the discarding of a lot of outdated plant and equipment. In much this same way, Europe turned the catastrophe of World War II into an industrial-economic rebirth. If the pollution phaseout were imaginatively and positively handled, American technology could steal a step on the rest of the industrialized world in the creation of updated facilities. The point could be made that industry should perhaps be not made to bear the full brunt of the cost through punitive pollution enforcement laws, and that the government should absorb some of the cost as an investment in its technology as well as in its environment.

Similarly, though government will hardly pay full indemnities to workers displaced by pollution code enforcement, perhaps the generation of jobs through programs to upgrade the environment would yield a constructive alternative to the bushwacking of antipollution actions in which labor is increasingly engaging.

Russell E. Train, chairman of the President's Council on Environmental Quality, put the right perspective on the economic argument Friday. In a speech to New York State environmentalists he stressed the basic fact that cleanup is less costly than enduring pollution. The council has put the annual cost of air pollution alone—in its toll on health, vegetation, materials, and property values—at more than $16 billion a year. When the costs of water pollution and other forms of blight are added, the average U.S. investment in reclaiming the environment—put at some $20 billion a year through 1975—will prove a bargain. And as the council points out, environmental programs will not mean a lessening of jobs-creating economic activity, but a shift of it away from products and services that degrade the environment to those that enhance it.

SENATOR CLAIBORNE PELL PUTS STUDENT FIRST

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BRADEMAS. Mr. Speaker, the cover story of the current issue of Junior College Journal pays a well-deserved tribute to one of the most distinguished Members of the other body, Senator CLAIBORNE PELL of Rhode Island.

As chairman of the Senate Subcommittee on Education, Senator PELL has labored long and hard to develop legislation appropriate to the needs of American education in the 1970's. During this session of Congress, Senator PELL's subcommittee has produced an omnibus higher education bill monumental for its comprehensiveness, and while the companion measure passed by the House differs substantially in many of its provisions, Senator PELL deserves to be congratulated for his efforts on behalf of higher education. I am confident that when the House and Senate go to conference on this legislation we will be able to agree on a measure that will inject new life into American education during the coming decade.

Mr. Speaker, it is my pleasure to insert in the RECORD at this point a copy of the article by R. Frank Mensel, "PELL: The Chairman Puts Students First":

PELL: THE CHAIRMAN PUTS STUDENTS FIRST

(By R. Frank Mensel)

In the same way that 1965 has been talked about as "education's year" in Congress—having produced so many landmark programs for education—1971 seems bound to go down as "higher education's year." For the colleges and their Washington representatives, it has been a year of landmark developments—the ultimate shape and force of which hinges not only on a House and Senate compromise, but also on the next round of the struggle to fund education programs. Like a chain-reaction collision, the year has piled surprise on surprise—leaving the higher education lobby reeling in despair one moment, soaring with optimism the next.

Example: Tiring of long discourses and platitudes from college administrators, Chairman Claiborne Pell called a panel of legislative officers from major associations before the Senate Education Subcommittee to probe them on priorities to help colleges.

Example: The priority with the widest college support, the long-dreamed-of general grants to institutions (also referred to as capitation grants and operating grants), tumbled in defeat in the House subcommittee, only to win decisively in full committee a week later.

Example: When the Special Education Subcommittee in the House stalled out the summer without mark-up of the Green bill, lobby veterans gloomily guessed the mark-up would be put off until January—or later. As quickly as Congress returned from vacation, Chairman Carl Perkins invoked the rarely used power of the Democratic caucus to force an instant mark-up.

Example: Early in the year, Administration spokesman voiced strong alarm over costs of the Pell bill's provision of automatic $1,400 grants to neediest students; late in the year, the Admiinstration plunged into the House action with an amendment to add the $1,400 standard to the House bill.

Example: Committees of the Senate and House both folded sweeping *vocational* education provisions into their higher education bills.

If history should eventually point to one figure who triggered all of this, its choice is likely to be the soft-spoken, methodical author of the Senate omnibus higher education bill—Chairman Pell, Democrat of Rhode Island. It could be said he pulled the trigger June 24.

On a day when most higher education eyes were fixed on Rep. Edith Green's continuing attempts to rally her Special Education Subcommittee for the mark-up of her omnibus bill, Senator Pell summoned his subcommittee into mark-up of S. 659.

The ranks of higher education rippled with surprise. They shouldn't have. They had been amply warned. On the day he offered S. 659, Senator Pell made it plain that he felt completely earnest about the central features of it. This was more than a vehicle for hearing and discussion. He told the Senate:

"The bill I now submit is landmark in nature . . . the first attempt to treat the subject of Federal support to higher education as a unified whole. . . . Student assistance is coupled with institutional aid; specialized study areas are treated as one. Unity has been achieved so that the total commitment of the Federal Government to higher education can be fully realized and understood—understood as to the philosophy motivating the Congress. . . .

"At the outset, let me say that it is my philosophical belief that the Federal Government must play a major and ever-expanding role in support of higher education. This role must not only be financial in nature, but must also indicate to students and institutions a commitment ot fostering excellence. . . . We are at a point in time when fundamental decisions regarding the future of higher education must be made. . . ."

To drive his point home, he listed every majority member of the Committee on Labor and Public Welfare as a co-sponsor of the bill.

In short, he wanted a bill that would put the focus of higher education primarily on the student—not the institution. And with student, he meant *every* student. As he had said often in his Senate career. "Not every boy or girl has to go to college, but no student should lose that chance for financial reasons."

His bill has fostered the concept of the automatic grant for the low-income student—$1,400 per year, less the parental contribution. Senator Pell wants these grants backed by cost-of-instruction grants to the institutions to ensure that disadvantaged students will have the best development courses and supporting services.

In the course of hearings, he hammered again and again on the priorities of this bill, and prodded witnesses to hammer back. Meanwhile, through May and early June, subcommittee staff labored feverishly at a complete rewrite of the bill. Folded into it in rewrite were, among other major changes, the key concepts and vision of Sen. Harrison A. Williams' original comprehensive community college bill, thus forming Title X of S. 659, and a broad reconstruction of the program for strengthening developing institutions. A stickler for systematizing bills before moving them into executive committee action, Senator Pell also ordered staff to both codify the bill's functions against existing law and streamline various existing titles which had as yet never gained funding by Congress (e.g., Education for the Public Service).

Thus armed, the chairman was ready to move. The subcommittee proved equally ready. It gave three days to intensive mark-up, then June 30 reported S. 659 to full committee.

The Committee on Labor and Public Welfare went into mark-up on July 14, and one day later reported out the bill.

Senator Pell now took aim at the prime target—Senate passage of the bill before the August recess. When a snag struck, he refused to break stride. Interior committee leadership spotted with alarm a technicality in the bill that could affect impact aid to Indian school children and wanted the bill held till after the Labor Day vacation. Senator Pell could see another course. He persuaded the leadership that the technicality in question could be excluded from the bill and reconsidered at another time. He made his point, and debate rolled toward a vote.

When the vote came, moments before recess, the Pell triumph was total. S. 659 carried 51–0. Momentum in the three-day debate, as well as the vote itself, reinforced what the author long wanted as basic intent—to alter the focus, as well as the scope, of the federal commitment in higher education. The Senate's leading minority voice on education, Senator Jacob Javits of New York, spearheading minority support for the bill, underscored that intent, when he said, "The key aspect of this bill is the emphasis on 'post-secondary.' "

The Pell priority is clearly the student, not the institution; the consumer, not the educator. He has always widely proclaimed his ultimate objective to be "universal opportunity."

People close to Senator Pell long ago ceased to ponder the contrast between his own Ivy League upbringing and his passion to help low-income students. In the tradition of the Kennedy brothers, the quest to expand opportunity for less advantaged Americans has been constant in his public life.

"Something like the GI bill, to help all high school graduates, was always my target," he recalls. "I think I was perhaps the first to push this approach to universalizing postsecondary opportunity.

"Take a hard look at history. At our cultural and economic strides. Who's to put another priority first? Better education, better health services, these come first with the Americans I know," he said.

He could always see the sweeping impact of education on his own generation. When the great depression struck, college loomed large for many as a road to recovery. Vast numbers of young adults scraped their way through college for two reasons: they had nowhere else to turn, and they hoped more education would equip them to change the nation's plight.

"We went a lot farther along the same road with the GI bill. College was the door we all looked to, from war back to normality," recalled the Senator.

"Let me say again every girl and boy does not need college. Education up and down the line has been too heavily and too long geared to the liberal arts tradition.

"I see so many young people in my own state giving up, and dropping out of high school. They need more options. Incentives and status are too much stacked on one choice, college. I want the encouragement and support spread widely—proprietary schools, community colleges, technical colleges, or the liberal arts—the student ought to feel he's going first-class, taking the best route for him, whatever choice he makes.

"Let's talk about education that equips Americans to lead full lives—to be useful to ourselves and to our neighbors day by day—as well as to think," said Senator Pell.

He believes both the greater college community and the U.S. Office of Education are not looking hard enough at changing public views, changing demands. Colleges have done their part to spread educational opportunity as an ageless "right." To talk "right" over "privilege" is to address the total public. And the greater public looks now for more from post secondary services than a traditional degree.

His cause picked up added steam in the House when, shortly before the House omnibus higher education bill went to the floor, the Administration threw its weight behind his basic student aid standard, the automatic $1,400 grant for low-income students.

He sees the automatic feature as especially benefitting community colleges since they have often fared poorly in competing with senior institutions in dollar distributions under the existing economic opportunity grants program. He further recognizes that any cost-of-instruction funds that might be allotted as a percentage of current E.O.G. and work-study distributions would only compound this injustice to the community college students.

To help the bureaucracy get into step with changing realities on the postsecondary scene, the bill has specifically mandated three new units in the U.S. Office of Education. One is the proposed unit to spearhead community college participation in the various existing higher education and occupational programs. The second is an office to direct a new $80 million program on consumer education. The third is a bureau of occupational and adult education.

When some higher education leaders called his bill "misleading" on the grounds that the automatic student grants and supporting cost-of-education allowances would never be fundable under present budget conditions, the Senator repudiated their view.

"They have lost sight of the true significance of this bill. If the American people want universal opportunity, and the Senate obviously thinks they do, then this bill is going to be funded. Here's an opportunity to do more than just talk about reordering national priorities.

"I am afraid the lobbies speak for institutions. They are blinded by their own short-term interests," said Senator Pell.

He was keenly conscious that only scattered pockets of higher education's total lobby helped him push the bill. Galleries of the Senate chamber showed only a few college faces during the historic debate.

"Those who say I was personally offended by this miss the whole issue. It has nothing to do with personalities.

"Most of the higher education forces were sitting on their hands while the biggest package that greatly magnifies the federal commitment, was rolling toward passage. And when that happens, I think college constituencies ought to know—students, taxpayers, everyone. That's why I raised the issue. On a 51–0 vote I felt a duty to speak out. Let the public judge."

The Senator talks like a man who knows that history will judge, too. And he's quite willing to stand with that.

ARE POLITICIANS SO REMOVED?

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mrs. GRASSO. Mr. Speaker, it is with pleasure that I present to my colleagues in the Congress the observations of young students on the Capitol scene. Their views of Capitol Hill, with special focus on the operations of the office of Congressman JAMES V. STANTON of Ohio, is tribute not only to his dedication, integrity, and service, but reflects as well the continuing effort of Members of Congress in the fulfillment of the duties and responsibilities of this office.

The article by Fairfield University students Joe Hasten and Joe Kern, which appeared in the December 1 issue of the Fairfield Free Press and Review, follows:

FROM THE RIGHT

(By Joe Hasten and Joe Kern)

ARE POLITICIANS SO REMOVED?

For too long, I have heard the conventional diatribe that all politicians are corrupt-infested hacks guided and manipulated by special interests. Indeed, this generalization has never sat well with me—for obvious reasons. One cannot deny that politics is a lucrative field, where wealth comes easily, if acquired dishonestly. I suspect, however, that the same opportunities exist in other fields of profession, and offer, at least as much, if not more, potential for unethical behavior. Naturally, trust is the operative factor in all positions of responsibility.

Personal integrity in public office has long been a virtue so over-applied that it has lost its essence. Strange, so it seems, that the actions of a few politicians, who have abused the trust placed in them, end up being the rule, rather than the exception to the rule. This, no doubt, is extremely frustrating to the honest and responsible politicians who are, thereby, statesmen, in the truest sense of the word.

Again, I have heard the inflated charge that a government such as ours, operating under the type of legislature that it does, cannot possibly perform and meet the needs of a nation of 200 million people. It seems as though a Congress of 535 members would have a difficult time attending to the needs of a nation so large; but, in reality, it does just that.

I was down in Washington not too long ago and after some observation, I came back instilled with renewed confidence in the responsiveness and integrity of legislators serving in the U.S. Congress.

I had the distinct advantage of touring the Offices of the House of Representatives (the Rayburn, Cannon, and Longworth Buildings) and the Old and New Senate Office Buildings. When I would, at random, step into one of their offices, I received the hospitality that would rival the number one man on any proctocol list. It was the same all over Capitol Hill.

In particular, I had the privilege of observing the Office of Congressman James V. Stanton (D-Ohio, 20th District). Calls came in, as did constituents, not to mention the bundles of letters, each with an individual, and personal response. As the quorum bells rang, the Congressman's staff toiled on with the work of the day, as "different from any other day. . ." The Congressman's Administrative Aide had worked with the Cleveland Plain-Dealer as Washington correspondent for twenty-two years. He left that job to work with Mr. Stanton. Stanton's Office manager is a remarkable lady, whose productivity level rivals that of a computer. It has to. Aside from answering all responses, and handling the communications of constituents, she has to manage the Congressman's schedule—a major feat. Mr. Stanton has both a legislative aide, who assists him in writing and researching legislation, and a receptionist, who has to be nothing short of a public relations expert. In addition, there is a case-worker, who handles the requests of all constituents.

Mr. Stanton, himself, besides overseeing this operation, must respond to a regular schedule of chamber sessions and Committee Meetings. (The Congressman is on both the Public Works and the Merchant Marine Committees). These tasks, needless to say, are quite time consuming.

One issue, in particular, which is typical of the Congressman and his staff's dedication, revolved around what Mr. Stanton related as "a violation of civil rights . . ." in regards to an incident concerning a constituent of his, Borojove M. Karapandzich. You remember Mr. Tito of Yugoslavia visiting this country. In relation to that, the Secret Service went to the home of Mr. Karapandzich and questioned him regarding a book he had written that was decidedly anti-Tito. Mr. Karapandzich, apparently taken aback, wrote to Mr. Stanton asking for his help. The Congressman flew back to Cleveland and paid a visit to Mr. Karapandzich. Consequently, after familiarizing himself of the facts, Mr. Stanton informed the Secret Service and the President that he wished an apology for his constituent. On Monday, November 1st, the Congressman stayed in Cleveland and announced, in a press conference with Mr. Karapandzich, that he intended to file suit in the U.S. District Court, unless this apology was not soon in coming. The Congressman felt very strongly about the issue and afforded his constituent some badly needed aid. This matter is elaborated in the November 3rd issue of the Congressional Record (Extensions of Remarks). I watched all this develop as I had the time, and I was most impressed with the technique in which the Congressman and his office went about aiding Mr. Karapandzich.

James V. Stanton is a freshman legislator. He is receptive, reserved, extremely impressive in stature, and hardworking (as you well may have noticed). I might say that if Mr. Stanton is typical of the type of politican that the people are electing, then the Congress has only to gain its duties to responsibly govern and serve the United States. This development is most beneficial to the nation as a whole and to the image of politicians, as a profession of public servants.

I command Mr. Stanton, and greatly admire him for his diligent attitude and his dedicated staff.

LATEST SUPREME COURT NOMINATIONS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. EDWARDS of California. Mr. Speaker, I would like to comment on the nominations of Mr. William Rehnquist and Mr. Lewis Powell to the U.S. Supreme Court. I commend the gentleman from Michigan (Mr. CONYERS) for having obtained a special order to give us an opportunity to express our opinions on the effect that these nominations will have on the continuing struggle for the attainment of full civil rights and civil liberties for all citizens under the Constitution of the United States. Once again Mr. CONYERS has shown himself to be a courageous and perceptive advocate of those disadvantaged people who cannot speak here today for themselves, but whose lives will be affected if these nominations are confirmed by the Senate.

The nominations of Mr. William Rehnquist and Mr. Lewis Powell to the Supreme Court are another indication of the insensitivity to the Nation's minorities which has been consistently evidenced by the Nixon administration. As chairman of the Civil Rights Oversight Subcommittee of the House Judiciary Committee, I have had the opportunity in recent months to observe the effects of this insensitivity in three of the areas in which our committee has held hearings. In the area of enforcement of the Voting Rights Act, the administration has sat by while the State of Mississippi has disenfranchised black voters in violation of the Voting Rights Acts of 1965 and 1970. In the community relations area the actions of the administration have served to heighten community tensions in several areas of the country through cutbacks in funding for poverty and other programs designed to alleviate the negative aspects of life for poor and minority people. In housing continued statements against "forced integration of the suburbs" threaten the minority poor with continued ghettoization and lack of access to jobs, education, and decent housing.

It has been apparent to us, however, that not only this administration has shown insensitivity to the needs of oppressed minorities. The records of past administrations are equally abysmal and have led directly to the mistrust and suspicion of government held by so many minority citizens. Contrary to the failure of the executive branch to exercise the kind of leadership which would make the promise of the civil rights laws enacted during the past decade a reality, the judiciary has steadfastly interpreted these laws as mechanisms for the achievement of the rights guaranteed to all Americans in the Constitution. If it were not for the strong, reinforcing interpretation of the civil rights laws by the judicial branch, it is apparent that the civil rights laws would have been long ago undermined.

The poor, the underprivileged, the disenfranchised, the hungry, and all those who are denied the benefits of the system, look toward the judiciary, and particularly the Supreme Court, as that branch of Government which is most likely to be responsive to their needs. It is before the bar of justice that there has been the greatest likelihood that the pure, bright light of the Constitution will be focused on the inequalities, discrimination, and deprivation of which too many of our citizens are a victim. In the courts, more than in the legislature and executive branch, are minority and other deprived citizens able to stand on equal footing with the privileged. Our judicial system filters out much of the influence for the maintenance of the status quo to which the other branches of Government

are subject and allows those who are the victims of the system to plead their case for the America of equal opportunity for all citizens which is guaranteed by the Constitution.

Thus, the nominations of Mr. William Rehnquist and Mr. Lewis Powell to the Supreme Court are a cause for consternation, if not despair, by those of us who see the Supreme Court as the greatest hope for the enforcement of civil rights and civil liberties.

Mr. Rehnquist's record as a lawyer in Arizona and as Assistant Attorney General in the Department of Justice has been well documented. In Arizona, he actively opposed a State public accommodation law. Those who argue that this was fundamentally a conservative rather than a racist position have a more difficult time explaining away Mr. Rehnquist's efforts to deny the vote to blacks, Indians, and Mexican Americans in Arizona. Those who have opposed civil rights laws, because of conservative ideology have generally found common ground with supporters of these laws in the area of voting rights. The right to vote is so fundamental that few have questioned the need for governmental action to prevent a denial of that right. Yet, Mr. Rehnquist actively participated in attempts to bar minority voters from casting ballots in Arizona elections. He was personally present in precincts where attempts were made to prevent minority citizens from voting, and the Leadership Conference on Civil Rights has presented sworn affidavits from witnesses alleging Mr. Rehnquist's active involvement in these efforts. Mr. Rehnquist was also involved in the administration of literacy tests to black and Mexican-American voters in Arizona. Tests requiring black voters to read or recite parts of the U.S. Constitution were given in Arizona after the passage by Congress of the 1964 Civil Rights Act prohibiting the giving of oral literacy tests unless such tests are allowed by special exemption given by the Attorney General of the United States. Although Mr. Rehnquist's role in the administration of these tests is not clear, any degree of involvement in violation of Fedral law should serve as a disqualification of a nominee for the Supreme Court.

We are all familiar with Mr. Rehnquist's role as Assistant Attorney General in the illegal governmental repression of the May Day demonstrators. Under his direction the police conducted sweeps which resulted in thousands of arrests. The courts have almost uniformly held that these arrests were illegal and have invalidated them. This record alone should disqualify Mr. Rehnquist as an appointee to a court where he will have the responsibility for judgment on civil liberties questions. Mr. Rehnquist's advocacy of a police state in May should not recommend him in December for appointment to a court where such advocacy will affect all of our lives.

The record of Mr. Lewis Powell is not so blatantly anticivil rights and anticivil liberties as that of Mr. Rehnquist. In fact, he has been consistently pictured as a benign Southern gentleman whose career has not been marked by the expressing of strong segregationist or racist sentiment. The problem with Mr. Powell's nomination, however, is the same as that involved with the nomination of William Rehnquist. The nomination of Mr. Powell is a clear signal to those who depend on the court for interpretations which mandate strong enforcement of the civil rights laws that the court is being consciously changed in a way that will make it less concerned with such enforcement. No one claims that Mr. Powell will be a vigorous proponent of civil rights enforcement, and in the absence of strong executive and legislative commitment in this area, it is the Supreme Court to which the underprivileged must turn. Mr. Powell's nomination is wrong, because he has shown no commitment to the equality of opportunity in this society which a member of the Supreme Court must have if he is to serve on the Court as a guarantor of the constitutional rights denied the underprivileged.

It is my hope that the Senate will deny the nominations to these appointees as a continuing signal that Supreme Court nominees which do not share the goal of full equality under the Constitution for everyone are unacceptable.

NATIONAL COMMANDER ANTHONY R. ROSS, ITALIAN-AMERICAN WAR VETERANS, HONORED AT TESTIMONIAL BANQUET IN YOUNGSTOWN, OHIO

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. CARNEY. Mr. Speaker, on Sunday, November 27, 1971, I had the privilege of attending a testimonial banquet honoring Anthony R. Ross, National Commander of the Italian-American War Veterans.

National Commander Anthony R. Ross was born and raised in Youngstown, Ohio. Born August 16, 1932, Tony is the oldest of two sons of Anthony and Anna Ross of Youngstown, Ohio. Tony attended Woodrow Wilson High School and Youngstown State University. He is married to the former Yuriko Teshima of Hiroshima, Japan, and they have three children, Linda, age 12; Anthony Jr., age 6, and Dennis, age 5. After some 38 years in Youngstown, Ohio, Tony and his family now reside in Canfield, Ohio.

On February 2, 1951, during the Korean conflict, Tony enlisted in the U.S. Marine Corps and served in both the 1st and 3d Divisions as a mechanic in motor transport. In June 1953, he was honorably separated, then served in the Active Reserves until August 1959 when he was honorably discharged.

Tony is a bricklayer by trade and a general contractor; he is president of the A. R. Ross Construction Co., Inc., and has been a contractor for the past 14 years.

Tony joined ITAMS in 1956 and served in nearly every position in the post and in 1969 was elected State commander and held that position for 2 years. In 1969 he was elected national junior vice commander. In 1970 he was elected national senior vice commander, and in August of 1971, in Philadelphia, Pa., he was elected to the highest position in the Italian-American War Veterans.

The national commander is an active member of UNITA, Sons of Italy, and Knights of Italy. Commander Ross is active in Canfield Boosters and also is a member of St. Michael's Catholic Church in Canfield, Ohio.

Tony Ross exemplifies the high ideals of Americanism that have made our country strong, free, and prosperous. I am proud to call him my friend and neighbor.

In my address to the Italian-American War Veterans, I spoke about the extraordinary contribution Italian Americans have made to the defense of the United States. Mr. Speaker, at this time I insert my address in the CONGRESSIONAL RECORD.

ADDRESS TO ITALIAN-AMERICAN WAR VETERANS

(By Hon. CHARLES J. CARNEY)

It is a pleasure and a privilege for me to appear here today and to address to you these remarks concerning Italian-Americans and their distinguished record of service in the defense of America. You who are gathered here today are especially conscious of the part played by Italians in the American story: All Americans share your pride in that part of our national history.

It is a remarkable fact that Italy, a land smaller in size than almost any one of the western states in this Nation, has contributed more immigrants to American shores than has any other nation in the world, with the single exception of Germany. Today, some 25 millions of our people lay claim to Italian descent. Their story is the story of America—of blood, sweat, and tears, of courage, enterprise, and loyalty, all expended freely in the upbuilding of this country's life and freedom from 1776 to 1971.

Italians and those of Italian descent have made great contributions to the physical, intellectual, cultural, and spiritual development of this Nation. Italians have built our railroads and bridges and have constructed many of our buildings. Every industry in the United States today feels the effect and influence of Italian capital and energy; that Americans of Italian descent recently have made great progress in the field of politics. Everyone knows that Cristoforo Colombo discovered America, that Giovanni Cabota (John Cabot) first explored its mainland; that Amerigo Vespucci provided its name—all three Italians; that Giovanni d'Verrazzano discovered New York Bay; that Alessandro Malaspina was the first white man to explore Alaska, Vancouver, and the coast of California.

My special concern here today is to highlight briefly the great achievements of Italian Americans in the wars of our national existence. Here is the saga which inspires the members of this organization, the Italian-American war veterans.

From the very first days of the Republic, Italians have been active participants in America's struggle for liberty. The story of their courage and sacrifice has often been neglected in our textbooks. As members of the Italian-American war veterans, you are in a unique position to make that story known and to acquaint all our people of every ethnic and religious background with the full dimensions of the Italian contribution to our history.

Most informed citizens these days have heard of Philip Mazzei and William Paca, enlightened and dedicated patriot leaders of the Revolutionary war Mazzei, a friend of Jefferson, Washington, and other Found-

ing Fathers, was among the first to declare that "all men are by nature created free and independent"—as early as 1774, a witness to the inextinguishable love of freedom in the Italian soul.

However, the role of Italian soldiers in the revolution—and in all the wars of our history—is often forgotten or overlooked. It is to this that I direct your attention.

Numerous Italian names may be found among the regimental lists of the Continental Army. In the complete registers for the period, only officers were listed, and so the names of many Italians who served in the revolution will probably never be known. Nevertheless, two and perhaps three regiments were recruited in Italy and served here with distinction. The name of Francis Vigo, born in Mandovi, Italy, in 1749, stands out. A companion of George Rogers Clark, he played a major role in the winning of the Northwest Territory.

Of the first five warships commissioned by the Continental Congress, no less than three bore the names of great Italian mariners—*Christopher Columbus, John Cabot,* and *Andrea Doria*—a measure of the esteem in which Italy was then held.

Italians serving with notable distinction in later conflicts included Salvatore Catalano, the brilliant pilot of the *Intrepid,* the warship of Stephen Decatur, at Tripoli in 1804. In the War of 1812, the name of Joseph Lemetti, born in Modena, Italy, is still remembered. Italians in the Mexican War (1848–50) included Commodore Louis C. Sartori and Admiral Bancroft Gherardi. Italian names are to be found among those who served in the Indian wars and in the Spanish-American war.

The greatest expenditure of Italian blood for America, prior to the great wars of this century, was in the tragic conflict between the States, the Civil War. Here was a baptism of fire, indeed, wherein Italian Americans covered themselves with honor both in defense of the Union and in behalf of the lost cause. Some one hundred Italian officers commanded troops from New York State alone. Three Italians won the Congressional Medal of Honor—Joseph Sova, Orlando Caruana, and Luigi Palma di Cesnola. Three were raised to rank of general—Enrico Fardella, Eduadro Ferrero, and Francis Spinola.

During that bitter struggle President Lincoln offered a major general's commission to the great Garibaldi, whose leadership in the movement for Italian Liberation and unification had fired the imagination of the world. Because of his commitment to Italy, Garibaldi declined. However, the Garibaldi guard, formed during the war, served with distinction under Lt. Fernando Maggi at Gettysburg and elsewhere, proudly bearing the motto, "God and the People!"

In the First World War, some 400,000 American with Italian names served under the stars and stripes, again with honor and distinction. No less than 83 American soldiers born in Italy received the distinguished service cross in the great war, while another 20 went to American soldiers of Italian descent. Italians, though only about 4 percent of the whole population at that time, supplied a full ten percent of the casualty lists. The heroes of that war included Privates Michael Valente and Joe Mastine, who helped to break the last German defenses at the Hindenburg line. The first U.S. seamen killed in the war was John Eopolucci.

It is impossible to know precisely how many Americans of Italian lineage have served in our wars, but Italian names have never been absent from the rosters of those men and women who responded to the call of this Nation in its hours of greatest trial.

In the second World War, it is estimated that over a million—some say 1,500,000—Americans of Italian background served in the armed forces of this country, comprising some 10 percent of our total armed might. Italian-Americans fought on every battlefield of that war.

An almost unprecedented situation occurred when the United States declared war on Italy in 1942. Nearly 600,000 foreign-born and unnaturalized Italians became "Alien Enemies." They were restricted and put under surveillance, but after ten months of watching, on Columbus Day, 1942, United States Attorney-General Biddle announced.

"Out of the total of 600,000, there has been cause to intern only 228 or fewer than one twentieth of 1 percent! Italian Aliens will no longer be classed as Alien Enemies. They will be free to travel and to go about their lives as any other person."

In this statement was expressed a trust and confidence seldom equaled, and Italian-Americans responded in enthusiastic support of every phase of the war effort.

The tribute of Gen. Mark Clark, Commander-in-Chief of Allied Forces in Italy, is deservedly famous. General Clark said:

"No one surpassed (the Italian-Americans) in their devotion to American ideals and the American cause. Into their fighting spirit went their sense of gratitude for the great opportunities offered to them in America."

Italian heroes of the Second World War are known and honored throughout the Nation: Lt. Willibald Bianchi, hero of Bataan and holder of the Congressional Medal of Honor; Salvatore Battaglia, recipient of the Distinguished Service Cross for his role at the battle of Midway; Lt. Col. Henry Mucci, who helped head the liberation of the Philippines; and many more.

The names of Don Gentile of Ohio, who shot down 30 Nazi planes, and John Basilone, holder of the Congressional Medal of Honor for his courage at Guadalcanal, rank among the great warrior-champions of American survival. No less than four Italian-Americans were raised to the rank of brigadier general—Daniel Noce, Robert Ignico, Ralph Palladino, and Joseph Michela.

In the Korean conflict, it is said that some 300,000 Italian-Americans served in the American uniform. One of the best known Italian-American heroes of that war was Private Battista Mastroianni, killed in battle, deeply loyal to America, yet loving Italy, the land of his birth. He lies buried—at his own wish—in Gizzeria, Catanzaro Province, the flag of the United States above his grave.

Italians are serving in Southeast Asia today, as may readily be seen by examining the casualty lists from Viet Nam. We may well expect that their contribution will continue to be in keeping with the great service and sacrifices Italian-Americans have made for this country.

Today there are in America some 25 million citizens of Italian descent and lineage. They constitute a precious part of the strength and vitality of this Nation. Their willingness to serve in defense of our freedoms has been attested to in every generation. It reflects the dedication of Italian-Americans to the ideals and principles of American democracy. In these troubled times, it is the surest guarantee of our survival as a people, a people drawn from many and various origins and backgrounds, yet one in mutual respect and love of liberty.

AMERICAN ECONOMIC ASSISTANCE TO VIETNAM

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. CRANE. Mr. Speaker, the American program of economic assistance to Vietnam has been misunderstood by many critics of that program, both in our own country and elsewhere.

It has been charged, for example, that AID financing is supporting the standard of living in South Vietnam at levels which could not be supported in peacetime. It has also been charged that Vietnam is now importing at a level which it could not support, in balance of payment terms, in peacetime.

In an important speech before the American Chamber of Commerce in Saigon, John P. Mossler, director of the U.S. AID Mission to Vietnam, attempted to set the record straight.

He pointed out that over a million men are under arms in South Vietnam, representing about a sixth or a seventh of the total labor force. He stated that—

These men are not producing for the economy. A sharp decline in already low standards of living would be inevitable without outside help. Our imports under the Commodity Import Program and the Food for Peace Program help to substitute for the additional volume of goods that, in the absence of the military burden, would be produced here.

The stabilization program being conducted by the U.S. AID mission is designed primarily to provide economic support for the military effort, but it has important developmental aspects as well. Mr. Mossler points out that it finances imports of equipment and industrial materials essential to development, and the price stability that is its goal is in itself important to growth.

One example of such a developmental effort was described in these terms by Mr. Mossler:

Vietnam used to be a rice exporter. But with land going out of production for security reasons and a continuous drain of manpower for defense, there was a steady decline in production. By 1968, Vietnam had to import nearly 700,000 tons of rice—about 20 per cent of its requirements. Something had to be done. Fortunately the new "miracle rice" seeds—primarily IR–8 and IR–5—were just becoming available. An accelerated rice production program was developed cooperatively by the Ministry of Land Reform, Agriculture and Fishery Development and USAID . . . The ultimate goal was self-sufficiency in rice during 1971.

It is essential that Americans understand the real goals which the AID program in Vietnam is attempting to accomplish. I share Mr. Mossler's speech, which was presented May 13, 1971, with my colleagues and insert it in the RECORD at this time:

AMERICAN ECONOMIC ASSISTANCE TO VIETNAM

(By John P. Mossler)

INTRODUCTION

Others have spoken to you about the security situation, the political situation and the economic situation in Vietnam. All are relevant to what we in USAID do. Today I'm going to discuss the USAID program primarily as it relates to the economic situation. It's a unique program. It is massive and complex. We believe it has also been effective.

What I'll try to do here is to give you an overview of the activities in Vietnam which are USAID-Managed. By this I mean that I will include some programs we manage although they are not funded under AID legislation, and on the other hand, exclude discussion of the CORDS pacification program, although it is in part AID-funded.

The total program defined in that way runs to about $500 million in this fiscal year. Of that, some $250 million is in the AID-funded Commercial Import Program, $100

million in Food for Peace, and the remainder of roughly $150 million is project aid, some funded by AID and some by the Department of Defense.

THE STABILIZATION PROGRAM

Let me take up first that part of our total effort that we call the stabilization program—a program concerned essentially with helping to offset the inflationary effect of the massive Vietnamese military effort. As measured in dollars, this is by far the largest part of the program.

The overall purpose, method and effect of the stabilization program are relatively straightforward, despite some complexities in the mechanics of its formulation and implementation.

The way it works is essentially as follows: The GVN is devoting a very substantial part of the total resources of the country to the war effort. Over a million men are under arms, about a sixth or a seventh of the total labor force. These men are not producing for the economy. A sharp decline in already low standards of living would be inevitable without outside help. Our imports under the Commodity Import Program and the Food for Peace Program help to substitute for the additional volume of goods that, in the absence of the military burden, would be produced here.

Another way of viewing this program of support is in local currency financial or monetary terms. The GVN military budget this year will be approximately 165 billion piasters, equivalent to roughly one-fifth of the Gross National Product. This is obviously more than could be financed by increases in taxation. In the absence of large external support, the only alternative would be the printing press. Inflation is just a disguised form of taxation, so it could not prevent the lowering of living standards. But it is a very inefficient form of taxation. And, on the scale that would be required, it would rapidly degenerate into hyper-inflation and economic chaos.

The imports under the stabilization program help fill this inflationary gap in two important ways. The sale of dollars to the importers for piasters plus the import duties levied on the goods, some at a very substantial level, provide a very significant revenue source for the Government of Vietnam. Although some deficit remains, the program assists in holding inflationary pressures to manageable proportions.

It is believed by some that AID-financed imports have permitted the Vietnamese people to live on a much higher standard than they had before the war.

Although good statistics are difficult to come by in Vietnam, I do not believe this is correct. Our data show that average per capita consumption has not increased to any great degree over the last six or eight years. That is, imports, largely financed with U.S. assistance, have made up for war losses and kept pace with the requirements of an increasing population. During the past ten years, the population of Vietnam has increased by about 30 percent, and that huge additional requirement for food, clothing and every other human need has had to be met. While some Vietnamese have gained in standard of living over the last few years, especially the Delta farmers, others have lost, and the average although up moderately has probably increased by less than 2% a year. The maintenance of the level of per capita income by importation of durables which last for several years has given the illusion that per capita consumption has risen by staggering amounts.

Another widespread belief holds that AID financing is supporting the standard of living at levels which could not be supported in peacetime. Now that is undoubtedly true in one sense: if the war were to end today, the economy would be in a turmoil, and would not be self-sustaining for a number of years. But put the question another way: suppose that there had been no war during the last ten years. Would the Vietnamese be living at the present standard, or higher, or lower? I suggest there is reason to believe in would be higher. The Vietnamese have a fairly substantial array of natural resources, they are energetic and dynamic people. I don't see any real reason, except the war, to think they would not have emulated countries such as Korea, and reached an economic growth rate of more than six percent per year. Had they done that well, the standard of living here today might be as much as 20 or 25 percent higher than it now is.

While I am dealing with popular misconceptions, I think I might as well attack another one. This one is that Vietnam is now importing at a level which it could not support, in balance of payment terms, in peacetime. The point is made that Vietnamese imports have reached a level of about $700 million, while exports are only $15 million.

Again, the argument is a good one if one considers it in the very limited sense, that a sudden end to the war would leave Vietnam in a position requiring a number of years to correct. But look at it in a larger time period. If there had not been a war during the last decade, would Vietnamese imports and exports be balanced at, say, $200 million or $300 million? I suggest to you that they would more likely have been balanced at the much higher present level. Korea and Taiwan have reached higher levels, and without any great advantages over Vietnam, except peace. I also believe that, regardless of whether the war ends soon or drags on, Vietnam should not aim for a restricted economy with low imports, but for a high export economy which should aim to support an import level of over $700 million per year.

U.S. imports are only one side of the stabilization program. Equally important are the economic policies of the Government of Vietnam. As you know, a number of anti-inflationary policies were undertaken last fall with additional ones instituted this spring. I'll note a few of them. The creation of the parallel market with a piaster-dollar rate of 275:1 has increased the piaster yield of a large volume of imports. The increase in bank interest rates last fall has increased savings substantially, as have the higher rates on Treasury Bills instituted this spring. The recent increase in official prices for such commodities as sugar, although having a slight direct inflationary effect, has a much more than off-setting anti-inflationary effect by helping to fill the budget deficit. As the higher sugar prices make clear, the adoption of necessary economic policies is sometimes not politically attractive. They cannot all be undertaken at once. And more will be needed. We are continuing to work with the Government in their development and implementation. But those economic reforms already undertaken have had considerable success. The Saigon retail price index has risen only some three or four percent since last September as compared to annual averages of thirty percent or more since 1965. But there have been some previous periods of several months of relative price stability, so the victory over inflation is by no means assured. For the current year it is hoped that inflation will not exceed ten percent.

As has been noted, the stabilization program is designed primarily to provide economic support for the military effort. But it has important developmental aspects as well. It finances imports of equipment and industrial materials essential to development. And the price stability that is its goal is in itself important to growth.

We have been having quite a lot of discussion recently about the relationship between stabilization and economic growth. Inflation hampers development by discouraging savings and deflecting capital into speculation and other non-productive channels. A reasonable degree of price stability over a long enough period to restore confidence sets the stage for sustained and well-balanced growth. Therefore, stabilization remains a priority concern, even as we begin to plan and organize for development.

TECHNICAL ASSISTANCE AND CAPITAL PROJECTS

With that said, I would like to turn now to the part of our program which is explicitly aimed at development: the project program. This program, which involves most of our personnel, helps to develop the resources of the economy in a broad sense—we are seeking to create human and institutional strengths as well as to put steel and concrete in place.

We have at present several dozen distinct development projects. Rather than trying to summarize the whole range, I'll note a few of our major accomplishments and some of the problems still ahead of us.

The "miracle rice" program is an accomplishment of which we can all be proud. It dealt with a very serious problem, and it dealt with it successfully.

As you probably all know, Vietnam used to be a rice exporter. But with land going out of production for security reasons and a continuous drain of manpower for defense, there was a steady decline in production. By 1968, Vietnam had to import nearly 700,000 tons of rice—about 20 percent of its requirements.

Something had to be done. Fortunately the new "miracle rice" seeds—primarily IR–8 and IR–5—were just becoming available.

An accelerated rice production program was developed cooperatively by the Ministry of Land Reform, Agriculture and Fishery Development and USAID, with assistance by CORDS at the field level. An extensive training and information program was established, and strong leadership was provided by Ministry officials. The ultimate goal was self-sufficiency in rice during 1971.

The immediate target was 44,000 hectares planted with the new high-yielding varieties in the 1968–69 crop year. That target was met, and yields of the new varieties were nearly five metric tons of paddy per hectare, as compared with an average of two tons for traditional varieties.

For 1969–70 the target was set at 200,000 hectares of "miracle rice" and for the crop year just now ending the goal was 500,000 hectares. Both have ben exceeded, providing increases in production of more than 1.3 million tons of paddy. In two years rice production has increased by 30 percent, and the goal of self-sufficiency appears to be at hand with over 5,700,000 m/t of rice production during the crop year just ended. We still have the problem of conveying to deficit areas in Central Vietnam the Delta surplus, but I am confident this can be handled.

Primary education provides another example of a successful GVNAID activity. This program was carried out country-wide and largely at the hamlet level. The U.S. contribution consisted primarily of assistance in classroom construction and teacher training and help in the planning and management of the project. From 1963 to 1970 nearly 20,000 low-cost classrooms have been built, more than 20,000 emergency teachers were trained, and a million and a quarter rural children were enrolled in elementary schools. These numbers take on added meaning when we look at the proportion of children in school. Fifteen years ago, only about a quarter of the children of elementary school age were actually in school. As recently as five years ago the proportion was not much more than half. But today more than 85 percent of these school age children are being provided a primary education.

One of our largest and most urgent programs today is the land reform program. The target is ambitious—to distribute ownership of one million hectares of rice land in three years. Its success should totally refute the

Viet Cong charges that the GVN is dominated by landlords. The program when completed will benefit an estimated six million citizens.

The GVN and the USAID have worked together in planning the program. We have supplied technical assistance in organization and training and in such specific practical areas as computer print outs of land titles. And we are supplying large-scale financial assistance to help offset the inflationary impact of compensating the landowner. Ten million dollars has already been committed, and we have programmed $15 million for the current fiscal year and are asking the Congress for an additional $15 million for next year.

This program has moved forward swiftly. The Land to the Tiller law was passed only a little more than a year ago. By mid-April this year applications had been approved for the distribution of 228,000 hectares to 180,000 farm families. Titles for most of these have been printed and more than half of those have actually been distributed to the new owners. The Government continues to give this program strong support, and there is every reason to expect that the current-year goal of 400,000 hectares will be met or exceeded.

We are proud of the success of our efforts to help the Vietnamese in such programs as I have just mentioned and I think our pride is justified.

However, there are also areas calling for increased attention as a result of the developments within the Vietnamese economy. Agricultural diversification and industrial growth are two of the more important ones.

The achievement of self-sufficiency in rice and the prospect of further increases in productivity pose a problem—and an opportunity. A resumption of exports on any significant scale is unlikely and the danger of surpluses is, therefore, a real one. But the opportunity is equally real. Higher productivity in rice production will require less land for rice, thus freeing land for other uses. This in turn will permit higher standards of consumption. The main effort of the crop diversification program is in increasing feed-grains for livestock, primarily corn and sorghum. This will permit both increases in livestock production, with their contribution to higher standards of living, and a reduction in present levels of feed-grain imports. The joint GVN-USAID program in feed-grain production, initiated in 1969, has moved more slowly than the rice program, but significant progress has been made over the past year.

In the field of industry, security conditions continue to inhibit development in some sectors, for example the rubber and lumber industries. Despite some continuing limitations the opportunities for industrial growth are expanding. Industrial development, as we see it, should be largely a private sector activity. The government can do much to support it by providing a favorable climate. Capital availability, particularly in the form of foreign exchange, is also an essential. Increased attractiveness for foreign private investment and funds for industrial loans are two important ways of helping to meet this need. We have undertaken work with the Government in a number of aspects of encouraging industrial growth. This is one area in which most of our work still lies ahead of us.

PERSPECTIVE OVER TIME

In concluding, let me take a minute or two to put what I have said in a time perspective.

The program of AID, and its predecessor agencies, in Vietnam has a history of two decades. Some of the accomplishments of the earlier years have been obliterated by the war. Many of them remain as a part of the foundation on which we are now building. For example, the National Institute of Administration, which provides essential training for government officials, was created with our assistance in the 1950's.

With the rapid build-up of the U.S. military effort starting in 1965, there was a parallel build-up in economic assistance. With the stakes so high and the time so short, the program was not subject to many of the usual AID constraints. The relevant question was not "Can you prove it will succeed?" but rather "Does it have a reasonable prospect of succeeding?" And, inevitably, some of the efforts did not succeed.

Today we are in the process, especially in technical assistance activities, of scaling down portions of our project program. During the current fiscal year total direct hire American personnel is being reduced from 1,830 to about 1,650, and a similar percentage reduction is in prospect for next year. Some of this scaling down is a reduction or elimination of activities that have proved to be marginal. But much of it is a closing out of activities that have accomplished their purpose. One example is the primary education project of which I spoke. With the tremendous increase in the proportion of school-age children in school, the ultimate goal of primary education for all is now within reach. We and the Government feel that they can move on toward this goal without further assistance from us. Of course, development is a continuing process. As we phase out some activities where we feel our pob is done, we undertake new activities where we believe we can be of help. The pace can now be a slower one, and our choices more selective.

On the stabilization program and capital assistance, the future necessarily holds many uncertainties. But some broad indications can be foreseen.

With the reduction of Food-for-Peace imports and of Department of Defense piaster purchases, a larger USAID Commodity Import Program is in prospect. We are estimating $250 million this fiscal year as compared to $238 million last year. But the decline in non-AID foreign exchange sources will be even more rapid in the next year. We have proposed a Commercial Import Program of $300 million for fiscal year 1972, about the maximum that can be used under the limitations and special conditions of that program, but this will be inadequate to the need.

We have, therefore, requested from Congress an Economic Support Fund of $150 million for fiscal year 1972. This would be available to the GVN for uses similar to those now made of dollars available from U.S. military piaster purchases. Let me emphasize that this $150 million fund is at present just an Administration request to the Congress; the appropriation is, of course, not assured. If our total request to the Congress is approved, the AID portion of total stabilization import funding will increase from about $250 million this fiscal year to an authorized $450 million next year. The total amount of dollar import financing from all sources will remain roughly stable—around $700–750 million.

Looking farther ahead, both the requirements and the availabilities for the stabilization program are inherently uncertain. The need—and opportunities—for investment in development will surely grow. Assuming that security continues to improve, the prospects for productive investment in utilities and agriculture and industry—particularly those with export potential—will multiply. Foreign private investment should help to meet the need. We believe that Vietnam can look forward to increasing support from other donors—the Asian Development Bank, Japan, Germany, Australia and others.

Finally, improving circumstances should bring increased savings in Vietnam, and perhaps a reflow to the country of flight-capital, so that investments by Vietnamese themselves will play an important role.

To sum up, I visualize a situation, say four or five years from now, in which the part played by U.S. economic aid will be reduced though still important. Capital investment by foreign private interests and by Vietnamese, aid from other countries and development loans from multilateral institutions will have taken up a share of the burden.

One major cost of the war has been the losses of potential economic growth. And no one can foresee just how long those losses will continue. But as security improves and if the military burdens decrease, there will be some new assets that can be put to use. Military requirements have helped to develop what is perhaps the best transportation system of any of the lower income countries. And the war, despite its human costs, has developed many new skills. The most important resource is the people themselves. Their demonstrated intelligence, industry and skill provide the most important single element in the hope for successful long-term economic development.

A SHORT ACCOUNT OF THE OPERATION KEELHAUL CASE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ASHBROOK. Mr. Speaker, on a number of occasions I have inserted in the CONGRESSIONAL RECORD extensive information detailing the many aspects of "Operation Keelhaul," that pathetic operation at the end of World War II in which the United States cooperated with other Allied countries in sending back to the Soviet Union several million Russian prisoners of war and displaced civilians against their strenuous protests. As previously pointed out, Julius Epstein, presently with the Hoover Institution at Stanford University, unearthed the depressive story of the forced repatriation after many years of dogged research. Mr. Epstein's forthcoming book, "Operation Keelhaul, the Story of Forced Repatriation," will soon be available to the public, and many aspects of the case will be publicized for the first time.

There yet remains the release of official information contained in the Operation Keelhaul file compiled by the Department of the Army and still retaining a classified status. Mr. Epstein will again have recourse to the courts to compel release of the classified information, having been denied certiorari by the Supreme Court in his first judicial effort.

The December 1971 issue of New Guard, the official publication of Young Americans for Freedom, carried a short, but complete treatment of the Operation Keelhaul tragedy written by Mr. Epstein himself. It details his efforts to date, to have the full story made public, in addition to enough material to indicate the scope of this human tragedy. I insert at this point in the RECORD the article, "Operation Keelhaul—A Case of Censorship" by Mr. Julius Epstein, as it appeared in the New Guard issue of December 1971:

OPERATION KEELHAUL: A CASE OF CENSORSHIP

(By Julius Epstein)

What does "keelhaul" mean? According to Webster, second edition, "keelhaul" means: "To haul under the keel of a ship, either athwartships or from bow to stern by ropes attached to the yardarms on each side. It was formerly a punishment in the Dutch and British navies and a method of torture used by pirates."

"Operation Keelhaul" was the code-name chosen by the U.S. Army for the Top Secret documentary dossier describing the forced repatriation of between two and five million anti-Communist prisoners of war and civilian displaced persons, including men, women and children, to Stalin's executioners and slave labor camps.

In 1954, when I started my research into the history of forced repatriation during and after World War II, I discovered in the historical archives of the U.S. Army in Alexandria, Va. the index card of the "Operation Keelhaul" dossier. It read: "Forcible Repatriation of Displaced Soviet Citizens—Operation Keelhaul." The class mark was "183.7–14.1."

I ordered the Keelhaul dossier only to be told by Mr. Sherrod East, the librarian, that it was Top Secret and could not be given out. This poor man had a lot of trouble having allowed an index card for a Top Secret classified dossier to appear in a catalogue accessible to the general public. Needless to say, that card immediately vanished from the catalogue.

From that day on, I have been fighting to gain access to the Keelhaul dossier to get it declassified and released to the American people who have the right to know it. But before I shall deal with my long drawn-out legal fight against the Pentagon, including a lawsuit against former Secretary of the Army, Mr. Stanley Resor, I want to say a few words—a quintessence in a nutshell—about Operation Keelhaul itself and about the way it was carried out by our GIs as well as by the British and French armies occupying Germany after the end of hostilities in 1945.

For the purpose of this article, it may suffice to give just one or two verified examples of how Operation Keelhaul was carried out by the American and the British troops.

AN AMERICAN ATROCITY

Let me begin with a scene which took place on February 24, 1946 in an American camp for Soviet war prisoners at Plattling, Germany.

At about six o'clock in the morning, the prisoners, awakened by searchlights suddenly flooding the entire camp, were hustled out of their barracks. They were frisked for weapons—not weapons of assault but weapons for suicide. Those who resisted were beaten up; skulls were cracked and ribs smashed. Despite careful planning of the macabre business, many of the victims succeeded in slashing their wrists and throats with concealed razor blades and jagged glass.

In batches the men were driven onto the waiting trucks, each guarded by American soldiers flaunting rubber clubs and machine pistols. Hour after hour, the trucks hauled away their freight of betrayed prisoners, some of them bleeding and dying, to the Communist fate they dreaded far more than death.

Even in our age of mass violence, this scene has a nightmarish quality. Who were the unfortunate prisoners? What was their crime? Who were their captors, so intent upon providing targets for Stalin's firing squads, gallows and slave labor camps?

For Americans with a conscience the answers to such questions are deeply distressing. Yet they must be faced. Whether crime or blunder or both, we can cleanse the national record on this score only by acknowledging the terrible facts.

The victims were veterans of General Andrei Vlasov's "Russian Army of Liberation," which had fought under German auspices in the desperate hope of overthrowing the Stalinist despotism and incredible tyranny in their homeland. Knowing that torture and death awaited them in the Soviet Union, they had surrendered to the American victors after the latter had dropped billions of leaflets, inviting them to surrender and promising them good and humane treatment according to the Geneva Convention. Therefore, they indulged in the naive belief that the Americans would accord them political asylum.

Plattling is just one example. No less gory tragedies of violence were being played out at dozens of detention points for displaced Soviet citizens in Germany, Austria, Italy, France, England and even in the United States.

Nor was the brutality unleashed only against those who like the Vlasov soldiers had donned German uniforms. It was also directed against the vast number of Red Army war prisoners liberated by the Western allies from German camps against many millions of civilians, including women and children; in short against all Soviet nationals who at the war's end, though they loved their native land, refused to return to the Kremlin yoke, a fact easily understandable when we remember that Stalin had issued an order of the day, shortly after the Nazi invasion of the Soviet Union, according to which it was a punishable crime if a Red Army soldier became a prisoner of war of the Germans. It was equivalent to treason committed against the fatherland, the USSR. Even if he had become a prisoner while wounded and possibly unconscious, he was to be punished after his return to the Soviet Union. No wonder that practically not a single one wanted to return.

In view of this unique fact, unheard of in modern history, one must pause to savor the extraordinary facts. The democratic governments in their hour of victory used force—ranging from deceitful persuasion and threats to raw violence—to return men, women and children against their will to Stalin's mercies!

ALLIED PLEDGES BROKEN

The British did not behave any better. They forcibly repatriated more than 30,000 Cossacks from their camp in Lienz in Austria. Many of these Cossacks were old men over 75 years of age who had left Russia in 1910 and 1918, long before the Soviet Union was proclaimed. By no stretch of the imagination could they ever fall under the Yalta Agreement on the exchange of prisoners of war and civilians. Moreover, the Yalta Agreement made no mention of force. This was a completely arbitrary interpretation by the Joint Chiefs of Staff (Under General Marshall and General Eisenhower as chairmen.) In Lienz as well as in the American camps, British and American officers had deceived the prisoners. They had solemnly pledged their word of honor that there would be no forced repatriation to the Soviets.

In my forthcoming book *Operation Keelhaul, The Story of Forced Repatriation*, I have tried to give a comprehensive story with all the incredible details of this American-British-French crime against humanity. That it was a crime will be shown by many American documents, never published before.

During the Korean war, when the Communists insisted that we should repatriate all the prisoners in United Nations hands, by force if necessary, our then Secretary of State, Dean Acheson, delivered a speech before Committee One of the General Assembly on October 24, 1952. In this speech Acheson fought this demand tooth and nail. He said: "As increasing numbers of prisoners came into United Nations hands, it began to be found out that more and more of these prisoners (Chinese and North Vietnamese) believed that, if they were returned to Communist hands, they would be executed or imprisoned or treated brutally in some way. They therefore took the position that they would not be exchanged and that, if an attempt was made to exchange them, they would resist by force. Finally, they (the representatives of the Communist group) say that the Geneva Convention and international practice require this forcible repatriation. We, on the other hand, have said that we have lived up to the humanitarian principles of the Geneva Convention. We have said that we have abided by them, and that our position on repatriation is wholly consistent with that Convention."

The bitter irony of Acheson's speech, though few noted it, was that its every argument, its every appeal to the law of God and the law of man, applied also to the forcible repatriation of Soviet nationals after World War II when Dean Acheson was Under Secretary of State in our State Department.

If it was "wrong, improper, illegal and unnecessary to return prisoners by force" in 1952, as Dean Acheson said in his speech before the U.N., why was it "right, proper, legal and necessary" in 1945?

NOTE TO SOVIETS SAID "NO"

On February 1, 1945, during the absence of the then Secretary of State, Stettinius, Under Secretary of State Joseph C. Grew addressed a diplomatic note to the Soviet Attache Novkov who had demanded the forcible return of all the Vlasov prisoners of war then in U.S. POW camps. Joseph C. Grew told the Soviet Attache that the United States would never forcibly return these prisoners because they were captured in German uniforms and the Geneva Convention does not allow looking "behind the uniform." Besides, forced repatriation would be a complete abandonment of the time-honored American tradition of ready asylum to political exiles. Grew even sent a telegram to Edward Stettinius, Jr., who was already in Yalta, warning him against any agreement which could result in forced repatriation. Grew's position represented the correct policy of the Department of State at that time. But our Secretary of State, Stettinius, did not want to be bothered by any concern for the Geneva Convention or the American tradition of the right of asylum. And he told Grew so.

The tragedy could now unfold.

To enumerate the innumerable attempts I made to get access to the "Operation Keelhaul" files would be beyond the framework of this article. Besides myself, several Senators and Congressmen tried to see the documentary dossier. Their attempts were as unsuccssful as mine.

A new light of hope appeared on the horizon when on July 4, 1967 the new law, the so-called "Freedom of Information Act" went into force. A tremendous publicity greeted this Freedom of Information Act, sponsored by Congressman John E. Moss of California.

I decided to test the Act in court. On March 20, 1968, I filed my complaint in the District Court of San Francisco. I was represented by the Palo Alto law firm of McCloskey (the father of Congressman McCloskey), Wilson, Mosher & Martin. The defendant in my lawsuit was Mr. Stanley Resor, then Secretary of the Army.

The presiding Judge in the District Court of San Francisco was Oliver J. Carter. He was not sure what the real intent of Congress was when it created the Freedom of Information Act. To enlighten him about that intent, I asked Congressman Moss, the sponsor and author of the Act, to submit a sworn affadavit to the court in which he should explain it. Congressman Moss granted my request

and submitted the following affadavit to the District Court.

"John E. Moss, being first duly sworn, deposes and says: That I am a United States Congressman from the State of California; that on June 9, 1955, a House Government Information Subcommittee with myself as chairman was established to investigate charges that Federal agencies had withheld information from those entitled to receive it; namely the American public; it was discovered by the subcommittee that agencies, in refusing to permit public disclosure were citing as authority 5 U.S.C. Section 301, which provided that the head of each department was authorized to established regulations concerning the performance of his department business and the use of its records; Congress amended that statute in 1958 to make it clear that the statute could not be relied upon as legal authority for the withholding of information from the public; the agencies, however, then began relying on the restrictive reading of Section 3 to deny this disclosure; subsequent hearings on the availability of Government information were held by my subcommittee on Administrative Practice and Procedure; since 1957, each succeeding Congress had before it a bill to substantially revise Section 3 of the Act; after nine years of hearings and debate before the two Subcommittees, Congress passed a new Public Information Law; it was the overriding concern of Congress that disclosure be the general rule, not the exception, that the burden be on the agency to justify the withholding of a document and not the person who requests it, the individuals improperly denied access to the documents have a right to seek injunctive relief in the Courts and that in general the statute be a disclosure statute and not a withholding statute; specifically, it was the intent of Congress to grant to the District Court the broadest latitude to review all agency acts in this regard, including the correctness of a designation by an agency bringing documents within an exemption found in Section "(e)" of the Act; and that the powers granted to the Court and the burdens placed upon the Government in Section "(c)" were meant to include rather than exclude the exemptions."

Judge Carter disregarded Congressman Moss' affadavit and granted the defendants' motion for summary judgment by asserting that the "Operation Keelhaul" files were correctly classified Top Secret in the interest of "the national defense or foreign policy."

How Judge Carter could find that the Top Secret classification was correctly applied to the Keelhaul files without having seen a single document of the three-volume dossier will always remain a major mystery in American judicial history.

CLASSIFICATION UNJUSTIFIED

The fact that I lost in Judge Carter's District Court of San Francisco is all the more amazing since Executive Order 10501 issued by President Eisenhower, specifically enumerates the only valid reason for the application of a Top Secret classification. It reads:

"Except as may be expressly provided by statute, the use of the classification Top Secret shall be authorized, by appropriate authority, only for defense information or material which requires the highest degree of protection. The Top Secret classification shall be applied only to that information or material the defense aspect of which is paramount, and the unauthorized disclosure of which could result in exceptionally grave danger to the nation such as leading to a definite break in diplomatic relations affecting the defense of the United States, an armed attack against the United States or its allies, a war, on the compromise of military or defense plans, or intelligence operations, or scientific or technological developments vital to the national defense."

How Judge Carter or anybody else could ever maintain that disclosure of the "Keelhaul" files could possibly result in any one of the results described in Executive Order 10501, is simply absurd.

Not willing to accept defeat in the District Court, I filed my appeal on February 6, 1970 in the United States Court of Appeals for the Ninth Circuit (San Francisco). The Court consisted of three Judges: Merrill, Koelsch and Hufstedler.

The Appeals Court for the Ninth Circuit confirmed the District Court's judgment.

I decided to file a petition for a writ of certiorari in the Supreme Court of the United States in Washington, D.C.

In my appeal to the Ninth Circuit as well as in my petition for a writ of certiorari, I was supported by the American Civil Liberties Union of Northern California which submitted to both courts amicus curae briefs.

On June 15, 1970, my lawyers were informed by the Assistant Clerk of the Supreme Court that "The petition for a writ of certiorari is denied. Mr. Justice Douglas is of the opinion that certiorari should be granted. Mr. Justice Marshall took no part in the consideration or decision of this petition."

The Supreme Court had finally confirmed the miscarriage of justice in the lower courts. By doing this, it declared the Freedom of Information Act a dead letter.

This unfortunate outcome of my legal battle, the first test case for the Freedom of Information Act, left only two avenues open to me: The direct approach to the President and an appeal to Congress to amend the Freedom Act in order to prevent its misinterpretation by the Courts.

I drafted an amendment to the Freedom of Information Act and wrote to the President.

PASSING THE BUCK

My letter to the President resulted in an interesting answer from the White House. In a letter of October 22, 1970, the White House informed me that "The U.S. Government has absolutely no objection (based on the contents of the files) to the declassification and release of the 'Operation of Keelhaul' files. However, given the joint origin of the documents, British concurrence is necessary before they can be released and this concurrence has not been received. Thus, we have no alternative but to deny your request."

By this letter, President Nixon removed one of the main obstacles to the release of the Keelhaul files, Executive Order 10501. The President approved my contention that Top Secret classification cannot any longer be justified by reference to President Eisenhower's Executive Order. As we have seen, the courts expressed the opinion that Keelhaul must remain classified in the interest of national defense and foreign policy. This argument has now been destroyed once and for all by the President's letter to me of October 22, 1970.

The remaining "reason" for the maintenance of the classification doesn't hold water either.

As I pointed out in another letter to the President, it should be possible to release those "Keelhaul" documents which are of purely American origin, classified by American authorities. If the Administration maintains that those 100 percent American documents cannot be released to the American people without British permission, it would amount to the admission that a foreign government has still the power to prevent the American people from learning their own history based upon American documentary evidence.

On June 14/15, 1971, I attended the National Archives Conference on Research on World War II. In my remarks at this conference, I summarized my battle for the release of Keelhaul.

On June 28, 1971, I testified before the Foreign Operations and Government Information Subcommittee of the Committee on Government Operations (Chairman: Congressman William S. Moorhead of Pennsylvania).

In the debate after having presented my statement, it was suggested to me that I should file a new complaint since the Supreme Court had now permitted the *New York Times* and the *Washington Post* to publish the Pentagon study on Vietnam. It is hard to believe that the same Court which allowed the aforementioned newspapers to print the Vietnam Paper in accordance with the first amendment, would prohibit the release of the "Operation Keelhaul" Papers.

I took this reasonable suggestion up and have now filed my second legal action against the Secretary of the Army, Mr. Robert F. Froehlke.

In this action, I am again supported by the American Civil Liberties Union.

CHAIRMAN MILLS IS SPEAKER AT BUFFALO TAX INSTITUTE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. DULSKI. Mr. Speaker, in 1954 Millard Fillmore College of the University of Buffalo organized an institute to digest and review the sweeping changes made in the Internal Revenue Code of 1954.

The institute was conducted in cooperation with the Buffalo area chapter of the New York State Society of Certified Public Accountants and became an annual event. In 1960, sponsorship was broadened to include the bar association of Erie County.

The 18th annual institute on Federal taxation was held last week in my home city of Buffalo, N.Y., and was honored by the appearance of our distinguished colleague, the Honorable WILBUR D. MILLS, chairman of the House Committee on Ways and Means. He was the principal speaker at the Friday luncheon.

The institute was most fortunate in having Mr. MILLS as a guest since he is without question one of the best informed individuals on Federal taxation in our country today.

Only a few days earlier, a House-Senate conference committee had reached agreement on the proposed Revenue Act of 1971. Mr. MILLS, of course, served as chairman of the House conferees.

SUPPORTING THE MILLS BILL

Earlier in the week, Chairman MILLS introduced his own revenue-sharing bill, based on his long and thorough study of this controversial subject.

He has made some welcome improvements over previous legislative recommendations and I feel there is reason to hope that there soon can be a meeting of the minds on this subject.

I introduced a different version of so-called revenue-sharing legislation when the Congress convened last January.

Last Thursday, I introduced the Mills bill (H.R. 12038) and thus became a cosponsor of his proposal because I believe it is a reasonable and practical approach to providing assistance to the States and to the communities in their great fiscal crisis.

Chairman MILLS was introduced by Donald C. Lubick, an attorney, and the toastmaster was V. Dennis McDade, a certified public accountant. Greetings on behalf of my city were extended by Deputy Mayor Stanley M. Makowski, who gave Mr. MILLS one of our famous token Buffalo bisons.

Mr. Speaker, those who attended the Institute on Federal Taxation at Buffalo last Friday were treated to a fine presentation of the general subject by Chairman Mills and I am including the text of his speech as a part of my remarks.

I am also including the text of a news article and an editorial.

The material follows:

[Editorial from the Buffalo Evening News, Dec. 2, 1971]

WELCOME MOVE ON REVENUE SHARING

Having been the most influential congressional foe of the Nixon administration's plan for federal revenue-sharing with the states and the localities, Chairman Wilbur Mills of the House Ways & Means Committee now has come forward at last with a detailed alternative plan of his own.

Though Mr. Mills has been slow in fulfilling last spring's promise to offer his own substitute, his unveiling of it now is an encouraging acknowledgment that the worsening fiscal crisis in New York and other big urban states makes urgent some form of federal assistance.

While it is difficult to evaluate all the complexities of the Mills plan on the basis of the details presently available, it appears that he has moved closer to the White House approach with constructive modifications of his earlier position.

Having held out in the past for restricting any revenue-sharing plan to the cities, Mr. Mills now calls for direct financial assistance to the states and local government alike. This goes at least part way to satisfy objections that a city-only plan would undermine the current trend among states seeking to deal constructively with urban problems, incurring the risk of making the cities "wards" of the federal government.

Mr. Mills' plan promises a net aid to states and localities of $5.3 billion annually for five years, slightly in excess of that proposed by the administration. While assigning higher priority to the needs of cities and counties, by gearing aid allocations in part to numbers of low-income families, the Mills plan would distribute to the states strictly in relation to their own income-tax effort—a test that, while seemingly advantageous to New York with its highest-in-the-nation tax burdens, takes too little account of the pressures of population on state and local tax burdens. In contrast, the Nixon plan blends population with a bonus-incentive to states in accordance with their tax effort.

Though Mr. Mills has moved away from the conventional "papa knows best" philosophy about federal dictation of how aid funds are spent, it is less clear whether he has genuinely been converted to the "no strings attached" concept of revenue-sharing under which states and localities can be trusted to make their own spending decisions.

Nevertheless, there are enough basic similarities between the Mills approach and that of the White House to suggest that an accommodation should be within reach—a hope strengthened by the fact that Mr. Mills to his credit has shunned any brittle take-it-or-leave-it stance.

Gov. Rockefeller's meeting tomorrow with the New York congressional delegation for the purpose of seeking federal assistance will dramatize the need for returning a fairer share of the people's tax money from Washington to the states and localities where the most severe problems are. In the light of this state's desperate financial crisis, and the fact that federal welfare reform as the other main avenue of relief is stalled in the Senate, let's hope that Mr. Mills' move now signals a long-overdue initiative on revenue-sharing.

[From the Buffalo (N.Y.) Courier-Express, Dec. 4, 1971]

MILLS CRITICIZES EXCESS SPENDING

(By Ray Dearlove)

Rep. Wilbur D. Mills, D-Ark., chairman of the House Ways and Means Committee, said here Friday that the federal government must learn to control its spending if the nation is to have a healthy economy.

Mills said the Bureau of the Budget should be the real control over government spending, but the government continues to spend more than it takes in. He said it would take a constitutional amendment to restrict spending by the federal government to the amount it receives in income.

The powerful congressional figure made his remarks at a press conference prior to his appearance as luncheon speaker at the 18th annual Institute on Federal Taxation in the Statler Hilton Hotel. The institute is sponsored by the Buffalo Area Chapter, New York State Society of Certified Public Accountants, the Erie County Bar Assn., and the University of Buffalo.

TIES TO INFLATION

"An important contributing factor to our present economic problems, particularly inflation and the large deficits in our balance of payments, has been the failure to keep the federal budget under control," said Mills. "If we want to eliminate inflation, and if we want a long-run solution to our balance-of-payments problems, then we must learn to control our spending."

Mills fielded a variety of questions, including the possibility of his being tapped for the Democratic presidential nomination. Although he said he would be too busy to campaign next year and isn't seeking the nomination, he said "if the party wants me, I won't turn it down."

In his luncheon talk, Mills said he is satisfied with the 1971 Revenue Act. He said the tax relief in the bill "will be quite substantial for both individuals and business."

CRITICAL OF PROGRAM

"The bill provides a balanced program of tax reductions for individuals and tax incentives for business," said Mills. "It differs significantly in this respect from the initial administration proposal which was weighted heavily against consumers."

Touching on federal aid to states and local governments, Mills said President Nixon's revenue sharing plan "is not the answer to the financial problems of state and local governments." He said the plan makes no attempt to apply federal funds where they will do the most good.

Mills has introduced a counterproposal to the Nixon plan that would give $5.3 billion a year in aid for states and localities, limited to five years and retaining some congressional control. Although he said there are no actual figures as to how much would be available to the Buffalo area, he said his plan "will do a great deal for Buffalo and Erie County."

Regarding President Nixon's Phase II economic policy, Mills said he has endorsed the policy but warned that if the policy is rescinded prior to minimizing inflationary pressures, it will result in "higher inflation than before the Phase I period."

"Everyone seems to be treated fair under the policy," said Mills. "If it is to work, however, there must be a minimum of exceptions made by the wage and price boards."

REMARKS OF CONGRESSMAN WILBUR D. MILLS BEFORE THE TAX INSTITUTE OF THE UNIVERSITY OF BUFFALO

I am particularly glad to have this opportunity to address the Tax Institute of the University of Buffalo. With the 1971 Revenue Act so near completion, it seems to me that it would be desirable to try to look down the road ahead to see some of the tax issues that are likely to confront us next. This meeting of the Tax Institute of the University of Buffalo offers an especially appropriate place and time to discuss these issues in view of the most impressive amount of tax expertise represented here.

At the outset, I would like to express my satisfaction with the 1971 Revenue Act. I, of course, do not agree with every provision in in it, but I believe it is a good bill.

The bill is badly needed because this country cannot afford the economic stagnation the Administration has permitted to continue all too long. We must attain a rate of real economic growth significantly higher than the present 3 percent. Nor can we afford a 5.8 percent unemployment rate or the currently depressed level of investment in the Nation's productive equipment.

The 1971 bill coupled with better control on government spending, an adequate incomes policy and a change in our export situation should help to get the economy back on a high growth path again. I do not want to go into all the specific details of the new bill at this time, particularly since you tax experts are undoubtedly aware of most of them. But I do want to emphasize that the tax relief in this bill will be quite substantial for both individuals and business. The result is a balanced program of tax reductions for individuals and tax incentives for business—one which differs significantly in this respect from the initial Administration proposal which was weighted heavily against consumers. This bill will encourage business investment, stimulate exports, and at the same time significantly increase consumption. As a result, the Act can be expected to provide more jobs for our expanding population, increase our standard of living and ameloriate our serious balance-of-payments problems.

LACK OF BUDGET CONTROL

An important contributing factor to our present economic problems, particularly inflation and the large deficits in our balance of payments, has been the failure to keep the budget under control. Since the beginning of the 1960's, the Federal Government has had budgetary surpluses in only two years and these surpluses have been quite modest. In contrast, the budget deficits have been both frequent and large. In fiscal 1971, for example, the Federal budget deficit on a unified basis amounted to $23 billion. And for the current fiscal year, 1972, the outlook according to the Administration is for a $28 billion budget deficit. I suspect it will be larger. In any event this means that in just two years, our budget deficits will exceed $50 billion. On a Federal funds basis—which is the basis on which the public debt is computed—these two deficits will amount to about $65 billion. Both history and reason tell us that if we want a healthy economy, if we want to eliminate inflation, and if we want a long-run solution to our balance-of-payments problems, then we must learn to control our spending.

Let me turn now to some of the specific tax issues that are likely to face us in the years ahead. One problem which deserves additional attention concerns the treatment of

self-employed people under the tax provisions dealing with pension plans. Although we have dealt with this problem on a piecemeal basis in various Acts over the years, it seems to me that we have not yet arrived at a satisfactory general solution.

Our tax laws have long granted significant tax advantages with respect to qualified employer financed pension plans that provide nondiscriminatory coverage and benefits for employees. Since 1962, self-employed people have also been allowed to establish nondiscriminatory pension plans for themselves and their employees. Nonetheless, it is apparent that full equality of pension treatment for the self-employed as compared with corporate executives has not been reached. In part, this is because the pensions of self-employed people under the so-called H.R. 10 plans are generally limited to 10 percent of income up to a maximum of $2,500 a year, while there are no similar limitations on contributions or benefits under employer-financed plans.

REGARDING SELF-EMPLOYED

In view of the substantial difference in treatment between the self-employed and corporate employees, it was only natural that self-employed people have attempted to secure the full tax advantages associated with corporate pension plans. One approach tried in the past has been to form Subchapter S corporations. Since the self-employed would then be employees of the corporation, the objective was to secure the pension advantages accruing to corporate employees without the disadvantage of having to pay corporate income tax. The 1969 Tax Reform Act, however, by imposing the H.R. 10 type limitations on Subchapter S corporations, prevented self-employed people from using this type of organization to increase their pension advantages.

Other self-employed individuals, especially professional people, appear to have been successful in securing the tax advantages associated with corporate pension plans by forming so-called professional corporations. Although the Service in the Kintner regulations for a long time refused to recognize the validity of these corporations for Federal tax purposes, the courts have sided with the taxpayers. As a result, the Internal Revenue Service now recognizes these professional associations as corporations.

The net effect is that we now have a twofold problem with respect to the tax laws affecting pensions. These provisions not only appear to grant better treatment to corporate employees than to self-employed people doing business in a nonincorporated form; they also provide different treatment among the self-employed themselves, giving more advantageous treatment to those self-employed people who can arrange to incorporate as compared with those who do not find it practical to do so.

The remedy for such obvious differences in tax treatment is not easy to find. On the one hand it seems to be generally agreed that it would not be appropriate to lift all the restrictions and limitations applying to H.R. 10 plans covering the self-employed. It is thought that this would lend itself to abuse in view of the fact that many plans of this type cover only the self-employed person himself and a very few employees.

PENSION CONTRIBUTIONS

On the other hand, I have some difficulty with a proposal that has been made recently to raise the limits on the contributions that can be made by the self-employed on their own behalf on H.R. 10 pension plans and at the same time to impose comparable limits on all employer-financed pension plans with regard to the amounts that may be contributed on behalf of any particular employee. While I believe there are grounds for increasing the allowable pension contributions for self-employed people, I have reservations about imposing the same contribution or pension limits on all pension plans. There already appear to be important practical constraints on pension contributions under employer-financed plans covering substantial numbers of employees which do not apply to smaller plans for the self-employed or closely-held corporations. The large corporate plan, if it is to provide the corporate executive with a substantial pension, must also incur heavy costs to provide nondiscriminatory pensions for large numbers of rank and file employees. Such a constraint does not operate to the same extent for plans covering the self-employed or small corporate plans.

As a result, while I believe that proposals to raise the allowable contribution limits for self-employed people and to impose some limits on small corporate plans may have some merit, I question whether it would be desirable to impose similar limits on pension plans established by all corporate plans regardless of the size of the coverage.

Of course, other problems, such as vesting and funding of pension plans, also deserve attention.

Another tax area which deserves further consideration is estate and gift taxation. There appears to be a need to make these taxes fairer and more relevant to present conditions. They have not been thoroughly restudied since their initiation and have not even been significantly changed since 1948. Certainly an important aspect of any reconsideration of these taxes should be a review of estate tax rates. The present rates which rise to a level of 77 percent are in my view much too high. It would seem desirable to combine a significantly lower rate level with a revision designed to secure greater equity and uniformity in transfer tax burdens than now exists. A significant advance in uniformity, for example, can be obtained by coordinating the estate and gift taxes. A further step toward uniformity might be obtained by reconsidering the taxation of property passed on through trusts. At present transferring property in this manner results in substantial savings in taxes. The whole area of estate and gift taxation, however, is one which is fraught with controversy and complex problems and therefore is not one for which satisfactory solutions are likely to be found easily.

REVENUE SHARING PLANS

Still another issue concerns proposals for Federal aid to States and local governments, including the Administration's revenue sharing proposals. The Committee on Ways and Means was forced to suspend deliberations on this subject because of the need to give prompt consideration to the Administration's proposals which had led to the 1971 Revenue Bill. It has been further postponed by our hearings on the Administration proposal for national health insurance. Incidentally, it has become quite popular to berate us for not acting on an Administration proposal while we are busy considering another of their proposals.

In any event, careful study of the substantial volume of evidence that has been presented to us to date in extensive public hearings and executive sessions has, if anything, reinforced the initial reaction on the part of the overwhelming majority of the Committee that the Administration's revenue sharing plan is not the answer to the financial problems of the State and local governments, and that we must look elsewhere for a solution.

Revenue sharing has too many basic deficiencies. It makes no attempt to get at the root financial problems of State and local governments—it makes no attempt to apply Federal funds where they will do the most good. Instead it would pour out money indiscriminately to all State and local governments without regard to need and without making any attempt to encourage State governments to improve their tax systems in a way to enable them to meet their own problems. It also does not assign priorities as to how the money is to be spent. Finally, by tying the amount of the aid automatically to the income tax base, it saddles the Federal Government with an additional uncontrollable item of expenditure which will continue to grow on into the indefinite future. As a result, revenue sharing is a wasteful and inefficient way to give Federal aid.

REQUIRES BASIC NEW CONCEPT

Accordingly, if Federal aid is to be granted—and in view of limited Federal resources, this depends on the priorities assigned to the various competing demands for Federal funds—then we must develop a new and fundamentally different approach that avoids the basic defects of revenue sharing.

I believe that any Federal aid to the State governments should be designed primarily to encourage them to help themselves. One possibility along this line is the so-called "piggyback" procedure under which the Federal Government would help to collect State income taxes. Another possibility is to divide a specified amount of Federal payments among the States on the basis of their individual income tax collections in order to encourage them to raise additional revenue from this source. Alternatively this goal could be achieved by the use of tax credits.

I also believe that so far as Federal aid is concerned, we should recognize that in many cases the local units are so limited in terms of financial resources that they cannot, by their own action, today meet their own fiscal problems. This is particularly true of those local governments where there are large numbers of poor who are unable to contribute their share toward the cost of local government.

SERVING LOCAL NEEDS

It seems to me that the needs of the local governments would be recognized by granting them direct Federal grants along the following lines.

First, the total amount to be distributed to the local units could be set at some specified sum rather than tied to a specified portion of the Federal income tax base along the lines of the President's revenue sharing proposal.

Second, the grant could be made initially for a limited number of years. This would give the Congress an opportunity to review the program after it has been in operation a few years to see whether it should be discontinued, modified or continued as it is. This also enables Congress to review these demands for funds in light of other competing priorities.

Third, the aid could be distributed in a way that varies the amount of the aid according to the need of the local government. One possible approach to this objective would be to vary the amount of the grant not only with the population of the local government but also with the relative number of its low-income families and urban population. This would avoid the defect of revenue sharing which spreads the available funds to all cities and local governments on the basis of the revenue raised from their own sources.

Finally, the distribution to the cities and local governments could be limited to the financing of expenditures, which are recognized as fulfilling national high priority needs. These need categories for which the funds could be spent should, it seems to me, be sufficiently broad so that there would be flexibility to meet varying needs of the different communities.

I want to emphasize that the Committee on Ways and Means has not yet acted on this or any other approach. However, so far the response from representatives of State and

local governments to my views in this regard has been encouraging.

TAX SIMPLIFICATION

Finally, there is the issue of tax simplification—especially for taxpayers with modest incomes. Few aspects of the tax laws are so important to the average taxpayer. Complications in the tax laws can for many taxpayers produce just as much irritation and dissatisfaction as the heavy tax burdens themselves. But probably more important, our income tax, the backbone of our tax system, depends on self-assessment, and if this self-assessment procedure is to work, it is essential that the income tax law be as simple as possible.

Although the objective of simplification is clear-cut and obvious, it is difficult to achieve. We have sought tax simplification eagerly on numerous occasions but few taxpayers, I suspect, will think we have achieved it. Nevertheless, we have some accomplishments to our credit in this regard. For example, although the 1939 Act had a number of complex provisions with regard to high income taxpayers, it did simplify the tax laws and the filing of tax returns for many millions of taxpayers. It did this by increasing the standard deduction, by raising personal exemptions and by adopting a low-income allowance. The standard deduction increase for many millions of taxpayers meant truly simpler tax returns. The other changes removed many low-income individuals from the rolls, and thus the need for them to file returns. The 1971 Revenue Act will also contribute to simplification by further increasing the low-income allowance and in this manner raising still further the income levels for filing returns.

Despite these and other substantial improvements, many taxpayers still find it difficult to prepare their tax returns—as is shown by the fact that large numbers of them, even though they have only modest incomes, now pay private firms to have their tax returns prepared.

In large measure, our tax laws are complicated because they deal with complex situations. In addition, equity and revenue considerations frequently conflict with the objective of tax simplicity. This is why there are few areas in our tax laws that bear out better than tax simplification Browning's words, "Alas, that a man's reach should exceed his grasp," nonetheless, tax simplification is so important that I believe we must continue to study this problem in the hope of making further improvements. I am continuing to work in this area as is evidenced by the fact that I have had prepared a bill to remove from the Tax Code the obsolete provisions in the tax laws and to make other simplifications. I might add that while I do not expect to eliminate altogether the difference between our reach and our grasp in this area, I am hopeful of substantially reducing this difference.

TESTIMONY ON NATION'S HEALTH CARE SYSTEM

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HARRINGTON. Mr. Speaker, our colleague EDWARD I. KOCH testified before the Ways and Means Committee recently on our Nation's health care system. As was expected, the testimony was thoughtfully prepared and accurately depicted the weaknesses of our health care system while offering suggestions which would improve it.

In his testimony, Congressman KOCH noted the importance of continuing title V of the Social Security Act, and he has introduced legislation to do that by funding the program for an additional 5 years at $630 million.

Speaking for the National Health Security Act, he stressed the fact that our health care has been inadequate, but more importantly, he said, it has "done little to encourage improved health care or even to allay peoples' fears about the expense of medical care." Unfortunately, we all know that is true.

With a national shortage of fresh blood available, Congressman KOCH has also recognized the need to replenish the supplies. His bill H.R. 853 would do that by permitting a $25 tax deduction for each pint of blood donated by an individual to a non-profit blood collecting agency.

Because I think Congressman KOCH's testimony reflected a cogent analysis of the health care crisis, I insert it into the RECORD for my colleagues at this time.

STATEMENT BY REPRESENTATIVE EDWARD I. KOCH

Mr. Chairman and Members of the Committee: I appreciate the opportunity to appear before you today to speak about three bills I have sponsored: H.R. 8799 to extend for five years the federal funding for the Children and Youth and Maternal and Infant Care projects authorized under Title V of the Social Security Act; H.R. 22, the National Health Security Act of 1971; and H.R. 853 to provide a $25 tax deduction for blood donations.

H.R. 8799.—TO EXTEND FOR 5 YEARS THE FEDERAL FUNDING FOR THE CHILDREN AND YOUTH AND MATERNAL AND INFANT CARE PROJECTS AUTHORIZED UNDER TITLE V OF THE SOCIAL SECURITY ACT

I would like to speak to you concerning an extraordinarily successful program which is scheduled to terminate on June 30, 1972 after 5 years of existence—the special project grants under Title V of the Social Security Act. I have introduced legislation to extend the federal funding for these Children and Youth and Maternal and Infant Care projects for an additional five years at a funding level of $630,000,000. This bill, H.R. 8799 is cosponsored by 86 Members of the House and has been introduced in the Senate by Senators Gaylord Nelson and Edward Kennedy with 15 other sponsors.

There are at present 68 regional Children and Youth programs with additional satellites and 56 Maternal and Infant Care programs in existence delivering comprehensive health care to ½ million children and youth of lower socioeconomic levels in central cities and rural areas. Although it was the intent of Congress that these existing projects should continue with State support, that now seems highly unlikely given the budgetary strain on all of the states, as, for example, New York which has 9 C&Y and 4 MIC projects.

These projects render quality medical care at low cost to mothers and children in low income families within medically deprived communities. Medical services provided include hospital services, family planning, dental care, nursing and social services, speech and hearing therapy, nutritional services, psychological services, physical and occupational therapy, health education, transportation and follow-through on patients.

We all know from experience, and from scientific data, the serious consequences emanating from a lack of medical care during pregnancy and in childhood and adolescence—lead poisoning which undetected leads to brain damage, lack of proper nutritional care causing mental retardation, unwanted children resulting from a lack of birth control guidance and infant deaths and birth defects caused by poor prenatal care. The economic and social as well as medical benefits reaped from quality comprehensive health care are considerable.

The national average health care cost per year per man, woman and child is $350. The cost for care under these C&Y and MIC projects as of June 30, 1971 was $129.81 per patient. In spite of inflation, the estimated cost by June 30, 1972 will have *decreased* to $126. And even with this reduced cost there has been an *increase* in the quality of care. The statistics are impressive. Hospitalization is less for indigent children in C&Y projects than for indigent children not enrolled, and their average hospital stay is shorter. The underprivileged families keep appointments and follow the therapies prescribed more than does the general public. In one area of New York City, the MIC project is responsible for a 50% drop in the infant mortality rate.

H.R. 8799 provides for the funding level for Title V to be increased to $630,000,000. There are 11 million underprivileged children in this country. The C&Y and MIC projects serve ½ million children. Only ⅛ of indigent obstetric patients are covered by MIC or similar projects. These programs are operating with only modest funding and could serve a much greater population if provided with a modest increase in funds.

Continued federal funding for these special projects has the endorsement among others of the American Medical Association, the American Academy of Pediatrics, the American College of Obstetricians and Gynecologists and the National Association for Retarded Children. These projects constitute an existing delivery system of comprehensive health care serving those persons who would be among the first beneficiaries of a national health insurance program. They must soon receive the assurance from the Congress that continued funding will be forthcoming so that personnel will continue to serve, rather than look elsewhere for new positions fearing the program's termination date.

We must provide medical care for our nation's poor—especially the children of our deprived citizens who suffer in so many ways. The men and women involved in these projects are dedicated persons who have been giving the highest quality of medical care at the lowest cost to these underprivileged mothers, infants, children and adolescents for the past 5 years. In some very unique way they have given more than physical health to their patients. They have eradicated a sense of helplessness for those they serve.

H.R. 22.—THE NATIONAL HEALTH SECURITY ACT

We are also considering here today HR 22, The National Health Security Act, of which I am a co-sponsor.

I don't think there is anyone in this room now who can deny that American health care standards do not measure up to what this country could and should be providing for its citizens. Our doctors and scientists have consistently over the years been developing new medical techniques and methods of diagnosis and treatment, and to the few who can afford it, research and specialization among doctors in this country has made possible the most advanced health care available anywhere in the world. Yet there has been comparatively little progress in delivering these achievements to all of the American people.

How has it happened that the U.S., which spends more on health care services than any other country in the world, now ranks 13th in infant mortality, 7th in maternal mortality, 11th in life expectancy for women, and 18th in life expectancy for men among the industrialized nations? I know these figures have probably been repeated to you several times during these hearings, but I

repeat them again here because they are so staggering and indicate the seriousness of the present crisis in our health care programs.

There has been a lot of talk in the past few months about the need to curb inflation, to free Americans from the fear of rising consumer prices; and the Nixon Administration has taken some decisive steps to confront this problem. Now here in this committee we have an opportunity to adopt a program which would eliminate the prospect so frightening to most Americans of facing catastrophic illness in the family and having their savings and assets wiped out defraying medical expenses. Not only are medical costs already exorbitant and impossible for the average American to finance with dignity, but they are growing at twice the rate of other consumer costs.

Many Americans are so afraid of being financially destroyed by those medical costs that they do not go to doctors for the preventive care and diagnosis which would save them further and more drastic future expenses. We must adopt a program which provides real "health" care, not simply "sick" care. And I believe that one of the best aspects of the proposed National Health Security Act is that it will provide not only for the payment of the cost of illness but will also emphasize preventive care. It is, after all, much less costly to prevent illness than to treat it.

The health care Americans have been receiving has clearly been inadequate, and the present health insurance programs have done little to encourage improved health care or even to allay people's fears about the expense of medical care. Americans have been paying high premiums for insurance that covers only a meager percentage of health costs. 16 percent of those under 65 have no health insurance at all, and those who do have only spotty coverage often not covering all or part of hospitalization, surgical costs, doctor visits in the hospital and home, or x-ray and laboratory costs. Hundreds of insurance companies, each having its own forms, methods of payment, and fine print qualifications have led to and indeed can only continue the chaos in health care. On the other hand, National Health Security would create one financing system and guarantee at least a minimum of medical benefits for all Americans, and one source of payment to providers of health care. The result would be the most efficient system of health care—where the providers of services are compensated in full and the individuals receive the quality care every American deserves and indeed has a right to—regardless of his or her ability to pay.

Opponents of a comprehensive national health program will argue that it will cost too much. But when analyzed, we find that in fact it will cost no more than what we are paying now for inadequate care and over the long run it will cut costs because of increased productivity of a healthier public. Actually we would only be rechanneling money that is now being spent inefficiently by government agencies, insurance companies, and individuals.

One of the most important aspects of this bill is its provision for the adequate supply and efficient use of medical facilities and trained personnel. No health security program can be effective in extending quality care to all Americans unless we provide incentives for the expansion of our medical resources. A percentage of the Health Security Trust Fund proposed in this bill would be earmarked for the recruitment and training of providers of medical services and for the enlargement and improvement of the institutions furnishing health care services.

Let me remind you that every major industrialized nation except for the U.S. now has a national health care program. For two years the Committee for National Health Insurance, initiated by the late Walter Reuther, worked with consumers, providers of health services, and authorities in the economics of health care to develop a sound program for reorganizing the health care system and financing health care by a means which would make medical services available to all Americans at a reasonable cost. One of the Committee's three vice-chairmen, Mrs. Albert D. Lasker, is an outstanding national leader in health care matters. The product of their efforts is embodied in HR 22.

Surely, we are all in agreement that the opportunity for adequate health care must be available to all Americans, and I support the National Health Security Act because I believe it to be the very best vehicle to do that.

H.R. 853.—A BILL TO PROVIDE A $25 TAX DEDUCTION FOR BLOOD DONATIONS

At least 150,000 people will contract hepatitis this year, the majority of them by the means of blood transfusions. Approximately 3,000 of these people will die. This is a tragic loss, particularly when it is one that can be averted.

I have introduced H.R. 853 providing that blood donations be considered a charitable contribution deductible from a taxpayer's gross income. The bill allows a $25 deduction for each pint of blood donated to a nonprofit blood collecting agency, setting a $125 annual limitation for each donor. The purpose of this bill is to provide incentives for "voluntary" blood donating, thereby increasing the number of voluntary donations and eliminating the demand for commercially collected blood.

Most of the hepatitis ridden blood comes from commercial blood banks. The dangers of contracting hepatitis are 10 to 12 times greater from a commercial pint of blood than a donated pint. This is because commercial blood banks maintain poor health standards, and many of their suppliers are addicts, derelicts, and winos. Many of these donors are unhealthy, and many sell their blood more frequently than they should—some as often as once a week.

Only 3% of the potential donor population now gives blood. More than half of those donors are middle income taxpayers. My bill would provide an incentive for the middle income wage earner to give blood, and to give blood regularly. If we can just increase the percentage of blood donors by one or two percentage points, we will be able to eliminate the demand for commercial blood.

Most important, the nature of a tax deduction is such that it would provide the voluntary donor an incentive to give blood, but it would not be attractive to the dope addict or derelict who is only interested in the immediate on-the-spot cash offered by the commercial blood banks.

The opponents of my bill have suggested that providing a tax deduction would encourage people to falsify their medical histories, and give blood when they shouldn't. I don't think this would happen. The monetary rewards would come at the end of the taxable year, not immediately. While the tax deduction would provide an incentive sufficient to encourage people to develop regular blood donating habits, it would not be so great to be worth falsifying one's medical record.

Most people in this country think of blood donations as a charitable contribution. But, because the Internal Revenue Service regards blood donations as donations of "service" rather than of "property," a tax deduction for a blood donation is not allowed. It is ironic that while someone can take a tax deduction for a $25 monetary contribution the American Red Cross—perhaps the money gained from selling a pint of blood to a commercial blood bank—a deduction for the pint of blood given to the American Red Cross is not allowed. But what greater personal property can a person give than his blood to save another person's life. For someone who is sick or dying, a pint of blood is much more important than $25 in cash donated to the American Red Cross.

The pivotal facts in this matter are: blood cannot be synthetically reproduced, it must be obtained from human donors; hepatitis cannot be accurately detected nor eliminated from bottled blood; blood usually is given to our hospitals' sickest patients—patients that can ill afford to be struck by hepatitis; and the demand for transfusable whole blood and blood components is growing.

Your Committee is now considering legislation to provide a national health insurance program. The victims of hepatitis contaminated blood transfusions will be an expense to this program. As I have indicated, at least 150,000 people will contract hepatitis this year, the majority of them through blood transfusions. And, there is every reason to believe that the number of these victims will increase in future years, particularly since the number of drug addicts in this country is still growing. Would it not be better in economic terms, say nothing of the human terms, to spend some money on an incentive program to provide the needed number of healthy donors?

Furthermore, the enactment of H.R. 853 would mean an acknowledgement by the federal government of the importance of voluntary blood giving. It would establish a national policy, which we now do not have, that blood giving is a practice to be encouraged. In this country we expend great sums of federal money to maintain resources for the purpose of national security. Shouldn't we do the same, at a comparatively small cost, for the health security of our people?

While the Treasury Department has yet to submit to the Committee its report on this bill, it would appear that the costs of H.R. 853 are calculable and modest. The National Institutes of Health estimates that approximately 6.6 million units of blood were collected in 1969. This includes commercial blood (approximately 50% of the 6.6 million) collections. With the $25 tax deduction actually costing the federal government an average $5, the cost of this incentive program provided by H.R. 853 would be approximately $33 million.

Is it not worth $33 million a year to save the lives of 3,000 people and prevent the illness of over 100,000 more costing millions of dollars in hospital care?

I urge this Committee's favorable consideration of this bill. I would add in conclusion that earlier this year, the National Research Council Panel of Consultants on Transfusion Hepatitis (a component of the National Academy of Sciences which is part of the President's advisory Office of Science and Technology) indicated in a report on transfusion hepatitis that the basic need is to encourage a wider base of voluntary donors. The Panel indicated that H.R. 853 would be helpful in achieving this objective.

Thank you.

A BIOGRAPHICAL SKETCH

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mrs. GRIFFITHS. Mr. Speaker, on November 21, the magazine section of the Detroit Free Press carried a story by Sam Hudson about his colleague Wilson William "Eddie" Edgar of the Observer papers. Mr. Edgar is one of the best writers in the business and this story recounts some of his most interesting scoops. It is with great pleasure that I

place this biographical sketch of him in the CONGRESSIONAL RECORD for all to read:

THE LEGEND FROM LIVONIA WHOM JOE LOUIS PUNCHED, WILLIAM JENNINGS BRYAN HARANGUED AND PULITZER MISSED

(By Sam Hudson)

"There's a man on the platform who looks like William Jennings Bryan, and he's got a 45 minute wait between trains."

The informant: a friendly ticket agent at the local railway station. The place: a newspaper office in eastern Pennsylvania, circa 1920. All of the reporters are out on assignment.

Enter the 22-year-old sports editor.

"Hey, Eddie! Beat it down to the depot right away. William Jennings Bryan is there. Get us an interview, Hurry."

The man on the platform is big. His wide black fedora covers long hair, curled up at the back, the trademark of the silver-tongued orator himself.

"What? No, I never give interviews in small towns. I get misquoted too often. I can't gamble on your getting it right."

The "great commoner" looks at the reporter; asks if he has some paper. He sits down on a bench and writes out a three-page statement. Something about silver, or maybe it was in support of prohibition, or why the theory of evolution should not be taught in schools.

Eddie hustles back to the newspaper.

"Did you get the interview?"

"No. He says he never gives interviews."

The editor's jaw drops.

"But he wrote out this statement for me."

Sounds of the Allentown Record's front page being ripped out. The editor writes a banner head. Bryan's statement, in his own handwriting covers the front page. No by-line for the young sports editor, Wilson William "Eddie" Edgar, but there's a mention of how he got his first major story.

His second came a few weeks later. Again, Eddie is the only reporter in the office. This time the caller is a friendly nurse at the local hospital. Boise Penrose, Mr. G. O. P. himself, is playing hooky from the Republican national convention in Columbus, O. He is in a private room at the Allentown hospital for a physical check-up.

Sure, he'll talk to a reporter. Send him in.

"When do you think the deadlock at the convention will be broken?"

"Boss" Penrose—huge, stout, mustachioed, smooth-talking maker of presidents—looks at the young reporter and smiles.

"I'm expecting a phone call in half an hour. I'll tell you after that."

The phone rings. "Sit down," says Penrose. "You needn't leave."

Eddie listens. The convention is still deadlocked. "All right, here's what you do," says Penrose over the phone. "See the fellows whose names I gave you. Tell them I said to go with Harding. You can win with him."

Penrose turns to Eddie.

"There's your story, son. Better hurry back to your office. Warren Harding will be nominated before your paper goes to press."

That was 50 years ago. Today, Eddie Edgar is still hurrying to get his stories in before press time. Eddie, now 74, is probably the oldest and is one of the best known working newsmen in Michigan.

Eddie is now roving editor and columnist for the Observer newspapers, which cover parts of Wayne and Oakland counties.

Thinking about his luck in getting the Bryan and Penrose stories Eddie says: "I always seemed to be in the right place at the right time. I got my job at the Free Press in 1924 by a similar coincidence.

"Eddie Guest, the poet of the Free Press was scheduled to speak in Allentown. I went to hear him and asked for an introduction. I remember the warm greeting he gave me and his interest in my sports-writing job for the Allentown Record.

"Guest said to me, 'Some big city paper is going to gobble you up some day.'

"I don't know where I got the nerve, but I said, 'Do you know any that would like to gobble me up now?'

"He grinned at me. 'Send me a letter about yourself and I'll give it to the sports editor at the Free Press.' I wrote him the next day."

Eddie got the job as a sports reporter on the Free Press on a two week trial. He stayed for the next 24 years.

Eddie was also in the right place at the right time the day Ralson Goss came into the Free Press sports department and said: "From now on, all you guys on this side of the room," *waving an arm*, "will be writers; all of you on that side will edit copy. We've got to start specializing."

"I was sitting on the side of the room with those Goss said would be writers," says Eddie. "It was a break for me. A wave of a man's arm determined that I would be a writer whose name the public got to see instead of a copy reader who never gets known."

Eddie's first encounter with a sports immortal took place when he was 10 years old in Catasauqua, Pa. where he was born in 1897. Eddie's father owned a small restaurant. To help business he put in a pool table and took on customers for the price of the game. Eddie began taking instructions from him at age seven before he was tall enough to reach the table without standing on a box.

"For a year, my father had me roll the ball without a cue. He wanted me to get the feel of the ball and how it rolled. After a year he had me use a cue. (Years later when he watched Willie Hoppe play, Eddie won a bet from a friend, by wagering that Hoppe learned to play pool by standing on a box. He could tell by the way Hoppe reached for the ball.) When he was busy, my father would have me play for the house. By the time I was nine, I was taking on all comers."

Eddie won the Lehigh Valley pool championship when he was 12. A couple of years before, someone arranged a match between Eddie and a youngster who was later to become champion of the world—Ralph Greenleaf. Greenleaf was then about 15, Eddie 10.

"I left the winning ball on the lip of the pocket," says Eddie. "I went home and cried."

Mention of almost any major sports brings to Eddie's mind his encounters with the champs. In 1933, Eddie told Gar Wood, who had just set a world's water speed record at Algonac, that the story was timed wrong for the Free Press.

"What can I write about at 4 p.m.?" asked Eddie. "Harry LaDuc's got me beat already. I know—tell me about your emotions just as you broke the record."

Wood slapped a helmet and goggles on Eddie, told him to jump into the boat. Eddie said he kept watching the needle go up and up until it hit 124.85 m.p.h., the speed that broke the record.

"Now, write about your own emotions," Gar told Eddie. "Whatever you felt, I felt."

In 1935 Eddie rode 130 m.p.h. with Wilbur Shaw at Indianapolis just to get the feel of it. He always tried to get involved in the action in whatever sport he was covering.

"I had the gloves on with Dempsey and with Joe Louis," he says.

Eddie's eyes light up most when telling of his experiences with Joe Louis. When asked what was the highlight of the 52 years since he got his first job on a newspaper, Eddie says, without hesitation: "Being with Joe throughout his career."

Eddie was running the Golden Gloves for the Free Press in 1932 when a tall black boy walked into his office and asked where he could sign up. Eddie Edgar was virtually Joe's amateur manager until 1934, when John Roxborough became his professional manager.

Eddie says the most exciting moment he ever had in sports was on June 22, 1937, in Comiskey Park in Chicago when the referee raised Louis' hand as heavyweight champion of the world.

"You can't compare generations, but Joe had the fastest hands I ever saw. He was the smoothest fighter and the hardest puncher I ever saw."

Eddie's proudest achievement in his long career?

"That I helped to bring bowling from an adjunct of a saloon out to the main corner."

Eddie is also proud of his part in establishing the Bowling Hall of Fame in 1957. Among the 36 Bowling Hall of Fame plaques located in the Detroit Historical Museum is one dated 1962, with Eddie Edgar's name on it.

Eddie concedes that he has had a few bad breaks in the 52 years since he wrote his first news story. There was the time, for example, when he talked himself out of a share of the Pulitzer Prize.

It happened in 1931. Managing Editor Malcolm Bingay had assigned a group of reporters to cover the huge American Legion parade held that year in Detroit. Eddie was drafted from the sports room to serve as one of the team that Bingay sent in various directions to come up with a story. Eddie wrote two columns of the compromise article.

The day the story was to appear, Eddie heard Bingay and some of his assistants debating the matter of how to assign credits. They had decided on a community by-line of six names when Eddie entered the discussion.

"That's a silly thing to do," said Eddie. Take my name off it. We'll be the laughing stock of the business." They took him at his word and removed his name.

"That article won the Pulitzer Prize," Eddie relates, without any trace of rancor. "I got no part of the glory or the trip to New York, or the prize money. But I had no one else to blame but myself."

Edgar's boss, Phil Power, publisher of the Observer papers, where Eddie writes "The Stroller" says, "Eddie is more than a living legend, he's one damn fine newsman. He knows what's going on."

Eddie's eyes sweep over the cool green expanse of his neatly trimmed backyard with its evergreens, apple trees, and a timid ceramic faun crouched beneath a wide-spreading bush. But his mind's eye seems to see other places and other times—smoke-filled fight rings, dusty ball fields, rumbling bowling alleys and exciting newsrooms—as he knew them in the golden age of sports.

MEMORIAL SERVICE TO DECEASED MEMBERS OF THE DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HOGAN. Mr. Speaker, we owe a great debt to our policemen and firemen because they place their lives on the line daily to enforce our laws and insure our safety.

Their jobs have become ever more dangerous in recent years because of an appalling increase in the number of assaults on these guardians of law and safety.

Recently I was privileged to attend a memorial servivce at St. Patrick's Church in Washington for deceased members of the District of Columbia Metropolitan Police Department. The sermon at this ceremony was given by Rev. R. Joseph

Dooley, Catholic chaplain of the District of Columbia Metropolitan Police and Fire Department. Father Dooley's sermon was so timely that I insert it into the RECORD at this point:

There are three classes of people who find it difficult to render their services to today's modern world—the policeman, the fireman, and the religious leader. The policeman's job is difficult because he stands for law and order and is always on the defensive; the fireman because he risks his life daily for the safety of others; and the religious leader because he has the burden of being the spiritual head of a large family.

It is not just your religious acts that make you great men and women, but it is your service, humdrum routine lives can be divinized. Your work, therefore, is considered divine as mine is. We are in this together.

The image of the fireman and policeman is created by you the individual member; by your example, your judgment and faithfulness to your vocation. Your vocation is truly an exalted one.

The somber and depressing sight of shrouded police badges is now rapidly becoming more common. During 1970, over 100 police officers were killed in line of duty—the highest number in our history. In a one year period, 82 firefighters lost their lives in the line of duty.

There is an air of hatred for authority in this country today. A grim testimony of this hatred has been the growing number of attacks, bombings, and assaults against law enforcement officers and firemen.

Nothing short of all-out civil war could be more savage, more perverse or more damaging to a civilized nation than the slaughter of police officers now taking place in some American cities.

This is a war against the police. These deliberate attacks are too widespread, the incidents too numerous; the tactics too similar—to suggest separate and isolated acts of violence.

Persons who blow up police stations or gun down unsuspecting police officers in cold blood are at war with the law. They deserve no sympathy—no mercy—from the society they seem so determined to destroy.

Already this year here in our own city, we have lost four police officers, one U.S. marshal and one fire fighter in line of duty.

Our deepest sympathy goes to their families and loved ones. But, in equal measure, our gratitude goes to the men and women who are carrying on their duties despite the increasing danger.

The slaying of a police officer and the death of a firefighter has a definite impact on his brother policemen and firemen. If it happened as a consequence of a police action or fireground performance, his brothers in blue are saddened, of course, but they can accept his death as a reality of the job. But, if he is cut down from ambush or by a deliberate plan, the morale of every law enforcement officer suffers and a cloud of frustration, futility, and anger hampers effective performance of duty. The same is true of a firefighter. So often, history has shown that a tragedy is needed to prove a point. The untimely death of a fireman at an abandoned building fire greatly emphasizes the hazards faced by each firefighter every time he mounts the apparatus to respond to an alarm of fire.

When a policeman is assaulted or slain, when firefighters are attacked at the scene of a fire or disaster, the criminal significance of the incident extends far beyond the victim officer or fireman. It extends to the door of every law-abiding citizen.

The price of enforcing the law is costly. Perhaps no one knows just how costly, except the slain policeman's family and his fellow officers, who stand at rigid attention by his graveside and hear the echoing volleys of the farewell salute and the fading strains of taps.

All of you and your families must now draw on inner strengths and faith in order not to lose your heads or perspectives.

Those whom we remember today—whose names shall be read shortly—are not only those who have died in line of duty, but all the men and women, active and retired, who have died since the mass was held a year ago. Some who are here loved them as a husband and father, son and brother. Others loved them as wife and mother, daughter and sister. To others of us, they worked along side of us.

They gave us strength in time of trouble; wisdom in time of uncertainty; and sharing in time of happiness. They were always by our side.

Love is not an easy feeling to put into words. Nor is loyalty or trust or joy. But they have been all these. They loved life completely and lived it intensely.

They shared with us the same short moment of life. Each of us will have a different recollection; a different remembrance—for they touched our lives.

It may be that he was your scout car partner or the one whom you first met when you reported to your engine company for the first time. He was the sergeant who saved you on more than one occasion from making a mistake or the rescue squadsman who performed an act of bravery in your presence. He may have been the official who made you a better policeman or firefighter because of his own love of his work and the demands he made on you to do your best. He or she may have had a long and painful illness or they may have died very suddenly. His life may have been snuffed out by a bullet or by a falling wall while you stood by helpless. He may have been a close friend—a golf buddy—a fellow bowler—a neighbor. They have all made their place and their mark because they came across the stage of our life.

Surely this bond of common faith; this bond of common goal—can begin to teach us something. That is why occasions of this kind are so important, and yet so rare anymore.

In the book of Maccabees, we are told that it is a good and wholesome thing to pray for the dead. We gather here this morning to pray for the dead as we offer this memorial mass for those who have gone before us.

Undoubtedly, some of the pain and grief that we experienced when he or she was taken from us is renewed today. There is still loneliness and a vacant place in our hearts and in our lives, when we think of this person who meant so much to us.

However, the pain is not so intense, so heart-rending as it was on that occasion. Time has healed our sense of loss, but it hasn't erased it.

Please God, we will keep them always before us, particularly in our prayers. Let us hope that our lives and the lives of all our fellow citizens have been enhanced because of their life of service and dedication.

In closing let me read this prayer:

"We seem to give them back to you, O God, who gave them to us. Yet, as You did not lose them in giving, so we do not lose them in their return. Not as the world gives do You give, O Lover of Souls.

"What You give You take not away, for what is Yours is ours also. And life is eternal and love immortal and death is only a horizon, and a horizon is nothing save the limit of our sight.

"Lift us up, dear Lord, that we may see further; cleanse our eyes that we may see more clearly; draw us closer to Yourself that we may know ourselves to be nearer to our loved ones who are with You.

"And while You prepare a place for us, prepare us also for that happy place that where You are, we may be also forever."

DIFFERENCES OVER PANAMA CANAL

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. FLOOD. Mr. Speaker, on November 8, 1971, my distignuished and able colleague, now chairman of the House Subcommittee on the Panama Canal (Mr. MURPHY of New York), announced that public hearings on the interoceanic canal problem would start on November 29. These hearings are now underway and already there have been some startling revelations and interesting developments. Among the latter is a campaign of villification in the Panama press against Chairman MURPHY and the work of his subcommittee, which is probably the most comprehensive inquiry in the canal policy subject since early in the 20th century.

I read with much interest in the New York Times of December 2, 1971, two letters to the editor, the first by a citizen of Panama obviously reflecting the views of the revolutionary Government of his country and the second by a retired U.S. naval officer long associated with the Panama problem.

The first flatly states that the positions of Panama and the United States are irreconcilable and that Panama wishes the United States out of the Isthmus. It also quotes General Torrijos as stating that Panama is reaching the limit of patience and contains an implied threat to invade the Canal Zone. The second defends U.S. treaty based sovereignty over the Canal Zone.

The two letters, written at different times and in different parts of the hemisphere, are so interesting that I quote them as parts of my remarks:

DIFFERENCES OVER THE PANAMA CANAL

To the EDITOR:

The position of Panama and the United States concerning the Canal are irreconcilable. We want you out of our country. You want to stay. Such disparate stands cannot be negotiated.

Feelings here have reached such a pitch that our people will not accept anything but total sovereignty and jurisdiction over the present and any future canal, and the continued presence of U.S. military bases on our soil is out of the question.

You can be certain that any treaty that does not spell out, in unmistakable terms, those aspirations will be violently rejected and that no government will have the remotest chance of having it ratified.

In a talk at a recent rally, General Torrijos said, "We are reaching the limit of our patience. . . . The moment Panama feels let down at the negotiating table, I will come and tell you they are deceiving us—that the moment has come for one generation to offer its lives so that another generation can live in a free country."

But I believe that there is a rational, civilized and legal way of obtaining our goal. Panama should forget about negotiating the unnegotiable and announce to the world, preferably at the United Nations General Assembly, that it is opening to universal bidding, in cooperation with the U.N., the construction of a sea-level canal through its territory.

Also, Panama has a bill for over $13 billion for collection from the United States—for all the fresh water the U.S. tapped from Panamanian watersheds over the years, for the operation of the Canal and other profitable ventures. If the U.S. refused to pay, Panama would sue in the World Court at The Hague.

The day Panama opens its own canal to international maritime traffic, the 1903 treaty expires because its *raison d'être* ceases to exist. There is no point in arguing about the U.S. having a new canal, expanding the present one or keeping its bases. Out you go, legally evicted, the lease having expired.

How can the U.S. prevent Panama from having its own canal built? Or having its day in court? It can incinerate us all. Only thus—perhaps.

LEOPOLD ARAGON ESCALONA.
PANAMA, *November 3, 1971.*

To the EDITOR:

"Your Oct. 7 news story, "Panama informs U.N. of U.S. Talks" referred to Panama's action in placing its demand for canal treaty modification before the United Nations an "unusual procedure." Another news story, "Panama's Leader Warns on Canal" (Oct. 12), reported on inflamatory anti-American mass demonstrations adjacent to the Canal Zone—demonstrations staged by Brig. Gen. Omar Torrijos to intimidate our negotiators and timed to coincide with Panama's attempt to delude the U.N. into considering a false claim, concerning a matter solely under the exclusive jurisdiction of the United States.

Panama's charge of U.S. aggression must be emphatically rejected. Panama alone engaged in aggression in 1959 and 1964 by riotous attacks at the Canal Zone—consistently recognized sovereign territory of the United States by all responsible Panamanian governments, ever since the Hay-Bunau Varilla treaty of 1903. These are invulnerable facts—conclusions and opinions such as expressed in your Oct. 19 news story "U.S. Concessions to Panama Seen" to the contrary notwithstanding.

Former Treasury Secretary Anderson headed the emissaries appointed by President Johnson in 1967 for Canal treaty revision. Despite chaotic confusion resulting from the preposterous concessions to Panama proposed in the 1967 draft agreements—not approved by either nation—Anderson was reappointed by President Nixon not only as chairman of the Atlantic-Pacific Interoceanic Canal Study Commission, but also as head of a new treaty negotiating group.

The Oct. 7 news story states "The negotiations . . . broke down in 1967 and languished until last June." True, but for a very good reason—spontaneous massive waves to protest within Congress and among citizens informed of the ominous threat of the planned and totally unnecessary give-away of our legitimate sovereign rights in Panama, rights always diligently exercised with justice to all nations, with great economic and financial benefit to Panama, and for the defense of the free world.

Like the Bourbons, concerning whom Talleyrand said "They have learned nothing and forgotten nothing," our "negotiators" now recommend more disastrous proposals—proposals which, if adopted, would set the stage for a "Suez Canal" type disaster in Panama. Moreover, although unintended, there was a clear invitation to Communist take-over of the Canal itself implicit in Assistant Secretary of State Charles A. Meyer's recent statement, published on July 23 in the Torrijos-controlled El Panama America:

"If the Communists should cut off Venezuela's oil shipments or if the Santo Domingo incidents should be repeated, the United States would not intervene. There will be no United States intervention in Panama."

Forces which thwarted the planned give-away in 1967 will be much stronger and more determined than they were at that time and will, it is hoped, successfully prevent planned surrender now.

FRANZ O. WILLENBUCHER,
Captain, U.S.N., (retired.)
BETHESDA, MD., November 19, 1971.

WHAT IS THE ANTI-DEFAMATION LEAGUE?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. RARICK. Mr. Speaker, the average man on the street usually responds to the mention of the Anti-Defamation League with the question, "What is the Anti-Defamation League?"

Perhaps an introduction to the answer is provided by the ADL itself in its author's acknowledgment in the book, "Danger on the Right":

Situated strategically in 27 cities across the country and in the national offices of the Anti-Defamation League in New York City are men and women whose daily assignment is the accumulation of data about extremist movements on the American scene.

To many Americans it seems incredible that a master snooping organization could exist in the United States without the common knowledge of the average American who reads the newspapers and watches his TV and tries to stay abreast of what is going on in his country. To such citizens it is inconceivable beyond belief that an organization of such size and devious operation could exist in their country without somehow being brought to their attention. In Washington, D.C., their plush and expensive office and operations are located at 1640 Rhode Island Avenue NW., Phone No. Ex 3-5284.

Yesterday in my speech under a special order entitled "ADL—Super Pressure Group—Gestapo of the Establishment," page H11869, I extended my remarks with a comprehensive report on the ADL authored by the late State Senator Jack B. Tenney of California. In Senator Tenney's writing, he explains in great detail how and why the ADL has been able to use its power to remain almost unknown to the American public.

Another description of the Anti-Defamation League was prepared by the Church League of America, 422 North Prospect Street, Wheaton, Ill., and published in its report, "News and Views," for January 1965, volume 28, No. 1.

I include the article, "What is the Anti-Defamation League of B'nai B'rith" by the Church League of America in the RECORD at this point, followed by the preface to the ADL's publication, "Danger on the Right":

WHAT IS THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH?

Definitions:

Semitic, a. 1. of, characteristic of, or like a Semite or the Semites.

2. designating or of a major group of languages of southwestern Asia and northern Africa, related to the Hamitic languages and divided into East Semitic (Akkadian), North West Semitic (Phoenician, Punic, Aramaic, Hebrew, Modern Hebrew, etc.), and South West Semitic (Arabic, Ethiopic, Amharic)

anti-Semitic, a. 1. having or showing prejudice against Jews; dislike and fear of Jews and Jewish things.

2. discrimination against or persecution of Jews.

(From Webster's New Twentieth Century Dictionary, Unabridged, Second Edition, 1956)

The word "Anti-Semitism" conjures up immediately in the minds of most Americans and those who recall the horrors of the Hitler regime a terrible thing. No normal American or Christian could condone persecution of anyone of another religion, either mental or physical.

The definitions given above from Webster's Dictionary are puzzling, however. Puzzling because the first word defined includes Akkadians, Phoenicians, Punics, Aramaics, Hebrews, Modern Hebrews, Arabs, Ethiopians and Ambarics while the second defined word (the *first* with the prefix "anti," meaning "against," in front of it) includes only Jews, to the exclusion of all the rest of the Semites. How can it be that the word "Semite" can lose its inclusive meaning when the prefix "anti" is added to it and be applied only to one of the ethnic groups of the eight originally named?

When, where and how were the other ethnic groups excluded from slander and persecution as connotated by the present day use of the word "anti-Semitism?"

Are words being stolen out of their dictionary meanings and being used as smear terms by individuals and organizations who are seeking word weapons with which to defame and destroy the characters and influences of those who have no use for "anti-Semitism" in any form, no matter which branch of the Semite family is affected, but with whom the smear peddlers may disagree on some political issue or economic theory?

We have received numerous inquiries asking—"What is the Anti-Defamation League of B'nai B'rith?" We present here a survey made in an effort to give our friends some factual information about this organization that recently sponsored a slanderous book called "Danger on the Right" in which the two authors (officials of the Anti-Defamation League) arrogated to themselves the liberty to include the Church League of America in public print in a way to give the impression that we are a collaborating part of some hideous mythical thing they have designated as "the Radical Right."

These authors have dressed this fanciful ogre—this new plaything of the Left—in ugly and odious garments with a clear purpose of stigmatizing with suspicion the Church League of America and the thousands of good and honorable people who are part and parcel of the Christian-American work we are doing.

A compounding damage resulting from this maliciously imaginative book is that it serves to stimulate and to encourage press-reviewers and a certain brand of commentators to reinforce their own pathological excitement by giving further currency to this politically inspired romanticism.

In issuing this survey by our task force we have no intention of being baited into retaliation with a barrage of name-calling invectives or any other kind of verbal brawling. It is with pity and reluctance that we give answer at all to a group-voice that, according to never-ending plaints about "minority persecution," would seem to need friends more than the natural results that come from provoking antagonisms. Nevertheless this group that capitalizes its own persecution has made a target of the Church League of America (whose work is directed at defending the Christian religion from its avowed Communist-network enemy) and we must perforce defend against this unprovoked attack by examining the source to find, if possible, the reason why our good

name was included in this volume of fuss and fury—a book that one reader has termed "an irresponsible and incredulous effort at muckraking."

Literature that emphasizes "enemies." We find that over a considerable period of years this vaguely known organization called the Anti-Defamation League of B'nai B'rith has been publishing and distributing books similar to its latest "Danger on the Right"—and a vast amount of other literature—for the apparent purpose of dramatizing its own particular conception of how our American mores should be changed to fit a new left-liberal "social order." This literature and a related activities program would indicate a purpose to frighten an unorganized public into non-resistance by making it appear that those who believe in time-honored and time-tested conservatism have suddenly become something evil called the "Radical Right." There is another clear reason also for invective literature that dramatizes hideous and evil "enemies" (such as a monstrous "Radical Right") and that is to keep the checks coming.

One of the most vitriolic papers in the race-stirring business is the Heritage published in Los Angeles. It was one of the first to take up the "radical right" as a war cry and with that general theme it has within a few years skyrocketed from nothing to a considerable following. Its issue of June 28, 1962 carried a story headlined "'Rights' Threat to U.S. Jews." The story quoted Benjamin Epstein, national director of the Anti-Defamation League of B'nai B'rith as warning that "the 'radical right' is fertile soil for anti-Semitism." This is the same man who co-authored the latest literary effort of the Anti-Defamation League—a book called "Danger on the Right" which, for reasons best known to these artful authors, has managed to bring references to the Church League of America into its "loving embrace." One of the fine arts of the left-liberal crusaders has been adroitly to destroy its conservative opposition by manipulating, through vulgar innuendo or by manufacturing some devious association, an image to create the impression that the opponent "is anti-Semitic." This has been widely practiced with deadly effect. While these authors have not been bold or foolish enough to charge the Church League of America with such an odious offense, yet this characteristic attention in a book like this certainly arouses a suspicion of purpose.

Some of our friends may be interested in knowing the background of the left-liberal crusade against what it calls the "Radical Right." In October-November of 1960 the Soviets convened a "Meeting of Representatives of the Communist and Workers' Parties" in Moscow which was attended by delegates from 81 Communist Parties throughout the world representing 36 million voluntary and involuntary Communists. At the close of the meeting the Communist leaders issued a Manifesto which was a scorching attack on the "reactionaries" of America as the principal enemies of what the Communists call progressive change. At that meeting a world "party-line" was laid down to start a drive on those reactionaries who stand in the way of the new social order.

The Communists in America almost immediately began the crusade against what they termed the "Ultra-Right." This party-line was announced to the comrades at large and the hitch-hiking liberals in a Party magazine called *Political Affairs* which is regularly used for that purpose. In its issue of August, 1961, Communist leader Gus Hall did the announcing with an article titled "The Ultra-Right, Kennedy and the Role of Progressives." All through the article he pounded hard on the terms "Ultra-Right" and "extreme right." This was the same Gus Hall who, in the Communist Daily Worker, April 5, 1950, was the first on record to introduce the term "McCarthyism." Our American liberal-coterie quickly grabbed that shibboleth and wore it threadbare flagellating the individuals and groups they did not like. Almost everyone not left of center suddenly became a "McCarthyite." When time dulled the edge of that ugly word, the crusading-left eagerly grasped the new slogan-weapons of "Ultra-Right"—"Extremists"—and "Radical-Right" so conveniently provided for them.

This survey, if it is to serve any useful purpose, must necessarily be both factual and forthright. It will, however, hold to a vocabulary that will not retaliate in kind. It will simply go to the record and let that speak for itself. Wherever the term Anti-Semitism appears it will do so only as an unavoidable part of an over-all record of our assailants which reveals such continuous use of this revolting term in reference to others that it becomes inescapably suspect as an instrument of opprobrium in an ever-widening assault on our traditional pattern of American conservatism by people who, for reasons best known to themselves, have elected to point some kind of a finger of suspicion at the Church League of America.

To clear any misconception: It should be explained that the Anti-Defamation League is not an independent organization as some people probably imagine but is a "Committee" attached to a very large organization with branches and lodges in American cities and towns from coast to coast where there are Jewish people in substantial numbers. This parent organization is known as B'nai B'rith—and it has grown to represent Jewry throughout the world. This reference is not to cast reflection upon B'nai B'rith in its honorable role as a Jewish fraternal organization—but is made solely as a matter of identification for its sub-organization (or committee)—the Anti-Defamation League. This identification is necessary to show that the actions and policies of A.D.L. are rooted in the largest Jewish membership organization in the world. While the management-control of the Anti-Defamation League may have been appropriated by a small aggressive clique—and it may be even true that B'nai B'rith members in general may not know what this A.D.L. is doing—nevertheless the wide membership responsibility is there and this fact cannot be ignored or omitted from a factual examination of this issue in which the Church League of America has been introduced into the dark room of suspicion.

It is through B'nai B'rith prestige that its Anti-Defamation League is able to raise incredulously large sums of money to issue such muckraking literature as "Danger On The Right" and it must be left to the American public as the final arbiter as to what is right and who is right in the conflict that is now raging to change the basic pattern of Americanism.

While the Anti-Defamation League functions as a committee of B'nai B'rith it appears that orthodoxy has not always been its rigid rule. Editor Fishbein of the Chicago Sentinel (Nov. 15, 1951) in his full page editorial dealt with some of the shortcomings of Jewish organizations:

"The Anti-Defamation League," he wrote, "is involved in a somewhat different quandary. It appears that some leaders of the Chicago B'nai B'rith have recently uncovered a most amazing fact—namely, that the majority of the A.D.L.'s Board are not even selected by B'nai B'rith. This has been no secret to anyone familiar with the workings of this 'defense agency.' Its policies in the main, have always been dictated by members of the American Jewish Committee who have nothing in common with the average B'nai B'rither. The two are as far apart as day and night. Eli Aaron, for instance, who represented Chicago at the recent national meeting of the Joint Defense Appeal upon whom the A.D.L. is totally dependent for its funds, is not even a member of B'nai B'rith. He is the Chicago Chairman of the American Jewish Committee. This explains why the A.D.L. has rarely, if ever, reflected the thinking of the men and women of B'nai B'rith whom they are supposed to be serving."

After a number of years of being harnessed together through the money-raising agency called Joint Defense Appeal, the American Jewish Committee and the Anti-Defamation League dropped the arrangement in 1962 with some intimation that each would raise its own funds. In 1963, however, the Anti-Defamation League, continuing as an adjunct of B'nai B'rith, was back in the general over-all Jewish fund distributing organizational arrangement. The funds for A.D.L.'s work covers a wide range of activity (as this survey will indicate) including the publishing of such books as "Danger On The Right" where a strained effort is made to derogate the Church League of America.

The parent organization: B'nai B'rith (meaning roughly 'Children of the Covenant') was organized October 13, 1843 in Sinsheimer's Cafe on New York's East Side where most of the Jews then in this country (some 20,000 immigrants, according to the Chicago Sentinel) were living. It was, of course, a natural thing for these people, mainly speaking a foreign language and not understanding American ways, to organize for social and fraternal purposes. Gradually Jewish communities, through propagation and immigration, spread and likewise did the B'nai B'rith lodges, until today they are scattered all over the country. This is now widely recognized as a tremendously active and powerful bloc in America.

The offspring: In 1913 Sigmund Livingston, a well known Chicago lawyer, with a small number of his friends, feeling a need for an educational movement to improve the image of the Jewish people in a milieu where there was considerable criticism of a rapidly expanding immigrant population, often strangers to our American traditions, organized the Anti-Defamation League and succeeded in having it made a Committee of B'nai B'rith where it was called the "educational unit" of that organization. There certainly could be no proper objection to an organization which appeared to have a fine, cultural purpose.

Actually, however, the Committee hung more or less lifeless for at least its first ten years. Very little was heard of it and very little was done by it—largely because of the general mores of the times (the American *zeitgeist*) causing its sponsors apparently to tread softly with it. The years, in one way and another, have brought great change in this situation. Today the Anti-Defamation League of B'nai B'rith is widely recognized as a powerfully active movement (which is supported by its record) and by some is considered to be one of the most potent factors of compelling influence in the political and social-action fields in America today.

The leap forward begins: In 1931 a young man (about 43) named Richard H. Gutstadt, who had made quite a record as an organizer in the Jewish community field, was appointed as National Director of the Anti-Defamation League which was now about to take on a new career.

Mr. Gutstadt was the man-of-the-times for the A.D.L. job as it began to take its stride. He quickly made something out of nothing. He put A.D.L. into action with vim and vigor—on both the offensive and defensive—with "Anti-Semitism" or Semitism (whichever is the more applicable) as the war cry. By that is meant that A.D.L. went into vigorous action against all individuals, organizations, and policies that were considered to be inimical to Jewish interests. Some of this was understandably appropriate—but there is always the danger that self-anointed power will inflate itself

to the status of "extremism" and even arrogance.

Great liberals like Felix Frankfurter, New York's Senator Wagner and others were, about that time, grooming Franklin Roosevelt for the Presidency. He was elected in 1932 and by the time the revolutionary New Deal had begun to roll and stir the country into turmoil in 1933 Mr. Gutstadt sent out a letter that fitted well into the new political climate. The letter was on Anti-Defamation League stationery (with the words "of B'nai B'rith" omitted—and dated December 13, 1933. It read in part as follows:

"Scribner & Sons have just published a book by Madison Grant entitled 'The Conquest of a Continent.' It is extremely antagonistic to the Jewish interests . . . We are interested in stifling the sales of this book. We believe that this can be best accomplished by refusing to be stampeded into giving it publicity . . . We therefore appeal to you to refrain from comment on this book . . . It is our conviction that a general compliance with this request will sound the warning to other publishing houses against engaging in this type of venture." (The letter was signed by Richard H. Gutstadt, Director.)

Madison Grant was a highly regarded writer and historian of the time. His book "Conquest of a Nation" dealt with the opening of America, showing how the Nordic peoples had contributed to the conquest of the American wilderness. That was his sin. The Anti-Defamation League group complained that the book (1) had emphasized the Nordic theory; (2) had negated the melting-pot philosophy; and (3) the book was generally objectionable to Jewish interests.

From this period came a development that has reached its ultimate in the book-selling and publishing field where these business people now well know what books to leave alone. The late John T. Flynn, notable writer with a liberal background, suddenly discovered after he became an outspoken conservative that his books were no longer being pushed by either his publisher or the large bookstores. It was not long until he learned that rumors of "anti-Semitism" had been skillfully sneaked into the right places about him—*rumors that were completely without foundation!*

More book suppression: On October 4, 1955 Henry E. Schultz, national chairman of the Anti-Defamation League, wrote a lengthy irritating letter to Lt. General George E. Stratemeyer requesting him to withdraw his endorsement of Dr. John O. Beaty's "Iron Curtain Over America" dealing with Communism. The distinguished soldier replied with a scorching letter excoriating the A.D.L. official for insinuating an "anti-Semitic" angle, and also said: "Not until I read John Beaty's book did I learn what was going on back in the United States while I was overseas fighting for my country" and then demanded to know if the A.D.L. letter was "a veiled threat to my free expression and thoughts? If so," General Stratemeyer continued, "your letter is the most outrageous communication I have ever received."

On February 19, 1954, Rabbi Robert E. Kahn of Houston, Texas, known for his vigilance in such matters, wrote a letter to L. E. Page, Commander, American Legion, Department of Texas, about the Beaty book (which had been endorsed in a Legion list of books) demanding that the Un-American Activities Committee of the Hutchinson County Post be asked to "disavow this book (and any others of similar character on the list) by (1) dispatching a letter to those to whom the original list was sent, and (2) publishing their regrets in the Texas Legionnaire and the American Legion Magazine . . . I should like to hear from you about this."

Dr. John Beaty, who aroused the A.D.L. people to such militant ire and action, was a well-recognized professor of English at Southern Methodist University, Dallas, Texas; author of numerous books (some of which were used in hundreds of colleges and universities); a scholar of high repute holding several university degrees including earned and honorary doctorates; fluent in several languages; a patriot who had served his country for five years in Military Intelligence Service in World War II.

American citizens feel keenly the importance of free choice and free expression. The first Article of the Bill of Rights states forcefully that the Government (Congress) shall make no law "abridging the freedom of speech." In the face of this we find other forces continuously trying to tinker with these basic freedoms.

Early in Mr. Gutstadt's administration of A.D.L. an interesting situation arose in Oklahoma. The brilliant editor of the Tulsa Daily Tribune, Richard Lloyd Jones, wrote an editorial that became a cause celebre in A.D.L. ranks. It seems that Mr. Jones, along with other newspaper editors, had been receiving continual appeals from a New York headquartered "Committee for the Jewish Army" urging publishers to raise money for an advertising campaign and to aid in organizing local groups to help establish and officer a "Jewish army" to deal, in some undefined way, with Hitler's Germany. One of the New York committee's communications that had perhaps nettled Mr. Jones, declared: "We shall not rest until the American people are aroused to their full responsibilities." Editor Jones took his pencil in hand and wrote a stirring editorial titled "The American Flag For All of Us" which ran in his paper February 27, 1943. Here are brief extracts from that editorial:

"This committee shrieks at the outrage of Germans murdering Jews. So do we all. We go further. We shriek at the outrage of Germans murdering Gentiles as well as Jews. Our Government and our Allies have an increasingly growing army to halt the Germans . . . No one ever spoke of a German-Gentile, but this committee asks for an army to protect the German-Jew . . . The Jews in America have for many years maintained an anti-defamation society. We have had no anti-defamation black-mailers among the Americans of Scotch, Danish, Dutch or any other antecedents."

This rather hard-hitting but respectful pointing-up of rather unpleasant facts stirred a furor in A.D.L. ranks. The Jewish Examiner (April 9, 1943) said in part: "When the editorial appeared, the wires were burned up with frantic telegrams. Richard Gutstadt of the A.D.L. hopped on a plane to Tulsa and with a delegation of local leaders called upon the editor. There was quite a pow-pow, but the writer of the diatribe stuck to his guns." To which was appended a rather unfavorable characterization of the editor.

Do the anti-defamation league people believe in freedom of expression where it conflicts with their interests? In Al Smith's words, "let us look at the record." The National Jewish Post of May 19, 1950 reported how the A.D.L. bluntly banned the speech of a high Government official at its Chicago convention in mid-May of 1950. The following excerpt is taken from the Jewish Post story: "Several hours before Benjamin J. Buttenwieser, assistant High Commissioner of Germany, was to speak to the Anti-Defamation League of B'nai B'rith at its annual meeting here (Chicago), he was told that he had been removed from the program because of his views on denazifiaction." The action was widely criticized—even by some members of B'nai B'rith such as Brig. Gen. Julius Klein.

An example of indirect action: In Seattle a nationally known women's organization invited a Chicago author to address them on March 1, 1951. He spoke on Communist Activities in the United States. 500 women were present. Sometime later the chairman received a letter from a local furniture dealer saying—"I am sure you would not have had this man as a speaker if you had known his background," and enclosed a three-page anonymous "report" on the man. The chairman asked for its source. The furniture man replied (by letter) that it came from the Anti-Defamation League and gave its Seattle address. The report of twisted insinuations was analyzed paragraph by paragraph with the facts and the chairman agreed it was meaningless. The speaker was charged with having defended Colonel Charles Lindbergh. This one point was factual. It happened at a time when a hand-maiden New York front called "Friends of Democracy" was defaming Colonel Lindbergh with scurrilous booklets because it had not liked a speech he made in Des Moines in 1941 for "America First," naming three forces that were pushing America into World War II.

Few people today realize what has been happening in the free speech forums such as service clubs, civic organizations, college halls, and even churches. A "climate" has been created where very few of the institutions mentioned now have the courage to book a speaker who has factual information on Communism or its net-work—or on any critical aspect of the left-liberal Establishment that is now slowly closing its pincer embrace on the traditions that have made this the country it is—or was. All that is necessary to make a speaker or almost any one person non grata in public today is to get him labeled with something like "bigot"—"extremist"—or "radial Rightist." The purpose of such labeling is to destroy. Traditional American courage to resist is slowly succumbing to asphyxia from the left.

None dare call it extremism: In the May, 1955 issue of an old established trade magazine (The North American Veterinarian) published in Evanston, Illinois, there appeared a small want-ad by a Detroit veterinarian who wanted an assistant and who asked the applicant to "State religious denomination." Some time later the publisher in Illinois received a letter from the New York State Commission Against Discrimination signed by Commissioner N. R. Pinto, a New York lawyer, explaining that this ad violated this New York law (enacted through minority pressure)—and requesting a statement that the offense would not be repeated. It was found as a matter of record that the complaint had been filed by Monroe R. Sheinberg, New York Regional Director of the Anti-Defamation League of B'nai B'rith. Demands for submission kept coming for months—but were ignored. Complaints from the same general source have also been filed with the Commission Against Discrimination against certain resort hotels for having posted signs reading "Churches Nearby." This was claimed to be a ruse to indicate that the hotels wanted only Gentile or Christian guests.

The watchful eye sees all. "In the Anti-Defamation League of B'nai B'rith we have a unique opportunity to watch the professional bigots, the superpatriots, the dark reactionaries, under the pretense of fighting Communism—striking not at Communism, but the free institutions that have made America great." So spoke Henry R. Schultz, national chairman, Anti-Defamation League—Chicago Sentinel, May 21, 1963. "Such coalition," continued Mr. Schultz, "faces us with a constant threat for it gives sanction to bigotry and provides an atmosphere in which organized anti-Semitism can play upon the fears of the people." The Sentinel article quoted the late New York banker and Senator, Herbert H. Lehman who was also Honorary Chairman of the Anti-Defamation League, as spelling out the danger of "creeping McCarthyism" and calling it a "subtle poison which has already eaten deep into the muscles and sinews of our body politic."

The use of the term "McCarthyism" by the redoubtable Mr. Lehman is interesting. It is

a matter of unchallenged record that this ugly symbolism was first used by Communist leader Gus Hall in the Daily Worker, April 5, 1950. It was quickly grasped as a destructive psychological instrument by the whole battle-front of liberals—all of whom seemed to have something at stake in Senator McCarthy's disclosures. True, he was a hard-hitting "spot-lighter" of the Communist mess when Communism had spread its espionage cells throughout Government agencies (all a matter of record) and such political crucifixion seems to be the price any exposer of Communism must pay today.

A.D.L. and "McCarthyism." The anti-Semitic cry was injected into the crusade against Senator McCarthy when he began an exposure of a security situation at the Army's strategic signal corps and radar center at Fort Monmouth, New Jersey where, according to the Chicago Sentinel (April 22, 1954) 45 employes "41 of whom were believed to be Jews" were suspended for inquiry because of security reasons.

The New Jersey Anti-Defamation League went into action. The matter was so big that the national office of A.D.L. soon took charge. The Chicago Sentinel quoted Arnold Forster, director of civil rights of the Anti-Defamation League, to the effect that A.D.L. had made a thorough investigation of anti-Semitic elements in the situation and had forwarded a report to Secretary of the Army Stevens. This report was reliably otherwise described as placing a charge of "Anti-Semitism" against the U.S. Army. Washington responded to this like it was a bubonic plague. The McCarthy committee was turning up information about the Fort Monmouth personnel and the commander there, Major Gen. Kirke B. Lawton was doing his duty in suspending them. Without further details as to what happened, it may be said this was the beginning of the end for the McCarthy committee.

The Anti-Defamation League seems to entertain a dim view of Congressional committees investigating Communist activities. The New York Post (November 22, 1953) carried a story headed—"Sees Red Probes Spreading Fear" in which it said "The chairman of B'nai B'rith's Anti-Defamation League has charged that Congressional committees often spread fear and confusion in their efforts to capture headlines." The Chicago Sentinel (August 31, 1950) reported that the Anti-Defamation League and other Jewish Groups Condemn the Mundt Bill." This was a proposed bill to deal with Communist subversion which later was passed as the Internal Security Act of 1950, often referred to as the "McCarran Act." This is legislation that the Communists have derided and fought and have accomplished essential destruction of the Act through Supreme Court decisions while a cacophony of Act-criticism by our great liberals has cheered them on. The proposed Mundt bill, according to the A.D.L. group, "represents a hysterical approach," to the subversion problem. They preferred a softer bill like the ones proposed by their own Congressman Celler or liberal Mr. Magnuson.

A.D.L. interest in Congress and its activities is further highlighted by a report in the Congresional Record of November 20, 1947. Congressman Clare Hoffman (Mich.) was discussing on the House floor an investigation made by the House Committee on Expenditures in the Executive Department to learn if Federal funds had been used to install in the Civil Service Commission's office an extensive file of some 250,000 cards containing "information, statements, rumors, hearsay, and gossip bearing on the views, opinions and actions of Senators. Senators' wives, Congressmen and individuals in public life." Congressman Hoffman then inserted into the Congressional Record some of the questions and answers of the investigation. The Chairman of the Congressional committee asked the questions. James E. Hatcher, Chief of the Investigations Division of the U.S. Civil Service Commission, gave the answers. The Committee chairman said:

"It is my understanding that on many of these cards, or at least on some of them, there is a notation, or was a notation, like this: 'The above was copied from the subversive files in the possession of attorneys Mintzer and Levy, 39 Broadway, New York City, room 3305. Their files were made up in cooperation with the American Jewish Committee and the Anti-Defamation League. The source of this information must not be disclosed under any circumstances nor be quoted. However, further information concerning above may be secured by contacting officers of Mintzer and Levy.' That information," continued the chairman, "is on the bottom of cards that carry information to the effect that individuals named, Senators and Congressmen, were disloyal, belonged to subversive groups, engaged perhaps in traitorous activities." Mr. Hatcher replied that the "card system" had been started without any proper authority and such particular cards would be disposed of—but the whole matter raises grave questions.

Congressman Hoffman in introducing this matter observed that a public official, especially a Congressman, invites disaster when he enters into controversy with reporters, editors, commentators and other powerful forces—but that making this a matter of public record was likewise a matter of principle with him. On November 13, 1952, Milton Friedman of the Jewish Telegraph Agency, reported in the Chicago Sentinel that "Rep. Clare E. Hoffman, of Michigan, is listed by the A.D.L. as hostile 'to the Jewish people' . . . He is described by the A.D.L. as a defender of American bigots tried for sedition during World War II. . . As a distributor of anti-Jewish literature through the Congressional Record." The A.D.L. was further quoted by Friedman as claiming that Rep. Hoffman, in 1949, had told a House Committee considering an F.E.P.C. bill that "There is no such thing as discrimination against the Jews. In this country, if I understand the situation clearly, the Jews have the world by the tail. They are on top."

Among the activities of the Anti-Defamation League is its eagerness to help Christian churches, schools and other organizations prepare their literature and form their policies. In a 38-page booklet titled FACTS, the American Jewish Committee (at the time, March, 1951, closely associated with the Anti-Defamation League) had a statement of program and policy showing the many working arrangements with other organizations. "We supply Christian religious publications with prepared materials, articles, and stories, depicting Jewish life (the booklet says) and . . . current issues which particularly affect American Jews." • • • "Through the newly created Division of Christian Education of the National Council of Churches, the A.J.C. and A.D.L. will jointly have an unprecedented opportunity to aid in the preparation of lesson materials, study guides, audio-visual aids, etc., for use in educational activities sponsored by the Protestant churches and organizations." • • • "An analysis of films depicting the Crucifixion story, used in religious educational activities, was completed during 1950 and the results made available to community councils. . . . A more complete survey is currently under way to discover distortions as well as omissions with respect to Jews and Judaism, past and present. Since over 3,000 Protestant churches now use films and film strips as part of their educational program, this provides an important area in which corrective action is indicated." • • •

From page 34 of the 1953 A.J.C. Report (of its 45th annual meeting) we read: "In the months just passed, A.J.C. and A.D.L have cooperated closely with the National Council of Churches of Christ in the planning and execution of special leadership training courses for ministers and religious educators. . . . Meetings with top Protestant leaders were established on a regular basis in 1952, not alone for discussion of religious education but on issues and problems of concern to all of us: church-state matters, immigration, Unesco, and Human Rights Cooperative programs of education and social action. . . "

Interesting cooperation. Many Christians who find but little solace in the policies of the National Council of Churches will be interested to find the A.D.L. people so anxious to work with the N.C.C. During the period mentioned of close cooperation, the National Council of Churches has come under heavy criticism from a wide range of Christians because of its radical-liberalism. This cooperation is also interesting because the historic Christian movement is centered around the diety of Jesus which is a doctrine completely unacceptable to the A.D.L.-A.J.C. religious viewpoint.

Activities in field of education: According to the New York Journal (Oct. 5, 1956) "The Anti-Defamation League of B'nai B'rith today refused to accept partial censorship of its 'Social Memo and Date Book' for teachers as requested by the superintendent of schools of Dade County (Miami, Florida)." "The refusal," says the New York paper, "was made by Henry E. Schultz, national chairman of A.D.L. after the Florida board voted 4 to 1 yesterday to ban the book . . . Schultz said they would, under no circumstances submit to censorship." The Memo books had spaces for "Appointments" — "Memoranda" — and "Reminders" which covered three pages of recommendations for films, pamphlets, books, records, plays, songs, and other Anti-Defamation League offerings on race, bigotry and the ideologies with which A.D.L. deals. • • • The Alhambra (Calif.) Post-Advocate (Sept. 17, 1954) carried a story headed—"A.D.L. Glives Book Covers to Local High Schools." "One thousand paper book covers, attacking racial prejudice," the paper said, "were presented to the Alhambra and Mark Keppel High Schools yesterday. Stephen S. Tessler, regional chairman of the Anti-Defamation League made the presentation." The book covers depicting imaginary "racial" incidents "were distributed to the students." One of the incidents showed a group of boys about to play a sand-lot game. Two of the boys are differing and arguing about another who is a Negro youth. Dramatizing such improbable matters has been widely criticised.

Among A.D.L. films and booklets for children (and adults as well) are imaginary conflicts of rather extreme race situations. Typical is a 38-page booklet titled "The Three Rabbits." It consists of rabbit cartoons with some wording on each page—a sort of running story starting with Joe and George, twin white rabbits. While growing up they play together and watch the same TV programs. Joe soon begins to develop prejudices—and this makes him want to hurt other rabbits—tell bad jokes about them—and he grows really mean when a brown colored rabbit moves in next to him. Joe crosses the street rather than meet a rabbit of another color—and so on. It brings the racial issue to school children early—probably before most of them are conscious of race. A.D.L. sponsors a vast amount of films, booklets, car-cards, blotters and other materials emphasizing what seems to be extremes in imaginary racial conflicts.

An astonishing tendency to suppress has been noted in many A.D.L. activities as documented in this survey. One well publicized case was an attempt to ban the British film "Oliver Twist" from showing in this country when, in 1951, Britain's foremost film producer, Sir Arthur Rank, released this dramatization of the story by Charles Dickens. The A.D.L. (according to the Chicago Sentinel, July 19, 1951) charged that the

general behavior of the character Fagin in the play, including his 'hooked nose' appearance—"could fan anti-Semitic sentiment in this country." This same Sentinel (Aug. 8, 1951) carried the column of the late Rabbi G. George Fox (closely associated with A.D.L.) which they titled "Rabbi Warns Community of Inherent Dangers in Fagin Caricature; asks Boycott of British-Produced Film." The protests stopped the film showing. It was admitted, however, that the film had been shown in Canada without stirring 'Anti-Semitism'. The British producer, nevertheless, had to retake parts of the film until it was "acceptable" to the hypersensitive protesters before being shown in the United States.

Is discrimination a one-way street? Here are a few more examples of how the A.D.L. battle "to make America over" is being waged on many fronts. An A.D.L. Bulletin (one of their many publications) was quoted in a full page of the Chicago Sentinel (Aug. 30, 1956) with this headline: "Are We Winning the Fight Against Medical School Quotas?" The article discussed what it called a "quota system" (limiting school admittance to population percentages) in the New York Medical schools—and what to do about it. Since then the Albert Einstein Medical School at Yeshiva University has been opened. Out of the $171 million received by Yeshiva last year, $12.6 million went to the medical school.

Fraternities and sororities. The Sentinel (Nov. 15, 1956) carried a story titled "U. of Arizona Asked Not to Lease State Land to Biased Frats." The story explained that the Anti-Defamation League had been in discussion over this matter of "discrimination" of private fraternities with the University authorities. It is not news that A.D.L. has been an important force in the drive to take from fraternities and sororities the right to have certain rules restricting selection of their own members. * * * Private clubs, hotels and other organizations also have been under A.D.L. fire to prohibit discriminative selection. The Pittsburgh Sun-Telegraph (Nov. 1, 1953) carried a story which read in part—"Judge Samuel A. Weiss, an officer of the Anti-Defamation League of B'nai B'rith called for prompt legal action against a leading Pocono resort hotel accused of discriminating against Jews." * * * From the Chicago Sentinel (April 17, 1952) "Justice Meier Steinbrink, national chairman of the Anti-Defamation League of B'nai B'rith, this week filed a formal complaint with the New Jersey Division Against Discrimination, charging that he was denied accommodations by hotel in Atlantic City." * * * A news story in the Chicago Sentinel (Nov. 25, 1954) told of how Deputy U.S. Attorney General William P. Rogers had promised Henry Edward Schultz, national chairman of the Anti-Defamation League of B'nai B'rith, that he would not register at a certain hotel in Phoenix, Arizona where a meeting of the National Association of Attorneys General was being held—because of an alleged policy of discrimination by that hotel.

The anti-defamation league type of complex or super-sensitivity (which has been called "super-Semitism") has resulted in so many cases of "resistance" such as those already cited that there are many, both Gentiles and Jews, who believe this sort of aggressive and provocative propaganda and action is doing as much harm as good. For instance, the controversy over prayer in schools has stirred widespread feeling. The (Jewish) American Examiner (Sept. 6, 1962) carried a story showing antagonisms can easily spread out of induced super-sensitivity. The story indicates that quite a ruckus developed when the Hicksville (N.Y.) school board complied with a ruling by New York State Educational Commissioner that a part of the National Anthem that contains the phrase "In God We Trust" could not be used as an official school prayer. According to the American Examiner, the State Commissioner had made the ruling in response to a demanding petition presented by Mrs. Miriam Rubenstein, and the liberal Catholic weekly "America" ran an editorial (first week of September, 1962) "asserting that Jewish espousal of bans on religious practices in public schools was responsible for creating anti-Semitic reactions among Catholics."

The editorial in "America" was challenged by the American Jewish Committee and Dore Schary, now chairman of the Anti-Defamation League. The liberal "Christian Century" jumped into the fray on the side of the Jews and the American Legion distributed 100,000 copies of a prayer for the schools. Is it too much to say that this continuous agitation among the Jewish people, financed by millions of dollars in a so-called "anti-defamation program is heightening rather than lessening frictions?

Here is another illustration. The late Rabbi George Fox of Chicago, in his August 7, 1952 column in the Sentinel, quoted a letter he had received from a lady "who had been all her life vitally interested in Jewish matters. She had complained to the Rabbi that he had not dwelt enough on the "Jewish issue involved in the Rosenberg case." The lady "maintained that the Rosenbergs were singled out because they were Jews." It made no difference to her that it was a Jew (Judge Kaufman) who had sentenced them to death for betraying atomic secrets to Russia.

Is it not reasonable to assume that the constant flow of literature to the Jewish people magnifying the issue of "anti-Semitism" could encourage rather than discourage suspicions?

The very same column quoted another letter from an unnamed person who wished to "present a bouquet" to the Anti-Defamation League. The letter explained that "the enemies of Israel" (no further identification), held a meeting in Chicago concurrently with the political convention. They had a lot of literature to distribute when "participating in, if not directing the selection of General MacArthur for the Republican nomination of President . . . The A.D.L. wise-heads caught some hints about this action and got busy . . ." The letter goes on to say that the national executive of A.D.L. and some of his co-workers "persuaded the police department that it was for the best interests of our country to prevent the distribution of this subversive propaganda . . . not a leaf got into the amphitheater . . ." Regardless of how much truth about the police participation, the story was printed in one of America's largest Jewish papers.

It seems hardly necessary to go on with further documentation on the background and influence of the Anti-Defamation League—all of which is presented in reply to inquiries from people who have either seen or heard about the Church League of America being "listed" in a recent book sponsored by the Anti-Defamation League and suggestively titled "Danger on the Right."

ANTI-DEFAMATION LEAGUE—ORGANIZATIONAL STRUCTURE

A natural question that arises as one becomes familiar with the wide-range activity and programs of the Anti-Defamation League of B'nai B'rith is: How is it possible for one organization to have such network coverage of the whole United States?

The first answer to that is that the Anti-Defamation League is the hub of a great working wheel. It has friendly working arrangements with countless other organizations and thousands of willing individuals who may be outside the organizational structure of A.D.L. itself. In addition to their own Jewish organizations, most of which are sympathetic and cooperative with A.D.L. objectives, there has been established other project-collaborating organizations like the National Conference of Christians and Jews—and working arrangements have been accomplished also with many non-Jewish Church groups, educational institutions, Foundations, labor groups, and political or Government agencies. The ramifications that have been established by A.D.L. during the last 30 years are almost unbelievable.

The Anti-Defamation League has a pyramidic structure. At the top is its National Office in New York City. It maintains three major offices with extensive files and dossiers covering hundreds of thousands of individuals, organizations and subjects. These main offices are in New York, Chicago and Los Angeles. These are major activity centers with large personnel, investigators, and promotion workers. It is not possible, of course, to know just how or where files are kept. There was a time when banks of filing cabinets were in the main Chicago ADL office. In the report by Congressman Hoffman (included in this survey) it is indicated that files may also be kept in collaborating lawyers' offices—and even in Washington Government offices.

Next in line below these three main offices are Regional Divisions, scattered strategically all over the country. We do not know the precise number at this date. In 1951 there were 25 and three others known as Joint Offices. Each of these Districts has a working territory which it covers well—gathering information—keeping a watchful eye on everything in that area that may have any significance to the A.D.L. objectives and program. Very little escapes its close observations.

Some of the scope of an A.D.L. Division and national working apparatus may be estimated from a six-page, legal size, Annual Report issued by the Seattle, Washington Regional Office. We quote from the 1954 report as it describes this working machinery quite succintly:

"Through the ADL Regional office, the tremendous resource materials of ADL including films, records, posters, books, pamphlets, study kits, etc., have been utilized by thousands of individuals and many hundreds of groups. These countless thousands have had an opportunity to learn about what Jews believe, the problems of minority groups in housing, education, employment, etc., the nature of prejudice, and other related topics. When organizations and communities from tiny Chimcum on the Olympia peninsula to Colville in the northeastern corner of the State, from the Seattle Public School system to the Methodist Church in Grandview, the southern-most part of the State, request and receive films, literature and kits of religious articles about the Jewish religion, the Jewish holidays, inter-group relations, civil rights and civil liberties, immeasurable but constant progress is made towards creating greater understanding. This understanding, particularly among young people, is the insurance policy for the Jewish Community."

The report details its State activities as a Regional branch of the Anti-Defamation League, how it distributes materials, works with organizations of all kinds and how it deals with people who are suspected of being "anti-Semitic." The report, typical we judge of other Regional branches, is too long and detailed to reproduce here. It serves, however, to give some idea of the nationwide operations of the Anti-Defamation League which is widely considered as one of the most powerful and influential organizations operating in the United States today.

A. D. literature: Outside of its investigative and pressure operations, the Anti-Defamation League leans heavily upon "literature" to carry out its work. We include in the following pages of this survey a report on A.D.L.'s "book enterprise" which is its dynamic project to reach and influence the public.

One of A.D.L.'s communications to "its

people" is The *A.D.L. Bulletin*. The lead article in the March, 1963 issue was "The New Segregation" by Ralph Lazarus, A.D.L. member and president of Federated Department Stores (operators of a large number of department stores, under their old names, throughout the country). The article is about people who live in suburbia and enjoy their seclusion. He calls such communities "Classville" because they are not integrated. In the issue of February, 1963, Dore Schary (now head of A.D.L.) has an article explaining his views on race and religion. In general the Bulletin is a sort of house-organ for A.D.L.

There is also the A.D.L. Regional Quarterly Report. We quote from a copy of the April 1, 1954 Pacific Southwest report because it contains some descriptive statements. The first page is by the President. He explains A.D.L. as "a philosophy"—as "a program"—and then he says—"A.D.L. is people. A dedicated group of skilled, creative staff, educators, social scientists, writers, researchers, motion picture and radio producers, rabbis, artists, lawyers, clerical workers, 2,500 community leaders from every part of the nation, serving America and Jewry with vigilance and distinction as lay leaders and regional board members of the A.D.L. committees in every B'nai B'rith lodge and chapter; and, finally, the mighty strength of 350,000 members of B'nai B'rith itself, the most energetic force for the public good ever mobilized within the American Jewish community." The 18-page report described their various activities functioning out of Los Angeles.

Freedom pamphlets. Around 1948 the Anti-Defamation League began publishing a series of booklets which it calls "Freedom Pamphlets"—each by a different author dealing with some special subject. Among the earlier editions were such titles as "Modern Education and Better Human Relations" by the late Dr. William E. Kilpatrick, co-parent of "Progressive Education" with Professor John Dewey. Another of the early issues was "ABC's of Scapegoating" by Gordon Allport. Among the later ones are "Prejudice and Politics" by Taft and Felknor, "Patterns of Minority Relations" by Mack and Duster. The earlier editions sold for 25 cents each but the later ones cost twice that. The Freedom Pamphlets cover subjects that implement the A.D.L. program and get a wider reading because the authors are usually well known in certain fields.

An A.D.L. "Christian Friends Bulletin" was published as a contact messenger with what was organized in 1944 as the Christian Friends of the Anti-Defamation League. The last copy we have of the Bulletin is from 1955 and we have no further information on it than that.

There are publications like "A Group Action Guide" on "Making Democracy Work in Your Community" and many such publications to help in A.D.L.'s program of working with civic groups in its "race relations" activities program.

It would be beyond our scope here to attempt a description of the pamphlets, booklets, folders, posters and other forms of literature that are printed and distributed throughout the nation by the vast network of functioning agencies that are part of the A.D.L. organization proper together with collaborating organizations. The volume and the reach is fantastic.

How financed? An authentic source of information on money receipts is the Year Book of the American Jewish Committee. We quote as follows from the 1964 (the latest) A.J.C. Year Book (pages 109–110):

"The preliminary data for 1963 indicates that the Anti-Defamation League received $3.2 millions—including almost $0.6 million from the Joint Distribution Agency campaigns for prior years, and that the American Jewish Committee, similarly, had received $3.2 millions. (Both agencies had additional income from sales of publications, and the like.)

"N.C.R.A.C. (National Community Relations Advisory Council) served as the coordinating clearance agency for the A.J.C. (American Jewish Congress), J.L.C. (Jewish Labor Committee), J.W.V. (Jewish War Veterans), the three Congregational Associations, and 69 local and regional community relations councils. These four organizations participate in the cooperative budget review process of the Large City Budgeting Conference. In 1963 they were joined by A.D.L. The five national operating agencies and the N.C.R.A.C. received $7.9 millions in 1962 compared with $7.7 million in 1961."

Listed above are only a few of the main agencies of the network of agencies that also come in for financing. Some of those listed here (American Jewish Committee and American Jewish Congress) have programs that compliment the work of the Anti-Defamation League of B'nai B'rith.

BOOKS ABOUT THE "RIGHT"—NONE ABOUT THE "LEFT"

The Anti-Defamation League of B'nai B'rith has gone into the book-writing business in a big way to put its "point of view" over to the public. Before taking a look at some of these A.D.L. books it may be noted that this group has long recognized the impressiveness of "words in print." Today as one notes the authors and the nature of their stories in almost any magazine (as well as the flood of paperback books) there is reason to believe that the A.D.L. 1949 "call for writers" may have paid off well. In the March, 1949 issue of Writer's Digest magazine there appeared a letter which read in part:

"The Anti-Defamation League is a nonprofit agency that supports civil rights and combats prejudice and discrimination against minority groups. In our campaigns we use many media including advertising, radio, special movie shorts, records, and interest groups such as veterans' Americanism committees, educational associations and the like.

"We have now established a press and magazine department. Its main job is to work for a better coverage of human relations subjects in the nation's press and magazines. Our 18 regional offices are in a position to establish contact with regional publications throughout the country. Here, at our national office we use our sources and contacts to place stories in the big general interest magazines. . . . We have orders for stories now, orders that may be filled by some of your readers. Because this is a non-profit agency, we charge no commission. . . . Our only job is to see that such stories do get published. . . . Please ask your readers to send us their stuff if they think they are qualified."

MORTON PUNER,
Anti-Defamation League of B'nai B'rith.

We do not know how many of the stories we see in magazines and newspapers today are by A.D.L. inspired writers but we are ready to admit that the Writers' project initiated in 1949 could, by this time, have produced wide-range results.

Our purpose here is to take a look at some of the A.D.L. books which have blanketed the country during the last twenty years—and measure in some degree the impact that they may have made.

The first book sponsored by A.D.L. directly was titled "Must Men Hate?" It was authored by Sigmund Livingston (father of A.D.L.) and published by Harper & Brothers in 1944. The book was devoted to the historical aspects of Jewry and the author's assumption as to the causes of anti-Semitism. It contained a great deal of worthwhile information and was not reckless, as some of their later books have been, in smearing with innuendo and vulgar phrases.

The next A.D.L. book, to be openly sponsored, appears to have been "How Secure These Rights?" authored by Ruth G. Weintraub and published in 1949 by Doubleday & Company. The New York Post devoted its "Week-End Magazine" (a supplement) to excerpting its strong points for its New York circulation. The book was described as "The Anti-Defamation League's Documented Report of Anti-Semitism Today." John Howard Lawson also reviewed the book with Marxist overtones in the WORKER (Oct. 15, 1950). The book was an examination of "patterns of anti-Semitism" as claimed to exist in the United States. At no place in any of the A.D.L. books or literature about Anti-Semitism do we find any precise definition of the term. Its extravagant use in the A.D.L. meaning is an ethnological error. There are millions of Arabs and other groups who are Semites and they make no fuss about "anti-Semitism." In fact the term was hardly known in the United States until it began to be capitalized and publicized by the A.D.L. a few years ago.

"A Measure of Freedom" was the next A.D.L. offering. It was published in 1950, also by Doubleday, and authored by A.D.L.'s Arnold Forster. *LOOK* magazine devoted several pages (April 11, 1950) to publicizing it. With this book there began a noticeable change in tone in A.D.L.'s "book voice." Here we begin to hear "thunder across the bay" about bigotry. In it lightning flashes and dark clouds roll. On its jacket Walter Winchell flashed "This is a Must." Winchell was also a main radio trumpeter for a 1943 book called "Under Cover" (sponsored by a convenient hand-maiden called "Friends of Democracy") which ended in the Federal Court with some black marks.

"The Trouble Makers" was the Anti-Defamation League's next book. It was authored by Arnold Forster and Benjamin Epstein (A.D.L.'s top publicists) and published by Doubleday & Company in 1952. Meier Steinbrink, then national chairman of A.D.L., in his Foreword in the book said: "It is about the trouble makers in our midst—the peddlers and practitioners of prejudice." As one reads these books it is easy to get the impression that all America is afire with something called "bigotry."

"Cross Currents" came out as the next A.D.L. book—authored also by Forster and Epstein—and published in 1956 by Doubleday & Company. The review release of the book put out for the press said, in part: "Cross Currents . . . uncovers the bigotry, lies and anti-Semitic propaganda plots existing in the United States, Germany and the Middle East. Chronologically the authors list the documents dealing with the anti-Semitic problems in this country." Many newspapers, wishing to please some of their readers and advertisers, take the easy way out with a difficult subject and run the release-blurbs verbatim.

"Some of My Best Friends . . ."—a strange title—was given the next A.D.L. book which was published in 1962 by Farrar, Straus & Cudahy, authored by A.D.L.'s two masterminds—Forster and Epstein. The title is intended, of course, as a crack at those "bigots" who excuse some deeply felt forthright expression by adding—"Some of my best friends are Jews." The Foreword to the book by Henry E. Shultz (at that time national chairman of the Anti-Defamation League) says of the authors: "The burden of their message is that anti-Semitism in America today expresses itself not in the crudities of a lunatic-fringe as in the 1930s . . . American anti-Semitism today is expressed in patterns of discrimination built into many of the basic institutions of our society . . . This is the big scandal which this book reveals in its myriad details." We will not go into the contents of this book as it follows the same general pattern of its forerunners—belaboring those whom it charges with being anti-Semitic, bigots,

hate-mongers and Right-wingers. These scribes are champions at the business of "labeling" which is the very crime they charge against others. In their books, pamphlets, magazines, films and other propaganda media they present a sort of blurred tapestry of evil gnomes who are pictured as being everywhere at work but, outside of a few names which they have horsewhipped for years, they have to be content with dramatizing a mystical world which is filled with their pet shibboleths such as "bigots" and other overworked terms of detestation. The question has been asked that if there is as much bigotry and anti-Semitism in the world as these books (and other A.D.L. literature) seem to indicate, could not part of the cause be due to the natural law of physics—reaction or response to the excited stimulus of resistance? Something of a hint that all of this fuss and fury may be a bit overdone comes from one of A.D.L.'s own friends. Mr. Nathan Ziprin, writing in the B'nai B'rith Messenger (April 27, 1962) said:

"So much has been written about anti-Jewish discrimination that I have developed a resistance to new material on the subject. I make this confession in the full knowledge of the implications. But let us be frank, not even books on anti-Semitism are sacrosanct. Therefore when I recently received a review copy of 'Some of My Best Friends . . .' I was tempted to place it on my reference shelf . . . However, on examining the index, I was intrigued by its general lack of reference to overt anti-Semitism. I found the reason . . . the central focus . . . is on the institutions and patterns of prejudice which exclude Jews from full participation in all facets of American life"

If the central focus of these books is, as Mr. Ziprin concludes, that Jews are excluded from full participation in all facets of American life, it would seem that these authors have been doing too much "home work" and not getting around enough. They should take a look at our great banking institutions—at industry—at the great stores and chains in the retail field—at the newspaper business—at the entertainment world including music, pictures, radio and TV—in all the bureaucratic departments of Government—in just about every activity in America—and they will find that their people have been doing very well indeed in this country.

DANGER ON THE RIGHT

Now we come to 1964—and the A.D.L. book called "Danger on the Right." This is authorized by the seasoned A.D.L. scribes—Forster and Epstein—who have become quite proficient in giving the same old theme a slightly different stage-setting each time. On the cover of this book is the statement that it deals with "The Attitudes, Personnel and Influence of the Radical Right and the Extreme Conservatives." The book is divided into 16 chapters—each of which deals with some group who is anathema to the A.D.L. authors—and then these chapters (or groups) are classified into two sections of the book. One section is called "The Radical Right" and the other is called "The Extreme Conservatives."

The book has a Preface which begins with these words: "The Anti-Defamation League of B'nai B'rith is deeply concerned with the American political process, but it does not engage in partisan politics." This could be the major understatement of the 1964 Presidential election year. On the opening page is a Testimonial "To the Memory of John F. Kennedy." Then comes a Foreword by Dore Schary, the Hollywood producer who was elected as chairman of the Anti-Defamation League February 3, 1963. In his Foreword chairman Schary says: "The authors of Danger on the Right have attempted to write a definitive book on the attitudes, personnel and influence of the Radical Right and the Extreme Conservatives on the American scene. I believe they have succeeded." Schary builds up an image of what he regards to be the "radical Right," mentioning the "radical left" very softly and then says—"The Radical Rightists . . . are, in short, irresponsible and, therefore, necessarily dangerous." Not so, apparently, the "radical Left," judging by his indictment only of the radical Right.

Proceeding, he says—"It has been estimated that some 20 per cent of the American electorate can be grouped as Extremists on the Right-wing. Therein dwell the Radical Rightists and the Extreme Conservatives." Then he proceeds with some intemperate definitions of whom these befuddled persons would vote for. "Opposing them," he says, "are some 25 or 30 per cent of Americans." He doesn't classify the first 20 per cent as "Americans." Then he says this leaves some 50 or 55 per cent as "the prize to be won." We judge, then, that this book is dedicated to the purpose of persuading or frightening this 50 per cent, who are wandering helplessly somewhere in between these two groups, to join with the dedicated left-liberal "true Americans."

In the Preface of the book the authors reveal more about themselves than they prove about their mythical enemies. They say—"Ironically, the Radical Right's analysis of all national and international problems is rooted in a conspiratorial concept. Everything is blamed on a 'Communist conspiracy'." Two questions arise out of this. First some of their readers might suspect they are being soft with the Communists by picturing them as only a figment of the imagination of the Right. Could it be also that the authors have so long bemused themselves as to a "conspiratorial plot" against the Jews that they now have become obsessed with the delusion that other people also have a 'conspiracy neurosis?'

"In the eyes of the Radical Right," the Preface continues, "the American Republic is imperiled on almost every front by this Communist conspiracy which, says the Radical Right, has been entrenched in Washington for the last thirty years, and which has been softening up the country for an imminent 'Communist takeover'." The answer to that is that it was during this last thirty years that Communist espionage cells were implanted in our Government agencies—that our atomic secrets were betrayed to the Soviets—that over 600 Communist-front organizations operated in the United States (as recorded in Congressional records)—that Hollywood became the easy prey of Communist manipulators (also in the record)—that the Morgenthau-White and other scandals developed in Government—that spy episodes and other exposures of Communists and their dupes culminated in what became widely known as "the mess in Washington." All of this cannot be brushed aside by these A.D.L. writers for it is all in the records—including the names of those who were the main actors in that tragic drama. The authors of "Danger on the Right" must have either short or convenient memories.

"These Radical Rightists, all too often," say Forster and Epstein, "aided by their conservative allies, pose a threat to our democratic institutions." Here is a completely hypothetical and meaningless statement which presumably the authors hope the careless reader will rationalize into some kind of actuality. The book's preface then taking to its favorite theme about "peddlers of racial and religious bigotry" says further—"These racists and anti-Semites like the Radicals, believe the Republic has been and is being sold out from within . . . The conspiratorial theory of the bigots is the same as that of the Radical Right, but with the extra noxious ingredient of racial and religious hatred."

This ugly language reflecting dire semantic poverty is apparently intended to stir imaginations and excite emotions. The identification of these evil-doers is not given, except by devious inference, that is, by also including in the book certain groups who are listed as part of a mythical "Radical Right" or "Extreme Conservatives." It is by this disingenuous linking that the authors would seem to create an unfavorable impression of the Church League of America. The chapter dealing with the Church League of America is included in "The Radical Right" section—and this further identification is given: "In the field of religion, no Far-Rightest group has exercised greater influence among clergymen themselves than has the Church League of America." The remainder of the chapter is mainly a brief story of its structure and work. It is not this particular part of the story to which the Friends and Sponsors of the Church League of America object. The book has not dared directly to implicate the Church League with such ugly words as "anti-Semitism" or "bigotry." They have, however, apparently undertaken to accomplish this very thing by preceding these organization-chapters with a Preface that is loaded with inferential and libelous innuendo which have the intentional or otherwise effect of applying these opprobrious terms to any organization or person otherwise included in the book. If it should be allowed to stand, it could be expected very soon that the name of the Church League of America would be bandied about by careless (or not so careless) persons in the same breath with these nasty terms which, by the record, seem to be the stock-in-trade of the Anti-Defamation propagandists.

This book "Danger On the Right" may be more dangerous to its sponsors than to anyone else!

DANGER ON THE RIGHT

(By Arnold Forster and Benjamin R. Epstein)

PREFACE

The Anti-Defamation League of B'nai B'rith is deeply concerned with the American political process, but does not engage in partisan politics. Our interest is democracy, which includes our system of public elections insofar as the political process can be misused to destroy our democracy.

Many Americans have the inaccurate impression that the Anti-Defamation League's sole concern is anti-Semitism. Even in its beginnings, at the turn of the century, this agency was not concerned solely with anti-Semitic activities. We believed at the time, as we believe now, that to defend and strengthen the rights of any group of Americans reinforces the right of all—and therefore the very structure of our democracy.

Citizens who have observed our activities must have noticed our continuing concern with domestic extremist political movements. In the thirties the ADL fought communism and Nazism in this country, not only because these movements victimized minority groups, but because ADL recognized that they tore at the democratic structure of our society. Over the years the League joined in the struggle against an amorphous isolationist movement crystalized at different times in an America First Committee, a Christian Front, and in McCarthyism. ADL fought the resurgence of the Klan after the Supreme Court desegregation decisions, as well as the anti-Catholic propaganda which made its appearance in the 1960 election.

Today the United States faces new attacks on our democracy by an extremist movement which has mushroomed in the past few years and which is broadly referred to as the Radical Right. This movement, together with its allies among Right-Wingers, now spends a minimum of $14,000,000 a year in an assault on our democratic progress; consequently, the Radical Right, its con-

servative allies and those who support them, become a vital concern.

Considerable research by ADL's staff into the operations of this movement turned up no evidence that the Radical Right—as distinguished from its conservative allies—should be regarded as part of this nation's responsible political fabric. On the contrary, the evidence is that in reality it is a fringe political activity, and no more sound as a political position than the troublesome Communist conspiracy. The Radical Right sometimes has surrounded itself and often functions with certain characteristics of secrecy, furtiveness, and hidden motivation—marks of an organized conspiracy, which it is not. Ironically, the Radical Right's analysis of all national and international problems is rooted in a conspiratorial concept. Everything is blamed on a "Communist conspiracy."

In the eyes of the Radical Right, the American Republic is imperiled on almost every front by this Communist conspiracy which, says the Radical Right, has been entrenched in Washington for the last thirty years, and which has been softening up the country for an imminent "Communist takeover." The softening-up process, in the mythology of the Radical Right, has resulted from the advocacy by the "conspiracy" of socialism in domestic policy, and sellout and softness in foreign affairs.

This Radical Right mythology differs in degree and intensity, but not in kind, from the viewpoint of the Extreme Conservatives. The latter also view American domestic policy of the last thirty years as socialistic and dangerous, and our foreign policy of the same period as prone to softness and appeasement in dealing with the Communist threat.

The basic difference is that, unlike the Radical Right, the Extreme Conservatives generally do not tend to ascribe the alleged socialism and softness to any sinister plot in high places, but rather to blindness, stupidity, and bungling on the part of four Presidents and their liberal advisers.

Nevertheless, if there are some differences in interpretation of recent history between the Radicals of the Right and the Extreme Conservatives, there are also similarities which are noteworthy. If these two wings of the American Right differ on the *reasons* for the fancied perils and problems the country faces, they agree basically on the nature of the "evils" they fight—Federal taxes, Federal spending, Federal social welfare programs, and Federal regulation of private business, as well as foreign aid, UN activities, and negotiations with the Soviets.

This basic similarity of viewpoint has led to an ideological blur between these two segments of the American Right. The less extreme often "fellow-travel" with the Radicals of the Right, much as some Liberals fellow-traveled with the Communist Left twenty or thirty years ago. As a result, individual Conservatives today often lend their names, their sponsorship, and their financial support to organizations and causes of the Extremists.

Since 1960, the Radical Right and the Extreme Conservatives have been pouring millions of dollars into a propaganda campaign aimed at influencing American public opinion, often by disseminating pure fright along with distrust of respected American leaders and established institutions. These Radical Rightists, all too often aided by their conservative allies, pose a threat to our democratic institutions. They undermine confidence in the integrity and patriotism of our elected leaders, our judicial system, our military leaders, our educators, our clergy, our labor leaders—from Washington all the way out to the smallest community in the country. They attack the integrity and patriotism of local officials, clergymen, teachers, and librarians.

This multimillion-dollar-a-year propaganda campaign is financed by an impressive but comparatively small number of tax-exempt foundations, business corporations, and wealthy individuals—plus the one- to five-dollar contributions of hundreds of thousands of average citizens who have been frightened by this propaganda barrage and who, to an alarming extent, have succumbed to it.

The rabble-rousing gutter bigot, who combines political extremism with promoting racial and religious hatred, is often classified as part of the Radical Right. That is an easy error, for the peddlers of racial and religious bigotry who have sullied the national scene in the last thirty years have been, almost without exception, far to the Right in their political thinking. These racists and anti-Semites, like the Radicals, believe the Republic has been and is being sold out from within by a sinister conspiracy, deeply entrenched in the national capital. But their view of recent American history differs from the picture of the alleged conspiracy which is painted by the Radicals of the Right, who do not normally peddle race and religious hate. In the eyes of the rabble-rousers, the fancied sellout of the American Republic over the last three decades results not from the mere presence in powerful positions of leaders who are pro-Communist, but from a sinister, secret, powerful pro-Soviet Jewish conspiracy. The bigots equate liberalism, socialism, and communism with Judaism. Often they chide the Radical Rightists for "pussyfooting" and for failing to brand Jews as the real culprits in American political life who have, since the days of the New Deal, instigated the policies at home and abroad that have brought the Republic to the brink of an internal Red take-over.

The conspiratorial theory of the bigots is the same as that of the Radical Right, but with that extra noxious ingredient of racial and religious hatred.

In the gradations of American Right Wing activity, the opinions of the Radical Right, expressed by men such as Robert Welch, Founder of the John Birch Society, may blur with those of the Extreme Conservative. This "blurring" merits study and is examined in this book. But, to repeat, neither the Birchers and their like-minded Radical Right allies, nor the Conservatives who often fellow-travel with them, should be confused with gutter-type extremists like George Rockwell, head of the minuscle American Nazi Party. Rockwell is a publicity-seeking nuisance, a concern only at the police precinct level, and forms no part of the really capable, efficient, well-financed, and truly dangerous movement of the Radical Right, which, quite unlike Rockwell, poses a very real threat to American democracy.

The Anti-Defamation League has continuously fought against all racial and religious bigotry. Anti-Semitism is one aspect of such bigotry. Anti-Jewish discrimination still persists in American life. But despite Rockwell and a handful of similar gutter-level bigots, there is no such thing in the United States today as an effective, nationally organized anti-Semitic movement. Such scattered overt activities as do exist are carried out by a corporal's guard of rabble-rousers, street-corner hoodlums, and old-time platform spellbinders and pamphleteers.

The dozen or so professional hate racketeers such as Rockwell, Gerald Smith, and the late Conde McGinley will therefore not be the measure of this book's concern. The Radical Right (and its conservative allies) will be—because it is a force that receives and spends millions of dollars every year to influence untold numbers of Americans with extremist propaganda.

There can be no doubt Radical Rightists are motivated by a hatred and fear of many twentieth-century developments in the economic and political life of our nation and the world, in which we Americans now play a major role. They make a profession of warning America about hazards they think they see. They urge people to watch out lest coddling of labor unions brings the welfare state one step closer. They sound the warning that fluoridation is but a chemical softening-up process preliminary to Communist brain-washing. They shout to beware of social security as a large step forward in socializing the Republic. They signal an alarm that the income tax is simply a means of pauperizing the rich in favor of the poor in order to communize the United States. They admonish in urgent voice for all to believe that the United Nations is a weapon the enemy is using to destroy American sovereignty and deliver us to the Bear.

Their fears and warnings are, to all purposes, baseless. The real danger is that in continuing endlessly to cry wolf, they confuse and divide America, diminishing her ability to recognize a real peril when it appears on the horizon. They constitute a serious threat to our democratic processes. The Radical Right (and their conservative supporters) are the real and proper concern of this book, as they should be the concern of all Americans.

H.R. 12075—AMENDING THE INTERNAL REVENUE CODE

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BYRNES of Wisconsin. Mr. Speaker, I am today introducing legislation amending the Internal Revenue Code to exempt from taxation nonprofit corporations organized to insure the shareholdings of individual members credit unions.

Mr. Speaker, some States, including Wisconsin, have passed special statutes that permit credit unions to form a nonprofit corporation to insure the shareholdings of individual members of such credit unions, and to cooperate with the member credit unions under the supervision of the appropriate State agency in order to improve the general welfare of the credit unions within the State.

The member credit unions that form the new corporation are already exempt from taxation under section 501(c)(14)(A) of the Internal Revenue Code, which exempts "credit unions without capital stock organized and operated for mutual purposes and without profit." However, the Internal Revenue Service has ruled that although the individual credit unions are exempt from tax, a corporation formed by these credit unions in order to promote their common interests and insure the shareholdings of their members is not exempt. The Service has taken the position that in order to be tax exempt under section 501(c)(14)(A) of the Code, the organization must be organized under the sections of State law that specifically relate to credit unions. Since the corporation formed by the credit unions to insure the interests of their shareholders is formed under another section of State law, they are not exempt under the Service's interpretation.

The distinction made under present law seems artificial, and should be changed. The States have, in enacting these statutes, attempted to meet a real need of credit unions and their share-

holders. The insurance provided is analogous to insurance provided depositors of banks by the Federal Deposit Insurance Corporation. The bill I am introducing would only grant tax exemption in cases where the credit unions which formed the new corporation are themselves exempt from tax and where the new corporation is organized and operated for mutual purposes and without profit, pursuant to a special statute enacted by a State legislature. Additionally, the corporation would have to be under the supervision of the State agency charged with responsibility for supervising financial institutions.

PEARL HARBOR

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BIAGGI. Mr. Speaker, 30 years ago, the Japanese launched an attack at Pearl Harbor which catapulted the United States into the bloodiest war in history. The men who died on December 7, 1941, were the first U.S. casualties in the war and much of the war in the Pacific was fought with the idea in mind to avenge their deaths. I am sure that each battle fought after that first one was fought with the memories of the fallen comrades whom we honor today.

That was 30 years ago. And what have we learned in the last 30 years since that ill-fated sneak attack at Pearl Harbor? Have we learned the ways of peace? Have we learned to live without war or the fear of war? Have we abandoned armaments so that our productive capacity can be devoted to life and not death?

Have we learned that only through preparedness and watchfulness can we meet the enemy and survive?

What have we learned?

Surely not peace, since two wars have intimately involved this Nation in recent years—the Korean war and the Vietnamese war. Additionally, numerous other wars and conflicts have marked international relations throughout the world in the last 30 years.

Surely we do not live without the fear of war, since the development of the atomic bomb has pushed us further toward the brink of a martial holocaust. In fact today rather than living in fear of war, we live in terror of the consequences of war—the ruination of our lands and peoples.

And most assuredly, we have not abandoned weapons since our stockpile of armaments of various sorts exceeds all bounds imaginable 30 years ago. Today our defense expenditures is the largest single cost for the Federal Government.

Nor have we sufficiently prepared ourselves to protect against another sneak attack with our naval fleets rapidly becoming outdated, with our armaments rapidly becoming outnumbered, and with power rapidly becoming impotent.

But we have learned that peace still rests on mutual trust. Peace without an understanding of the motives of the other side is only a temporary truce. That is what more closely characterizes the last 30 years—a temporary truce.

What must we as a nation and as individuals do to make the lives of the men who fought and died for peace and democracy 30 years ago seem justified? Can we continue to rattle the sabres of war while speaking the rhetoric of peace?

No this country must take the initiative to develop peaceful solutions to world conflict. A third world war will destroy life in the United States as we know it. Fortunately, the other side recognizes that the same fate awaits them. Therefore, our efforts must be directed toward a world detente and abandonment of nuclear threats aimed at maintaining a balance of terror.

I believe we as a nation have taken steps toward that mutual trust we so desperately need by engaging in the strategic arms limitation talks with the Soviet Union. We have sought to minimize superpower confrontation, by taking a cautious, peacemaker stance in the current India-Pakistan conflict. We have sought peaceful solutions—and in fact were responsible for the present truce—in the Middle East.

But America must move further. Our every diplomatic effort must be directed toward settlement of conflicts and elimination of the points of controversy that may lead to armed conflict. As the greatest power in the world today, we have not only the ability, but the obligation to truly make peace. We as individuals must press our public officials at all levels of government to utilize the instruments of peace—not war.

Shall the men we honor here today feel they died in vain because the peace and freedom they fought for is a tenuous one—if not lost completely? Shall your efforts in World War II be considered merely a waste of time since war and conflict are still with us? Shall your children live today only to die in another war tomorrow?

Our gross national product this year will exceed the 1 trillion mark. How about a billion dollars for peace? Ladies and gentlemen, I seek not a surrender to our enemies or a unilateral renunciation of armaments. That would be foolhardy. We need a strong defense and a strong martial postion to guard against exactly what we are recalling here today. A weak nation militarily in these days and times is truly an impotent nation.

However, I am calling for an all-out effort by every citizen in this country to think about how he can contribute to peace and the elimination of war as an instrument of government policy. Not through weakness but in strength and preparedness.

Pearl Harbor was a warning to the people of the United States in 1941 that Japan wanted war. Let it also be a warning to us here today—and a reminder—that war benefits no one and ravages everyone. Let it be a warning that the next sneak attack will not permit a retaliatory action. Let it be a warning that in peace there will be a United States safe for freedom and democracy, but in war there will be no world.

THE ROBERT BENT BRIGHAM HOSPITAL

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, there is a very unique hospital located in my district in Boston, Mass., the Robert Bent Brigham Hospital, the only hospital in the Nation devoted solely to arthritis and the rheumatic diseases.

It is my pleasure to include a very interesting roundtable discussion of three rheumatologists and a medical student, as well as a biographical sketch of this dedicated group of specialists.

The biographical sketch and discussion follows:

SKETCH

Dr. Theodore B. Bayles joined the Medical Staff at the Robert Bent Brigham Hospital in 1939; at that time, he was one of only several dozen rheumatologists in the nation.

The Robert Bent Brigham was established as a residential institution for incurables, and many of its early patients were disabled victims of arthritis and rheumatic diseases. Dr. Bayles arrived during a period of transition, as the hospital's purpose was changing from caring for the disabled to preventing disability through enlightened treatment.

A dedicated teacher and crusader for expanded training programs in rheumatology, Dr. Bayles directs the Rheumatology Training Grants at the Hospital and is an Association Clinical Professor in Medicine at the Harvard Medical School. Physicians from throughout North America came to attend a five-day American College of Physicians course on rheumatic diseases at the Hospital recently, which Dr. Bayles directed.

Dr. Bayles also vice-chairs the hospital's Joint Venture development campaign for its future home in the Affiliated Hospitals Center.

Dr. Jean Jackson is a second-year Fellow in Rheumatology at the Peter Bent Brigham Hospital. Her time is divided between seeing patients and learning to use research tools and facilities. Dr. Jackson chose rheumatology, after being exposed to rheumatologists who were dynamic teachers.

Dr. Jackson received her medical degree from the University of Maryland Medical School and stayed at that school's University Hospital for three years as a medical intern and resident. She will return to the 708-bed hospital in Baltimore, Md., next year to become Chief Resident in Medicine. Then, after ten years of professional medical education, Dr. Jackson plans to combine teaching with a private practice in rheumatology.

Dr. Arthur P. Hall followed his father to the Robert Bent Brigham Hospital, as one of the hospital's first Fellows in Rheumatology.

His father, Dr. Francis D. Hall, was a pioneering rheumatologist who retired from the Medical Staff in 1966.

In addition to his private practice and teaching responsibilities, as an Assistant Clinical Professor of Medicine, at the Harvard Medical School, Dr. Hall has led the movement for improved and expanded ambulatory care within the hospital. He is the current president of the New England Rheumatism Society.

Douglas Kelling came to the Hospital to get a better understanding of the problem. In his fourth and final year at Harvard Medical School, Doug elected to take a comprehensive one month course in rheumatology and allergy sponsored by the Robert Bent Brigham.

The one-to-one student-teacher relation-

ship enabled him to see at first hand the decision-making process that dictates care for arthritis patients. The training played an important role in Doug's future plans. He plans a career in internal medicine, specializing in family care.

DISCUSSION

Dr. HALL. Literally, rheumatology is the study of rheumatic diseases, diseases characterized by inflammation, particularly in the joints. The field is a sub-specialty of internal medicine, and internists who study rheumatic diseases either in patients or in the laboratory could be called rheumatologists.

Dr. BAYLES. You must realize that, since I've been in rheumatology, rheumatic fever has practically disappeared. Gout is now treatable, infectious arthritis, tubercular arthritis of the joints—all of that is essentially gone. I'd say thirty per cent of the type of patients I saw when I first came to this hospital in 1939 are no longer here. We're left with the problems that are as yet unanswered-rheumatoid arthritis, degenerative joint changes, some of the rarer forms of acute inflammatory diseases.

And steady gains are being made by researchers. About eighty per cent of our patients at the hospital have rheumatoid arthritis. Until a very few years ago, the disease was believed to be related to inheritance. Current work disproves this, so scientists at this and other centers are no longer looking for some kind of metabolic defect, but rather for an entirely new event—a virus perhaps—that might set off the process. Like all specialized hospitals that are deeply committed to research and training in addition to patient care, everyone—the medical men, the surgeons, the paramedical personnel—everyone is devoted to a single goal, everyone is working on the same problem.

Dr. HALL. But in addition to being focused on a single goal, we approach that goal in a unique fashion. You'll rarely see the integration of medicine and surgery that's found in this hospital.

Dr. JACKSON. This is certainly true from my experience. Major medical centers usually have rheumatologists and always have an orthopedic surgery service. Yet the rehabilitation and care of arthritis patients is seldom such a cooperative effort.

DOUG KELLING. This should really be emphasized. In our education as medical students, there is a big separation between the medical and surgical aspects of treatment, and that's true at almost every hospital.

But in the short time I have been here at the Robert Bent Brigham Hospital, I have become more sensitive to the possibilities for coordinated care. One day, when I am seeing my own patients, I'll know that there's expertise, available not only on the medical side, but on the surgical side as well.

Dr. BAYLES. Cooperation would be the one word I would select if I had to describe the approach to patient care at the Robert Bent Brigham. There is a lot of talk about team care, but we have made it work.

DOUG KELLING. More and more it is becoming obvious that unless the efforts of the whole medical team are closely coordinated, from the nurses through the physicians, the best patient care cannot be achieved. This is especially true for chronic diseases like rheumatoid arthritis.

Dr. BAYLES. In addition to providing comprehensive care for today's patients, we assure better care for future patients through extensive on-site training programs.

Dr. HALL. I think this is practically the only place in the country that can offer really in-depth clinical training in the area of rheumatic diseases-training on the house officer level and primarily on the fellowship level. It is one of the most valuable things that we are doing.

There are about two thousand rheumatologists in this country. They are too few in number, and they are concentrated in too few places. A clinical study I made showed that a third of the patients traveled more than fifty miles to get here. That's an indication of the need for our training programs.

We've finally reached the point where we're really turning out people with solid training in the field. It's very gratifying to attend professional meetings and see doctors from all over the country who are making valuable contributions—doing the kinds of things they were taught to do at the Robert Bent Brigham.

But you can't teach rheumatology off the cuff. Sometimes it takes patients three months, six months to respond, so it's essential for the student to be able to see a large patient population.

Dr. JACKSON. I came here as a Fellow in Rheumatology for precisely that reason. This hospital is one of the few places where large numbers of patients with rheumatic diseases can be seen over the long term. I need this sort of experience to learn what can be done with drugs and therapy, to learn when surgery is indicated, to learn just what surgery can accomplish. It's been a tremendous experience!

The training program here for fellows in rheumatology is relatively equally divided between clinical and research responsibilities. That's another reason that brought me to the Robert Bent Brigham.

It is essential that a physician treating patients with rheumatic diseases has an understanding of research. Today's research may have a role in the treatment of patients five years from now. The rheumatologist must be able to understand and evaluate the implications of research and apply them to his practice.

Dr. BAYLES. There is no end to the training programs initiated by the Robert Bent Brigham. We offer a graduate course for orthopedic surgeons. Residents come here from other hospitals. Practicing physicians from throughout the country come here to attend post-graduate courses in rheumatology. The members of our medical staff travel all over the world to speak at professional meetings. And, of course, we're committed to educating the public as well.

Dr. HALL. It is a particularly difficult disease in that there is practically nothing else which combines this constant discomfort or the continuous threat of discomfort with decreasing physical independence. People with heart disease can feel quite comfortable when they're not having a chest pain; diabetics can often take a pill or a shot and forget about it. It's awfully difficult for someone with rheumatoid arthritis to forget.

Arthritis patients have a general reputation for being difficult to get along with. Usually this is because nobody's doing anything for them and they know it. They fear being crippled or confined to a wheel chair.

Arthritis is an off and on disease, and rheumatologists may see a patient over many years during his difficult periods. For the rheumatologist the greatest reward is the knowledge that without him there are many patients who probably wouldn't have received help.

CONCERNING THE FUTURE OF THE AFFILIATED HOSPITALS CENTER

Dr. HALL. The waiting period here for hospitalization and ambulatory care now exceeds eight weeks. We'll have 120 beds in our tower of the Affiliated Hospitals Center—a twenty per cent increase—and this will allow us to lower the waiting period and enlarge our medical staff.

Dr. BAYLES. Of course the facilities will be newer and better, and the economies of pooling resources with the Peter Bent Brigham Hospital and the Boston Hospital for Women will be tremendous. The operating rooms, for example, will be in the Peter Bent's tower, and the physical and occupational therapy departments will be in the Robert Brigham.

I think the geographic situation will be one of the biggest improvements for this hospital. We will have access to a number of services that are not usually available to a small chronic disease hospital—back-up anesthesia, greater ease of consultation, a critical care unit.

In the past thirty-two years I have seen the Robert Bent Brigham Hospital become a hospital specializing in the rheumatic diseases, a teaching hospital of the Harvard Medical School, a major research center in immunology and rheumatology and a renowned postgraduate training institution. The Affiliated Hospitals Center is our next big step!

THIRTY YEARS LATER

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HELSTOSKI. Mr. Speaker, today, December 7, 1971, is the anniversary of a day which the then President, Franklin D. Roosevelt, described as "the day that will live in infamy," the bombing of the U.S. Naval Base at Pearl Harbor.

The next day, December 8, 1941, President Roosevelt addressed the joint session of the Congress and war was declared on Japan on that date. Then Germany and Italy declared war upon the United States on December 11, 1941, and a few hours later the United States declared war on Germany and Italy, and we were fully involved in World War II.

In the 5 years of our involvement in World War II we suffered over 1 million casualties of which nearly 300,000 were actual battle deaths, about 115,000 deaths from other causes and 670,000 men were wounded, although not mortally.

Mr. Speaker, the United States-Japanese war saw the first atomic bomb ever used in a war dropped by a U.S. plane on August 6, 1945, on Hiroshima, Japan, a town of over 340,000 population. The second U.S. bomb dropped on Nagasaki and its population of over 252,000 on August 9, 1945. Estimates of deaths from the bombs and radiation exposure vary: Hiroshima, 80,000 to over 200,000; Nagasaki, 39,000 to 74,000. Within 5 days of the dropping of these atomic war weapons, Japan surrendered on August 14, however formal surrender did not occur until September 2, 1945 when the articles of surrender were signed on board the U.S.S. *Missouri*.

Those who remember Pearl Harbor, well remember such names as the battle of the Coral Seas—May 1942; Guadalcanal—August 1942; Battle for Leyte Gulf—October 1944; and Iwo Jima—February 1945.

Now, 30 years later, Japan and its Axis ally, Germany, are among our best partners in world trade, but we have not learned the lesson that the world desires peace.

Since World War II we have been engaged in the Korean war, the conflict in Vietnam and now see conflicts in the Middle East, Cambodia, the continuation of the conflict in Vietnam and the latest outbreak of hostilities between India and Pakistan.

Mr. Speaker, it is my fervent hope and

prayer that we will be able to conclude our participation in Vietnam very soon and that we will be able to keep clear of any involvement in the present conflicts.

Mr. Speaker, our own domestic problems need our attention and we should strive to conquer them rather than take sides with foreign powers and ally ourselves with them and get involved in a conflict which is of little interest to us, and over which we have no influence as to its settlement.

As we recall Pearl Harbor this day, let us devote our future energies to the keeping of the peace in this world. With the spirit of Christmas upon us let us again repeat the slogan of the season, "Peace on Earth and to Men of Good Will."

FAT PAY ON PUBLIC TV

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. DUNCAN. Mr. Speaker, I would like to place in the RECORD a fine statement concerning the salaries being paid to some of the "stars" of public broadcasting. I think it very appropriate for this body to look into the salaries and operations of the Corporation for Public Broadcasting since it requires so very much of the taxpayers' money to operate.

The statement follows:

FAT PAY ON PUBLIC TV

As a result of recent revelations of high salaries being paid some of its stars, the Corporation for Public Broadcasting is threatened with investigation by a House of Representatives committee.

This doubtless will lead to charges (as it did when a commercial network was under inquiry) that Congress is trying to tell public TV how to program its operation; and the committee should be discreet enough to avoid evidence of any such intent.

But the inquiry is proper if it is concerned with the size of the salaries, which largely come from taxpayer money. For instance, Sander Vanocur, former NBC newscaster, is getting $85,000 a year; Bill Moyers, once press secretary to President Johnson, gets $75,000; William F. Buckley Jr., newspaper columnist and magazine publisher, upwards of $500,000 for 44 weekly forum-type shows.

Directly or indirectly, most of the money for these plush jobs comes from the Federal Treasury; some from foundations. It is tax money in either case, since foundations are tax-exempt; what they don't pay in taxes others do.

In the beginning, public television was to be nonprofit, highly educational, noncompetitive with commercial television and unconcerned about viewer ratings. It is, of course, non-profit—when it depends on the public till it doesn't need to make money. Its educational virtues are a question of taste and judgment.

But in hiring personalities from commercial television, it obviously is trying to compete and raise its viewer ratings.

In the beginning, sponsors of the public TV idea indicated they could raise enough from private donors to carry off the idea; all they needed from Congress was a little seed money to get started.

But the seed money now has grown into an annual appropriation of $35 million and a bill in Congress calls for $65 million next year and ultimately an annual grant of up to $160 million.

Which certainly gives the House committee good cause to inquire into the propriety of paying public TV personages more than the Chief Justice of the United States gets, $62,500 annually.

CONSUMER ROLE IN CIVIL AERONAUTICS BOARD

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. ROONEY of Pennsylvania. Mr. Speaker, exactly 1 year ago this week, through the foresight of Chairman Secor Browne and his endeavors to promote aviation, the Civil Aeronautics Board inaugurated a new effort to aid the American consumer through the creation of an Office of Consumer Affairs within the CAB staff.

The thrust of this consumer-oriented program is to assist the public with problems associated with air travel. Thus, the CAB, on December 9, 1970, became the first Federal regulatory agency to establish a Consumer Affairs Office.

Heading this new CAB service is Jack A. Yohe, a native of my congressional district and former newspaperman with the Allentown, Pa., Morning Call and the Washington Evening Star. He and his staff have attained a high degree of success, as evidenced both by the attention this program has received from the media around the Nation and by the testimonials of some of my own constituents who have had occasion to seek the help of the CAB Office of Consumer Affairs.

Last week, Mr. Speaker, Mr. Yohe returned to Allentown, Pa., to discuss this new consumer role of the CAB in an address to the Allentown Kiwanis Club. In his address, he stressed that both the air traveler and the host airline have responsibilities to deal fairly and honestly with each other.

I would like to include in the RECORD for the information of my colleagues a news account of Mr. Yohe's address and the CAB's program of consumer help.

[From the Allentown, Pa., Evening Chronicle, Dec. 2, 1971]

CUSTOMERS-AIRLINE RELATIONSHIP TWO-WAY STREET, CAB AIDE STATES

(By Bill Gernerd)

While a consumer is entitled to know what the fine print says before he buys, he likewise has responsibilities to "meet spirit with spirit," and be guided by the slogan "honesty is the best policy."

These were admonitions expressed today by Jack A. Yohe, head of the Office of Consumer Affairs of the Civil Aeronautics Board, as he addressed the luncheon meeting of Allentown Kiwanis Club in the Lehigh Valley Club, speaking on the topic, "The Aviation Consumer: His Rights and Obligations."

RIGHT TO KNOW

Yohe, a former Call-Chronicle reporter, said, "As in any other contractual relationship between the consumer and the provider of the product or service he buys, the airline passenger has a right to know, in advance, the service he can expect, the cheapest available fare, the restrictions and conditions applicable to the fare and any additional charges he will have to pay for visual and audio entertainment and beverages he may consume.

He added, "He has the right to be fully apprised, in advance, of the carrier's limit of liability for damaged or lost baggage, and of alternatives open to him to protect his possessions beyond those liability limits.

"And the oversold passenger has the right to be fully apprised of the carrier's obligations to him. In other words, the carrier should tell him—before he asks—what the fine print says," Yohe said.

CUSTOMER RESPONSIBILITIES

But, he cautioned, "You, the consumer, also have responsibilities."

Yohe went on to explain that it strains the good nature of reservation clerks and affects the airlines pocketbooks when individuals book flights on two or three airlines, or on several different flights of the same airline so he will be certain to get a seat.

He said, "In all honesty, a passenger with a lost baggage problem should claim only its true value," adding, "There are often those embarrassing moments when the airline finds the baggage and the value of its contents make it obvious that the passenger has falsified his claim.

He indicated that there also are times when baggage has been reported stolen or lost when this actually is not fact.

"In other words," Yohe stated, "as passengers and shippers, as consumers of anything, we have got to meet spirit with spirit. 'Honesty is the best policy' is not only a slogan of the provider of the service we buy. It must also be our personal guide."

He warned, "Anything less on our part can drive up the cost of whatever we buy, whether it be air travel or automobile insurance."

The CAB official indicated that he feels very strongly that the air carriers, including indirect air carriers and their agents, "have a responsibility to give measure for measure in their dealings with their customers."

MAN LOSES LIFE IN RESCUE ATTEMPT

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BEVILL. Mr. Speaker, in these times when there seems to be so much indifference and reluctance on the part of many to become involved in other people's troubles, the heroic example of Carlton Allen Thomas, of Albertsville, Ala., stands as a shining example that some people do care and will get involved.

Mr. Thomas, who could not swim, recently lost his life in 30 feet of icy water in Lake Guntersville trying to save another man's life.

To insure that this heroic action does not go unnoticed, Mr. Speaker, I am inserting a newspaper article from the Birmingham Post-Herald, which describes his lifesaving attempt:

[From the Birmingham Post-Herald, Nov. 27, 1971]

MAN WHO COULDN'T SWIM DROWNS IN RESCUE ATTEMPT

GUNTERSVILLE.—A 29-year-old Guntersville man, who family members say couldn't swim, drowned in 30 feet of icy water in Lake

Guntersville Thursday trying to save another man's life.

Marshall County Coroner Billy Dyar said Carlton Allen Thomas Jr., 29, of Albertville Rt. 5, drowned trying to save the life of James Breedlove of Albertville, who had lost control of his car and run off in the lake.

The accident happened at about 3:30 p.m. in the Spring Creek section of the lake off Alabama Highway 227.

Dyar and State Trooper Cpl. Larry Hardin said Thomas was traveling along the road behind Breedlove and saw him lose control and go off into the lake.

Thomas immediately stopped his car, his wife told officers, and said he was going to try and save the man whom he didn't know who had left the road. Mrs Thomas said she urged her husband not to try the rescue because he couldn't swim, but he insisted he would be all right, she said.

Mrs. Thomas said her husband said he didn't think the water was too deep, and he was going to try and save the man.

A policeman who arrived on the scene in minutes was able to get Breedlove to shore but couldn't find Thomas.

A local rescue squad came and in their first dive, located Thomas' body.

Breedlove was taken to a Guntersville hospital where he was treated and released.

In addition to his wife, Audrey, Thomas is survived by his parents, Mr. and Mrs. Carlton Thomas.

Funeral arrangements will be announced by Adams Funeral Home in Albertville.

NORTHERN ILLINOIS GAS CITED FOR GENERAL ENVIRONMENTAL IMPROVEMENT

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. COLLINS of Texas. Mr. Speaker, Northern Illinois Gas has been recognized as an industry leader for its positive achievements in environmental improvement. We are tremendously proud of Northern Illinois Gas for taking first place in Petroleum Engineer's Environmental Control Development Program for its broad range programs designed to improve the general environment.

We salute Northern Illinois Gas and the entire petroleum industry for their programs to protect our country against pollution, and we urge them to continue as leaders in the nationwide effort to improve America's environment in the years to come. The awards statement to Northern Illinois Gas reads:

Objectives of Northern Illinois Gas Co.'s environmental improvement program are: 1) company's construction projects will include scenic and functional restoration, 2) company's land will be used for purposes which preserve natural resources, 3) company's regulator stations will harmonize with surrounding environment, and 4) company will support the environmental improvement efforts of others.

This year five miles of underground pipe in Evanston, Ill., have been installed. Old city walks were replaced with new 5-ft wide sidewalks and 5-ft sodded grasslands.

In 1969 a construction project through three suburbs and a forest preserve minimized disruption by working quickly and trucking in 8-ft lengths of welded pipe to lessen on-site congestion. Restoration included adequate backfilling, permanent street resurfacing and reforesting.

On NI-Gas' own land at least 90% of company-owned right-of-way and most of fee-owned property is being used for agriculture, residential landscaping or recreation.

Company maintains 314 regulator stations above ground to control gas flow and pressure. In the past five years all have satisfied or exceeded noise, appearance and housekeeping requirements of local governmental officials.

One station was redesigned and rebuilt to reduce noise level. Several stations have been extensively landscaped to resemble residential yards.

NI-Gas participated vigorously in program to pass the 1970 clean water bond act.

Each aspect of the program is based on company's determination to be responsible for improving the environment.

INDUSTRY AND ECOLOGY

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. CEDERBERG. Mr. Speaker, these days we hear a great deal about the necessity of examining our individual and group actions in the light of the potential damage which we might have on the environment we all share. It is becoming increasingly evident that we all must look to the consequences of our activities if we hope to leave our children the legacy of a cleaner America and a program for the conservation of those natural resources which have made our country the great and beautiful Nation that it is.

Along these lines industry must take a leading role in the effort to provide products which minimize the damage to the environment and, in fact, contribute to cleaning up our Nation. New products and new methods of utilizing the waste of old products are demanding an increasing share of the time of the manufacturing industries.

In this regard I wish to bring to the attention of my colleagues a speech delivered by the chairman of the board of the Dow Chemical Co., one of the largest chemical concerns in the world. Mr. Carl Gerstacker, in addressing the annual meeting of the Drug, Chemical, and Allied Trades Association, notes the need for a commitment on the part of industry to meet the challenge presented by the ecology issue and offers some very pointed thoughts on how his company in particular, and industry in general, can and are working in this area.

I believe that Mr. Gerstacker's thoughts deserve our attention and I recommend that my colleagues take a moment to review his comments:

THE ECOLOGICAL CHALLENGE

(Remarks by Carl A. Gerstacker)

There are two main points I'd like to make this morning, and both of them have to do with the challenge we as businessmen are being presented by the environmental crisis.

For one thing, I firmly believe that protecting the environment is good business as well as good citizenship, and that we ought to look at the opportunity presented by this crisis to tighten up our production processes and build up our profits.

Secondly, I want to talk about product stewardship—the idea that we have a responsibility for our product from beginning to end, not only for its safe production and safe use, but also for its safe disposal once used.

I am sure that with this audience I do not need to emphasize the very real threats that are being marshaled and have been marshaled against your business and mine. Many products have already been barred from the markets for ecological reasons. You are quite aware of this, I'm sure. If you are not, I'd suggest that you take a good look at some of the current measures pending in Congress, such as the proposed Toxic Substances legislation.

Unfortunately, we in industry too often give the impression that all the progress we are making in cleaning up the environment occurs because we are dragged into it, kicking and screaming and fighting it all the way. The credit for our progress is often given not to us but to the politician who makes a speech about it or to Ralph Nader, who makes even more speeches about it.

We are going to continue looking as if we're only doing as much as we're forced to do by the government, backed up by public opinion, so long as we ourselves see the cleaning up of pollution as an expense—but not as an opportunity.

Every American manufacturing company, in my view, should be conducting a review (if it has not already) of its manufacturing processes with an eye to eliminating every possible pollutant generated during that process. This is simply good business. Wasting raw materials has always been bad business. Any waste product we can reduce or eliminate means that much more product to sell.

I'd like to give you a couple of examples from my own company: one is a plant we're building in Texas that incorporates a better process design that will prevent waste and thereby eliminate the cost of disposing of that waste. The better design will cost us $900,000 more than we would otherwise have spent; but the savings in recovered waste products will amount to about $265,000 per year—which is a good return on capital.

Second, let me mention one of our product lines in which we have 11 very similar plants, scattered around the world, making the same basic products. We had a contest among the managers of these plants to see which one could increase his average yield the most over a five-year period. This was tough, because the yield was already about 94 per cent when we started. During the five-year period the average product yields climbed up over the 98 per cent mark—a highly attractive result in itself. And while we improved the product yield four or five per cent we simultaneously achieved a 70 per cent reduction in the wastes generated. With this kind of an approach you can make money on both ends.

We should all try to be like the meatpackers, who say they use every part of the pig except the squeal. There's a profit opportunity in pollution prevention that we have only just begun to realize.

The July issue of Fortune magazine, discussing the environmental problems of industry, said "Probably in the best position of all is the chemical industry, where significant control of pollution can be achieved through process changes that transform by-product streams into new sources of raw materials." Harold Bosscher, the general manager of Dow's Midland plant, is quoted as saying: "From an operating man's standpoint, the emphasis on waste control is one of the better things that has happened to us. It sharpened up our whole operation. We will not accept a plant today that doesn't have its pollution control in hand before it's built. Pollution control measures at Midland reduced raw material leakages and losses and made pos-

sible a yield improvement worth $6 million in the past three years."

Protecting the environment—preventing pollution—is simply good business. I do not think enough of us in the business world have as yet looked at the environmental crisis as the business opportunity that it really is. It should be a great challenge to our ingenuity to eliminate wastes and convert them into product. That is the first part of the challenge to us today as I see it.

The second challenge to business today is to assume what I call "product stewardship."

Let me give you a bit of process background to explain what this means.

In the very early days of American industry, the maker of a product was held accountable only to God and the tax collector, and sometimes very little to them. If his workmen were injured, that was their fault, and their tough luck; if his product was misused, that didn't bother anyone very much; and if his waste or his product or its wrapper were disposed of in field or stream, no one protested at all.

The responsibility charged to the manufacturer increased rather gradually over a long period of time, and is now shooting upwards on an exponential curve. It was recognized and accepted fairly early that the manufacturer did have a responsibility for seeing that his product was manufactured in a safe environment, and the lead in this was taken by progressive, individual manufacturers rather than being forced by governmental fiat, I might point out. Government regulations in this area have tended to confirm, by and large, what industry has already been doing.

More recently the manufacturer has been held much more rigidly accountable for the safe use of his product. Labeling laws have become more stringent over the last century. Here again progressive businessmen have set the pace and the laws have tended to set the floor-level requirements for instructions in safe use. But in recent years as you well know, the "safe use" responsibility of industry has rapidly been growing more severe. We see large court awards to people who misuse a product; we have automobiles being called in for repair or replacement of parts, and the like. The consumerism movement is holding the manufacturer responsible for the safe use of his product in a way that we would not have found conceivable a generation ago.

We are now in the relatively early stages of a movement to make the manufacturer responsible for the safe disposal of his product as well. The current flap about non-return bottles is one example, and the New York Plastics Tax is another. Many of us are looking into ways of recycling various of our products, particularly containers. Dow, for example, has worked with a dairy in Los Angeles in a process for recycling plastic milk bottles into drain tile and other products.

It is not difficult to discern that industry is being asked or will shortly be asked, to assume complete stewardship over the products it makes, ranging all the way from the beginning (the strip-mining controversies are an example of that) to the end of the product's life. And that includes its packaging material.

The wise course for us, I am convinced, is to assume this role of complete product stewardship before it is forced upon us by public opinion and government regulation.

My own company is moving swiftly in this direction. I believe other responsible and progressive companies are doing so as well, although they may not call it "product stewardship" or even have a name for it. This is what the Federal government has begun to call the "advanced analysis" concept, by the way, in its terminology. I'd like to give you briefly a few examples of how we are going about this at Dow:

One example is what we call our Environmental Testing Advisory Board. This is a panel of experts whose job, in sum, is to provide us with scientific methods and data concerning the environmental impact of any Dow product. This has mostly to do with new products, but even products that have been marketed for many years sometimes come under question. The testing of products for their ecological impact requires a high degree of knowledge and skill. These experts of ours perform a vitally needed function for us in this area.

A *second* example is what we call Environmental Health Services, which are an outgrowth of Dow's long and intensive concern for the well-being of its employees. We have developed considerable expertise over many years of time in the evaluation and control of employee health hazards connected with exposure to chemicals and other work hazards such as heat, noise, light, and radiation. While this expertise has been used extensively *within* Dow, we are now making it available to other companies as well as government units as a commercial venture. Dow's Environmental Health Services specializes in identifying adverse environmental factors in workplaces, and prescribing controls.

A *third* example is what we call our Interpretive Analytical Services. This is an effort to make available to others the technology we have developed over the years in solving some of the highly complex industrial problems posed by the new requirements being imposed upon us by government and society. Suppose the government wants to know the precise level of mercury in a foodstuff ingredient; or that you need to know whether any of your product, used on a given farm crop, winds up as residue on the harvested food; or that you need to know about some trace organics appearing in your river water so that you can treat a waste stream properly; or that you've got some spoilage problems because of gas formation in a packaged product and need to know what gas is being formed. Dow has highly sophisticated tools for determining the answers to these and a great many other questions that are being raised today.

This raising of the plateau of expectation I have referred to—that is, the higher levels at which the public expects us to perform ecologically—is something we had better promptly recognize and meet. Once it was enough if we merely produced our materials safely; then we began to think it was enough if they were also used safely; but now we are having to face up to the problem that we must also make certain they are disposed of safely. They are our responsibility from the very beginning to the very end.

I like to compare our situation today with the problems we used to have in plant safety. We used to have fairly frequent injury accidents to our work force, but we eventually went to work seriously on cutting down those accidents. We applied ourselves to that problem because it was the simple humanitarian thing to do, not because we thought it would save us money or increase our earnings.

But now that we have got down to perhaps one injury accident per million manhours worked, we have found that what we thought we were doing as good citizens turns out to be good business practice as well. Cutting out injuries to our workmen does as a by-product help us make a profit. I think we all have come to realize that preventing pollution is the same type of opportunity. We are being asked to do it today in the name of good citizenship. I believe we will find that it is also good business. It's a waste to throw away a product you should sell, but that's exactly what you do if you don't use your raw materials properly.

The challenge to us is clear. We must make pollution prevention our by-word and make it into the good business opportunity that it really is, and we must likewise assume stewardship responsibility for our products that the public is asking us to take.

Challenges are always taken up by leaders. The DCAT is a leadership organization, and I am pleased to have had the opportunity this morning to define the ecological problems we face, as I see them. I am sure I came to the right place.

CAMPAIGN TAX PLAN USELESS

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. CHAMBERLAIN. Mr. Speaker, the House will soon have before it as a rider to the Revenue Act of 1971, the proposal passed in the Senate by the margin of 49 to 46 and supported exclusively by the majority party, providing for the use of Federal tax money to subsidize presidential election campaigns. In the House-Senate conference on the Revenue Act, the effective date of this proposal has been postponed until after the 1972 election. Considering the many facets of this problem this is perhaps the best compromise that could be achieved at this time. Nevertheless, it is my opinion that this is an innovation that the Congress should thoroughly reexamine before it becomes effective. In this regard I was particularly impressed by the editorial appearing in the State Journal of Lansing, Mich., on Tuesday, November 30 and I commend it to the attention of my colleagues:

[From the State Journal, Mich., Nov. 30, 1971]

CAMPAIGN TAX PLAN USELESS

The U.S. Senate, not to its everlasting credit, has labored mightily on a political campaign spending reform measure and has produced a sparkling but almost meaningless package which it hopes to send to the President's desk.

It reminds one of the guy who is trying to sell a used car by extolling the beauty of the paint job and the chrome. We suggest that voters still take a look under the hood.

The proposal, now before a conference committee, provides among other things that a taxpayer can voluntarily check off one dollar on federal tax returns (which otherwise would be paid in taxes) and assign it to the presidential campaign of the party of his or her choice. Two dollars are allowed for joint returns.

The tax money would be stockpiled for the Republican and Democratic party campaign kitties, with a lesser amount to the George Wallace candidacy. The top amount any party could get is $20.4 million for a presidential candidate. In order to get the money, the party would have to pledge not to spend more than that amount or receive more from any other source.

Senate Democrats backed the measure because the Democratic national fund is in deep financial trouble. Republicans generally opposed it because the GOP reportedly is in good shape and is not expected to need such a handout in 1972.

The measure appears to be a nice reform because it suggests that taxpayers will now finance national presidential campaigns and big parties supposedly won't have to rely so much on special interests that can command influence and favors after a president is elected.

Unfortunately, there is a loophole as big as the Grand Canyon. Neither party is bound

to accept the $20.4 million, if indeed that amount is actually raised by tax checkoff. If one party feels it can raise all the cash it needs by traditional solicitations, it may do so. Thus one party may limit itself to the taxpayer kitty limit while another may bypass this gift, and go out and raise twice that amount from special interests. So where is the reform?

Too, even if both major parties agree to accept the $20.4 million limit, there apparently is nothing to prevent special money interests from supporting their candidate through channels outside of the political party framework.

And the Senate proposal, which is tacked on to President Nixon's tax cut program, makes no provision for financing of congressional candidates or those at lower party levels. It also makes no provision for primaries and no prohibition on primary spending.

In short, it provides the big parties a fat public kitty if they want to use it, but gives absolutely no assurance that private interests will not be just as deeply involved financially as they have always been. So where is the reform?

Such a plan could also tend to lock up most of the tax financial potential with the two major parties and make it even more difficult for potential third or fourth parties to get off the ground.

The President is faced with vetoing the proposal, and along with it, his tax cut program, or accepting a bad package. Hopefully, the House-Senate conference will come up with something more realistic.

If not, we believe the President should veto it and send it back for rewriting into a serious campaign spending reform measure.

FARMERS HOME ADMINISTRATION PROGRAMS DEVELOP RURAL AMERICA

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAMMERSCHMIDT. Mr. Speaker, in rural areas such as our Third District of northwest Arkansas, we have learned not to hope for much concentrated attention from agencies that are oriented toward city problems. But we are getting fine assistance in rural communities because of the excellent service developed through a rural agency, the Farmers Home Administration.

The Third District accounts for $89½ million of $278 million in farm, housing, and community facility credit now outstanding in Arkansas through the rural FHA. We believe it is in order that we commend the Administration, the Farmers Home agency and its able administrator, former Congressman James V. Smith of Oklahoma, on what is being accomplished to insure that the family farm and rural community can survive and prosper in this country.

Many small communities in our hill and mountain areas flourished in the early 1900's, then dwindled away by the middle 1900's. They were given up for lost by those who concluded that the small country town, once on the skids, could never make a comeback.

But a growing number of towns in our district have refuted those predictions and are newly alive and thriving once again. Primarily, they have been reborn not through any formalized government plan of salvation, but rather through the enterprise and determination of their local people. However, some Federal as well as State programs have made substantial contributions, and as their stories are reviewed, the Federal agency whose name recurs most often is the Farmers Home Administration.

An example is found in the history of Bellefonte, a small community in Boone County, Ark., a few miles from my home town of Harrison.

Bellefonte is now in its 100th year. It was incorporated on July 1, 1872, and was one of the first towns to develop in this section of northern Arkansas. But in its early years it lost out to Harrison for designation as the county seat, and by the 1950's Bellefonte had declined to the point that it lost its status as an incorporated town.

However, the nucleus of a town remained—families determined to keep alive the community of Bellefonte.

In the mid-1960's, the people remaining there resolved to restore their name to the map of Arkansas. They reincorporated the town of Bellefonte.

A vital part of their plan to rebuild the community called for installation of a modern water system. They found the financing for this project at their county office of the Farmers Home Administration. Much fine assistance was provided by FHA county supervisor Bob Hankins, who today carries on his good work on a statewide scale as State Director of the Farmers Home Administration in Arkansas.

Bellefonte's new water system was financed with a loan through the rural community facilities program administered by Farmers Home. This project gave Bellefonte one of the necessary elements for home renewal and the attraction of new business.

The next community project was aimed at meeting a need for decent low-cost rental housing. Bellefonte's school building, built as a WPA project in 1936, had ceased to function as a school in 1965. Again with a Farmers Home Administration rental housing loan, this building was converted into an apartment building where two-bedroom and three-bedroom apartments were available to elderly people and other families not yet in position to buy their own homes.

Bellefonte now has attracted a new tractor and farm equipment firm as an important addition to its business. Farmers Home Administration rural housing credit to individual families has accounted for 27 new family-owned homes. With tax base broadened and business stimulated by these building activities, natural gas has been brought into the town, streets are paved, and a movement has started to organize a fire department. Population has increased from 300 to 450 over the past 2 years. School enrollment is up by 7 percent over last year. Plans are being made by one of the four church congregations to erect a new building.

Thus, with financial resources opened up by the Farmers Home Administration in projects that provide a springboard for community effort, Bellefonte approaches its 100th anniversary next summer, not as a town fading away, but as a growing and prosperous community with a bright future.

This spirit of renewal is found today in many progressive towns such as Bellefonte, and services of the Farmers Home Administration are making a comparable contribution to almost every such community.

The rural community facilities program has brought modern water systems to some 55 localities of our district the past 10 years, with 34 of these systems realized during the past 2 years. Systems range in coverage from single small communities such as Bellefonte to large town-and-country sections of counties—as in the case of Washington County's $2.7 million White River Association system now under construction, to serve some 2,000 families in the eastern part of that county, and Benton County's district No. 1 system, which will bring modern water service to 3,000 families in the west-central portion of that county.

Rural housing credit through the Farmers Home Administration has more than tripled in Arkansas since 1969. Statewide volume reached $60 million in the fiscal year 1971, providing more than 5,880 new and improved homes for families of low and moderate income. Our district accounted for 1,600 of these homes and a $17 million share of the year's rural housing credit.

As a stronghold of the family-size farm, the third district also leads the State in farm credit service from FHA. More than 2,500 families in our 25 counties own farms financed through the agency's farm ownership program, and 1,800 lacking other sources of production credit financed operations the past year by way of FHA. Farmers Home added $8 million in our district and more than $23 million in the State to farm ownership and production credit available to Arkansas' family-farm agriculture.

Thus a credit agency of the U.S. Department of Agriculture is performing unique and invaluable service, both in support of the family farm and the rural community working to renew its prosperity and improve conditions of living for its people.

One of President Nixon's most effective actions in support of rural America has been to place more rescurces behind the insured credit programs of the Farmers Home Administration.

We are confident that he means to preserve in the Federal system a strong and effective agency dedicated to the special problems and requirements of rural areas.

And we congratulate Administrator James V. Smith, State Director Robert Hankins, and the people in FHA county offices throughout our part of Arkansas who conduct one of the public services most valued and respected by people of our district.

HUNGARIAN REVOLUTION ANNIVERSARY

HON. STEWART B. McKINNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. McKINNEY. Mr. Speaker, some 6 weeks ago, I shared with the Members of this House some of the thoughts I had concerning the anniversary which was then upon us—the 15th anniversary of the fight for freedom in Hungary.

It is with a special sense of pride that I join with my colleague, Mr. HORTON, in reflecting on these thoughts again today.

Late in 1956, the living symbol of Hungarian freedom, Jozsef Cardinal Mindszenty, spoke for all of his countrymen when he said that:

We Hungarians want to live and progress as the standard bearers of the family of peaceful European nations. We want to live in a spirit of friendship with all the people of Europe and not on the basis of an artificially-created friendship. And turning our eyes toward more distant parts, we, a small nation, want to live in friendship, in undisturbed, peaceful and mutual esteem with the great United States, as well as the powerful Russian empire, and in goodneighborly relations with Prague, Bucharest, Warsaw and Belgrade.

But sadly, Mr. Speaker, in that same speech, he had to agree that:

There is no country which in the course of its thousand years of history has suffered more than we have.

This is a truly unfortunate commentary on the world in which we live. A small nation; with peace in its heart, in a lifelong struggle for freedom. In large measure, the primary force contesting this independence has come from the great plains to the east: the Mongols, the Soviets. The domination continues today and the presence is only exceeded by the spirit of freedom which burns as a glowing undercurrent. The Hungarian people, and the world, will remember always the men and women of courage who gave their lives during those 17 days of freedom in 1956. The historical resolution which came to the fore during that time lives on as it did then. Sadly, the good Cardinal has now joined the Holy Crown of St. Stephen in exile but he, like it, will return and this proud nation will some day see its legacy become reality.

In recent days, Mr. Speaker, a poignant poem has come to my attention and it was written in the midst of the 1956 fighting by one of Hungary's foremost poets, Lajos Tamasi.

Mr. Speaker, I would like to share that poem with my colleagues at this time:

RED BLOOD ON THE STREETS OF PEST

(By Lajos Tamasi)

We march and now our hearts are stirred
and quickened by some mystic powers.
Although our song may falter, now
we know the streets of Pest are ours.

Nothing is left for us but this,
our only haven now is here:
we know we are about to see
a holy radiance appear.

Our banners jubilantly rise,
they float above like glowing flowers;
the silken colours billow wide,
the streets of Pest again are ours.

Our brave song once again is heard,
our free hearts follow their own star.
To fire the guns we now confront,
whom do you order, Commissar?

The blood is on the streets of Pest,
young men our brave defenders are.
Their blood is on the streets of Pest—
whom do you order, Commissar?

Whom do you order now to fire,
you, Ministers, who cringe with fear?
No secret police can save you now,
the hour of reckoning is near.

And in the name of those you kill,
where are you running in defeat?
where will you hide your blood-stained hands,
you murderers in full retreat?

The streets of Pest are running red,
until the storm sends down the rain
and washes all the blood away,
yet cannot wash away the stain.

The streets of Pest are red with blood,
on these the blood of youth is spilled.
Beside the tricolour on high
hoist mourning banners for the killed.

Beneath the tricolour above
we make a solemn, threefold vow:
first, we must sorrow for the dead
and second, hate the tyrant now.

And third, a pledge for this small land,
let those who still with life are blessed,
remember: freedom has been bought
with blood upon the streets of Pest.

REV. AND MRS. GEORGE J. HADJIS, HONORED BY TESTIMONIAL DINNER IN YOUNGSTOWN, OHIO

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. CARNEY. Mr. Speaker, on Sunday, December 5, 1971, the members of St. Nicholas Greek Orthodox Church and the Hellenic Community of greater Youngstown, Ohio, held a testimonial dinner in honor of Rev. and Mrs. George J. Hadjis.

The testimonial dinner marked the retirement of Reverend Hadjis after 19 years of worthy and dedicated service to his church and community and 30 years in the ministry.

A native of Greece, Father Hadjis came to St. Nicholas Church early in 1953 after serving his first parish in America in Cedar Rapids, Iowa. He was also a chaplain in veterans hospitals in Clinton and Iowa City, Iowa, in 1950 and 1951.

Father Hadjis is a graduate of the University of Athens, Greece, and served in the Greek Army during World War II. He was ordained in 1941 and served as dean of St. Nicholas Cathedral in Kozani and also as dean of the Metropolis Kozani. In 1942–45, he was vice president of the Committee of the International Red Cross, president of the Greek Red Cross and director of the National Organization of Christian Brotherhood in Kozani County.

Because of his position as dean of the Metropolis Kozani, he spent 6 months as prisoner in a concentration camp in Thessalonica, Greece, during the 1943 occupation by the Germans. He is a charter member of the committee for recognition of the Greek Orthodox Church as the fourth major faith by the State of Ohio.

Father Hadjis was the first president of the Eastern Orthodox Clergy Association of Mahoning Valley in 1963–64, president of the sixth district of the Greek Orthodox Archdiocese in 1958–59, member of its ecclesiastical court during 1964–65 and chaplain of the Eastern Orthodox Men's Society.

Under his leadership St. Nicholas progressed steadily by purchasing the parish house and constructing the present $350,000 church and auditorium and the purchase of adjoining properties. The entire interior has been decorated.

Married to the former Katina Mamatsou, a teacher, in 1936, they have a married son, John Hadjis, in Huntington Beach, Calif., where they plan to make their home after their retirement on December 13, 1971.

Reverend Hadjis was a true leader of our community. He and Mrs. Hadjis will be sorely missed by everyone who knew them. May God grant them both many happy years in retirement.

AMERICA'S DARKEST HOUR

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. GRIFFIN. Mr. Speaker, on this day, the 30th anniversary of the attack on Pearl Harbor, it is fitting that we reflect on the history of our Nation.

December 7, 1941, was one of the brightest days for America because her citizens mobilized as one to engage in mortal combat international enemies of freedom. We won that struggle against atheism because we were right and God looked with favor on our efforts.

In the view of many, forces of atheism are rising rapidly in influence in the United States and they are being helped by complacency and inertia on the part of school, church, and government officials.

Moral and spiritual values built this Nation in my opinion, and there must be a resurgence and reassertion of those values if we long survive.

In a sermon on July 4, 1971, Rev. Jack E. Noble, pastor of the Riverside Independent Methodist Church, eloquently voiced this concern about America. With logic, he contends that today—not the winter at Valley Forge—is America's darkest hour.

I would like to share with my colleagues Reverend Noble's thoughts which were reprinted in the October 27, issue of the Presbyterian Journal. His sermon follows:

[From the Presbyterian Journal, Oct. 27, 1971]

AMERICA'S DARKEST HOUR—JULY 4, 1971

(By Jack E. Noble)

As Americans we have the greatest heritage of any nation on earth. I can remember when our history books showed pictures of veterans standing with tears running down their cheeks as the flag went by. To them it was not just a piece of cloth. In that flag they saw the dreams and ideals of all this country hoped to be, the dream for which they had fought and for which their fellow countryman had died.

I can remember when we pledged and covenanted anew that we would die ourselves, if need be, to preserve that great dream which was on its way to becoming reality, a dream which had begun on the East coast and stretched across this continent to the Pacific: to create a land where men and women could worship God together in the church of their choice, where people of all nationalities would come together to mold a great nation.

A GREAT HERITAGE

We have a great heritage, and the time has come in our history when we need to take it seriously. In recent years our young people have not been taught about their heritage. In only very few of our schools and churches have the things which were given to us as a sacred trust been taught to our young people. In the average history book today, our great patriots such as Patrick Henry, Samuel Adams and other leaders of the War for Independence, are cast in the role of radicals, and what is written of them reflects not much, if any, credit upon these famous men.

The Pilgrims came to this country from the security of Europe with its walled cities and paved streets to carve out of the wilderness a new life in which they could worship God and build a community of freedom.

Yet much of the modern teaching about the Puritans emphasizes only their hanging of witches. This dark episode in time, however, must not obscure the great heritage which they left us: their determination to keep the Sabbath holy, respect for the dignity of work and service to their country, and their concern to be law abiding citizens, to rear children who feared and respected God.

Today these characteristics of the Puritans are not emphasized. Our children have been denied from kindergarten through the university a right view and presentation of the heritage they have as Americans.

A people that have lost contact with their past and have no knowledge of their heritage will not continue to carry on the ideals nor perpetuate that which is dear and worthy. America is facing the greatest challenge in its history. The Communists have made the statement that on America's 200th anniversary they are going to pull down the Stars and Stripes and raise the Red flag.

If you were to poll the American people, I am sure a great percentage of them would say this will never happen, that the claim is ridiculous. But if we judge the next five years by the past ten years, we not only know that it is real, they will even have to slow down in order to postpone it for five years.

Lenin said, "First we will take Eastern Europe; next the masses of Asia. Then we shall encircle the last bastion of capitalism, the United States of America. We shall not have to attack; it will fall like an overripe fruit into our hands."

We only have to look at history to see how successful this strategy has been. Eastern Europe fell soon after World War II and then China went into the Communist camp. In 1961 Cuba became a Communist dominated island influencing the Western hemisphere. Chile is ruled by a Marxist president and is fast moving to become a totally Communist nation.

All we have to do is to look at the events of the last 20 years to see how well the Communists have been successful in carrying out the policies enunciated by Lenin. As for falling into their hands, we are getting riper all the time. We are losing our moral perspective. We have anarchy in the streets; lawlessness and all the elements of dissolution are growing beyond our imagination. We know any newly published FBI report will tell of the increase in the crime rate. The only surprise is the size of the percentage it has risen since the last report.

When I was teaching high school history in the '50's, I taught my class that America's darkest hour was at Valley Forge. All of us have a mental picture of George Washington praying at Valley Forge. We know it was a dark hour in the history of this republic.

DAYS OF OUR YOUTH

The Continental Congress was an unwieldly body which lacked direction, and the only thing that held us together at that time was the pressure of the war. Desertions were on the increase, Congress was not supplying Washington with food and clothing or the necessary equipment for his army. It was said that when he marched, a thousand men were barefoot and could be tracked through the snow from the blood of their bleeding feet.

In those days not all were patriots in America; some sold their produce to the British for hard cash because they were afraid the Continental currency would be worthless, and while Washington was at Valley Forge with his army, the social elite were entertaining the British in Philadelphia.

It was a bleak and a barren hour in the history of this nation, but we had one asset: Washington served our nation as a leader, as a general in the army, and later as a devoted statesman. Time and time again he told those who were nearest him, "We are going to win because we are right and because it is God's will."

During those days at Valley Forge days which would have broken an ordinary man, Washington would leave camp in the early morning and journey into the woods. An old Quaker noted that when he returned his face was always brighter and showed a greater sense of determination. He knew he was going to win. One morning the Quaker followed Washington and discovered that each morning he was going to pray alone and ask God for the strength and direction it would take to bring fulfillment to the dreams in which he believed.

BASED ON GOD'S LAW

Our government was based from the beginning on God's law. God was acknowledged and His will was sought. The early patriots realized the odds that were against them; they knew there would be suffering and hardship but they also realized that if they hoped to bring about the realization of their endeavors, it would come only through the blessing of God. Their leader was a godly man, and their government and their hopes were based and placed upon God's Word.

We see another illustration of this shortly after the war ended in victory. The Articles of Confederation, because of its looseness, was falling apart and it seemed that anarchy would reign. The Constitutional Convention was called. Each man was a strong individualist and each one was trying to do the most for his section of the country. Different philosophies were represented at the convention; some believed in almost a pure democracy and others believed in a strong central government.

Day after day they debated during the summer heat, the only thing being accomplished that tempers were growing shorter. Benjamin Franklin suggested that they have prayer, that they look to God and seek His guidance. After that, each session was opened with prayer and from that time on progress began, and as a result we have our Constitution.

Our forefathers pledged not only their honor, but also their properties and their very lives in many instances. Many times all they had left was their honor. They invariably lost their property.

Although today the charge is made that it was wealthy men who wanted to preserve and form a new country so that they could have "advantages," the greatest advantage they had was the fulfillment of their dreams to form a country under God with freedom and justice, and the right to liberty and the pursuit of happiness.

NATIONAL SCHIZOPHRENIA

Now we have been told for the last 20 or 25 years that Communism is our enemy. This would be a most logical assumption because the Communist system is militantly atheistic and we are a Christian nation. They are a socialist nation and we are built upon the premise of free enterprise; they rule by tyranny, and we rule by freedom and liberty, and the direction of the government is in the hands of the people under law. From all their publications we know the Communists are set on world conquests. We have always been a nation that has believed in and strived for the self-determination of all nations.

On this assumption we have spent billions in defense and many billions in foreign aid, supposedly to contain Communism. Over 100,000 American lives have been lost since World War II fighting Communism. Now if we are really fighting Communism, we are suffering from a national schizophrenia because we sat by and allowed China to fall, and then we fought a no-win war in Vietnam. When Russia was weak militarily we were armed to the teeth and spent billions each year for new weaponry. Now that Russia is equal to us, or ahead in every area, we are pursuing a policy of unilateral disarmament.

We are becoming more and more demoralized at home. The only freedom we have left, it seems, is the freedom to sin and break laws. We talk about our problems, but our problem is basically spiritual and will require a spiritual answer.

We have millions of dreamers every four years. The American people believe they can elect the right man for president who will go to Washington and make everything right. This is an idle dream. We have educational programs and social programs which we hope will solve our ills, and we hope economic pressures will change, but these things will never be the answer. There will have to be a revival at the grass roots. We, the American people, will have to care enough, be willing to sacrifice enough and be willing to do what has to be done to rebuild.

This country has moved from God. In Psalm 127, verse 1, we read, "Except the Lord build the house, they labor in vain that build it; except the Lord keep the city, the watchman waketh but in vain," and in the 33rd Psalm, verse 12, "Blessed is the nation whose God is the Lord." All our efforts will come to naught without God.

BUILT ON ROCK OR SAND?

The reason we became the most powerful nation in the world, the reason we were able to help more people in the world than any other nation was because we were a nation that acknowledged God and built our nation on His Word.

I remember hearing a Korean when I was in college. He said that as he and another Korean were traveling from the East to the West coast, through the great grain fields of the Midwest and out through the majestic Rockies of the West, his traveling companion asked, "Why is it that God has so richly blessed this country and has not blessed ours?"

Our speaker challenged us by telling us that his answer was, "These people came to these shores seeking God and His will. This is why this nation was so blessed. They sought God." Then the young Korean speak-

er further challenged us by saying, "Are you going to continue to serve God?"

Our heritage has been created by people who were seeking the will of God. The model for our Constitution was the Mayflower Compact. It was a document under God whereby free people covenanted together so they could be ruled by men whom they had appointed themselves, who would look to God for the final answer and be directed by Him. It was never the intention of our forefathers that this nation would be a nation that would be free from God; they founded a nation that was to be obedient under God.

Benjamin Franklin said, "I have lived, sir, a long time, and the longer I live the more convincing proof I see of this truth that God governs the affairs of men."

We can read the documents, the speeches and the statements of our forefathers and find their dependence upon God clearly shown. They acknowledged Him all the way. Yet the pronouncements from our high court today reflect nothing to indicate that spiritual considerations enter into any decision. We are fast becoming a nation that is known to be a nation free from God. We have created and encouraged a permissive society.

We were in our original intent a nation ruled by law and not by men. The law was derived from God and so therefore the law was transcendent and above any man. It was objective and all men, the educated, the uneducated, the high and the low, were judged alike by the laws derived from God's Ten Commandments.

TIME IS RUNNING OUT

When man moves away from this foundation to make judgments based on his own understanding, and on psychology and sociology, no longer does he have an objectivity but a subjectivity whereby one man's ideas and thoughts are of equal weight to any other. This will inevitably lead to anarchy, a condition which existed in Israel at its lowest period. We read in Judges 17:6, "In those days there was no king in Israel, but every man did that which was right in his own eyes." Out of anarchy there is always the prayer for a king or dictator to restore order.

The day of apathy and complacency in America is running out. We have to be blind and we have to be foolish not to see that things cannot go on indefinitely as they are. If America is going to have a free 200th anniversary, there will have to be a change of direction. We are at the midnight hour.

If God's people, and I would certainly like to think we are among them, will come into His house to repent and confess their sins, to ask Him for a rebirth of freedom and be willing to do what is necessary to make the sacrifice, God can turn the midnight hour into a bright and shining morning. We will never return to anything better until we have a revival in this nation.

There are some encouraging signs among our youth and among other elements which I never expected to see. These are good signs, but we need not wait. Where we live is here. What we do will be here. The hour is at hand when we must act. Do we feel the responsibility enough to be willing to say, "God, here am I, send me; work through me. Make me an instrument to Thy glory."

AVOIDING A TRADE WAR

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HANNA. Mr. Speaker, I want to take this opportunity to bring to the attention of my colleagues in the House an interesting and very well stated argument for expanding our foreign trade and avoiding the dangers of a free world trade war. The article appeared in the October 1971 issue of the Reader's Digest. It cites specific cases which will serve to amplify the points that I and other Members have tried to make in recent weeks—that our economy will be seriously damaged by trade restrictions:

THE FREE WORLD MUST AVOID A TRADE WAR

(By James Atwater)

An 11-year-old boy poses proudly with his new baseball glove while his father snaps a picture. The scene could not be more American—except that the camera is German, the glove Japanese. What's more, the family car that will take father and son to today's ball game is Swedish, and this evening they will eat Polish ham served on English china at their Danish dining table.

Sound familiar? It should, for Americans have come to accept the internationalization of their lives without giving it a second thought.

The remarkable postwar economic comebacks, first of Europe, then of Japan, were fueled in large part by exports. Since 1949, for example, Volkswagen alone has collected $9 billion from Americans for the sale of 4.6 million cars. At the same time, the rest of the world is rushing to buy American, and U.S. sales abroad are zooming for everything from aircraft to blue jeans.

This great boom in world trade has made life not only pleasant for the buyers but prosperous for the sellers. U.S. exports are expanding at a faster rate than the economy as a whole—up to $42.7 billion in 1970, about 14 percent of the world's total. An estimated three million Americans now owe their jobs to exports, and one acre in every five of American farmland is tilled for crops to be shipped abroad. Over the last ten years, private U.S. investments in Europe amounted to $15 billion, and Europe in turn is starting to invest heavily here.

Now, however, the whole structure of international trade is threatened—and with it the prosperity, the unity and perhaps the security of the free world. While the present world-trade system is clearly producing the greatest good for the greatest number, it is also endangering the few—those industries and occupations faced with strong competition from imports. U.S., European and Japanese leaders are all under political pressure to give more help to these special groups. Farmers in Japan, for example, want protection against rising imports of American food. Europe's aerospace manufacturers want help against their huge U.S. rivals. Textile companies here want relief from imports of Japanese cloth.

Whatever form the protection may take—higher tariffs (taxes paid when a product crosses the border), quotas (definite limits on the amount of a product that can be imported within a certain period) or, more subtly, the setting up of special safety or technical standards difficult for foreign imports to meet—the effect would be the same. What one of the three giants does can be expected to produce retaliation in kind from the other two. So, slowly, step by step, the United States, Europe and Japan could blunder into what they all fear: a trade war.

INITIAL SKIRMISHES

As Americans see it, the European Common Market* fired the first major volley in 1968, when a new policy to protect its farmers—most farms were so small that they could not produce food as cheaply as large American farms—came fully into effect. All of the major nations, the United States included, shield their farmers to some degree, but the Market's solution was a perfect model of protectionism. To reduce imports of some basic foods, notably American grains, it imposed high tariffs. And it bought up surplus produce of its own farmers at prices that were often double those of the world market. Then the Market took the money raised by the tariffs and subsidized exporters so that they could sell the growing mountain of surplus abroad—undercutting American sales. It gave preferential treatment, too, to 24 African and Mediterranean nations. (For example, a Market importer has to pay a duty of only 12 cents on a box of oranges from Morocco, but pays 60 cents on a box from California.)

While this was happening in Europe, U.S. trade with Japan was also going through a revolution. As recently as 1964, the United States had *sold* goods to Japan that were worth $240 million more than the goods bought in return. Last year we *bought* $1.2 billion more than we sold. One reason: the Japanese government was protecting its home industries with tight import quotas, set up after the war to guard the country's fragile economy. Although the Japanese economy had grown into a robust giant, it was still being coddled like a sickly child.

Not long ago, American businessmen began to complain that they were being taken for a ride by the Japanese, just as American farmers complained that Europeans were discriminating against them. And, in fact, the ability of the United States to turn an overall "profit" on trade had slipped badly; in 1964, U.S. exports were worth $7.8 billion more than imports; by 1970, only $2.7 billion more—and government officials predict that the margin will drop to $1.2 billion in 1971. American industries, both large and small, have appealed to Washington for help.

"Uncle Sucker"? A major step in the growing trade dispute was taken by the United States in May 1970, when the House of Representatives began to consider a trade bill that included ways of imposing quotas on textile and shoe imports. Suddenly, all of the protectionist sentiment that had been building up in the country broke loose. During hearings on the bill, a total of 377 witnesses gave 4600 pages of testimony, which included pleas for special help by everyone from bicycle manufacturers to mink ranchers, from mushroom growers to candlestick makers.

Even Secretary of Commerce Maurice Stans testified that some of the present rules of international trade put American firms at a disadvantage. "We have in many respects been 'Uncle Sucker' to the rest of the world," he said. "The time has come when we must put our cards on the table and say, 'Let's play fair now.' "

In November 1970, the House passed a highly protectionist piece of legislation that became known as the "Mills bill," after its sponsor, Wilbur Mills, the influential chairman of the House Ways and Means Committee. Opposed by the Administration as going much too far, the bill died in the Senate last December during the scramble for adjournment, but was reintroduced in the present Congress.

Infuriated by the Mills bill, the Common Market is prepared to strike back if it or anything like it ever becomes law. Common Market officials joke wryly that they should erect a statue to Wilbur Mills as the man who has done more to unite Europe than anyone since Stalin.

How, exactly, would a trade war be fought? One small example was the 1962 "Chicken War." Europeans tripled their levies on imports of U.S. chickens, mainly to help German poultry growers, and the United States struck back by raising tariffs, mainly the one on Volkswagen trucks. As a result, U.S. chicken sales to the Market dropped from $56 million in 1962 to $11 million last year, while Volkswagen truck sales here fell from $29 million to $5 million.

Clearly, no country won that fight, and the stakes were negligible compared to what

* Belgium, France, Italy, Luxembourg, The Netherlands, West Germany.

they would be in an all-out battle. Not only would world trade be crippled by a major trade war but the U.S. economy would be severely damaged. The jobs of hundreds of thousands of Americans would be jeopardized. U.S. inflation would rise at an increasingly faster pace—since one of the main benefits of imports is that they increase the supply of goods available to the consumer, thus tending to keep prices down. (Andrew F. Brimmer, a member of the board of governors of the Federal Reserve System, estimated that the Mills bill would raise the cost of clothing to the American consumer by $1.8 billion in 1975).

TO CHECK THE SLIDE

Another facet: economic isolationism would lead to political isolationism. A trade war would certainly weaken the North Atlantic Treaty Organization, very possibly even blow it apart. The Common Market, which counts much more heavily upon foreign sales than the United States does, would have to find new customers, turning inevitably to Russia and its satellites. In similar fashion, Japan would be driven toward Communist China.

During the first few months of 1971, as the United States continued its alarming trend of buying more and more from abroad, the Administration began to charge that the United States was indeed playing "Uncle Sucker" to the rest of the world. Cabinet officers pointed out that Europe and Japan were free to develop their trade so vigorously in part because they were being protected by the United States, which was spending $5 billion a year abroad for the defense of the free world. The Administration put heavy pressure on Europe to share more of the financial burdens of NATO.

U.S. complaints narrowed down to three main points: Japanese restrictions on American products; the Common Market's restrictions on American farm goods; and the Market's blatant discrimination against Japanese exports, which had the effect of diverting the products to the United States. Responding to the criticism, Europe's leaders scornfully noted that the United States had some restrictions of its own and was still jealousy protecting its dairy industry. What was more, they charged, the inability—or the unwillingness—of the United States to check its growing inflation was causing serious problems abroad. The Europeans claimed that they were bumping along in the wake of the United States like water skiers being towed behind a careering speedboat.

Early this summer, some steps were taken to check the slide toward a trade war. Japan promised to reduce its quota system and voluntarily restricted some of its exports of cloth to the United States, although not enough to please either the Administration or the textile industry. Prodded by U.S. Secretary of State William Rogers, the Paris-based Organization for Economic Coöperation and Development agreed to set up an international panel of experts to find ways of avoiding a trade war.

The steps were encouraging, but they were certainly not enough to solve the complicated and explosive problem. Indeed, the time has come for top-level political leaders, such as Cabinet members, to take on the job of reaching basic agreements. They should meet regularly, and they must avoid arguing over relatively minor issues. "The United States and the European community must develop the will to discuss our problems in the broadest context," says Jean Monnet, the French statesman whose vision started the nations of Europe drawing together 20 years ago. "We'll never get anywhere bickering over poultry or grain."

SANE SOLUTIONS

Basically, the United States, the Common Market and Japan have to try to solve their own problems without resorting to flagrant protectionism. In line with this, some liberal-trade backers in both parties in Congress now favor giving only temporary tariff protection to industries that are being hurt by imports and then helping them—and their workers—either to adjust to the competition or to switch to other work.

In the long run, the United States may simply have to phase out some of its chronically troubled industries. "If you don't," warns one Market official, "you will find someday that you have protected marginal industries at the expense of the economy as a whole. We have spent a lot of money to help failing industries—coal, some textiles, leather goods. It doesn't pay. You are helping an old man to have a lot of friends around him when he dies."

Time is getting short. Both the Common Market and Japan are rapidly gaining strength. If, as expected, Great Britain, Denmark, Norway and Ireland join the Market, the European community will control 40 percent of the world's trade. And the economy of Japan is still climbing like a jet.

For the United States, the growth of its two great trading partners can be either an opportunity or a threat. If the trade barriers stay down, both Europe and Japan are bound to buy more American goods as time goes by. If the barriers go up, the United States will find that its old friends have developed the commercial muscle to be very tough customers indeed.

Now is the time for the United States to take the lead once again in pushing for a new breakthrough in international trade. Otherwise, we and our trading partners may learn to our sorrow a hard but unavoidable fact: in a trade war, there are no winners, only losers.

HERO-POET JOYCE KILMER

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BIAGGI. Mr. Speaker, I would like to take time out today to pay homage to a great hero-poet. I refer to Joyce Kilmer who was born 85 years ago—December 6, 1886—in the little New Jersey town of New Brunswick.

Like all artists, poets belong to neither place nor time. Their song is universal and it goes on forever. Kilmer's poetry of the early 20th century still holds relevance today. As a policeman in New York, I was fully aware of the perils that beset us all in this uncertain life. I paused many times before the statue of Father Francis P. Duffy of the Fighting 69th. No more inspirational figure can be found for emulation by American youth. Father Duffy was a peacemaker—not a pacifist. There is a world of difference between the two—a difference that the poet, Joyce Kilmer, recognized better than anyone else.

It was as a peacemaker that Kilmer joined the Fighting 69th. He was a married man of 30. He had four children. At that early age he had already laid the foundation for a brilliant career whose horizons seemed limitless.

Joyce Kilmer, revered as a poet, regarded as the shining light of the New York Times whose magazine and book sections his writings illuminated, nevertheless, invited the horrors of World War I to seek peace. He died in action July 30, 1918, in the battle of Ourcq.

The facts were these: At dawn of July 28 Joyce Kilmer, then serving as an aide to the battalion commander, although he was but a sergeant, discovered that in nearby woods the enemy had a nest of machineguns. After reporting that fact he led a patrol in an effort to establish the exact location. It was his last mission. His comrades later found him with a bullet in his head.

Now Joyce Kilmer lies buried in what is known as the Wood of the Burned Bridge. Enlisted men are not buried with their officers, but in the case of Joyce Kilmer, tradition was cast aside. He was buried alongside his lieutenant.

Joyce Kilmer is known throughout the world today for his poem, "Trees." How fitting that he could see the ecological wonder of the tree long before we awakened to the savage fact that man has been destroying what only God could create. However, great that poem may be, I feel his poem, "The Peacemaker" has an even more fundamental message for all of us. This poem takes on special meaning the day before Pearl Harbor Day and all its thoughts of the World War II carnage.

What matters Death, if Freedom be not dead?
No flags are fair, if Freedom's flag be furled.
Who fights for Freedom, goes with joyful treat
To meet the fires of Hell against him hurled,
And has for captain Him whose thorn-wreathed head
Smiles from the Cross upon a conquered world.

In this poem, Joyce Kilmer also said:

To banish war, he must a warrior be.

We should never forget the message of that poignant poem.

Said Father Duffy over Kilmer's grave:

Joyce was one of those soldiers who had a romantic love of death in battle.

Of many American heroes, these same words are true. To seek man's most cherished possession, freedom, we cannot fear or evade death.

When I think of those fallen heroes in Vietnam, I am reminded of Kilmer's poem that memorializes all heroes—"Rouge Bouquet." It goes like this:

ROUGE BOUQUET

In a wood they call the Rouge Bouquet
There is a new-made grave today,
Built by never a spade nor pick
Yet covered with earth ten metres thick.
There lie many fighting men,
Death in their youthful prime,
Never to laugh nor love again
Nor taste the summertime.

For Death came flying through the air
And stopped his flight at the dugout stair,
Touched his prey and left him there,
Clay to clay.

He hid their bodies stealthily
In the soil they sought to free
And fled away.
Now over the grave abrupt and clear
Three volleys ring;
And perhaps their brave young spirits hear
The bugle sing:

"Go to sleep!
"Go to sleep!"

"Slumber well where the shell screamed and fell.
"Let your rifles rest on the muddy floor,
"You will not need them any more.

"Danger's past;
"Now at last,
"Go to sleep!"

There is on earth no worthier grave
To hold the bodies of the brave
Than this place of pain and pride
Where they nobly fought and nobly died.

Never fear but in the skies
Saints and angels stand
Smiling with their holy eyes
On this new-come band.

St. Michael's sword darts through the air
And touches the aureole on his hair
As he sees them stand saluting there,
His stalwart sons:

And Patrick, Brigid, Columkill
Rejoice that in veins of warriors still
The Gael's blood runs.

And up to Heaven's doorway floats
From the wood called Rouge Bouquet,
A delicate cloud of buglenotes
That softly say:

"Farewell!
"Farewell!

"Comrades true, born anew, peace to you!
"Your souls shall be where the heroes are
"And your memory shine like the morning-star.

"Brave and dear,
"Shield us here.
"Farewell!"

THREE VETERANS WITH THE SAME PROBLEM

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAGAN. Mr. Speaker, we know that a large number of people today cannot find suitable jobs. This is an increasingly distressing situation among returning veterans of the Vietnam war.

After a stretch on foreign battlefields and with the activity involved, it must be frustrating for a veteran to have to stand around and wait for a job to open up. All Americans need to be diligent to help solve the discouraging adjustments necessary for those who are job hunting.

Ann Marshall, staff writer for the Savannah Evening Press, interviewed three veterans about their job-hunting experiences, which the Press carried on November 20, 1971. Her interview tells the situation so well that I would like to call it to the attention of my colleagues. The interview follows:

THREE VETERANS WITH THE SAME PROBLEM: ALL THEY REALLY NEED—AND WANT—RIGHT NOW IS A JOB

(By Ann Marshall)

The rising level of living costs and the tightening job market have caught Vietnam veteran Edward Johnson in a squeeze.

"Not today," he hears everywhere he asks for work.

"They just don't need anybody right now. I went by City Hall, but the city's not hiring anyone," Johnson said.

"I asked at several places along the road where there's construction going on, and they don't need anyone, they said."

Because he was wounded in Vietnam, Johnson, 24, has a small income from the Veterans Administration.

"NOT ENOUGH"

"But I can't make it. It's not enough. I've got to find work," he said.

He's competing with 1,500 other vets in Chatham County. Only 240-odd have found jobs in the last nine weeks.

On July 4, 1968, Johnson, in Vietnam two months, walked with his reconnaissance squad into an ambush.

Shrapnel shattered in both his legs and the right side of his jaw.

He couldn't talk or walk, but he was fully aware of the shooting going on over him for the hour he lay there before someone could get out to pick him up, he said.

His rescuers placed him on a tank for the ride back to where a helicopter could take him to a field hospital for preliminary medical care.

RUSHED TO HOSPITAL

Then he was rushed to Lai Nhe Hospital. By July 7 he arrived for hospitalization in Japan.

After a long period of recuperation and therapy at Ft. Gordon, he faced civilian life again in May, 1969, and it took almost a year before he felt competent to apply for his pre-service job at a paper machine at Union Camp Corp.

It didn't work out. He's never been given another Union Camp position, he said.

"The work was to heavy because of my legs," Johnson said. "They said they would call me about another job, but I never heard from them."

Johnson said his disability pension from the Veterans Administration isn't enough nowadays for the vet, his wife, and their eight-month-old son.

He supplements the family food budget with hunting and fishing, which are his favorite pastimes.

He said he didn't know of any agencies geared to help him obtain retraining of some type so that he would have a skill that he can manage.

When he went once to the VA office to ask for help in job hunting, he was referred to the Georgia Employment Service. They, in turn, sent him to apply for a welder's job, which he got and held for a while, he said.

Unlike Johnson, who was drafted, Jack Ray, 28, and Nathaniel Lowman, 26, who also are looking for jobs, volunteered for military service.

Both have several qualifications and skills to offer an employer.

Both have worked hard much of their lives and left good records behind them.

Yet Ray and Lowman say they continue to get the glassy-eyed response, "We'll call you" at the end of the job interviews.

WIFE EXPECTING

Ray and his wife have a son, 5, and a daughter, 3, and are expecting a baby in March.

"It's rough, to go to bed at night knowing you need a job, and wake up in the morning and you still need a job. It's a terrible strain on my wife," he said.

He hustles about to the addresses suggested by Gary Lane, his counselor at the Georgia State Employment Service.

"You tell them all about your experience and they ask lots of questions. Then they look at you and say: 'I've got two other men I'm considering for the job. I'll let you know.'

"So you spend two days at home waiting for them to call.

"You are wasting job-hunting time, but you're afraid if you leave the phone. You'll miss the call.

"They don't call. Then you call them. So far, I haven't gotten the job."

At first, he felt that he would get a job "tomorrow."

Then he began to realize it might be longer.

OVER FEAR

By now, Ray said, he's gotten over any fear of an interview.

"I've talked to so many," he said.

Also, he's gotten over being discouraged and has a dogged outlook.

For Ray, the approaching cold weather is going to complicate his chances. An electrical worker, he's fine with an outdoor job until cold temperatures set in.

After three years and 10 months in the Navy, Ray suffered acute, painful attacks of rheumatoid arthritis. He was taken off the aircraft carrier USS Independence, where he served as a petty officer 3rd class just before the boat sailed to Vietnam.

For another 10 months he stayed in hospitals.

Now he gets a monthly check of approximately $75, not enough to live on alone, much less with a family, he said. His family also gets medical care at Hunter Army Airfield hospital or other federal institutions.

"The situation is very tight in Savannah. Money is scarce. It's bad for the businesses. And I've got to get a job," Ray said.

NO JOBS

"I feel the country owes it to us all, us veterans. Sure they try. But we haven't got any jobs."

Lowman, who celebrated his birthday Thursday by continuing his hunt for a job, said he doesn't hold any rancour.

Lowman said he has found that to be black is sometimes a handicap, and sometimes not.

He served in the infantry right after graduating from Beach High School when he was 17.

"I went to Korea in the occupation forces," he said. "I didn't get to Vietnam."

"I was a staff sergeant."

For Lowman, things looked best when he was chosen by Grumman Aerospace Corp. for training as an aircraft sheet metal worker about four years ago.

"I worked on the night shift. So I went to Savannah State College in the mornings. I majored in accounting.

DROPS OUT

"When Grumman took me off the night shift and put me on in the day time, I had to give up classes," Lowman said. After awhile, Grumman closed out the whole assembly line—and his job.

With part-time jobs, his time and finances became too difficult so he dropped out of college.

So with VA advice, Lowman entered the Manpower Development Training Center.

Lowman went there for retraining as a welder in a program sponsored jointly by MDTC and the Veteran's Administration.

While attending he received VA compensation.

Now he's had his last VA check.

About half of the 21 students in his class already have found jobs, some with the help of the Georgia State Employment Office.

TURN WILL COME

Lowman's turn will come soon, Alex L. Chew, supervisor at the MDT center, said.

The picture is better in Savannah now than for some time as far as welding jobs go, Chew said.

Lowman put in a perfect attendance record while attending welding class May 17–Oct. 29, he said.

"We gave him a letter of commendation. He is reliable, punctual and competent to handle a job as welder at the entry level with no problems at all," Chew said.

Lowman's now broke, but there are agencies trying to help, and if he fails to find a job within three to six months, he plans to try to go back to Savannah State College on the GI Bill.

A bachelor, Lowman lives with an aunt, Mrs. Pauline Wilson, at 2005 Exley Ave. in Tremont Park.

WEMA SUPPORTS 4-DAY, 40-HOUR WORKWEEK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, I recently introduced legislation to amend the Walsh-Healy and the Contract Works Hours Standards Acts to permit Government contractors to initiate a 4-day, 40-hour workweek. I would like to call my colleagues' attention to several articles in support of this concept. The first is the testimony of WEMA, a trade association for electronic and information technology industries, before the Labor Department. The second is an article from the Washington Star by Marya Mannes describing recent innovations in the standard workweek.

The articles follow:

STATEMENT OF W. HUNTER SIMPSON IN BEHALF OF WEMA BEFORE THE EMPLOYMENT STANDARDS ADMINISTRATION OF THE U.S. DEPARTMENT OF LABOR, SEPTEMBER 8, 1971

My name is Hunter Simpson and I am President of Physio-Control Corporation in Seattle, Washington. I am also a past Director of WEMA, a trade association whose membership includes 600 companies engaged in electronics and information technology in 11 western states—Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming. Our industries employ more than 325,000 people in the West, and almost all of our member companies operate in fields of high technology, designing and manufacturing sophisticated equipment to meet the needs of both commercial and government markets.

I am pleased to appear before you today to present WEMA's position with respect to the need to change the Walsh-Healey Public Contracts Act of 1936 and the Contract Work Hours Standards Act of 1962 in order to permit government contractors to establish modifications in the standard five-day, 40 hour workweek—such as the establishment of a 40-hour workweek consisting of four 10-hour days—without paying overtime for work in excess of eight hours a day.

I am accompanied by Chuck Shaw, a member of WEMA's Industrial Relations Committee and Eben Tisdale, WEMA's Government Affairs Manager.

Briefly, it is WEMA's position that the Walsh-Healey and the Contracts Work Hours Standards Acts should be amended to permit firms with government contracts in excess of $10,000 to restructure their workweek where both management and employees find it desirable to do so.

We are aware of the fact that, following the notice of this hearing, Senator Marlow Cook introduced S. 2463, a bill to amend the eight-hour provisions of the Walsh-Healey and Contract Work Hours Standards Acts. In his remarks on introducing the bill, Senator Cook stated:

"The Honorable James D. Hodgson, likewise recognizes the importance and popularity of the current 4-day, 40-hour trend. In testimony on S. 1861 before the Senate Labor Subcommittee on May 26, 1971, he stated:

The 8-hour requirement apparently poses serious scheduling problems for firms desiring to work more than 8 hours a day as part of their 4-day workweek plan.

At that time the Secretary of Labor further stated:

In view of the growing interest in the 4-day workweek and the problems already being encountered with the 8-hour standards under the public contract laws, I believe that adoption of such a standard under the Fair Labor Standards Act, the Federal law with the greatest applicability to hours of work, would be inappropriate at this time.

Mr. President, the lucid implication of Secretary Hodgson's testimony recognizes the growing desire and evolving impetus to adopt the restructured workweek. I feel, as does the Secretary of Labor, that the 4–40 plan deserves a candid examination at this time, both by management and labor."

These comments reflect WEMA's views on this matter. We expect to support S. 2463 when it is heard by the Senate Labor and Public Welfare Committee.

I. INTRODUCTION

From the early 19th Century until the passage of the Davis-Bacon Act, Public Contracts Act, and Fair Labor Standards Act, there was continuing pressure (coming primarily from organized labor) to reduce the basic work day and workweek. The standard work day had been twelve hours in the early 19th Century, gradually giving way to 10 hours and finally, largely through legislation, the eight hour day.[1]

The concern of management prior to the passage of these various Wage and Hour laws of the 1930's was that productivity would be lowered with a corresponding rise in labor cost. This concern proved to be largely unfounded. Industrial engineering played a major role as a growing field by redesigning the work content of jobs so that productivity, defined as output per man-hour, continued to rise in this country. In recent years, however, productivity growth has peaked and is starting to fall. The following curve (not reproduced) showing output per man-hour as compared to compensation per man-hour figured against the constant dollar, illustrated the problem facing not only company management, but each of us in this room since all of us depend on a healthy overall economy to protect our future.

The concept of overtime premium pay after 8 hours in one day or 40 hours in one week, as established by the Walsh-Healey Act, was not intended to provide a larger paycheck to the individual worker, but to make overtime so expensive to the employer that it would be more economical for him to hire more workers to handle an expanding work load than to work the existing employees on overtime basis. This concept, obviously, had a great appeal during the depression years following 1929, and still has validity. These efforts towards reducing the basic workweek to 40 hours made a great contribution to the economy of the United States. The 40-hour week is considered just short of optimum by industrial engineering standards, thereby providing close to maximum efficiency.[2]

II. PURPOSE OF APPEARANCE

WEMA is pleased that the Department of Labor has called these hearings. This in itself reflects the fact that a potential revolutionary movement affecting the basic workweek is taking place in this country. Some 400 employers in the United States, including my own company, have adopted some version of an abbreviated workweek for the majority of their employees. The most common among these innovations is the so-called Four-Day, Forty-Hour Plan, a program which my company has implemented. Other companies have instituted similar schedules for limited numbers of their employees in special areas. However, companies adopting these new workweek schedules represent only a small portion of the 1.5 million corporations in existence in the United States today.

It is not my purpose today to defend the Four-Day, Forty-Hour Week per se, but rather to recommend that the Department of Labor take whatever steps are necessary to permit exceptions to be granted under the Walsh-Healey and the Contract Work Hours Standards Acts to permit government contractors to modify their basic workweek without having to pay overtime premiums for hours worked beyond eight in one day. The requirement for these employers to pay overtime after 40 hours in any one workweek would not be affected by this change.

III. FACTORS NECESSITATING A CHANGE

This current movement towards a shorter workweek has been initiated by management for various reasons. These can be summarized as an attempt to create an optimum working situation for their employees to improve their morale, and thereby motivate them to work more efficiently. Although I will discuss this point in more detail in a moment, I would like to point out that companies which have made a successful transition to a reduced week do, in fact, report that these goals are being achieved.

WEMA believes that today it is becoming necessary to take steps to meet foreign and domestic competition that would not have been considered necessary five or ten years ago. Inflation has caused an increase in labor, raw material and capital equipment costs to the point where domestic suppliers are having increasing difficulties in competing on the open market with foreign suppliers.

The observed value of the 4–40 plan has been a more highly motivated and, therefore, a more highly productive employee. Equally important, the plan has provided companies with the opportunity to make more efficient use of land, buildings and capital equipment. With respect to the latter point, it is worth noting that companies are not necessarily closing down operations for three days even though they are operating on a shorter workweek. Rather, the short workweek permits a company to schedule a longer work day without paying overtime, while, at the same time, it permits management to hire additional employees on a staggered work schedule, thereby obtaining 25% more use of its equipment during the basic workweek.

On August 15 of this year, President Nixon proposed, as a first item in his speech on Wage and Price Controls, the establishment of a 10 percent job development credit to stimulate investment in new equipment and machinery. Even with a 10 percent tax credit, companies may not be able to acquire exotic equipment if it is not used for significant periods during the day. This is the reason that foremost among the groups adopting the short workweek are those associated with large computer processing centers, sophisticated automated machines, or processing plants requiring longer start-up or shut-down time.

WEMA believes that the four-day week is, for many industries a companion measure to the Administration's new economic game plan. As a result of President Nixon's apparent success in causing a devaluation of the dollar abroad, American products should be more competitive. Now is the time to take advantage of this opportunity, and do all that is possible to revitalize the American economy, restore our balance of payments, and

Footnotes at end of article.

promote full employment. Any measure designed to raise productivity and improve worker morale should be supported at this time.

For the past year-and-a-half, government contractors—especially those which have been involved in our national defense and space programs—have been asked to redirect their efforts and the efforts of the engineers, scientists and technicians they employ. Many proposals have been presented to the Congress and to state agencies, proposing ways to stimulate this redirection of technical effort. In actuality, however, any such transition will be made gradually. During this redirection period, all of the formal rules and regulations covering government contracting (including Walsh-Healey) are, by practical necessity, extended to all of a company's employees because it is not normally possible to set-up two separate operating entities involving different people, equipment and facilities for government and commercial work. The inability of a company to modify its basic workweek because of existing federal laws and regulations could have the effect of forcing defense and space contractors into an unfair competitive position relative to companies whose primary activities are consumer oriented or commercial in nature.

As you are well aware, there are some companies covered by the Walsh-Healey Act which have adopted the 4–40 plan. Some of these have merely decided to pay the 10 percent premium overtime pay in lieu of an annual wage increase. This is an inflationary action, and appears to us to be against the spirit if not the letter of the current Wage-Price Freeze. Other companies have reduced the base pay of employees to 90.9 percent of their original pay, and then paid overtime on the new rate after eight hours. This makes an employee's new 40-hour pay the same as it was before the pay cut.

After 40 hours, overtime is paid at a rate based on the average of the rate for the first 40 hours, again making the total pay the same as it was prior to the initiation of the shorter workweek. In this way all of the provisions of the law (Walsh-Healey, FLSA, FICA, State Laws, etc.) are followed, but the employee is now paid an artificially lowered base rate. This latter method of payment may be satisfactory for some small non-union firms, but it has much broader implications in larger or organized companies. Not only is the rate of pay a bargaining issue, but such fringe benefits as vacation pay, holidays, profit sharing or bonuses, retirement pay, etc., must also be considered.

For example, in most companies, retirement pay is based on annual straight-time earnings under plans that must be approved by the Internal Revenue Service.

New plans would have to be written and submitted covering all employees in some uniform manner, requiring compromises which might be difficult to establish in larger companies.

Companies which have made a successful transition to the Four-Day, Forty-Hour week report lower turnover, less absenteeism and a far greater unsolicited job application rate. At the same time, employees working under this new plan are also finding a number of benefits such as more leisure time, lower transportation and other work-related costs, as well as greater flexibility in arranging their personal business schedules. Female employees in particular, who were expected to have negative reactions to longer hours, have welcomed the additional day off because it means less child care expense, more time for major housework and more time with their families.

Urban development has provided an additional impetus to the desire for more leisure time and the shorter workweek. Traffic congestion in major cities during peak hours can be greatly alleviated by a variation in the basic workweek. Less environmental pollution would be expected if workers had to travel to urban centers only four days a week rather than five.

Additional impetus was given to the four-day week when the national holidays were moved to Monday. Very soon after this legislation passed, the overwhelmingly positive reactions of workers induced management to make proposals for reduced workweeks. For employees on this work schedule, if eight days are assumed for vacation and seven for holidays, only 193 days per year would be worked with 172 free. Thus, the short workweek plan is in the best interest of the worker from almost every viewpoint.

Companies adopting a short workweek have not made these changes unilaterally. Employee opinions were sought regarding their attitudes toward a longer day, but shorter week.[3] Few companies exist today where unsolicited questions have not been raised by employees asking when their company will go on the shorter workweek. The results of the Gallup Poll published in February, 1971, showed that the general population strongly favors the reduced workweek, especially female workers and those who are college-educated. This survey included the rank-and-file members of organized labor.

Although organized labor is not officially in favor of the reduced workweek at this time, most of the major unions have smaller locals or units currently working under four-day week contracts. Comments by Mr. Woodcock[4] and Mr. Frazer (UAW Solidarity June, 1971, pg. 10) of the UAW show their receptivity toward the short workweek experiments.

IV. PROBLEMS FREQUENTLY RAISED

Opponents of any change in the Walsh-Healey Act will attempt to show that any work day in excess of eight hours, or even six, is detrimental to health, and that excessive hours (ten to more per day) will induce fatigue more readily with a corresponding drop in productivity. In certain occupations, undoubtedly these allegations will be correct. However, for the vast majority of employees covered under the Walsh-Healey Act, especially those in the electronics and information technology industries, there is no reason to believe this to be true.

Few comprehensive studies have been conducted on the subject of worker fatigue.

"At the present time there is no satisfactory way of measuring fatigue. Physiological measurements promise to provide objective means of determining the time and duration of periods of rest and work during the day. However, in this country we have not as yet done the research and testing to validate this procedure."[5]

In those studies which have been conducted, however, the fatigue noted is more commonly related to the state of the mind of the employee toward his job and his working conditions than to the length of hours worked. It has been generally shown, for example, that an interesting or varied job results in lower fatigue symptoms during any given period of time than a highly repetitive or physically demanding one. Studies showing the effects of music or color on various jobs have shown an increased or reduced tension and a corresponding change in fatigue. Similarly, highly motivated employees interested in a company and well informed about their individual contribution show a fatigue factor much lower than their less motivated co-workers.

"Fatigue is by no means the simple defined thing that many would have us believe it to be. Catheart, Dill, and Mayo, all of whom have written very clearly on the subject point out the many-sided nature of fatigue."

"A carefully conducted study, lasting over a period of several years, of fatigue of factory operators on a regular production work at The Western Electric Company showed that mental attitude of the workers was by far the most important factor governing their efficiency."[6]

Proponents of the reduced workweek report that this is one of the positive results of the change. Employees are more interested and enthusiastic; they have not demonstrated the effects of fatigue. Obviously, there is a breaking point beyond which an employee becomes so exhausted that his efficiency drops considerably and his health and safety are impaired. Comments obtained from the vast majority of companies and workers who have adopted a short workweek indicate that the ten-hour day is more than compensated for by the three-day weekend rest period.

In addition, the work force is undergoing a radical, though gradual, change. The chart below (not reproduced) illustrates the changing ratio of blue collar workers to white collar workers over the last twenty years.

The significant shift toward white collar work, coupled with the trend toward lighter physical work in better working environments for the blue collar worker, makes the shorter work day less significant in 1971 than it was in 1936. Ultimately, management of the companies adopting a reduced workweek have done so because they expect to find that the employees will be better motivated and that productivity will increase, or at least remain the same, while other benefits are achieved. To propose a system that results in greater fatigue and lower productivity (a standard measure of fatigue) is self-defeating, and would certainly have resulted in more companies abandoning efforts to change the workweek.

Much has been alleged about the problems associated with increased leisure time. It has been suggested that employees are not capable of properly utilizing an additional day off, that their spending habits will change, that more employees will moonlight, etc. However, WEMA believes that a shorter workweek will eventually come about, whether in the form of the 4–40 or in some other form (such as that proposed by the UAW in recent negotiations during which pressure was exerted for the 4-day, 32-hour workweek). If the three-day weekend is coming, either within the provisions of the Walsh-Healey Act or some other way, the problem of effective use of leisure time will have to be faced ultimately. It should not be a major deterrent for any action on the part of the Department of Labor.

In addition—and as I noted earlier—this year, for the first time, the country's work force will automatically get a taste of the 3-day weekend, 4-day workweek. Under the new Federal Monday holiday law, five of our 10 national holidays will fall on Monday. This means that for 10 percent of the year, workers will be working a 4-day week. The effect of this law is that it has provided us with a preview of reactions from a broad-based reaction from both management and labor on the shorter workweek. From all reports, this reaction is favorable.

It is also worth noting that Riva Poor and others have conducted interviews with employees in companies which have adopted the 4-day, 40-hour plan or similar work schedules. These interviews were conducted both before and after implementation of the new work schedule. While the employees surveyed expressed both favorable and unfavorable opinions of the new work schedule both before the plan was implemented and afterwards, it should be observed that the percentage of employees favoring the 4–40 have never decreased in the second poll, conducted after implementation of the plan.

V. LEGAL IMPLICATIONS

In making this presentation today, I am not at all unmindful of the complex legal prob-

Footnotes at end of article.

lems that have to be faced. Hopefully, the outcome of this hearing will be the decision of the Secretary of Labor to support legislation such as S. 2463 amending the Walsh-Healey and Contracts Work Hours Standards Acts.

Such an action would not be without precedent. The Walsh-Healey Public Contracts Act of 1936 has been significantly affected by the Fair Labor Standards Act of 1936, the Health and Safety Standards Act of 1971, court decisions such as *Wirtz vs. Baldor Electric Company* (16 WH cases 551, 1964) and a change in the minimum age as required under Title VII of the Civil Rights Act of 1964.

In fact, the only significant sections of the Walsh-Healey Act that have not been affected by legislative or court actions have been the eight-hour and convict labor provisions. In discussing the Walsh-Healey Act, my comments apply equally to the Contract Work Hours and Safety Standards Act of 1962 which, coupled with the Davis-Bacon Act, essentially form a body of law similar to the Walsh-Healey but with application to different employer groups.

In addition to the Walsh-Healey Act, approximately 33 states have protective laws which apply to women and minors, most of which contain the requirement to pay overtime after 8 hours at the rate of 1½ times base pay. As a result of the Civil Rights Act, there is a significant doubt as to the constitutionality of the whole body of law described as state protective laws applying to women and minors (Rosenfeld vs. Southern Pacific, 293 F. Supp. 1219, C.D. Calif. 1968). There is also the question whether these same state protective laws should apply equally to men (Potlatch Forests, Inc. vs. Hays—318 F. Supp. 1368, E.D. Ark. 1970). In many states covered by state protective laws, bills have been introduced in the current state legislatures to provide for either the elimination of the entire body of state protective codes, or, at least, certain portions thereof, especially the eight-hour overtime pay provision, maximum hours of work, and the weight-lifting limitatons.

WEMA hopes that this body of state law, which appears to us to conflict with federal statutes, will be eliminated. A change in the Walsh-Healey Act allowing for a shorter workweek will, we believe, provide strong impetus in this direction.

FOOTNOTES

[1] "Labor Economics and Labor Relations," L. G. Reynolds, Prentice-Hall Inc., 1956 Englewood Cliffs, N.J., pg. 248.

[2] ibid, pg. 255.

[3] "4 Days, 40 Hours" Riva Poor (Ed.), Bursk and Poor Publishing, 1970, Cambridge, Mass.

[4] "Reflections on the Ten-Hour Day, Four-Day Week," H. R. Northrup, *Daily Labor Report* July 27, 1971, Pub. Bureau of National Affairs, Washington, D.C.

[5] "Motion and Time Study," R. M. Barnes, John Wiley & Sons, Inc., New York, N.Y. 1966, pg. 402.

[6] ibid, pg. 584–585.

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4. U.S. Bureau of the Census, *"Statistical Abstract of the United States: 1970* (91st Edition) Washington, D.C., 1970.

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7. *Motivation and Morale in Industry*, M. S. Viteles, W. W. Nortan & Co., Inc., New York, N.Y., 1953.

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[From the Washington, D.C., Star, Nov. 14, 1971]

NEW LIFE FOR WORKERS: PICK YOUR OWN HOURS

(By Marya Mannes)

NEW YORK.—Some people are seeing the light. They know that sooner or later the five-day 40-hour work week must go. Why? Because it is not only dehumanizing for men and women, but counter-productive for business itself.

For one thing, any motorist (let alone the trapped rail commuter) who listens to the helicopter traffic reports on radio must feel that something is terribly wrong with a system that puts millions of wage-earners on roads or tracks at exactly the same time in the morning and exactly the same time at night, going to and from the big cities for two or three hours of carbon-monoxide and frustration for five days a week.

The theory of course, is that business cannot function otherwise. Because goods and money have always been made that way, they always will be. A further assumption is that if men and women are on the job eight hours a day, they produce eight hours of work.

But these assumptions are being challenged in many quarters. One, for instance, is a recently formed New York agency called Newtime; another involves some of West Germany's most important offices and factories.

One typical sampling of job profiles shows what Newtime (the brainchild of young businesswomen) is now accomplishing with increasing success:

Field: Market Research.

Position: Administrative Coordinator.

Problem: Need for a highly skilled administrative person to be the assistant to three executives. Lunch hours have to be covered, and very often there is an overload of work which has to get done, but in the present situation gets carried over to the next day for lack of time.

Solution: They hired two people on a "tandem" basis. They share the work-load; one works from 9 to 1, the other from 1 to 5. There is coverage all day and the work load does not strain either employe. There is an added benefit that was not foreseen: the chance of both employes being out on the same day is remote and so there is never the panic which occurs when a strategic person is ill. The job allows two people to work on a schedule which accommodates their needs, resulting in optimum productivity and morale.

As for the Germans, in Cologne, for example, men and women at the Lufthansa headquarters, and at many other offices and factories now go to work when they want and stay as long as they want—within reason.

FLEXIBLE

As reported in the New York Times a while ago, "this fast-spreading arrangement is being hailed by those who have tried it as a blessing to employers and employes alike." The workers still have to keep a time-clock accounting for their total work-hours, but the fact that each can work according to his peak productivity (we all know "morning people" and "afternoon people") means their output in fewer hours is much greater than during times of lowered capacity stretched over more.

JOHN P. McGILLOWEY, MASSACHUSETTS STATE COMMANDER OF THE DISABLED AMERICAN VETERANS

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, it is my privilege to bring to the attention of my distinguished colleagues today, the Massachusetts State Commander of the Disabled American Veterans, Mr. John P. McGillowey, who was recently honored at a testimonial banquet at the Statler Hilton Hotel in Boston, on November 20, 1971. The invited guests were:

Reverend Carl E. Bergstrom, National Chaplain, D.A.V.

Boyd H. Bowers, National Executive Committeeman, D.A.V.

Clara C. Bowers, National Executive Committeewoman, D.A.V. Auxiliary.

Honorable James A. Burke, United States Congressman.

Charles N. Collatos, Commissioner, Veterans Services.

William F. Connors, Manager, Boston VA Regional Office.

Senator Edward T. Conroy, National Commander, D.A.V.

Honorable John F. X. Davoren, Secretary of State, Commonwealth of Massachusetts.

Charles Denehy, Commander, Braintree #29, D.A.V.—Banquet Chairman.

Dorothea Donovan, 4th National Jr. Vice Commander, D.A.V.

Warren Driscoll, Deputy National VAVS Representative—Toastmaster.

Blanche M. Dufour, State Commander, D.A.V. Auxiliary.

Robert Dufour.

William Fandel, Building Superintendent, Jordan Marsh Company.

Walter T. Greaney, 2nd National Jr. Vice Commander, D.A.V.

Honorable Louise Day Hicks, United States Congresswoman.

Carl Johnson, Chairman, Board of Selectmen, Braintree.

Honorable Hastings Keith, U.S. Congressman.

Margaret Kelleher, Commander, Braintree #29, D.A.V. Auxiliary.

Reverend Father Joseph Kelly, St. Joseph's Church, Somerville.

Honorable Donald J. Laing, State Representative, Braintree Selectman.

Honorable James R. McIntyre, Mayor of Quincy.

John Quigley, Commandant, Chelsea Soldiers Home.

William A. Tabb, Department Sr. Vice Commander, D.A.V.

Arthur Tobin, State Senator.

George A. Wells, Former Mayor of Worcester.

James White, Executive Vice President in Charge of Operations, Jordan Marsh Company.

Honorable David B. Williams, Presiding Justice Ayer District Court, Past National Commander, D.A.V.

John P. McGillowey was born in Boston, Mass., and was educated in Mission Grammar School and Mission High School in Roxbury. He was employed as an elevator mechanic in Jordan Marsh Co., in Boston until he enlisted in the Army Signal Corps in 1942 and served in the Southwest Pacific area in Austra-

lia as a crytograph mechanic. He was hospitalized in the 42d General Hospital in Australia and transferred to the Letterman Hospital. From there he was sent to the Cushing Hospital in Framingham, Mass. He was discharged with a medical discharge in August of 1944.

Upon his discharge he was promoted to supervisor of elevator mechanics at Jordan Marsh Co.

John became active in the Disabled American Veterans and was one of the organizers of Braintree Chapter No. 29 of which he has served as commander. He was also commander of District Council No. 2 in Massachusetts. He served as DAV's representative of the Boston Veterans' Administration Hospital in 1963, of the Brockton VA Hospital from 1964 to 1967, and of the West Roxbury VA Hospital from 1964 to 1969.

Having served as department junior vice commander, and department senior vice commander, John McGillowey was elected State commander of the DAV in Hyannis, Mass., in June of 1971.

John P. McGillowey has received numerous national and department citations for his membership and hospital work; he has spent his life serving his country, first in World War II and then in the Disabled American Veterans, helping those who were wounded fighting for the American principles of freedom and democracy.

I have been honored to know John P. McGillowey, as one of the residents of my district, and I invite my colleagues to join with me in thanking him for his magnificent contributions to the American people.

COMMUNISM VERSUS FREEDOM

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. PRICE of Texas. Mr. Speaker, as a result of President Nixon's foreign policy decisions, the American role in the war in Vietnam and the American presence in that war-torn country are being steadily reduced. The Vietnamese people are successfully shouldering the burdens of their struggle for freedom and the right of self-determination.

Our war-weary Nation has had a tortuous history and tortuous involvement in Southeast Asia for the past two decades. And our war-weary people, in ever increasing numbers, are asking such critical questions as, why did this Nation get itself so heavily involved in Southeast Asia? Why did this Nation commit such large amounts of blood and treasure to the war in Vietnam? What possible interests do American people have in that corner of the world that are significant enough to balance off the national sacrifices that have been made there?

Some students of history have couched this conflict in basic terms of good against evil, God against the Devil, tyranny against freedom. Whatever its fundamental nature, however, since the early part of this century, the struggle has taken a highly ideological turn and has been characterized by a battle between communism and freedom.

In my lifetime, the Communists have waged a relentless war to extend their influence and control over men and nations. In the process, countries have been treated as pawns in a global chess game, a game that has as its goal the eradication of freedom, and the establishment of a world order based on tyranny and atheism.

From the time the Communists demonstrated their real objectives, the United States has attempted to counter and frustrate their conspiratorial designs whenever and wherever possible. Despite all efforts, though, the ideological map of the world has changed greatly in the last 25 years.

Although communism, as a form of government, emerged from the Russian revolution of 1917, it did not become a world threat until the close of World War II. After the war the Soviets consolidated a primary base of illegitimate power by ringing down the Iron Curtain in Europe. Behind this Iron Curtain millions of individuals in the 12 nations of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Byelorussia, Rumania, East Germany, Yugoslavia, and Bulgaria, were forced to submit to the totalitarian will of the Communist state.

One of the first major postwar confrontations between the Soviet Union and the United States occurred in 1946. During World War II, Russia agreed to withdraw its troops from Iran at the cessation of hostilities. After the close of the war, however, the Soviets refused to honor their agreement; they finally did so only after substantial political pressure was applied by the United States.

In the following year, the Russians and their East European allies aided the Greek Communist guerrillas in their attempt to forcefully overthrow the Greek Government. This endeavor was defeated by American military and economic aid which was channeled under the Truman doctrine to the embattled country.

During 1948, a direct confrontation between the Soviet Union and the United States occurred in Berlin. In June, in a bold attempt to force the United States, Great Britain, and France to relinquish their joint control of the city, the Soviets blockaded Berlin. The allies responded with a counterblockade and initiated a massive airlift to relieve the beleaguered city. One year later, Russia lifted its quarantine, and the Berlin crisis subsided.

These initial confrontations influenced the United States to reverse its traditional policy of avoiding permanent alliances. In 1949, the United States and 11 European nations signed the North Atlantic Treaty, and NATO was born. In this fashion, the countries of Belgium, Canada, Denmark, France, Great Britain, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal and the United States, with the subsequent additions of Greece, Turkey, and West Germany, banded together to safeguard the freedom of the Atlantic community.

During the same year, however, the Communist cause gained great impetus when China fell to a Communist revolution led by Mao Tse-tung. The United States continued to support Chiang Kai-shek and the Republic of China, which set up headquarters on Taiwan. Soon Taiwan and the offshore islands, notably Quemoy and Matsu, became a source of recurring international tension.

Faced with a new Communist threat from China and fearing its growth in Asia and possible spread to Latin America and Africa, the United States instituted the point 4 program. This was a program designed to share U.S. technological skills, knowledge, and equipment with underdeveloped nations in an effort to help them develop their industrial, agricultural, political, and human resource potentialities. It also encouraged the flow of U.S. private investment capital to these nations.

Despite U.S. efforts, however, the strife continued, and in 1950, the most serious confrontation of the early cold war occurred. The scene was not Europe, but the Far East. In June of that year North Korean forces, with the support of the Soviet Union and Communist China, invaded South Korea. The free world swiftly responded and the United States, on behalf of the United Nations, intervened and waged a relentless battle until a cessation of hostilities was finally agreed to in 1953.

During the latter part of the fifties, the cold war centered again in Berlin. In November 1958, Khrushchev initiated the second Berlin crisis by unilaterally renouncing the validity of the wartime agreements upon which the four country occupation of the city was based, and demanded a new settlement strictly on Soviet terms. The United States and its allies resisted Soviet pressures, however, and the crisis temporarily abated when Premier Khrushchev and President Eisenhower reached an understanding at Camp David in September of 1959.

When John F. Kennedy assumed the Presidency in 1961, this understanding evaporated. Once again Khrushchev began to build up international pressures over Berlin. The United States, Great Britain, and France resisted the pressures and prepared for all contingencies. A virtual stalemate thus existed until the fall, when Khrushchev abandoned his demands, and world tensions subsided once more.

In the following year, the Communists heated up the cold war again, this time almost to the boiling point. In September, Khruschev placed intermediate-range ballistic missiles and medium-range bombers in Cuba, which had been secured as a forward Communist position by Castro's revolution of the late fifties. The United States responded by threatening to unleash its nuclear power against the Soviets if their offensive weapons were not removed from the island. After a week of crisis, the Russians removed their missiles and bombers and the world relaxed.

While the removal of these instru-

ments of war from Castro's Cuba helped remove communism's sting from our shores, it did not help remove its influence from the Western Hemisphere. Since that time, both the Soviets and the Red Chinese have been using the island as a staging base to promote Communist revolutions in the countries of South America. The United States has reacted by refining some of its Latin aid programs and the Alliance for Progress. To date, our actions have helped combat the spread of communism in South America, but prevailing Latin economic and social conditions make any predictions of the future impossible.

Mr. Speaker, the United States has been waging the cold war for over 25 years. During that time we have joined with other nations of the free world and formed regional defense and security pacts. I have already discussed NATO; chief among the others, are SEATO and CENTO in Asia and the Pacific, and the OAS in South America.

While these agreements provide a broad-based bulwark against communism, the United States has not been content to rely solely upon them. In an effort to contain the spread of Chinese communism, for example, we have helped certain Asian and Pacific nations build their social, political, and economic institutions. South Korea, the Philippines, and Formosa proudly stand today as dramatic proof of the benefits of some forms of American foreign aid.

In this process of nationbuilding, we have also constructed an arc of defense posts in strategic areas of the world. Major U.S. strike bases are located in South Korea, Okinawa, Taiwan, the Philippines, South Vietnam, and Thailand, as well as the Pacific islands of Guam, Mariannas, Marshall Islands, and Midway. This line of defense has been drawn in Asia and in the Pacific and not on the shores of the continental United States because, as aptly stated by Gen. Douglas McArthur, the islands of the Pacific are the stepping stones to our defeat. Thus, we will fight the enemy on our own shores only as a last resort.

The strength of this arc of defense is nowhere better illustrated than by our Okinawa airbase. We possibly have enough nuclear firepower located on the island to reduce Red China to a sandy beach. Moreover, it is estimated that it would take only 400 atomic weapons to insure this total destruction. Of course, we would not unleash this nuclear holocaust unless forced to, but I am convinced that the knowledge we have the power and would use it if necessary, helps keep the Communists in line.

Mr. Speaker, based on the nature and history of the cold war, I submit it is obvious that the Communists are fomenting revolution in Southeast Asia as a means of facilitating the achievement of their goal of world conquest and domination.

It was to frustrate these conspiratorial plans that the United States became heavily involved in the Asian conflict. In this connection, our actions in that war-torn area have been proof to the free world that this country will not permit the destiny of beleaguered nations that ask for our assistance to be forcefully decided by alien aggressors.

Mr. Speaker, while our national attention and energies have been focused on Southeast Asia, the Communists have been dramatically increasing their presence and involvement in the Middle East. The Soviets have been using Arab-Israel problems as a means of extending Communist influence in that part of the world. This is not a new happenstance; the Russians mounted a program of expansion in the Middle East in 1955. At that time they agreed to supply Egypt with arms from Communist bloc countries. Following this agreement, Russia became an outspoken supporter of Egypt on the international scene. In addition, during the Middle East war of 1956, involving Britain, France, and Israel, the Soviets seized on the volatile situation and exploited it. They initiated far-reaching economic and military aid programs for the Arab States, and in the course of the next decade were able to fashion considerable influence and control in Arab councils.

We know the Soviets have renewed their expansionist efforts in the Middle East. We know they have supplied the Arab States with military advisers, combat pilots, ground-to-air missile experts, modern airpower, armaments and munitions. We know if these ominous trends continue, and if Communist influence in the Middle East is consolidated, the area could become hostile territory to U.S. and allied military forces. Should this happen, NATO security and the global balance of power would be greatly affected. In addition, the natural resources of the oil rich Middle East could be denied to the United States and Europe, thereby placing potential economic strains on the free world.

To avert such an eventuality is why the United States must weigh the course of events in the Middle East carefully, and cast its weight in strategic places and at appropriate times. Moreover, the United States has a vested interest in helping the nations concerned work out a mutually agreeable resolution to the conflict, a resolution that will insure the territorial integrity of the countries involved and that will preserve the East-West balance of power in the Mediterranean.

Mr. Speaker, by way of summary, for 25 years, the United States and the Communists have been locked in a titanic struggle that has spanned the globe. In the process some nations have been subverted, overthrown, and dominated by the Reds, while the sovereignty of other nations has been protected and preserved by the United States.

I predict this struggle will not be ended in Vietnam. Neither will it be decided in the Middle East. Instead, I believe it will continue until one side absorbs the other, until both sides destroy each other and the world, or until we learn to live together in peace.

For the present, however, I believe it is of crucial importance for Americans young and old to understand the nature, the background, and the present state of the struggle between communism and freedom. Understanding is necessary if the resources of his great country are to be fully focused on the battle at hand, a battle that has cost great losses of American life and treasure; a battle that will probably cost us more of the same in the years to come.

The mantle of world leadership falls heavy on the nation that wears it; the costs of freedom come high to the people who preserve it. Our Nation has not shirked its leadership responsibility in the past; our people have always proved equal to the sacrifices they have been called upon to make in the cause of freedom. I am confident such will be the case in the future.

Mr. Speaker, the United States is the only nation in the world today that possesses sufficient human, industrial, and military resources to lead the fight against communism. Should this generation of Americans decide that the battle between communism and freedom is not worth pursuing, and that the United States should surrender its leadership position, I believe this generation will not pass before the forces of communism dominate the world.

If the United States did not lead the fight for freedom, what nation would? If the United States faltered in its historic task, what nation would pick up the fallen standard?

FRANCHISING

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. PEPPER. Mr. Speaker, today's neighborhood businessman is frequently the holder of a franchise. Franchising has grown explosively in the past 20 years, or—more explicitly—since World War II. During that interval, we have seen the chainstore and the superstore replace "Mom and Pop" operations. Owners of corner groceries, drugstores and food counters went down in the flood, one wave of which is represented by the banner proclaiming the sale of hamburgers by the billions.

Franchising of small stores looked like a solution. But inevitably, franchising itself has become big business. Bigness, in turn, has brought charges of abuse, claims that the small investor has been victimized by the fast-buck artist.

The Federal Trade Commission has now issued a notice that it plans to promulgate, "a trade regulation rule concerning franchising." The Commission advances 27 points for the protection of franchisees or prospective franchisees. Prominent among those 27 points are "procedures whereby franchise fees may be recovered."

One of the Nation's most outstanding authorities on franchising, Mr. Coleman R. Rosenfield, says:

> This payment of earnest money by the prospective purchaser is very seldom afforded the dignity due it.

Mr. Rosenfield is the author of, "The Law of Franchising," published in 1970 by the Lawyers Cooperative Publishing

Co. and Bancroft Whitney. Mr. Rosenfield practices law in Hollywood, Fla., and is active in the franchising field, having been western division director of Mister Donut of America and President of Spudnut Industries.

In the American Bar Association's Law Notes for July 1971, Mr. Rosenfield wrote an article entitled "Negotiating the Franchise Deposit." In that article, Mr. Rosenfield comments that the odds for safety and return of franchise deposits are comparable to the prospects for winning at the baccarat table. Mr. Rosenfield says that the franchise deposit goes by a variety of names, but that:

Whatever the name, keeping the deposit seems to be the game. The franchise company often embellishes the deposit with conditions that make its return to the prospective franchisee all but impossible. Some franchisors or their sales agents blatantly make the deposit nonrefundable. When the frustrated depositor tries to get his money back, he is met with the words of the contract that clearly preclude any recovery. The attorney for the purchaser generally comes on the scene at this point, faced with the necessity of improvising a cause of action to recover the funds.

This dilemma can be avoided if the attorneys present a clear understanding to their respective clients.

Now, belatedly, the Federal Trade Commission seems to have become aware of the hazard of loss to funds that are deposited in good faith. In the announcement of its proposal to issue a rule, the Commission declares that—as item 7—that it would be unfair competition for a franchisor to fail to issue:

A description of the franchise fee; and a statement indicating whether all or part of the franchise fee may be returned to the franchisee and the conditions under which the fee will be refunded.

Up to now, franchisors have treated deposits as income. Mr. Rosenfield writes:

Many franchisors use the franchise fees as a source of income for funding themselves. This can be a proper and legitimate use of such funds. However, it is imperative that the franchisor be made to understand that the franchise fee, or any part of it, as a deposit that is prepaid, is not the property of the franchisor until the conditions surrounding payment have been fulfilled. Until that time, the funds ought to be designated to a special account and held in escrow, or with a dignity of an escrow. No title to the deposits should be permitted to vest in the franchisor before the conditions accompanying the deposit have occurred.

The temptation of the franchisor's company to make premature use of the cash flow generated by the payments of deposits and franchise fees can be an awesome obstacle for an attorney to overcome. Yet, diligence in this regard will deter what has become a trend towards a growing number of law suits. This type of litigation is expensive, time consuming and very bad for the corporate image. And, as these corporations become tarnished, the pressure on state and federal regulatory agencies builds to police franchise companies and the practices within franchising. Only by self-regulation will franchising avert governmental regulation.

Mr. Rosenfield's warnings have come to fulfillment. Government regulation is now upon those who would not practice self-regulation.

Aside from treating the fee as income, a popular practice has been to handle the payment as salesman's commission. Mr. Rosenfield sees nothing wrong with a commission, provided that the franchise fee is not either misidentified or wrongfully converted. He writes:

A good many franchises are sold through sales companies who specialize in merchandising several franchises. These companies are paid by commission which, oddly enough, generally equal the deposit required.

They are the agents of the franchisor and any attempts, direct or deceptive, to alter that relationship and etsablish them as agents of the purchaser must be clearly and effectively squelched. The implications in the relationship between the sales agent and the franchisor-franchisee are far-reaching and merit appraisal and definition. It is patently clear, therefore, that any attempt to disassociate the sales agent and the payment it receives from the same liability, imposed or assumed, by the franchisor should be firmly discouraged.

Happily, the Federal Trade Commission acknowledges in its proposed rule, the validity of Mr. Rosenfield's position. In its very first point, the Commission proposes to direct that there be full information on trademarks and on "all companies which employ the franchise salesmen."

Mr. Speaker, I believe Coleman Rosenfield would agree that the proposed rule does not go far enough, that on the issue of commission alone, its proposal does not correct the fee-commission problem.

A more fundamental omission is the absence of any protection against comingling of funds. Mr. Rosenfield describes the hazard in the following way:

The pitfall most flagrant in these practices is the comingling of deposited funds with those of the company's general use. The money often gets spent, sometimes wasted, and almost always is dissipated by the time the depositor demands a return of his funds. There is no way to trace the money and a rash of such claims can be a prelude to heavy litigation and bankruptcy proceedings. This is disastrous for both parties.

The required action, Mr. Rosenfield suggests is a reporting procedure for such income emphasizing, "the need to treat deposits and prepaid fees with the dignity due escrow funds."

The FTC has made a commendable start. Mr. Rosenfield and other persons such as he have scored. They now have until February 7, 1972, to declare their desires to be heard on the rule itself, thereby gaining an opportunity to score again, and to secure the inclusion of additional essential safeguards.

With so much of the small business investment dollar going into franchises, it is imperative that a thorough job be done. Whether the investor be "Mom and Pop," a small neighborhood minority enterprise or an established entrepreneur looking for an added outlet, the investment dollar must be safeguarded. The franchise field must be cultivated and tended, rather than to be left to be overgrown with the weeds of exploitation. Mr. Rosenfield has performed a service by suggesting the course correction should take.

SAVANNAH HONORS DOORKEEPER AND HIS ALMA MATER

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAGAN. Mr. Speaker, certain occasions always stand out as being something special and out of the ordinary and last Friday night's football game at Memorial Stadium in Savannah, Ga., between the Mississippi Gulf Coast College of Perkinston, and Fort Scott Community College of Kansas is just one of those outstanding events.

Some of the reason for this is due to the fact that I was accompanied to the Alee Temple Shrine Bowl National Junior College Championship Football Game by one of Mississippi Gulf Coast College's most illustrious alumni and biggest fans—the Honorable William M. "Fishbait" Miller.

Never have I been more impressed with college athletes than when Fishbait Miller and I were invited by the president of the college, Dr. J. J. Hayden, to visit the team's locker room where I met many of the players of the winning team which was Fishbait's fine alma mater, Mississippi Gulf Coast College of Perkinston. I shall never forget the thrill when I witnessed the whole team down on their knees, offering their thanks to God for their fine victory and then, spontaneously, reciting the Lord's Prayer.

I want to share with my colleagues the reception received in Savannah by our famous Doorkeeper which is quite evident from the clipping which follows from the Savannah Morning News. In addition, I feel the report of Friday's night game and the Mississippi team's victory should be shared and it, too, follows:

[From the Savannah Morning News, Dec. 4, 1971]

RIBS ROUSAKIS—"FISHBAIT": JOKER SUPREME

(By Ron Pratt)

William M. "Fishbait" Miller, the colorful Doorkeeper of the U.S. House of Representatives, accepted a "key to the city" Friday from Mayor John P. Rousakis in a typically unorthodox "Fishbait" fashion.

"You've got it upside down," Miller said, pointing to the key in Mayor Rousakis' hand. "Ain't you never give out keys before, boy?"

The mayor responded with a laugh and said the key had been "especially made for the backrooms Fishbait uses in Washington."

Miller's friends and admirers wouldn't have expected anything less from the crusty alumnus of Gulf-Coast Junior College, Perkinston, Miss., one of the contenders in Friday night's Shrine Bowl classic at Memorial Stadium.

Miller was the guest of honor at an afternoon reception hosted by city officials.

First District Rep. G. Elliott Hagan arranged for Miller to be on hand at the gridiron battle for the National Junior College Athletic Assn.

He said he has "never had a dull moment" in 22 years at his House post, considered an extremely influential one.

He said "his most unusual experience" was meeting Princess (later Queen) Elizabeth and Prince Phillip of England during their 1952 visit to the U.S.

"I said 'howdy, ma'am' to the princess and 'howdy, suh' to the prince," Miller said.

He said President Truman had forewarned the monarchs they would meet "a character" when they entered the House chambers.

"When I ushered the prince and princess to the Speaker's platform, I leaned over to Prince Phillip and said 'we in America think you're the most handsome brute around, suh'," he said.

"Then I'm at your service," the prince replied laughing.

Miller then asked Prince Phillip to wave to House office workers assembled in the chamber gallery "just to make them feel at home."

Miller recalled Gen. Douglas MacArthur's farewell address to a joint session of the House and Senate as "the most memorable event" in his career.

"I got all goose-pimply when the general said 'old soldiers never die, they just fade away'," he said.

Miller said he watched Gen. MacArthur, at the conclusion of the famous speech, bow to his wife who was seated in the gallery.

"There wasn't a dry eye on either side of the chamber," he said.

During the reception Miller was presented a bottle of his "favorite drink," Barqs root beer, by Gulf Coast Junior College President Dr. J. J. Hayden.

Miller, obviously delighted, took the bottle and held it to his chest.

"I told my wife that, when I'm laid out to my final rest, she should put one of these bottles in each hand and write that 'he died happy'," Miller said.

He revealed that he had once worked for the Barqs family, manufacturers of the root beer, in his hometown, Pascaguola, Miss.

While at Gulf Coast, known then as Harrison-Stone-Jackson Junior College, Miller was manager of the football team.

"The team's come a long way since then," he said.

In addition to his duties in Washington, Miller has served as Chief Doorkeeper for every Democratic National Convention since 1944.

FORT SCOTT UPSET—GULF COAST'S NO. 1 AFTER 22-TO-13 WIN

(By Marcus Holland)

	MGC	FS
First downs	18	10
Yards rushing	252	207
Yards passing	163	49
Passes	8–16–0	2–6–0
Return yardage	12	28
Fumbles lost	2	4
Punts	3–36.7	3–36.3
Penalties	95	45

Mississippi Gulf Coast unleashed a bevy of fine running backs and a devastating aerial assault to upset top-ranked Fort Scott 22–13 in the 15th Shrine Bowl Friday night at Memorial Stadium.

A crowd of 4,000 braved freezing weather and a steady second half drizzle to watch Gulf Coast capture its first National Junior College Athletic Association football championship.

And the Bulldogs did the job in convincing style, bolting for 252 yards on the ground and 163 more through the air against what was billed as one of the stingiest defenses in the country.

The victory extended Gulf Coast's winning streak to 18 games and halted the Fort Scott string at 27.

Jerald Thomas, a 177-pound running back, staked Gulf Coast to a 14–0 lead before Fort Scott got on the scoreboard midway in the second period on a 63-yard gallop by Tommy Reamon. Thomas bolted 64 yards from scrimmage with 8:16 left in the first period to make it 6–0, and placekicker Jim Beck added the PAT to make it 7–0.

Thomas scored again on the first play of the second period, taking a 33-yard scoring pass from quarterback Jim (Dinky) McKay without breaking a stride. This time the PAT attempt was blocked.

That's the way it stood at the half, but Gulf Coast quickly changed the outlook with 11:31 remaining in the third period. Big Gene Ganucheau gathered in another McKay pass and travelled 40 yards to make it 19–7, and early in the fourth period Beck boomed a 30-yard field goal to give Gulf Coast a 22–13 margin with 9:49 left on the clock.

Between Ganucheau's touchdown grab and Beck's field goal, Fort Scott put six on the board when quarterback Kurt Nieman plunged one yard to cap a 68-yard Greyhound march. Steve Hall, who kicked the first PAT, was foiled on this attempt by a bad snap from center.

That was all the scoring, although Gulf Coast could have easily put three more scores on the board. Once a Gulf Coast receiver dropped a sure TD pass, again a receiver slipped down while in the clear, and one touchdown was called back because of an off-side penalty.

Fort Scott, ranked No. 2 at the time, upset Mesa College, 41–20, in the Shrine Bowl last year and was a solid favorite to become the first school to win two NJCAA championships in a row.

But, Mississippi Gulf Coast proved who was No. 1, without a doubt. Both schools went into the game rated No. 1 by various polls.

It was evident from the start that Gulf Coast was 'keying' on Fort Scott's Reamon, who shattered four records and tied another in the 1970 game. The little speedster "only" got 182 yards in 22 carries Friday night, but wasn't allowed to get loose after he broke the 63-yard touchdown run.

Reamon's Shrine Bowl worksheet is something to behold. In 51 carries Reamon has gained 426 yards and scored four touchdowns.

But it was Gulf Coast's sticky defense that shut off Reamon's outside runs, thus putting a damper on the Greyhounds offensive machine. Big Skip Holland did a fantastic job at defensive end for Gulf Coast, and John McDougle and Jerry Brown plugged the middle.

Fort Scott also had its defensive stars, namely Joe Wunderly, Gary Lindsay and safety Dave Dill, who made numerous tackles.

It took Gulf Coast only three plays to get its first score. After one incomplete pass, McKay hit Thomas for 24 yards to the "Dogs" 37, and Thomas broke off left tackle on the next play for the score.

Gulf Coast went 40 yards for the second score, using five plays to do it. McKay connected on three passes enroute to the score, including the 33-yard payoff pitch.

Reamon's TD run came on the first play of a series, after McKay was thrown for a six yard loss on fourth and six at the Greyhounds 31. Reamon took the pitch out from Nieman, turned the left corner and out ran 11 Bulldogs.

Ganucheau's touchdown run in the third period was one of the most determined anybody will witness. After pulling in McKay's pass. Ganucheau cut toward the sidelines, turned back toward the middle, bounced off five tacklers and sped into the end zone.

Fort Scott's final touchdown was a time-consuming 68-yard march that needed 11 plays. Reamon was the big man on the drive, carrying seven times for 41 yards.

Reamon finished was 182 yards for the night, and Gulf Coast's Thomas had 133 in 22 carries. Thomas also caught three passes for 61 yards. Ganucheau's three catches were good for 67 yards.

Gulf Coast	7	6	6	3—22
Fort Scott	0	7	6	0—12

M—Thomas 64, run; Beck kick.

M—Thomas 33, pass from McKay; kick blocked.

S—Reamon 63, run; Hall kick.

M—Ganucheau 40, pass from McKay; pass failed.

S—Nieman 1, run; kick failed.

M—Beck 30, field goal.

THE UNITED STATES AND FRANCE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. BIAGGI. Mr. Speaker, a few months ago, I and several of my colleagues boycotted the address of French President George Pompidou to a joint session of Congress. At the time, we were protesting France's failure to supply the Mirage jets that Israel had ordered.

Now the correctness of that move is confirmed. France has disclosed its hand to the world by canceling Israel's order and returning the money paid.

Israel needed those jets and needed the money to keep up her fight for freedom. To deny her the jets and the money for all these years was as much as if France were fighting on the side of the Arabs and their Communist allies.

Clearly, the French Government has now revealed that it is not interested in maintaining Israel as a democratic state, free from the threats of aggression and annihilation that daily hangs over its head.

Similarly, the French hand has been revealed in its treatment of the illegal narcotics traffic that freely flows through its country. For years we have heard how hard France is working to clean up Marseilles and rid the city of its drug purveyors and processors. But little action has really been taken. In fact, the very officials that are mouthing these fantasies are working with the traffickers in illegal drugs.

For a long time now I have called on the U.S. Government to put pressure on the French to eliminate the drug processors and traffickers in their country. The State Department continues to aver that France is doing something. However, by now it must be apparent that what they are doing is aiding the illegal drug flow, not stopping it.

With such discrepancies in their policies and pronouncements, there is more than ample justification for a boycott of French goods, as has been proposed. The public pronouncements published these days are just as empty and meaningless as the Pompidou speech I boycotted.

France will have to learn that cooperation with the world, and honesty in its dealings, will go much further than the issuance of two-faced policy statements that they have no intention of backing up with action. I urge that the boycott be supported by all Americans and that President Nixon exert every pressure on France to clear out the drug operations in its country.