

By Mr. RUPPE:

H. Con. Res. 479. Concurrent resolution to seek relief from restrictions on Soviet Jews; to the Committee on Foreign Affairs.

By Mr. NIX:

H. Res. 731. Resolution calling for the shipment of Phantom F-4 aircraft to Israel in order to maintain the arms balance in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON:

H.R. 12132. A bill for the relief of Candida Menes Malot; to the Committee on the Judiciary.

H.R. 12133. A bill for the relief of Maria Isaura Russo; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 12134. A bill for the relief of Mrs. Rita Chelnek; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 12135. A bill for the relief of Jorge Birnios; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

REFLECTIONS ON THANKSGIVING

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAGAN. Mr. Speaker, the Thanksgiving season just passed reminded all thinking Americans of our blessings. In our country it is traditionally a season of giving thanks for our abundances. It is a time for families to get together, a time for reflection, and one of our best holiday observances.

As we go along through the year we are prone to take all things for granted. We seldom pause long enough to realize that with 6 percent of the world's population we annually consume nearly 50 percent of its goods. That fact could be and often is interpreted by other nations as downright selfish and may, indeed, be the real reason we are despised by so many to whom we have given so much in material things.

We tie our Thanksgivings to the custom begun by the early Pilgrims, but many people do not know that there was a gap of many years in the observance of the feast day. Also, people do not generally know that a New Jersey Congressman named Elias Boudinot was responsible for the reappearance of Thanksgiving. We should all be grateful for him, as well as for the Pilgrims.

Mr. Louis Cassels, United Press International, in his column, "National Window," published in the Dublin, Ga., Courier Herald and other papers, on November 24, 1971, tells the story of Congressman Boudinot's revival of the custom of Thanksgiving through a resolution in the House. The story follows:

NATIONAL WINDOW

(By Louis Cassels)

The first Thanksgiving observance in America as every school child knows, was conducted by the Pilgrims who settled in what is now Massachusetts in 1621.

But contrary to what most school children and ex-school children think, the idea didn't just catch on and become a national custom.

Quite the opposite. Thanksgiving as a holiday disappeared from American life shortly after the Pilgrims had that legendary turkey feed, and may never have reappeared had it not been for a little-known New Jersey congressman named Elias Boudinot.

If anyone deserves to be remembered as originator of the national holiday Americans are observing today, it's not the Pilgrims fathers, but Rep. Boudinot.

Boudinot was a deeply religious man who was a founder and first president of the American Bible Society. In 1789, at the age of 49, he was elected to sit in the first Congress of the United States.

BOUDINOT DELIVERS SPEECH

On Sept. 25, 1789, the annals of the House disclose, Rep. Boudinot delivered a speech saying he "could not think of letting the session pass over without offering an opportunity to all the citizens of the United States of joining, with one voice, in returning to Almighty God their sincere thanks for the many blessings He has poured down upon them."

He introduced a resolution requesting the president to set aside "a day of public thanksgiving and prayer."

There was, inevitably, a certain amount of opposition. In the U.S. Congress, you can't introduce a resolution hoping the sun will rise tomorrow without some colleague finding fault with it. The annals show that Rep. Thomas T. Tucker of South Carolina "thought the House had no business to interfere in a matter which did not concern them."

"Why should the president direct the people to do what, perhaps, they have no mind to do?" asked Tucker, who either was an early exponent of church-state separation or was just feeling grumpy that day.

SHERMAN PROVIDES SUPPORT

Rep. Roger Sherman of Connecticut leaped to Boudinot's support with copious biblical quotations showing that the proposal was "warranted by a number of precedents in holy writ: For example, the solemn thanksgivings and rejoicings which took place in this time of Solomon after the building of the temple."

"The question was now put on the resolution, and it was carried," the annals record.

So President Washington issued a proclamation setting aside the last Thursday in November as a national day of thanksgiving for "the many signal favors of Almighty God, especially by affording (the people of America) an opportunity peaceably to establish a Constitution of government for their safety and happiness."

And that's how the whole thing started.

TEN BOSTON POLICEMEN GIVEN MEDALS FOR NOTABLE DEEDS

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, on Saturday evening, December 4, at the 100th anniversary ball of the Boston Police Relief Association 10 outstanding Boston policemen were given medals for notable deeds.

The Walter Scott Medal for Valor was presented to Patrolman James E. Hickman of district 11 for courage he displayed on August 14, 1971, while accompanying a man who was making a large night deposit in a Dorchester bank.

Hickman was shot and wounded while successfully protecting the money from four would-be robbers. While being treated at Boston City Hospital, Hickman identified and arrested the man who had shot him in the attempted holdup. The man had been admitted to the hospital for a gunshot wound inflicted by Hickman earlier.

Hickman and nine other police officers were the recipients of department medals of honor, Thomas F. Sullivan awards, Boston Police Relief Association memorial awards and the Boston bank awards.

The awards went to Patrolmen Thomas J. Gleason, district 6; Loman C. McClinton, Jr., district 4; Francis V. Connelly, Houston Patrol Division; Joseph W. Rigney, district 11; John J. H. McLaughlin, district 1; Robert J. Regan and Joseph R. Memmo, district 4; and Paul W. Condon and James J. Welch, district 4.

Gleason was cited for courage displayed on December 9, 1970, when he rescued a man from the Charles River.

McClinton was awarded a medal because of action he took while off duty on January 7, 1971. He prevented a serious assault and possible loss of life of persons at a Dorchester real estate office.

Connelly was honored for his personal courage and devotion to duty despite a hostile crowd when on January 14, 1971, he arrested three persons for violation of the firearms laws.

Rigney was cited for courage displayed while rescuing a blind man and an elderly woman from a fire in Dorchester on February 16, 1971.

McLaughlin was honored for displaying unusual courage while making an arrest in the Washington Street area of downtown Boston on July 16, 1971. McLaughlin risked his own life by not returning the gunfire of the felon he was chasing.

Robert J. Regan and Joseph R. Memmo were awarded medals of honor for their alertness and keen observation on September 10, 1971, when they arrested a dangerous escaped prisoner who had threatened the life of a county official.

Condon and Welch were cited for meritorious police duty performed on September 13, 1971, when they chased and arrested an armed man who had just robbed a bank in the South End area.

All awards were presented by Police Commander Edmund L. McNamara. The officers receiving awards were selected by a board of merit consisting of Superintendent-in-Chief William J. Taylor, Superintendent Herbert F. Mulloney and Superintendent William A. Bradley.

REDESIGNATE NOVEMBER 11 AS
VETERANS DAY**HON. ELLA T. GRASSO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mrs. GRASSO. Mr. Speaker, for years November 11 was a special day of commemoration by Americans for the veterans who had served this Nation. In the period immediately following World War I, it was known as Armistice Day—the anniversary of the day when the costly and tragic fighting ended in Europe. After World War II and the Korean conflict, November 11 was redesignated as Veterans Day, and our country honored all those brave individuals who answered the call of our Nation in time of war.

Veterans Day has always been a solemn occasion—a day to pay tribute to those who made the supreme sacrifice, and a day on which to express heartfelt gratitude to those who returned.

This year, the observance of Veterans Day occurred on October 25, and despite the worthiness of its purpose did not fulfill adequately the intent of the holiday. This is an opinion that has been communicated to me by many of my constituents. Indeed, in my own State of Connecticut, there is strong support for redesignating November 11 as Veterans Day. Dominic J. Romano, Connecticut Commander of the Veterans of Foreign Wars of the United States, believes that "it would be an excellent idea to redesignate November 11 as Veterans Day." Chet D. Hirsch, Connecticut commander of the American Legion, has mentioned that he was unable to find a single member of the American Legion who is content with the observance of this occasion on the fourth Monday of October.

Because November 11 is a day of meaningful historical significance to the people of our Nation, I have cosponsored legislation which would redesignate November 11 as Veterans Day throughout the land.

For the interest and information of my colleagues, some of the correspondence I have received on this matter follows:

VETERANS OF FOREIGN WARS OF THE
UNITED STATES, DEPARTMENT OF
CONNECTICUT,

November 23, 1971.

HON. ELLA T. GRASSO,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR ELLA: I certainly want to thank you for your memo of November 15, 1971, and the copy of the letter written to you (and to other Congressmen) by Congressman Young of Florida, concerning his opposition to the last Monday of October each year as Veterans Day.

I believe that since we have had an opportunity to observe celebrations throughout Connecticut this year we are now in a position to comment.

I would have to say now that I agree with Congressman Young that it would be an excellent idea to redesignate November 11 as Veterans Day.

When the Monday Holiday Act was considered by the Congress most of the leaders

of the Veterans of Foreign Wars opposed such legislation. However, when the law was enacted many of us said very little. Our reactions were definitely not violent. I think that there were a great many Americans, including veteran leaders, who felt that it made only a moderate difference. Far too many of us adopted the attitude that much of the meaning of November 11th could be readily transferred to another date during any given year.

How wrong we were! The experiences of 1971 in Connecticut prove that nearly all segments of our society absolutely refuse to accept any date near the end of October with any significance as Veterans Day. In spite of the fact that the "Law of the Land" called October 25, 1971, "Veterans Day", we could only muster a handful of our citizens to observe the day. Yet we found that with no organized effort on our part thousands of Connecticut's citizens observed November 11, 1971, as Veterans Day.

It would appear that, if the Monday Holiday Act stands, we will find that it will be only a matter of a very few years before Veterans Day becomes lost. This would, indeed, be tragic.

I do not feel that Congressman Young's resolution is the complete answer. I believe that it will become necessary to introduce legislation to remove "Veterans Day" from the provisions of the Monday Holiday Act and to designate November 11 as Veterans Day.

Representatives of this organization will be happy to discuss this further with you if you feel it to be necessary.

Sincerely,

DOMINIC J. ROMANO,
State Commander.

THE AMERICAN LEGION,
DEPARTMENT OF CONNECTICUT,
Hartford, Conn., November 22, 1971.

ELLA T. GRASSO,
House of Representatives,
Washington, D.C.

Mrs. GRASSO: This is to acknowledge receipt of your letter concerning C. W. Bill Young's letter of 28 October, 1971 about the change of date of Veterans Day.

In my contacts with the Legionnaires at all seven Districts I have discussed this matter. I have yet to find one member who is content with having the date changed.

Our national convention passed a resolution to return Veterans Day to the date of November 11th.

I sincerely hope Mr. Young presents a bill to redesignate November 11th as Veterans Day. If this occurs I hope I will be informed so I may in turn inform our membership. I am sure they will express their approval.

Sincerely,

CHET D. HIRSCH,
Commander.

PAY BOARD CRITICIZED FOR LACK
OF CONTROL**HON. RICHARD T. HANNA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HANNA. Mr. Speaker, I am sure all of us are watching closely the development phases of the President's phase II program, both as to form and substance. I for one intend to compile a detailed track record of his program on which to base a continuing oversight which this body must pursue.

The quality more than the quantity of

actions taken under phase II must be the starting point for this oversight activity, and it is in this regard that I am already having significant reservations. One of the more widely recognized economic reporters in the Washington area recently analyzed the day-to-day operations of the Board. I take this opportunity to bring to my colleagues' attention this critical assessment of the initial proceedings of one of the President's control bodies, the Pay Board, asking them to note particularly the observation that:

Meetings are often so confused that members are not always aware of what they are voting on. Some members have failed to be recorded on an issue because they were unaware a vote was being taken.

An article follows:

[From the Washington Post, Dec. 7, 1971]

FEUDING, NITPICKING REIGN—PAY BOARD
CRITICIZED FOR LACK OF CONTROL

(By James L. Rowe Jr.)

"It can't keep going on like this," one high-ranking observer said of the 15-man Pay Board—set up by the President to administer wage and salary increases during Phase II.

The meetings (swollen with the usual coterie of alternates and staff) sometimes become so unwieldy that members are not always aware of what they are voting on, according to one source close to the board.

The board sits again today—it now meets every Tuesday, Wednesday, and Thursday. If past sessions are any indication, much time will be taken up in procedural questions, nitpicking, and personal feuding, lessening the chance for substantive accomplishment.

"They're going to have to do something different," one official observed.

So far, the administration has not been critical of the Pay Board, though Treasury Secretary John B. Connally told newsmen that as a private citizen he disagreed with the tripartite board's approval of a 16.8 per cent first year increase for soft coal miners—well in excess of the board's own pay guideline of 5.5 per cent per year.

But its decision to approve the over-guidelines wage pay boost for coal miners has been denounced as inflationary by the Price Commission, which allowed only about 60 per cent of it to be translated into higher coal prices.

The Price Commission, presumably is concerned by reports—confirmed last week by management member Virgil Day—that the Pay Board will probably approve "catch-up" arrangements similar to coal for the railroad signalmen (46 per cent over 42 months), aerospace, and dockworkers.

Cost of Living Council executive director Donald Rumsfeld still holds publicly to the line that since the President chose a "participatory" Phase II—one administered by the citizenry rather than by government officials—certain inherent efficiency problems should be expected which retard quick promulgation of guidelines as well as totally tough enforcement.

The 15 Pay Board members include five from management, five from big labor, and five from the public. Unlike its counterpart Price Commission—with seven members from the public—the Pay Board has from the outset been beset by internal rancor.

Last week the rancor on the board got so intense, one source said, that chairman George A. Boldt told labor members he would not stand for any more "rudeness." Labor members often ridicule Boldt in the meetings, and, sources said, are particularly fond of calling public member Arnold R. Weber an administration "hatchet man." According to reports, Weber "goes through the ceiling" at the continued needling.

Meanwhile, the board has yet to devise some of the basic procedures under which it must operate. For example, although beginning Jan. 1, all wage settlements affecting more than 5,000 persons must receive board approval, the board has yet to devise a prenotification procedure.

It delegated to its staff the preparation of a form prenotification units must use. The staff in turn went to the Bureau of Labor Statistics—which came back with a detailed eight-page form. The Pay Board has directed the staff to redo, and simplify the form.

Meetings are often so confused that members are not always aware of what they are voting on. Some members have failed to be recorded on an issue because they were unaware a vote was being taken.

One source cited, as an example of confusion, the recent decision merit increases. Just before Thanksgiving the board issued a guideline on merit raises, which it had to immediately clarify the next day.

Last Thursday after worried businessmen flooded the Pay Board with queries, The Wall Street Journal—with the help of three Pay Board members—put together what purported to be an accurate summary of the Pay Board's policy on merit increases.

But Friday, the Board issued another clarification, which appeared to be in conflict with its ruling—and in points was. Sources said some Pay Board members were surprised that the Friday clarification was actually what they had voted.

In the initial Pay Board guidelines issued Nov. 7, provision was made for five or more members to challenge contracts they felt to be excessive in terms of the guidelines. But the board neglected to finalize procedures for such a challenge.

Last Wednesday, shortly after the Price Commission refused to allow coal companies to pass through the entire wage settlement, the Pay Board issued its first formal challenge to a contract.

The five business members said they had heard a settlement between the Carey Grain Corp. (which operates one grain elevator at the port of Chicago) and Local 418 of the International Longshoremen's Association was far in excess of the 5.5 per cent standard.

But they knew little more about it than that—and had to ask the Phase II compliance arm, the Internal Revenue Service, to investigate.

But challenge it they did, although the contract covered only nine workers, a spokesman for the union said. If the contract becomes a model for grain elevator operators in Chicago it would affect no more than 200 workers.

One board observer suggested the board's large size contributes highly to its problems. "It's just impossible for 15 men to agree on anything," he said. He suggested Chairman Boldt, in whom the law vests all legal powers of the board, might have to take things into his own hands.

Another said it might go to the "subcommittee approach"—three members "hassle out" the issue and come back with proposals which the board could vote on.

The board is now using this approach on the question of executive salaries and compensation.

A key to the board's future will be its treatment of John Dunlop, the chairman of the Construction Industry Stabilization Committee.

Last week, amid heavy labor objection, the board "temporarily" stripped the committee of its power to rule on wage increases in the construction industry until Dunlop met with the group for a "review." The CISC had approved about 450 contracts granting retroactive payment of wage increases held up by the freeze.

"It will be a sticky fight," one observer

said. "Labor is heavily in favor of CISC's activities."

Another said the board would have to "survive this one if it's to have any chance at all."

Observers conclude that the Pay Board, in fact, is confused by so many problems that the President may be forced to scrap it and start all over again—though no one in the administration will concede the President has even thought of such a move.

If history is a lesson, a complete breakdown of the Pay Board would not be a surprise. It happened twice during World War II and again during Korea.

WHERE DO LIBERALS ENROLL THEIR KIDS?

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. DERWINSKI. Mr. Speaker, with the debate continuing in Washington and across the country over busing of school students to achieve certain racial percentages of attendance and recognizing the political demagoguery that has been too much in evidence in this field, I believe the following article from the Perspective page of the November 25 edition of the Chicago Tribune, by Columnist Nick Timmesch, tells a very interesting story.

The story follows:

WHERE DO LIBERALS ENROLL THEIR KIDS?

(By Nick Timmesch)

WASHINGTON.—I can listen to, endure, be amused by, constantly observe, but never run with political liberals. I can't take their consummate hypocrisy and exhortations to the masses, especially on terrible thorny matters like school integration.

Last week on CBS, Mike Wallace's Sixty Minutes revealed for the first time on television how rank hypocrisy is on the school question among Washington liberals. For years liberals scolded the South for balking on school integration. Now they denounce President Nixon's last-resort policy on busing as an integration tool, and they deplore the raw anger mothers in Pontiac, Mich., show when confronted with compulsory busing.

What Mike Wallace showed here [and got enormous mail in response] was an array of black and white liberals who managed to keep their own children out of Washington's heavily black schools by sending them to private or suburban schools. Their explanations amount to the same voiced by many Southerners and certainly by the Pontiac mothers—we want our children to have the best education.

USED TO WHITE PEOPLE

As Mrs. Donald Fraser, whose husband is Minnesota's most liberal congressman, put it to Wallace: "Your children get educated only once." That's why the Frasers took their daughter out of Washington public schools and placed them here in Georgetown Day School, a private school. She told Wallace that her daughter was used to having white people around in school, and while there were three or four black pupils with her in each class at Georgetown Day School, "they're much nicer" than the blacks in the public school she attended.

One of Mr. Nixon's severest critics on the busing issue is Sen. George McGovern [D., S.D.], who moved into Washington from

nearby suburban Maryland, but sends his daughter back to the old Maryland neighborhood to go to high school. He pays \$1,450 tuition for this privilege. McGovern wasn't available for Wallace to interview on this matter.

McGovern isn't alone. Democratic Senators Teddy Kennedy of Massachusetts, Birch Bayh of Indiana, Ed Muskie of Maine, and Eugene McCarthy all sent or are sending their children to private schools. They wouldn't talk with Mike Wallace either. When Sen. Stevenson (D., Ill.) was questioned on Meet the Press as to how he could criticize White House leadership, and, as a resident of Washington, send his children to private, mostly white, schools, he answered that he wanted to send them to public schools, "but regretably the ones available to us are not very good, and I just didn't want to sacrifice the education of my kids."

The most perplexed man Wallace interviewed was Washington's black congressman, Walter Fauntroy, whose son is the only black in a private school here. Asked to explain, especially when a group of Pontiac mothers happened by during the interview, Fauntroy cried about "a whole history of neglect of the school system of the District of Columbia" (false: D.C. schools were once very good); and overcrowded classes and underfunding (false again: D.C. schools are relatively well-funded, and are not usually overcrowded).

RICH CAN "BUY OUT"

But he isn't the only black notable whose children are used as "tokens" in the private schools. Our mayor, Walter Washington, has his child driven by limousine to private school each day, as Wallace reported. Liberal columnist Carl Rowan has his children in private school. So does civil rights activist Clifford Alexander. Supreme Court Justice Thurgood Marshall's children attended private schools here.

Commentators, national correspondents, and the great lamas of journalism, columnists, also are hypocritical on this score. One sardonic columnist for the Washington Post, interviewed by Wallace, said, "Nobody wants to make their children pay for their own social philosophy." The columnist's own son is in private school and he admits the rich can "buy out."

Then why do liberals support integration and busing if they really don't believe in it down deep? The Washington Post columnist told Wallace:

"The lines get drawn in such a way that you end up supporting something that you think is unwise, perhaps unworkable, simply because of its symbolic content, simply because you get a bunch of rabid mouth-foaming racists opposing it, so you're forced to support it."

DEVELOPMENT OF STATE NARCOTIC TREATMENT PROGRAMS

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. FREY. Mr. Speaker, I am introducing legislation today which I feel may if enacted, provide the means to induce States to establish drug treatment programs for addicts who reside in the various States and, at the same time, insure that present Federal funding and, hopefully, increased levels in such funding for treatment programs will be spent on more effective programs.

The treatment of narcotic addicts, who either volunteer or are committed for

treatment, is primarily a State and local responsibility. Only the State, through local law enforcement and health agencies, have the ability to assess what the narcotic treatment needs of the State are. Moreover, the most successful treatment and rehabilitation programs have been community-based treatment programs. Addicts who have been removed from the communities in which they reside for treatment, have extreme difficulty in adjusting when returned to the community. A great many addicts can be successfully rehabilitated in carefully controlled out-patient programs in the community.

Few States, however, are administratively and financially geared up to effectively treat the narcotic addict population of the State. My own State of Florida, for instance, lacks a coordinated, State regulated and funded treatment program. Funding for those treatment programs which do exist comes entirely from local and/or Federal funds. Many States—at least 15—have no drug program whatsoever.

The means exist to induce the States to organize themselves and appropriate the necessary funds to treat their narcotic addict population, but neither the Congress nor the Federal granting agencies have seized upon it. Since several agencies, primarily LEAA within the Justice Department and NIMH within HEW, presently make grants to treatment programs, conditions or criteria can and should be established which States must adhere to before grants are made to that State.

Presently, however, grants are made by LEAA and NIMH directly to grantees within a State, irrespective of how that treatment program relates to an overall State's needs. Moreover, there is little, if any, coordination between LEAA and NIMH in making such grants. Mr. Dean Crowther, Associate Director of the Civil Division of GAO, which recently made a study of Federal treatment programs concluded that:

While there is a reasonable amount of money being sent to communities by both the Department of Justice under LEAA and HEW under NIMH, there is not nearly as close a link-up as we would like to see.

In addition, LEAA lacks the competence to make such grants; LEAA is primarily a granting authority for State law enforcement activities.

The legislation I am introducing today will remedy this situation by: First, transferring the authority for making narcotic treatment grants to NIMH, thereby centralizing the bulk of grant authority in an agency competent to administer such programs; and second, inducing the various States to create narcotic treatment programs by making grants to State agencies established for such purposes for distribution to public and private programs which are components of community-based multimodality treatment programs.

Section 6 of the bill amends the Omnibus Crime Control and Safe Streets Act to delete the authority for LEAA to make grants for narcotic treatment and provides that any sum authorized to be appropriated to make such grants are "authorized to be appropriated for the

purposes of section 251 of the Community Mental Health Centers Act in addition to any other sums to be appropriated for such section."

Section 5 of the bill amends the Community Mental Health Centers Act to allow States to make application for Federal funding for treatment and rehabilitation programs based upon their assessment of such needs in the State which cannot be met out of private or local and State funding, instead of private or public treatment programs making application directly to NIMH for funding of their individual program. The funds distributed to the State pursuant to such application would then be distributed by the State agency to the various private and public community treatment programs.

No application for a grant can be approved unless such application is made by a State agency—

(1) which is established, with the assistance of the Secretary, for the purpose of receiving, administering, and distributing such grants to community-based multimodality treatment programs; (2) which has submitted to the Secretary a comprehensive plan, prepared with the assistance of the Secretary, for the development of community-based multi-modality treatment programs based upon a detailed survey by such State agency of the narcotic addict treatment needs of the State; and (3) which has established, with the assistance of the Secretary, such standards as are necessary to provide criteria for the continuation of narcotic addict treatment programs in effect immediately prior to the effective date of this Act, and for the establishment of community-based multi-modality treatment programs; (4) which agrees that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary an analysis and evaluation of the effectiveness of the prevention and treatment programs and activities carried out under the plan, and any modifications in the plan which it considers necessary; and (5) which agrees to fund only those community-based multi-modality treatment programs which agree to treat addicts who have been committed for treatment either under the Narcotic Addict Rehabilitation Act of 1966 or under a state civil commitment program.

The term "community-based, multimodality treatment program" is defined as—

... a program for the treatment of narcotics addicts, and other persons with drug abuse and drug dependence problems, established by a State, or a political subdivision thereof, for the purpose of providing comprehensive treatment, including maintenance, detoxification, social and vocational rehabilitation, and other forms of treatment suited to the individual needs of the person treated. Such program may include such public and such comprehensive treatment. Any such nonprofit private treatment agencies and organizations as subsidiary components of such program as may be necessary to provide such comprehensive treatment. "Any such program shall be organized in conformity with the State plan and standards referred to earlier.

By requiring the States as a precondition to receiving treatment grants directly to establish a State narcotic treatment agency that would scientifically ascertain what the treatment needs of the State are, develop a comprehensive plan for the development of treatment programs, and establish standards with the

assistance of NIMH for such programs, we are inducing the States to recognize the role they must play in treating narcotic addicts and, at the same time, insuring that both local, State, and Federal funds for narcotic treatment are spent in an orderly, effective manner.

Such funds would be expended on "community-based, multimodality programs" because such programs offer the best chance of success and by integrating various modalities of treatment, both public and private, into a comprehensive community program the needs of the individual addict can be more effectively and economically met. Effective treatment requires a multidimensional approach in which specific services for the addict are integrated with other related health and human services and such services must be provided in a milieu in which the addict and those close to him live and to which he must return after the initial phase of treatment.

The requirement that the State fund only those programs which agree to accept addicts committed to them by State, local, and Federal courts as well as those who voluntarily seek treatment is an outgrowth of the GAO report referred to earlier.

Oftentimes, under both the Narcotic Addict Rehabilitation Act of 1966 and under State civil commitment laws such as those in New York and California, addicts cannot be committed for treatment because programs at the community level will not accept such addicts. GAO reviewed 22 NIMH grants awarded through April 30, 1970, and none of the grants included a requirement to treat those addicts referred from State and local courts. A few were required to assist the Federal civil commitment program.

States will also be required to offer treatment in lieu of prosecution for an addict charged with both a State and Federal offense who is not prosecuted at the Federal level but would otherwise be eligible for treatment in lieu of prosecution under title I of the Narcotic Addict Rehabilitation Act of 1966. Title I was intended to apply to addicts who committed such Federal crimes as mail theft, check forgery, auto theft, and other nonviolent crimes. Many of these crimes are also violations of State statutes, only under the provisions of NARA only U.S. district courts can invoke title I. Thus, when in many of these cases, addicts are referred to State or local authorities for prosecution, opportunities for pretrial civil commitment in lieu of prosecution are lost if the State does not have a civil commitment program.

MAN'S INHUMANITY TO MAN—
HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

WEEKLY REPORT TO NINTH DISTRICT CONSTITUENTS, DECEMBER 6

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the text of my last weekly report, December 6, on the problems of older Americans:

WASHINGTON REPORT BY CONGRESSMAN LEE HAMILTON

Some 4,000 delegates to the White House Conference on Aging gathered in Washington this week to discuss ways of focusing the Nation's attention on the problems of older Americans.

The immediate reaction to this conference among many people is either "Ho-hum, another White House Conference, so what?" or a feeling that older Americans are really pretty well taken care of with Medicare, Medicaid and Social Security. Either of these reactions is mistaken, as the delegates to the conference have made clear:

INCOME

Inadequate income is the most serious problem facing older Americans today. If their income can be raised, many of their other problems, like transportation, housing and isolation, can be solved.

One out of every 4 older Americans (about 5 million people) fall below the poverty line, and the number is accelerating. In addition, older Americans are often locked out of employment opportunities. For example, only 4% of the federal job training programs are designed for persons over 55 years of age. Many older Americans are out of work and those who are working are earning from half to three-fourths less than younger workers. Thousands of them have lost pensions which they thought they had earned.

Inflation and taxes hit them especially hard. They often live on fixed incomes (pensions, social security benefits) and the cost of many items, like medical services, which affect the elderly to a much greater degree than younger persons, have risen at a faster rate than other items. Taxes, and particularly property taxes, keep going up—property tax collections have increased by 40% in the last 5 years—even as their income keeps going down.

HEALTH

Health problems are compounded for older Americans. While they have about half the income of younger workers, they pay twice as much for health care, and are twice as likely to have chronic ailments requiring more prolonged and more expensive care. Nursing homes, which symbolize the neglect of older Americans, have come under special criticism in recent months for unsanitary conditions, poor food, fire hazards, misappropriation of funds and conditions which degrade human dignity.

HOUSING

Approximately 6 million older Americans live in unsatisfactory housing. At least 120,000 federally assisted units are needed to overcome the present deficit in housing, but we produce only about 37,000 units per year.

Many of the 70% of the elderly who own their home face swiftly rising property taxes and other costs on very limited retirement incomes, and many lose their homes.

OTHER AREAS

Many older Americans retired because of age and not functional ability, are isolated by expensive or inadequate transportation and communications. They are unable to participate in their communities, although many can still make meaningful contributions, and they find few educational and recreational programs designed for them. Government research and implementation of programs for the elderly has been fragmented and haphazard.

Obviously, then, many things need to be done. The beginning point is to increase their incomes with adequate social security benefits, adjusted automatically for rising prices, and an increase in the amount they can earn without losing benefits. Relief from the crushing burden of taxes, assurance of pensions, additional health benefits are needed, too, but more important than anything is a drastic change in attitude.

We have to get away from the callous notion that old people are nice, have done their part, and should now be put on a shelf or sent to Florida or stashed away in an old age home. We must reject the idea that retirement is a status and view it as a gradual process prepared for over a period of time, and acknowledge and appreciate the useful and important contributions older Americans can and do make.

We are moving in this direction, but we are still far from achieving it.

NEW TOWNS IN MINNESOTA

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. FRENZEL. Mr. Speaker, new Towns may well provide a partial solution to providing livable housing facilities to citizens of all socioeconomic levels. Just as Reston and Columbia have proved to be worthy experiments in this area, the Johathan and Cedar-Riverside projects in Minnesota are being carefully developed, and hold great promise.

The Washington Post carried the following informative article in their December 5 issue which I commend to my fellow Members.

The article follows:

TWO WAYS TO BUILD NEW TOWNS

(By Ellen Hoffman)

By freeway, it is about half an hour from one "new town" to the next in the Minneapolis area. At one end of the path, sandwiched between the corn crop and grazing land, lies Jonathan, Minnesota's answer to Columbia and Reston. At the other end is Cedar-Riverside, a "new town in-town" nestled near the University of Minnesota atop the bluffs of the Mississippi River.

Together the towns constitute the spearhead of a federal effort to foster planned, self-supporting communities free of suburban sprawl and urban decay.

It is the government's encouragement of combined development of an urban "new town" with a rural one that makes the Minnesota projects unique. Jonathan is the first rural town and Cedar-Riverside the first urban town in the country to receive loan guarantees under the "new communities" program established by Congress in 1968 to help new towns over the costly period of early de-

velopment until they can become self-supporting.

Jonathan received its guarantee of \$21 million in February, 1970, and approval of Cedar-Riverside's \$24 million guarantee was announced by the Department of Housing and Urban Development at the end of June, 1971. The money must be used for land development. This includes clearing land, construction of roads and sidewalks, and installation of sewers and electric lines, for residential, industrial or commercial construction.

By late summer, Jonathan had about 500 residents. About 650 persons work there and the first village center opened in May. The early industrial occupants are in businesses such as computers, food processing and research.

Cedar-Riverside, unlike Jonathan, already had a resident population when it began its transformation into a "new community." Since the developers took over, 16 of the neighborhood's 33 bars have disappeared, many of them replaced by art galleries, theaters, owner-operated shops (a dulcimer-maker, a jeweler) and campus-related services like bookstores.

SEPARATE HISTORIES

Although the projects are being developed by two separate corporations, former Minnesota State Sen. Henry T. McKnight heads both of them. And HUD made it clear in announcing the Cedar-Riverside guarantee that the potential trade-offs between the two communities were a factor in the decision to back Cedar-Riverside.

Although an official link has now been forged between their futures, until a few months ago the two communities had quite separate histories.

McKnight announced his plans to build a community of 50,000 residents within the boundaries of Chaska, Minn., in August, 1967. But during the Minnesota winter of 1968-69, recalls McKnight, "We were really in a bind. No one was buying houses and we had to stop construction of the village center."

Passage of the New Communities Act provided new hope for planners and backers. The Jonathan Development Corp. (JDC) decided to aim for a loan guarantee under the new law, although it realized that securing a guarantee would bind them to social as well as financial obligations formulated by the federal government.

The planners of Jonathan, headed by Ben Cunningham, formerly of Richmond, Va., hired some consultants to join the 20 or so staff members of the corporation in planning Jonathan, whose site was described as "gently rolling land . . . heavily wooded ravines . . . broad leaf hardwoods" which supported "wildlife, ranging from . . . gophers, chipmunks, raccoons, squirrels and rabbits; white tailed deer . . ."

They looked at this pastoral setting and visualized a community of 50,000, with half the residents living in five villages and the other half around a town center, possibly one huge, continuous, winter-proof building. They saw the town as the home of a significant number of poor and working class residents, and of blacks and Indians.

Residents would be able to walk to shopping facilities, schools and possibly even to work. The buildings and landscaping would blend with the physical features of the hilly, wooded site. Three areas would be used for industrial development, and one village was expected to emerge as a sort of "college town" around a learning center that would provide education for students of all ages.

In return for the loan guarantee, JDC agreed to write and adhere to an "affirmative action" program designed to attract non-white residents and employees and to bring persons of all income groups to the town. The developers also agreed that one-fourth of the residences built would be in the price range available to a family with an income

of \$7,800 or less, and another fourth for families with an income of \$7,800 to \$10,500.

JDC must submit monthly and semi-annual reports to HUD as proof that these obligations are being carried out; it risks the possibility that the government will take over the project if the corporation defaults on either social or financial obligations.

RAZING A SLUM

The first houses had already appeared on the fields of Jonathan before the present concept of a "new town-in-town" to replace the old, seedy Cedar-Riverside neighborhood had been made public.

Starting in 1963, 250 land parcels constituting 90 per cent of the private property in the riverbank community were quietly bought up by Gloria Segal and Keith Heller. Mrs. Segal, now widely known as the "Jewish mother of Cedar-Riverside," was a housewife and sometimes student at the University of Minnesota. Heller had been assistant to the dean of the university's business school. He and Mrs. Segal started buying land with the intention of building an apartment house, but as their holdings increased, their concept of redevelopment for the neighborhood broadened.

An urban renewal plan for the area was approved by the city and Cedar-Riverside Associates (C-RA), as Heller and Mrs. Segal called their enterprise, was designated as redeveloper for the neighborhood. C-RA was given five years to prove to the housing authority that the corporation should be allowed to develop the whole area, and the public agency is "watching carefully," according to an official.

In 1968 McKnight joined C-RA as chairman of the board, bringing other investors along with him.

Seven Corners, as Cedar-Riverside's main commercial intersection was called, was part of Minneapolis' skid row of the 1950s. The streets were lined almost wall to wall with bars. Alcoholics were the omnipresent inhabitants of the neighborhood.

Then in 1959 the university decided to develop a campus for 20,000 students near Seven Corners and call it the "West Bank." In the early 1960s, department by department, the university began to cross the river into the salmon-colored high-rise buildings that became the nucleus of the campus.

With the university's decision to build a major campus there, the old way of life at Seven Corners was doomed. Most of the neighborhood was occupied by 3-story frame houses built around 1900. Many of these homes lacked indoor plumbing and most were in deteriorating condition. The residents were about one-third students, one-third faculty and one-third old people.

So C-RA launched a holding effort aimed at making existing housing livable and providing needed neighborhood facilities until large-scale reconstruction of the neighborhood could begin.

UNIVERSITY AS CORE

The immediate and future presence of the University and other educational and medical institutions in the area (two hospitals and a private college) has been the strongest influence on the Cedar-Riverside plan, which calls for combining different styles of housing, eventually serving 30,000 residents, within one project. Stage One, on which construction has just begun, will include units priced from public housing levels to luxury, a rent range of \$40 to \$500 a month. Eleven buildings, connected by a plaza and built atop a parking garage, will make up the development. Commercial and community facilities will be built into the residential area.

A university sociologist, David Cooperman, identified a series of lifestyles of potential residents and these were used in designing housing. Plans call for living units to accommodate the "independent student"

who requires a lot of study space in his apartment and doesn't socialize at home; middle-class families of faculty members and civil servants; doctors and other professionals who congregate near a university or hospital.

Officials of the university, in the face of opposition from within the student body, have given their blessing to the Heller-Segal plans. Only one dormitory has been built by the university on the West Bank, and no others are planned. Students no longer like to live in dormitories, according to university planner Hale Champion, and the university doesn't particularly want to be a landlord.

The Minneapolis housing authority has given Cedar-Riverside top priority among its projects because of its proximity to three major freeways and downtown employment opportunities.

In a joint report entitled "Pairing," planners of both new towns suggest that the flow of ideas between them may be as important as the exchange of people or facilities. Jonathan planners, for example, have already done a lot of thinking about the installation of a joint cable television system and a transportation network that might link the town with downtown Minneapolis.

Cedar-Riverside has already established itself as a cultural center; the more isolated Jonathan has set up an art center, but activity there "has been impeded by the unavailability of qualified instructors," according to the report.

The planners foresee bringing cultural groups into Jonathan—which probably will not be able to provide the financial attraction for a movie theater and similar amenities until the population expands—for both education and entertainment.

With several years of thinking and experimentation behind them, a housing corporation put together by Jonathan has developed a new system of "stack housing" that promises to offer cheap, easy-to-construct dwellings. And Cedar-Riverside, with its heavy concentration of medical facilities and personnel, hopes to develop a pioneering health care plan for its residents.

Both towns, since they are in the same metropolitan area, will face the problems of creating racially and economically integrated communities. HUD has required Jonathan to absorb its "fair share" of the metropolitan area's 3.2 per cent non-white population and a similar measure is likely to be applied to the in-town project. (A detailed agreement between HUD and C-RA is still being negotiated.)

OVERCOMING PESSIMISM

It is too early to measure the long-range success of these and other satellite towns, but some attempts at urban renewal have already become notorious, among them Southwest Washington, where public housing residents live on one side of Delaware Avenue and middle-to-upper-class residents on the other.

The planners of Cedar-Riverside have already drawn criticism from members of the university community who believe that the main goal of the redevelopment is to make a huge profit.

An assumption of the new communities program accepted by the planners of the Minnesota project is that despite the failures of the past, new communities are still worth building. As the law puts it, what is happening in Minnesota will hopefully become a contribution to "the rational, orderly, efficient and economic growth . . . and redevelopment" of the places where Americans are going to live in coming decades.

Submitting monthly reports, meeting quotas for different types of housing, actively seeking black and Indian employees—these requirements may seem too troublesome to many developers to justify seeking a

loan guarantee from HUD. But first at Jonathan and now at Cedar-Riverside, the approval of the loan guarantee has proven a boon to the credibility of the communities' plans, and is likely to be a stimulus for future private investment as well as public.

"There seems to be a great question as to whether a new town is worth doing. I don't understand it . . . We just have to look at every city in the U.S. and see how they have grown, in a random way," says Ben Cunningham, the chief planner of Jonathan. And chairman McKnight argues that the challenge of controlling urban growth is so great that it must be attacked from an infinite number of directions—including new towns.)

RHODESIAN CHROME IMPORTS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, December 8, 1971

Mr. BYRD of Virginia. Mr. President, on November 30 the Northern Virginia Daily of Strasburg, Va., published an excellent editorial on the subject of the agreement recently reached between representatives of the Governments of Rhodesia and Great Britain.

During the period when Congress was debating my proposal to eliminate the embargo on importing Rhodesian chrome into the United States, it was argued in opposition that to break this United Nations sanction would be to undermine the possibility of a reasonable settlement between Rhodesia and the British.

Events have clearly shown that this argument was without foundation. In fact, the action of Congress may have helped to obtain a settlement, as the late former Secretary of State Dean Acheson predicted.

I am pleased that an accord has been reached in the British-Rhodesian dispute, and I hope that the United Nations embargo soon will be abandoned.

I ask unanimous consent that the editorial, entitled "Triumph of Reason," be printed in the Extensions of Remarks.

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

TRIUMPH OF REASON

It is interesting to note that Rhodesia is one of the few British colonies to declare its independence from the Mother Country and get away with it. Another notable example was the United States of America in 1776.

Last week Britain and Rhodesia signed a long-awaited agreement under which Britain recognizes Rhodesian independence, and undertook economic assistance aimed at improving the educational opportunities of Rhodesia's blacks. Rhodesia, on its part, undertook certain commitments regarding gradual easing of restrictions against its black majority.

Actually, since it has now been convincingly demonstrated that Rhodesia's independence is permanent and she could never be expected to return to British control, and since it is equally true that Rhodesia's problem of what to do eventually with a black majority outnumbering the white population by approximately 4,850,000, the agreement represents a compromise with reality for both parties.

It is not wholly what either side wanted but it contains the ingredients under which

Rhodesia can at least hope to solve a problem which certainly cannot be brushed away.

Rhodesia's leaders, their apparent apartheid convictions to the contrary, are practical men who doubtless realize that the emerging 4.5 million plus blacks in Rhodesia will require greater political and economic participation than now exists.

Under the agreement Rhodesia will give new political guarantees to the black majority; will limit the government's power to hold individuals without trial; and will fill civil service vacancies on merit irrespective of race. The concept is a program of gradualism under which Rhodesia's blacks will gain greater participation in the democratic process in direct proportion to the extent that improved educational and economic capabilities justify it.

To implement the process Britain promises \$125 million over a 10 year period, the sum to be matched by Rhodesia, for a development program geared largely to improving the education of the black majority.

Because of rigid property and educational requirements, an electorate which is now made up of 85,000 white and 10,000 black voters, the present Rhodesian Assembly consists of 50 white and 16 black members. The long-range objective of the agreement is to put into motion a positive program of greater educational advantages for blacks under which their economic future will improve as the illiteracy decreases.

The final objective—political equality—will follow as the black majority earns it by gradually assuming a more meaningful role economically.

The agreement between Rhodesia and Britain, coming as it does only days after President Nixon signed into law the Byrd Amendment providing for the removal of U.S. sanctions against Rhodesian chrome, heralds a new day in the community of nations for this little country which up to now has been traveling a lonely road.

The new accord might be termed a triumph of reason on both sides.

THE REAL UNITED NATIONS

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. HICKS of Washington. Mr. Speaker, in view of tensions around the world, and in the case of India and Pakistan, open conflict, and in view of the worldwide problems of malnutrition, ill health, and illiteracy, the world's need for the United Nations is more important than ever before. In his recent address to the board of directors, Washington State Division of the United Nations Association of the U.S.A., the Very Reverend Richard E. Twohy, president of Gonzaga University, Spokane, Wash., put forth the purpose and meaning of the United Nations with great lucidity and deep understanding. I am, therefore, pleased to insert excerpts from his remarks in the RECORD so that those who may be disinclined to support the United Nations or those who have misconstrued its goals may be enlightened:

EXCERPTS FROM ADDRESS DELIVERED BY THE VERY REVEREND RICHARD E. TWOHY

"With only slight transposition one can say of the UN what Voltaire said of God: If it did not exist we would have to create it. The proof of its necessity lies in its survival. It is something in these days of rapid change and future shock, of short-lived plans and

quick-fading dreams that the entity created in San Francisco in 1945 not only still lives but has grown, and manifests every sign of the presence of the great and powerful genius which, according to Rousseau, presides over things made to endure.

There are many UN's, all but one of them phony and false. There is the UN of its fickle friends who imagined it to be some kind of world government. There is the UN of the dark nightmares of the extreme right—a conspiracy of world communism to infiltrate and destroy the United States. To detractors of the UN, so-called realists and cynics, it is a force put together to maintain the status quo to the advantage of the Great Powers. There is, of course, the occasional act or gesture on the part of UN leaders which at various points in its lifetime have cast suspicion upon its viability.

The real UN is something very different, something simpler and more grand. The UN is a voluntary grouping of sovereign states in agreement upon a charter which obliges them to seek peace and the conditions of peace, and to foster the development of the human and natural resources of our globe in the interests of mankind.

It is easy to sneer that this can hardly be a common bond uniting cultures so distinct as those of Russia, China and the United States. It is equally easy to grow disenchanted with the meager successes achieved by the UN. But here lies its true greatness: it does not ask nor seek the impossible. It does provide both a place and the opportunity for nations with much more to gain than to lose to exchange ideas, to make compromises, to be in constant negotiation over matters of the greatest interest and importance to the world.

The future of the UN is assured if one does not read into that future the ushering in of a Golden Age. Men will not cease to be men nor nations sovereign very soon; but continuing negotiations can overcome problems, untiring efforts bring about peace where peace is at all possible. The relief of millions of poor and distressed through the United Nations evinces this.

PEARL HARBOR DAY—1971

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. CARNEY. Mr. Speaker, today marks the 30th anniversary of the Japanese attack on Pearl Harbor. The enmities of those bitter days have now turned to friendship. Time has healed the wounds, both physical and spiritual, that were inflicted that day.

Those of us who are old enough to remember back three decades mark with pride the sacrifice of the 3,000 men who died on that terrible Sunday. Their courage in the face of adversity in the extreme would provide a rallying cry in the hard years to come.

The men who died at the Kaneohe Air Station, who breathed their last at Hickam Field, and who are entombed in the Arizona these 30 years, provide a lasting example of undaunted courage in battle.

God willing, we will not have to face another such attack again. However, we will never forget the courage, the devotion to duty, and the supreme sacrifice made by the American fighting men at Pearl Harbor a generation ago.

ECONOMIC STABILIZATION ACT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, when the House takes up the renewal legislation for the Economic Stabilization Act of 1970, as reported by the House Committee on Banking and Currency, I plan to offer the following amendment at the appropriate time in the proceedings:

AMENDMENT TO H.R. — AS REPORTED BY THE HOUSE COMMITTEE ON BANKING AND CURRENCY OFFERED BY MR. ANDERSON OF ILLINOIS

At the end of section 220 insert the following new section to read as follows:

"Sec. 221. (a) (1) It is the policy of the United States to promote efficient production, marketing, distribution, and use of goods and services in the private sector, and improve the morale of the American worker, all of which are essential to a prosperous and secure free world, and to achieve the objectives of national economic policy.

"(2) The Congress finds that the persistence of inflationary pressures, and of a high rate of unemployment, the underutilization and obsolescence of production facilities, and the inadequacy of productivity are damaging to the effort to stabilize the economy.

"(3) The Congress, therefore, finds a national need to increase economic productivity which depends on the effectiveness of management, investment of capital for research, development, and advanced technology and on the training and motivation of the American worker.

"(4) The Congress further finds that at a time when economic stabilization programs require price-wage restraints, management and labor have a strong mutual interest in containing "cost-push" inflation and increasing output per man-hour so that real wages may increase without causing increased prices and that, without in any way infringing on the rights of management or labor, machinery should be provided for translating this mutuality of interest into voluntary action.

"(b) It shall be the objective of the President's National Commission on Productivity—

"(1) to enlist the cooperation of labor, management, and State and local governments, in a manner calculated to foster and promote increased productivity through free competitive enterprise toward the implementation of the national policy declared in the Employment Act of 1946 to create and maintain 'conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.'

"(2) to promote the maintenance and improvement of worker motivation and to enlist community interest in increasing productivity and reducing waste;

"(3) to promote the more effective use of labor and management personnel in the interest of increased productivity;

"(4) to promote sound wage and price policies in the public interest and to seek to accomplish that objective within a climate of cooperation and understanding between labor, management, and the public, and within a framework of peaceful labor-management relations and free and responsible collective bargaining;

"(5) to promote policies designed to in-

sure that United States products are competitive in domestic and world markets;

"(6) to develop programs to deal with the social and economic problems of employees adversely affected by automation or other technological change or the relocation of industries.

"(c) (1) It shall be the duty and function of the Commission, in order to achieve the objectives set forth in subsection (b) of this section, to encourage and assist in the organization and the work of labor-management-public committees and similar groups on a plant, community, regional, and industry basis. Such assistance shall include aid—

"(A) in the development of apprenticeship, training, retraining, and other programs for employee and management education for development of greater upgraded and more diversified skills;

"(B) in the formulation of programs designed to reduce waste and absenteeism and to improve employee safety and health;

"(C) in the revision of building codes and other local ordinances and laws, in order to keep them continuously responsive to current economic conditions;

"(D) in planning for provision of adequate transportation for employees;

"(E) in the exploration of means to expand exports of the products of United States industry;

"(F) in the development, initiation, and expansion of employee incentive compensation, profit-sharing and stock ownership systems and other production incentive programs;

"(G) in the dissemination of technical information and other material to publicize its work and objectives;

"(H) to encourage studies of techniques and programs similar to those in paragraphs (A) to (H) of this subsection, as they are applied in foreign countries; and

"(1) In the dissemination of information and analyses concerning the economic opportunities and outlook in various regions and communities, and of information on industrial techniques designed for the increase of productivity.

"(2) The Commission shall transmit to the President and to the Congress not later than March 1 of each year an annual report of its previous year's activities under this Act.

"(3) The Commission shall perform such other functions, consistent with the foregoing, as it determines to be appropriate and necessary to achieve the objectives set forth in subsection (b) of this section.

(d) (1) In exercising its duties and functions under this Act—

"(A) The Commission may consult with such representatives of industry, labor, agriculture, consumers, State and local governments, and other groups, organizations, and individuals as it deems advisable to insure the participation of such interested parties;

"(B) the Commission shall, to the extent possible, use the services, facilities, and information (including statistical information) of other Government agencies as the President may direct as well as of private agencies and professional experts in order that duplication of effort and expense may be avoided;

"(C) the Commission shall coordinate such services and facilities referred to in subsection (B) above in order to supply technical and administrative assistance to labor-management-public committees and similar groups referred to in subsection (c) (1);

"(D) the Commission shall establish the regional offices and such local offices as it deems necessary;

"(E) the Commission shall hold regional and industrywide conferences to formulate ideas and programs for the fulfillment of the objectives set forth in subsection (C);

"(F) the Commission may formulate model programs to ameliorate the effects of un-

employment caused by technological progress;

"(G) the Commission may furnish assistance to parties in collective bargaining entering into collective bargaining agreements; and

"(H) the Commission may review collective bargaining agreements already in effect or those being negotiated to ascertain their effects on productivity; and it may have the power to make recommendations with respect to the agreements made or about to be made in specific industries.

"(2) The Commission may accept gifts or bequests, either for carrying out specific programs which it deems desirable or for its general activities.

"(e) (1) The Executive Director of the Commission shall be the principal executive officer of the Commission in carrying out the objectives, functions, duties and powers of the Commission described in Sections 3(b) through 3(d) above.

"(2) The Executive Director of the Commission, with the approval of the Chairman of the Commission, is authorized to employ, and fix the compensation of, such specialists and other experts as may be necessary for carrying out its functions under this Act, with regard to the provision of Title 5, United States Code, governing appointments in the competitive service, and with regard to Chapter 51 and Subchapter III of Chapter 53 of such title relating to classification and General Schedule pay rates, and is authorized, subject to such provision, to employ such other officers and employees as may be necessary for carrying out its functions under this Act and fix their compensation in accordance with the provisions of such Chapter 51 and Subchapter II of Chapter 53.

"(f) There are hereby authorized to be appropriated the sum of \$10,000,000 to carry out the purposes of this section during the period ending April 30, 1973."

KIDNEY DISEASE LEGISLATION

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. PICKLE. Mr. Speaker, every year kidney disease in the United States accounts for the loss of 140 million days of restricted activity, 63.5 million days of bed disability, and 17 million workdays lost.

And, although we are getting better, it still takes about 50,000 lives a year—about 25 percent of these at the prime ages of 15 to 54.

Tragically, even though we have made great advances in research in this field, the cost of preserving the lives of people struck by kidney disease is catastrophic to any normal family.

I am introducing today legislation that I hope will cut the cost of kidney disease treatment down to budget size.

Most of us have heard of "hemodialysis"—the magic "kidney machine" which not only can keep some types of kidney disease victims alive for years but can also return them to normal lives and jobs.

But it does not hurt to remind ourselves just how expensive such treatment is—around \$18,000 for the first 2 years—

and \$5,000 a year thereafter if the treatment is done at home—and from \$15,000 on up to \$40,000 a year if it must be done in a hospital.

That, obviously, is more, a lot more, than many people in this country even make per year—people that are not considered near the "poverty" level.

The one hope a person on a kidney machine has of ending this yearly expense is to receive a kidney transplant—after we get a little better at those. He can do this to the tune of \$10,000 to \$20,000 or more, with \$1,000 per year for as long as he lives for drug therapy to keep his body from rejecting the new kidney.

We have in the past considered legislation to aid much needed research in this field. Today I am introducing legislation to help make the scientific advances from this research financially available to the common man.

The legislation provides \$25,000,000 of direct financial aid to pay the cost of special services, artificial kidneys, and supplies necessary for the treatment of individuals suffering from end stage renal diseases.

We are fortunate to have a medium available to handle this service without creating a new bureaucracy—the Vocational Rehabilitation Administration.

This agency not only has the tools to reach the people in need of treatment, but also is automatically geared toward recognizing that many of the problems the patient will encounter go beyond getting properly hooked up to a machine three times a week.

Already our own Texas Rehabilitation Commission has begun a pilot project along the lines envisioned by this bill—but it can at this time supply funds for only 6 months to a limited number of "test" patients.

Many other State programs find themselves in similar predicaments.

It is the same story no matter where we look in kidney disease—only the rich, the very, very rich, and the lucky subjects of newspaper headlines and local philanthropy, currently have a chance to live.

It is time that the Federal Government took a good look at the tragic sufferers of kidney disease and did something to help them live normal lives.

PERSONAL EXPLANATION

HON. PIERRE S. (PETE) du PONT

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. du PONT. Mr. Speaker, on Monday, December 6, I was privileged to give the second in a series of talks to the students and faculty at the University of Delaware on the subject of issues facing the Congress. Due to this conflict I was unable to be present on the floor for the voting that day. Had I been present I would have noted "no" on rollcall No. 431 and "yes" on rollcall Nos. 433, 434, 435, and 436.

THE F-14—AN OBJECTIVE ANALYSIS

HON. OTIS G. PIKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. PIKE. Mr. Speaker, there has been so much inaccurate reporting by people who ought to know better and so much biased reporting by people who do know better on the subject of the cost, the performance, and the potential of the Navy's F-14 aircraft that it is refreshing to see an article in the highly respected and objective Armed Forces Journal making detailed cost analyses and performance comparisons between the F-14, the F-4, and various Soviet fighters.

The Armed Forces Journal calls itself "Spokesman of the Services Since 1863." Despite this appellation, it is not simply an apologist for the Pentagon. It praises them when it thinks they are right and raps them when it thinks they are wrong. As such, I am delighted to insert their comprehensive analysis in the RECORD:

NAVY'S F-14: COSTLY, BUT NOTHING ELSE WILL DO THE JOB

(By Brooke Nihart)

Congressional critics, including Senator William Proxmire (D-Wis) and the watchdog Members of Congress for Peace Through Law, may well be hanging a "bum rap" on the Navy's F-14 fighter in their sweeping adverse findings. Charges leveled include claims that: (1) the Navy doesn't need such a fighter anyway; (2) a cheap lightweight fighter could do the job; (3) F-14 performance compares unfavorably with the existing F-4 improved with slatted wings and with Soviet fighters; and (4) it costs too much.

A much different picture emerges, however, after looking at test results, design predictions, and cost comparisons, and after talking to Grumman, Navy, and ODDR&E officials with F-14 program responsibilities.

The F-14 is the only type of fighter that can perform the mission the Navy has prescribed, and the mission is valid in the 1970s and 1980s.

The cheap lightweight fighter has its place in small numbers in the air forces of small friendly countries and in large numbers in NATO, but not in any number in a carrier task force.

Flight test progress to date has revealed performances dramatically better than the most advanced F-4, and design predictions indicate performance from 20% to 250% better in various characteristics. Similar superiorities exist over Soviet "threat" aircraft. The F-14B, with a more powerful advanced-technology engine, will be as superior to the F-14A as the F-14A is to the F-4.

Admittedly, the F-14 costs a lot of money, but a greater-than-ever capability is being bought. Planned and contract costs for comparable numbers of aircraft have not increased in the 2½ years since contract signing. But, because of runaway inflation and a reduced business base—both unpredictable at contract signing time in early 1969—Grumman may lose money if held to contract prices for 1972-1975 production.

The job the Navy wants the F-14 to do is twofold—fleet air defense and air superiority against the generally agreed-upon threat.

The agreed-upon threat to naval forces and to U.S. forces in any theater requires an aircraft-weapon system capable of meeting and defeating the existing Soviet sophis-

ticated, missile-equipped fighters under electronic control, anti-ship missiles, mobile surface-to-air missiles, and bombers firing long-range air-to-surface missiles. The threat dictated the choice of an aircraft-weapon system that is both an air-to-air missile carrier and a dogfighter. All analyses to date show that the F-14A is clearly superior in these roles to the known and projected Soviet threat in the 1970-80 period.

Moreover, according to intelligence sources, the Soviet "missile-load trend" is up. This means the proportion of Soviet heavy missile-armed fighters is growing, compared to their lightweight agile fighters.

These two missions imply several seemingly inconsistent characteristics:

Low landing speeds and good low-speed maneuverability and stall characteristics for landing on aircraft carriers.

High power-to-weight ratio for short carrier takeoffs fully loaded and dogfight maneuverability.

Large payload to carry long-range air defense missiles, attendant radar, a second crewman to operate the radar, plus fuel for a large combat radius.

Twin engines to lift the load and for over-water redundancy.

These characteristics are the antithesis of the cheap lightweight fighter. They add up to a big plane—and an expensive one. Since each carrier will have only 24 fighters aboard, they should be the best possible to do the job, an ODDR&E official told the JOURNAL. "Suppose you buy F-4s for one-fourth the cost of F-14s. You can't get as many on a carrier," he said. According to Grumman officials, the deck loading factor is 1.7 for an F-14 and 1.8 for an F-4 (based on 1.0 for an A-4), so about 10% more F-14s can go aboard than F-4s. Given the much greater capability of the F-14, nothing is gained by a deckload of F-4s but "a much lesser force for a much lower cost," the ODDR&E official said.

"Maybe you could operate 36 lightweight fighters from a carrier," he said, "but you still would have an inferior force. The fighter would be lightweight because it carried little fuel, a smaller radar, fewer shorter range missiles, and only one man to operate the system. Therefore, both plane and weapons have a shorter range, and the carrier would have to get closer to the target. Its attack aircraft couldn't have a fighter escort to their maximum range.

"The situation is quite the opposite in Europe," the official said. "Instead of having a limited number of carrier decks projecting their aircraft against limited objectives, you have a large number of airfields and the threat is thousands of enemy aircraft attacking your territory. We need, for Europe, the planned 700 F-15s, which will do for the Air Force what the F-14 will do for the Navy, plus about 2,000 lightweight fighters in the hands of NATO countries. They would be perfectly suitable, and indeed essential, for dogfighting with hordes of attacking aircraft over our territory.

"If you have a limited number of aircraft," the official continued, "they should have the greatest possible capability and versatility. This the F-14 has as a long-range carrier of air-to-air missiles and as a dogfighter. A lightweight fighter would not have both, and a carrier version of the F-15 would have both but to a lesser degree than the F-14." He added, "It is a simple matter to convert a good carrier aircraft to ground-based use, the F-4, A-4, and A-7 being recent examples. But the reverse is much more difficult. In fact, it is difficult to think of an example."

BROADENED VERSATILITY

Actually, the ODDR&E official would like to "broaden the base" of F-14 versatility and thus utility—not to justify current procurement, which needs no justification in his opinion, but to exploit the range and pay-

load capability of the F-14 once it has been procured in quantity for ground attack missions in the many situations where there would be little or no threat from enemy fighters.

Broadening the capability base of the F-14 could be done by "podularization" or the hanging of a "real-time reconnaissance strike pod" on the aircraft, rather than by an expensive alteration of its structure or internal components. Such a pod would contain sensors and target designators, and "smart" guided bombs and standoff missiles such as Condor and Standard ARM. Included would be FLIR (forward-looking infrared sensor), LLLTV (low-light-level TV), TISEO (target identification system electro-optical—a TV telescope), laser target designators and receiving equipment, and Condor receiving link equipment.

Converted to a ground attack role by the quick addition of a real-time reconnaissance-strike pod, the costly F-14 wouldn't have to run in close to the target for ordnance delivery and risk damage from ground fire, but would drop or fire guided standoff bombs and missiles which would home in on the surface target. Recently, a Condor fired in this manner hit a target at 35 miles range (September Journal, cover).

The official suggested that, with the real-time recon-strike "podularization" available, perhaps three 12-plane squadrons of F-14s per carrier rather than two would be the correct number. A squadron of A-6 attack aircraft would thus be eliminated, and the fighter capability would be increased 50%. Such a solution could also be an alternative to HIPASS, an advanced attack aircraft replacement for the A-6 planned for the 1980s, he said.

F-14 VERSUS F-4

The F-14, fully loaded, weighs about as much as the F-4 (53,000 pounds) and, as has been noted, occupies about as much deck space. It is, however, a fully integrated and balanced weapon system employing the long-range AWG-9 radar, teamed with the long-range Phoenix (AIM-54) missile, the medium-range Sparrow (AIM-7), short-range Sidewinder (AIM-9), M-61 20mm Gatling gun, and the Agile dogfight missile, when developed.

The multi-mission performance has been attained through weight reduction, such as microminiaturization of avionics, improved engine and airframe design, and use of lightweight titanium and boron composites. Weight has been kept down with the F-14 as never before in an aircraft's development, according to Grumman officials.

Only 1% of the aircraft's weight is devoted to systems for carrying and firing the weapons, and much of this weight is in removable pods or pallets which are not used in the dogfight configuration. Thus, weight-driven performance penalties formerly associated with multi-mission fighters have been eliminated in the F-14.

F-14 performance to date has been dramatic and has met or exceeded both specification guarantees and Navy forecasts. For example, escort radius, on internal fuel only, will be almost 20% better than specified. Another example is approach speed, which was specified to be 132 knots but which actually is 117 knots.

Actual flight-test comparisons of prototype F-14s with an F-4 chase plane to date also reveal dramatic superiorities of the F-14. The F-14 requires only one-half of the F-4's takeoff and landing distances. Actually, the F-14 has taken off in less than 1,300 feet at maximum gross weight of 53,000 pounds. It has 30% less fuel flow at cruise speeds. It is more stable with the stability augmentation system off than the F-4 with its SAS on. The F-14 was almost 100 knots faster and two miles ahead after a side-by-side acceleration test with the F-4, going from Mach 0.8 to 1.2.

Finally—and very important, since the accident rate on aircraft carriers is directly proportional to landing speeds—the F-14 has approach and landing speeds 25 to 30 knots lower than those of the F-4, which are given in *Jane's Aircraft* as 150 knots.

Navy performance estimates of the F-14A and B show marked superiority over the F-4J equipped with slatted wings. At the request of Dr. John S. Foster, Jr., Director of Defense Research and Engineering, the National Aeronautics and Space Agency (NASA) made an independent assessment which confirmed the Navy's estimates.

Specifically, in the dog fighting characteristics of turning, rolling, climbing, and accelerating, the F-14 is 20 to 40% better than the F-4J equipped with a slatted wing (see table). The only performance area where the slatted F-4J is better than the present F-4J, according to Grumman officials, is in a slow-speed-turning fight. And even here the F-14 is better.

In combat radius and loiter time, important in escorting A-6 and A-7 attack aircraft and on combat air patrol protecting the fleet, the F-14 shows marked advantages over the F-4J. Advantages include 80% greater combat radius on internal fuel with equal armament load, 100% more loiter time with four Sparrow missiles, and 50% more loiter time with six Phoenix missiles than a Sparrow-armed F-4J. The powerful AWG-9 radar gives the F-14 more than twice the radar range and the Phoenix more than 2½ times the missile range of the F-4J.

Another advantage over the F-4 cited by Grumman is that the F-14 requires only 50% of the maintenance manhours per flight hour. This permits more efficient operation and fewer maintenance men.

The F-14B performance estimates, verified by NASA, show the same performance margin over the F-14A that the F-14A has over the F-4J. While the weapons system capabilities and combat radius remain the same, sustained turning ability, acceleration, and rate of climb are increased by the greater thrust. For example, the F-14B has 40% higher rate of climb at Mach 1.0 speed and 10,000 feet altitude than the F-14A, 75% more rate of climb while executing 5g maneuver at Mach 0.9 speed at 10,000 feet, and 35% better acceleration.

F-14 VERSUS THE THREAT

The latest Soviet fighters usually considered in threat analyses are: the short-legged Mach 1.5-2.0 lightweight Mig-21 Fishbed-J; the Mach 2.5 interceptor Su-11 Flagon-A; and the very high altitude Mach 3.0+ interceptor Mig-23 Foxbat. Against them the F-14 is "superior" to "vastly superior" in all recognized fighter performance criteria (see table). The F-14's advantage against threat aircraft and against current and improved F-4s comes from the very favorable thrust-to-weight ratio, the long-range radar and long-range Phoenix missile, aerodynamic refinements, and, especially for superior maneuverability, the computer-controlled swing wing. While the pilot can override the variable-sweep wing controls, the computer can sense speed and "g" force and automatically set the wing-sweep angle to outmaneuver any comparable fighter without such a capability.

F-41 VERSUS FEARLESS

Technical intelligence experts teamed with aeronautical engineers, sources state, have closely examined the trend of Mikoyan's MiG fighter designs through the MiG-23 Foxbat, together with growing Soviet technological trends and capabilities, and have postulated a next-generation MiG fighter which, following the NATO designation system, they have dubbed "Fearless." Using design points and computer analyses, they have established performance parameters for Fearless. It is close to the F-14A in performance, but the F-14B is superior to Fearless in all

categories except radar detection range and missile launch range, in which it is equal.

COST GROWTH MYTH

Another attack on the F-14 program has centered around its cost. Members of Congress and congressional staffers who, for various motivations, may oppose the Navy, expensive complex weapons, or perhaps even national defense and defense spending, view with concern an F-14 program unit cost of \$16.6-million and speak damningly of excessive cost growth. The Navy, for its part, would probably like to emphasize a unit flyaway cost of less than half that, or \$7.8-million. Admittedly, the Navy says, the two costs are an "apples and oranges" proposition. The Navy has explained it all to Congress, it says, which raises the question: "Are the Proxmires and the Members of Congress for Peace Through Law really listening?"

The "apples and oranges" problem relates to how many aircraft are being bought and what is included in the cost. The \$7.8-million figure relates to fly-away cost—the actual production cost of airframe, engines, radar and other avionics, and gun—for a buy of 710 aircraft. This is the figure from the 31 March 1971 Selected Acquisition Report (SAR) rendered to Congress. If R&D costs of \$1.4-billion, support costs—maintenance and training equipment—of \$634-million, and spare parts costs of \$832-million are added, the program unit cost of the 710 F-14s rises to \$11.6-million.

But between the 31 March and the 30 June 1971 SAR, a SecDef decision was made to reduce the buy from 710 to 301. The rationale was to reduce the total outlay from \$8.4-billion to \$5.2-billion, with the option to build more than 301 F-14s if the Soviet threat in 1976, when production of the 301 would be complete, continued. The problem that rattled a vigilant Congress' cage was that, although total program cost dropped 38%, unit cost jumped 43%.

The flyaway unit cost of 301 F-14s averages \$9.4-million, up a modest 20% from \$7.8 million for 710, but when the constant R&D \$1.4 billion and the near-constant support and spare parts costs were added in and divided by 301 aircraft, the alarming figure of \$16.6 million program unit cost became apparent.

"Likewise it to buying a new car," one officer consulted by The Journal said, trying to explain flyaway costs versus program unit cost. "You buy a new compact for your 16-year-old for \$3,000. That represents Detroit's R&D cost in bringing out a new model plus the production cost. We could call it a 'drive-away' cost. But how much do you add for driving school to teach your children to operate it, insurance, its share of the dealer's service facility—tools, hoists, test equipment, mechanic training—and its share of spare parts in the dealer's stockroom and the maker's parts central? Added up, these costs might make the 'program unit' cost \$6,000 rather than \$3,000. Do you not buy the car because of the additional costs?" he asked.

F-4 COST COMPARISON

Senator Proxmire not only would compare F-14 performance unfavorably with the F-4J and an improved F-4, but he compares his version of costs in an equally unfavorable light. Proxmire understated the flyaway cost of the last F-4 after 3,500 had been built without including any investment costs. He then—unfairly, in the eyes of Grumman officials—compared it with the average investment cost of the first 301 F-14s of \$16.6-million each. After some 4,500 F-4s have rolled out of McDonnell-Douglas' St. Louis plant, the flyaway cost of today's F-4 is still about \$3.5-million—and this is without the alleged improvements of slatted wings and engines—according to Grumman sources.

A fairer way of looking at it—which congressional critics apparently choose not to see—would be to compare the costs of the

first 301 F-4s with those of the first 301 F-14s. In today's dollars the actual flyaway costs of the first 301 F-4s average \$6-million each, or only 36% less than the first 301 F-14s, which average \$9.4-million each. Both a fighter pilot and a cost-effectiveness analyst might question whether a 36% saving offsets the greatly inferior performance of even today's F-4J, compared to the F-14.

COST GROWTH?

So much for cost descriptions and comparisons—but has there been an increase in cost other than a unit cost increase due to a fewer number being bought? Reference to the cost table shows that a 30 September 1969 program unit cost estimate in the Five Year Defense Plan (FYDP)—less than eight months after the contract was signed with Grumman—for 293 R&D and production F-14s averaged \$16.6-million each. The figure is the same as the 30 June 1971 SAR program unit cost based on 313 R&D and production F-14s.

Although congressional critics—who may recall the \$25,000 to \$50,000 pricetag of WWII fighters or the more recent \$3.5- to \$6-million cost of F-4s with nostalgia—have balked at the F-14 program unit cost of \$16.6-million, they and the Administration are concerned still further. Grumman has stated that it cannot produce the F-14 indefinitely at the agreed-upon contract price and break even, let alone make a reasonable profit. The brutal fact is that Grumman may lose a considerable amount of money and face bankruptcy, even as Lockheed.

Congress, the Administration, and the public naturally ask if this is another C-5/Lockheed situation where cost overruns were alleged to be the result of "buying" the contract by an unrealistically low bid with the contractor hoping to "get well" later with contract adjustments. First, Grumman vehemently denies that it "bought in" the contract, and the Navy confirms the denial. Second, Grumman was hit with a couple of economy "unk-unks" (unknown unknowns) that will cause higher production costs and set it back financially. Third, while some ultimate relief for Grumman may not be ruled out, the Navy is holding it to the contract price and urging across-the-board economies.

Here is what happened. According to a highly placed Navy source, there were five bidders on the F-14 contract—North American Rockwell, General Dynamics, Ling-Temco-Vought, Grumman, and McDonnell-Douglas. The first three proposals were rejected as being unsuitable designs, even though LTV's bid was the lowest of the five. This left Grumman, whose design the Navy liked although its bid was \$400-million higher than McDonnell-Douglas', and McD-D, who offered a design which was merely "acceptable." At the Navy's request, Grumman "scrubbed down" its bid to a point only \$100-million higher than McD-D's and got the contract. So, although it won't admit it, the Navy shares the responsibility for Grumman's plight. Surprisingly, Grumman's estimated loss is only slightly more—between \$367- and \$410-million—than the amount the Navy had it shave its bid.

The "unk-unks" in the economy that are causing Grumman's distress are runaway inflation and a reduced business base. With Navy approval, the 1969 contract costs were based on a 3%-per-year labor cost increase and a 2½%-per-year materials cost increase. These figures were the averages for the 1958-68 period compiled by the Bureau of Labor Statistics. After the contract was signed, the inflation rate doubled to about 6% per year. An escalation clause in the contract gives Grumman some relief—up to a 5% inflationary rise—but only beginning in 1974. What effect, if any, the presidential wage/price freeze will have on Grumman's situation remains to be seen, but all concerned are hope-

ful that it will stem the 6%-per-year hemorrhage.

When preparing its bid, Grumman had planned on \$1-billion of business a year, based on Navy, Air Force, and NASA predictions of work they would be giving Grumman. Due to cancellation or stretchout of these programs, Grumman's business base decreased to \$700-million per year. This has meant that a higher proportion of Grumman's plant and administrative overhead must be assigned to the F-14 program than was originally estimated, with increased program costs the result.

Grumman's own austerity program and the wage/price freeze may enable Grumman to avoid financial disaster. Employment has been cut nearly 40%, or 14,000 people, since 1968 to enable just about a break-even on the R&D work, according to company officials. The production phase is another matter, officials say, and Grumman may have to "eat" some of its losses. However, they promise that Grumman will not become another

Lockheed, while at the same time stating that they will not accept any more F-14 contracts at ruinous prices.

From the Navy's viewpoint, according to one high Navy spokesman, Naval Air Systems Command has never had a program so completely laid out, both technically and financially. This is the visibility necessary to monitor successfully all aspects of a program, say programming experts, and undoubtedly has led to early identification of the technical and costs problems that are now being dealt with.

Taking a philosophical view of the congressional critics of the F-14 program, RADM Leonard A. Snead, program manager, said, "It's not bad to have critics sniping at you—otherwise we might get sloppy."

Most naval aviators would agree that, in 41 years of building naval aircraft, Grumman has built few, if any, sloppy ones. After talking to Grumman officials at middle to top level, it is the writer's opinion that Grumman isn't about to lose this reputation with

the F-14. And, after talking with responsible Navy officials, the Navy—always capable of running a taut ship—isn't about to let Grumman get sloppy with the F-14, which the Navy badly needs.

How F-14A Costs Break Down

Only about 25% of the \$9.4-million flyaway cost of each of 301 F-14A's would go to Grumman. The balance goes to subcontractors, Pratt & Whitney for engines, and Hughes Aircraft and others for avionics. Such a breakdown is roughly typical of modern military aircraft. (Dollars shown below in millions.)

	Percent	Amount
Grumman in-house.....	25	\$2.36
Grumman subcontractors.....	27	2.56
Pratt & Whitney engines.....	21	1.94
Avionics.....	27	2.54
Total.....	100	9.40

F-14 SUPERIORITY

Parameter	F-4J	F-4J Slatted	Mig-21 Fishbed-J	Su-11 Flagon-A	Mig-23 Foxbat	Mig-7 Fearless
Turn radius.....	Vastly superior.....	40 percent better.....	Superior.....	Vastly superior.....	Vastly superior.....	Superior.....
Maneuvering climb.....	do.....	27 percent better.....	Vastly Superior.....	do.....	Superior.....	Do.....
Sustained "g".....	Not available.....	21 percent better.....	Not available.....	Not available.....	Not available.....	Do.....
Acceleration.....	Vastly superior.....	do.....	Vastly superior.....	Superior.....	Vastly superior.....	Do.....
Rate of climb.....	Not available.....	20 percent better.....	Not available.....	Not available.....	Not available.....	Do.....
Roll performance.....	Superior.....	21 percent better.....	Superior.....	Vastly superior.....	Vastly superior.....	Do.....
Combat radius.....	Vastly superior.....	80 percent better.....	Vastly superior.....	do.....	Superior.....	Do.....
Radar range.....	do.....	200 percent plus better.....	do.....	Superior.....	do.....	Equal.....
Missile range.....	do.....	250 percent plus better.....	do.....	do.....	do.....	Do.....
Cockpit visibility.....	do.....	Vastly superior.....	Superior.....	do.....	Vastly superior.....	Not available.....

HOW F-14 COST 'GREW'—IT ALWAYS WAS A COSTLY FIGHTER

(Dollars in millions)

Program costs	Sept. 30, 1969 FYDP estimate	Mar. 31, 1971 SAR	June 30, 1971 SAR
R.D.T. & E.:			
F-14A.....	\$731.0	\$1,069.0	\$1,069.0
F-14B.....	243.0	324.0	324.0
Total.....	974.0	1,393.0	1,393.0
Procurement (F-14A):			
Flyaway.....	\$3,136.3	\$5,512.2	\$2,835.2
Support.....		634.1	464.6
Spare parts.....	763.4	832.9	514.2
Total.....	3,899.7	6,979.2	3,814.0
MilCon.....		4.9	4.9
Total program costs.....	4,873.7	8,376.1	5,211.9
F-14A unit cost:			
Flyaway unit.....	c. 11.0	7.8	9.4
Procurement unit.....	13.6	9.8	12.7
Program unit.....	16.6	11.6	16.6

- 1 6 aircraft.
- * 12 aircraft.
- * 287 aircraft.
- * 710 aircraft.
- * 301 aircraft.

Note: that the program unit cost (\$16,600,000 per aircraft) was the same in 1969 (the year the contract was signed) as in 1971. The lower program unit cost (\$11,600,000) in March 1971 was due to planning procurement of over twice the number of aircraft. Flyaway unit costs include only actual production costs. Procurement unit costs include flyaway plus support (maintenance and servicing equipment and training, etc.) and initial spare parts. Program unit costs include R.D.T. & E. costs added to the other costs.

THE 50TH ANNIVERSARY OF THE BURIAL OF THE UNKNOWN SOLDIER OF WORLD WAR I

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks I

am inserting in the RECORD a brief but meaningful speech delivered by Hon. Hamilton Fish in honor of the 50th anniversary of the burial of the Unknown Soldier of World War I at Arlington Memorial Cemetery.

It is fitting that former Congressman Fish should be the guest speaker on this occasion. He was the sponsor of the legislation to bring back the body of the Unknown Soldier of World War I. As a matter of historic interest, it was the last measure signed by Woodrow Wilson on March 4, 1921.

Congressman Fish served in the Congress for 25 years. It was my privilege to serve with him. No man served with greater distinction. In the fullest sense, he was an effective legislator. And, I might add, his son who presently serves here is proving the truth of the adage, "like father, like son."

I commend to your reading the following address by my good friend and former colleague. Bear in mind that from the very beginning former Congressman Fish recognized communism for what it has since proven to be.

The address follows:

SPEECH OF HON. HAMILTON FISH AT THE WOMEN'S NATIONAL REPUBLICAN CLUB DINNER

I appreciate very deeply the honor of speaking at your dinner as the author of the bill to bring back the body of the Unknown World War I Soldier. This bill was introduced by me in my first term in Congress and was the last measure signed by Woodrow Wilson on March 4, 1921.

I had intended to speak on the origin of the bill and to tell how the body of the Unknown Soldier was selected and transported to Washington for burial in the National Amphitheatre at Arlington and also to describe the magnificent ceremonies at that time. All I will say is that I was delegated

by the War Department to place the first wreath and the only wreath representing all the Armed Forces of the United States, on the Tomb of our Unknown Soldier in the presence of all the top officials in the United States, and the commanding officers of most of our allies in the war, before a massive crowd. In placing the wreath on the Unknown's Tomb, I had this to say.

On behalf of the ex-servicemen of the Republic, I reverently place this wreath on the tomb of our unknown comrade in arms who paid the supreme sacrifice that we might live at peace with all the world.

During the 25 years that I served in Congress, and on the Foreign Affairs Committee of the House of Representatives, I invariably did everything in my power to promote and preserve peace with all the world.

No group in America is more for the preservation of peace than the veterans who fought in all of our wars, including Vietnam. But they know peace can only be preserved through strength, and that reduction in missiles and of our military and naval strength, would make us a second class power and is the road to destruction. President Nixon should be commended for his courage and constructive leadership in refusing to cancel the five megaton underground test in the Aleutian Islands. Without such tests, we could not defend the United States against a powerful nuclear attack. President Nixon deserves the support of the American people in trying to secure a generation of peace which is the hope and aspiration of most Americans.

The Reverend Billy Graham has warned the American people that "Communism is a dangerous threat not only to America but to Christianity everywhere. Many Communist leaders have stated openly that they intend to have the whole world under their control by 1975." I agree with Billy Graham, that the Communists at Moscow plan to destroy the United States by 1975 through lulling our public officials to sleep in order to prevent the United States maintaining nuclear parity or sufficiency and guarding our international missile sites. Any unilateral reduction would

be an open invitation while Moscow builds powerful hydrogen weapons for a Communist sneak attack to destroy our missile sites and take over the country.

The time has come for some plain speaking regarding nuclear preparedness for defense and as a deterrent for peace. To sin by silence when you should protest unilateral reduction of nuclear power and also in the Navy and Air Force is almost treasonable.

I am using the word survival deliberately without reservations to shock the American people into casting aside their apathy and realizing the truth about the catastrophic menace of the world Communist conspiracy to the survival of the United States as a free, independent and sovereign nation. It would be unfair to remain silent as the whole world knows that we can no longer speak or act from top military and nuclear strength. What is not so obvious but far more dangerous is what this means to the lives of 200 million Americans.

Soviet Russia plots and plans to Communize the United States either by Socialist and Marxist infiltration or by nuclear superiority which the Communist dictators in Moscow now possess for the first time. There is only one answer, to arouse the American people to the gruesome and terrible truth that we are confronted with a satanic destruction by the Godless Communist tyrants within four or five years, from a hurricane of massive, modern super-brute hydrogen weapons, unless we take immediate steps to counteract it.

If a first strike by the Communist nuclear weapons is successful, it will at once be followed by an ultimatum to the remnants of the United States to surrender or die. What can be done to survive in this nuclear age? The Americans must know the frightful truth—that they are on an almost unprotected road that might suddenly without warning, be turned into their burial grounds by an avalanche of monstrous red hydrogen bombs. There is only one way to survive and that is to restore nuclear parity or sufficiency with Soviet Russia. The Congress must authorize, no matter what the cost, the production of the most modern nuclear weapons to confront any Communist challenge and to protect their deployment. Our unknown warriors and all those who paid the supreme sacrifice in all our wars in defense of freedom and democracy will have died in vain unless we face the terrible crisis by emergency measures.

Time is the essence. Any further delay in restoring near parity may be fatal. Unless Soviet Russia realizes that we can withstand a first nuclear attack, and have the power to immediately unleash an effective nuclear counterattack, that would inflict unbearable destruction and casualties, we are inviting disaster. If the Soviet fanatical high command believes that we will be able to counterattack successfully, they will hesitate to press the nuclear button.

Hon. Clare Boothe Luce rightly said, "Will mankind eventually stand in the light of freedom or crawl in the darkness of slavery."

The main reason for the existence of any government is to protect the lives of its people and the security of the nation.

The main issue in the Presidential campaign six months from now, will be preparedness to protect America from a disastrous nuclear attack. President Nixon should take the leadership in a non-partisan warning that we must have an adequate nuclear defense to safeguard the lives of our own people and the United States.

It must be self-evident that once the truth of the danger of our nuclear disparity is known to the public, that partisanship will disappear. Self preservation is by far the most important issue and no party has a monopoly of patriotism.

GOALS OF SECRETARY BUTZ

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. FINDLEY. Mr. Speaker, following closely on his confirmation as Secretary of Agriculture, Dr. Earl Butz this week addressed the annual meeting of the American Farm Bureau Federation in Chicago.

In his speech, Secretary Butz clearly identified his position on several issues which he has been questioned about during the past month. He outlined 11 specific items he supports.

It is important that all of us in the Congress understand the position of the new Secretary of Agriculture and I include as part of these remarks excerpts from the speech delivered by Secretary Butz:

REMARKS BY SECRETARY OF AGRICULTURE EARL BUTZ

There are some real problems facing agriculture. Just to name a few, they include:

Inadequate income;
Farm labor;
Over-production;
The use of farm chemicals;
Revitalizing our rural communities;
Family farms; and
Maintaining access to foreign markets for U.S. farm products.

As I take on the job of Secretary of Agriculture, I will need your help in finding answers to those problems. We will be looking for ideas, and my door will always be open. You are invited to use it. Likewise, I expect to be knocking on your door also from time to time.

I'll need the kind of help and sound counsel that come from the way you develop your policies from the ground up—with a very democratic process where you discuss farm issues at local and county meetings, at your state meetings, and then bring your elected delegates here to establish your policies for next year. I have always regarded that as a great self-governing procedure, and I heartily endorse it. We need and want to get everyone in this nation into the process of deciding our issues of the day—small farmers, big farmers—young people and adults—the poor and the well-to-do—minorities and the majorities—Democrats and Republicans—and those who are for Secretary Butz and those who aren't for him.

None of us should be afraid to stand up and speak up—nor to take the heat that comes from speaking frankly, and honestly. It is a part of the democratic process. I hope you will continue to be vigorous spokesmen for agriculture—each of you, in your own community, in your state, and in Washington, D.C.

And I intend to be right with you speaking up on behalf of farmers. Not speaking for farmers. That's your job, your responsibility and your right as farmers and as members of a free, volunteer farm organization. You do speak for yourself, and don't let anyone take that away from you. But as Secretary of Agriculture I intend—with all the vigor I have—to speak in behalf of farmers and ranchers to the President, to the Cabinet, to Congress, to consumers and to the American people.

Rural people bring to this nation an abundance of strengths and traits that the nation needs, and this generation and the times need. Your farm family life is more centered, community centered and church centered.

You place a high value on such traits as work, production, integrity, dependability, self-reliance and what some call old-fashioned patriotism. I say it's a new-fashioned patriotism—something that will never go out of style. All of those qualities that are second nature to farm and rural people are important for the strength and vitality of this nation and its society. As we move from a predominately rural to an urban nation, we stand in danger of losing some of those fundamental virtues that have served us so well in decades past. They are more important today than ever. Let's never surrender them.

What you stand for is important. The resolutions that you develop at this meeting will tell what you stand for as an organization. Knowing you as I do, that is what you and your board and your officers will live by, and live up to, during the coming year. As I have read the principles that you have written into those resolutions over the years, I know that you have a great deal to be proud of. They show high principles of leadership and awareness and compassion. You can hold up those resolutions in your hands and put your shoulders back and be proud of what you stand for, proud to be farmers, and proud to be Farm Bureau members.

I have had some experience during the last three weeks in this business of what one stands for. I have had many people, Presidential candidates and would-be candidates, and members of high councils of political organizations, tell what I stand for. Sometimes I couldn't recognize what I heard them say I stood for.

I felt the need to have in my hand a set of resolutions that I could hold up that told the world where I stood. And I don't mind telling you now some of those things that Earl Butz stands for:

1. First, I am for farmers. It may seem unnecessary for me to say that. But not everybody is for farmers. I am, and I want you and everybody else to know it.

2. I am for farmers getting a fair economic return, both on their labor—and no one works harder—and a fair return on their investment—and agriculture is the biggest business in the nation. A fair return on farm labor and investment means higher farm prices and net returns. And I'm for that. And I think that consumers are in favor of farmers having a fair return too.

That's why last Friday, on my first day in office, my first decision was to take bids to buy corn to firm up farm prices.

3. I am for farm products being able to move to market at harvest time when the crop is ready. And I'm against that kind of disregard for farmers, for consumers and for our overseas markets.

The \$64 question we face is what will happen at the end of the 80-day cooling off period provided by the Taft-Hartley Act. If agreement is not reached during that time, we could go right back to another shutdown.

We simply must not continue to live in a situation where we can have these intolerable tie-ups in our vital transportation services without regard to the public interest.

Early this year the Administration sent to the Congress proposed legislation known as the Emergency Public Interest Protection Act of 1971, (S. 560).

This Bill would allow the President to extend the cooling off period beyond 80 days; it authorizes the President to set up a special board to study the potential damage of a continued strike; and provide for both parties to submit final offers to a panel that would select one of the offers as binding.

This proposal has been languishing for months in Committee in the Congress. Hearings are scheduled to be resumed December 9 before the Labor sub-committee of the Senate Committee on Labor and Public Welfare. This Administration Bill needs your support.

Some members of the Committee which is considering this legislation voted against my confirmation last week. That's all right, it's a political matter. But I'd like to see them vote for farmers, and get that bill out of committee. And I'm going to do everything I can to get that done.

4. I am for small farmers and young farmers having a chance to grow and dream and have those dreams come true. I'm not in favor of perpetual poverty. That means that small farmers and young farmers must have a chance to grow into an economic unit that keeps up with the times—so that they can live like other people. So that they can live like the people who are shedding such big tears while espousing a kind of economics that would let the farmers of the 1970's and 1980's to the farm size of the 1930's and 1940's. And anybody with any barnyard horse sense knows better.

5. I am for farm women having conveniences and decent things in their homes that they can be proud of and enjoy. That takes more farm income, and more opportunities for off-farm work for those who want it, so that farm women can have those conveniences. That among the farm women I know, is the kind of women's liberation that they are for.

6. I am for farmers having more bargaining power so that they can have more "say" over their prices and terms of sale so that they—the farmers—remain in control of farming. I stated three weeks ago before the Senate Committee on Agriculture and Forestry that I stand solidly behind the right of farmers and of farmer cooperatives to bargain with handlers and processors, just as surely as we have given that right to labor and to other groups. We obviously need legislation to implement that right. The American Farm Bureau Federation, along with other interested groups, is strongly backing the Sisk Bill. This is one of a number of bargaining bills before the Congress.

I am on record regarding the right of farmers to bargain. I now go on record favoring the principles and methods of bargaining embodied in the Sisk Bill. At the proper time I shall support it, subject of course to any minor modification that may seem appropriate as testimony proceeds before the Committee.

7. I am for farmers having strong volunteer farm organizations that develop their policies in a democratic process, after study and discussion, from the local communities on up. And I'm for preserving the freedom of farmers to do that.

8. I am for farm cooperatives that enable farmers to work together to market their products, to have electricity and telephones, and credit. And I'm for farmers running and owning these organizations.

9. I am for rural development and economic growth in the countryside so that farmers and rural towns people can enjoy schools, health care, housing, and community services that are on a par with larger cities. I'm for the kind of strong, local, private economic activity that will generate the growth and the vitality that will make this possible.

10. I am for reasonable farm labor legislation. Labor requirements are seasonal and unique for much of agriculture. Assurances must be maintained that such labor will be available when and where it is needed. Otherwise, highly perishable food will never be harvested.

Our farmers fully understand that such labor must be adequately paid and must enjoy the same amenities of family and community life as any other citizens. They also recognize the right of such labor to voluntarily join bargaining associations. However, our farmers are rightly incensed when such workers are forced, often against their will, to join any organization that employs such tactics as the secondary boycott to bring

an industry to its knees. There should be no room on the American scene for such tactics.

11. I am for controlling inflation in this country. Inflation takes its toll on many fronts, but no where more strikingly than in the area of farm costs. The marked rise in farm costs over the last decade, more than the rise in farm prices received, has kept the parity ratio at an intolerably low level. The farm community was pleased when President Nixon last August imposed a wage-price freeze in an effort to bring under control the inflated costs that had been galloping along without restraint. We are happy to note that many major farm costs have leveled off. Farm interests should and will support Phase II of our battle against inflation. The Department of Agriculture will vigorously represent your best interests in these matters.

I know that all of you are delighted with President Nixon's decision to retain a viable Department of Agriculture at a Cabinet level, streamlined to zero in on the interests of farmers and ranchers.

May I assure you that we have the full support of President Nixon and his staff in the White House as we move forward vigorously to preserve the family farm structure in American agriculture; and do our utmost to assure a level of income for farm folks that will let them share adequately in the great American affluence; as we try to strengthen our rural communities all through America so that our young people may find good opportunities for purposeful employment and peaceful living in areas where they grew up; and finally to bring to all of us in Agriculture a deep inner sense of dignity and pride in our profession.

It is to the accomplishment of these noble goals that all of us in the United States Department of Agriculture unite in full partnership with all of you in this, the nation's largest volunteer farm organization.

FIFTIETH JUBILEE OBSERVANCE OF THE HOLY TRINITY ALBANIAN ORTHODOX CATHEDRAL

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, on the occasion of the 50th jubilee observance of the Holy Trinity Albanian Orthodox Cathedral in my district, his grace, Bishop Mark, head of the Canonical Albanian Orthodox Church in America, delivered a most inspiring address which I would like to share with my colleagues.

The Honorable Congresswoman Hicks, Reverend Clergy, Commissioner Colatos, Distinguished guests, my beloved Faithful:

This evening truly, we bless the Name of Almighty God who gathers us together as He gathered the Holy Apostles for their mission into the world. And can our mission in life and purpose be any different from tonight onward? For we are the inheritors of the Apostolic Tradition in faith and witness. We are the continuing stream coming from that meager yet vibrant source of early immigrants who established Churches and created Communities. We are the one flowing current which preserves that tradition and that witness which identifies us as Albanian Orthodox people.

We cannot deny our heritage, rather we are gathered to honor it on the occasion of this 50th Jubilee observance. The heritage of your fathers and grandfathers who with deep faith

and a fear of God established our Holy Trinity Church parish, is a priceless legacy which we must keep and perpetuate. The Apostles became the fishermen of men—made wise in Divine knowledge by the grace of the Holy Spirit—so too we become the example before men by our Orthodox faith and life.

Our task is not unlike that of the Apostles nor are we lacking the inspiration to act and to do all that needs to be done to preserve our religious and community life.

In our society today we see the sad results of a moral and social breakdown so critical that new and complex problems are created every day for government, education, industry and the professions, but most important for the sacred family unit. And yet it was that same family unit—and a deep concern for it, which motivated and directed the establishment of Churches—and Holy Trinity is not an exception. However, this Jubilee gives rise to yet another important factor for the future. The need for renewal and dedication—not simply to a glorious tradition of generations of membership in the Holy Trinity Church, but to the concepts of Christian living—the practical application of a Life style, unique and Christ-like.

It seems on this Jubilee we are all called to make change happen for the future—change brought about by courage and commitment which will give new and bold direction to our Church and our people. Changes which answer the needs of the 20th century just as our forefathers 50 years ago with courage and commitment made changes which insured for them the proper ecclesiastical leadership based on dignity and principle.

A jubilee is not only reflecting on the past—it is a promise to the future—and I invite you to commit yourselves to the future which offers greater dreams for success and progress.

A Jubilee is a celebration of thanksgiving when we—in all humility—give thanks to our Eternal Father for the love and vision of our pioneering forefathers—for the devotion and perseverance of those who have maintained the Church Community thus far—for the dedication and commitment of future generations—but above all for the spirit of God which directs our pathway in the right way of righteousness and service.

In this Land of freedom and opportunity which welcomed our immigrant fathers and guarantees us the constitutional right to practice our religious faith we are pledged to uphold the democratic principles of these United States. Regrettably we are reminded that in Albania today our brothers and sisters are denied freedom of religious activity. The atheistic Communist regime has closed all Churches and Mosques in a wave of persecution and terror. We here in America, endowed with inalienable rights, must assume the awesome burden of being the hope for the enslaved people of our fathers' homeland. A hope born of the American experience and unprecedented in human history. May God help us.

Have just returned from an extended trip to Europe and the Middle East where I was permitted the honor of meeting first: His Beatitude Justinian, Patriarch of Romania in Bucharest, then His Beatitude Elias, Patriarch of Antioch in Damascus, Syria, then His Beatitude Nicholas, Patriarch of Alexandria and finally His Beatitude Teronimos, Archbishop of Athens and All Greece. I am happy to say it was my privilege to extend the respectful greetings of our Albanian Church and Faithful to each of these world leaders of Orthodoxy. Their concern and interest in us was a moving experience for me and I can assure you of their abiding love and affection for the well being and progress of Orthodoxy in America.

The magnificent work of the 50th Jubilee Committee and the Board of Directors of our Church is a credit to all who have worked

under the leadership of the Chairman, Mr. Nick Adams and the President, Mr. George Kondel. It is a credit to you—the faithful members and parishioners of Holy Trinity Church who have given your moral and financial support to this joyous celebration. I congratulate you and I thank you with a fervent prayer that the Holy Trinity bless and keep you in the abundance of all good things.

We are pleased to have the pleasure of greeting Congresswoman Louise Day Hicks whose deep concerns have made her a faithful public servant. We wish her sincere and good wishes as she continues her service to the citizens of our State. Her leadership in government has exemplified courage and conviction which are the marks of dedicated public officials. A sense of commitment to public duty distinguishes Congresswoman Hicks.

The presence of our good friend, a devoted Orthodox layman, Commissioner Charles Colatos, who brought us the greetings of our Governor, gives us much joy and honor.

The Orthodox clergy of our Diocese and of our City who share with us the joy of this Jubilee deserve our thanks and appreciation. The head table guests and especially the three members who are honored for their years of service to the Church since its establishment in 1921, all give us cause to be happy and gratified. The Honorable James E. Kondel, Mr. Sotir P. Adams and Mr. Nick Adams represent before us the great number of persons who have been members and parishioners over the past 50 years. They are indeed privileged to enjoy this means too, we must remember those who have passed on—without whose labors our Church would be the poorer. May their memory be eternal.

Last but not least I commend words of praise and affection to Fr. Michael Dall a past pastor of the Church and Fr. Ili Katre the present pastor for the happiness and deep satisfaction of this day.

May the grace of our Lord Jesus Christ, and the love of God the Father and the Communion of the Holy Spirit be with you all.

THE CIVIL AERONAUTICS BOARD AND AIR FARES

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. MOSS. Mr. Speaker, on December 3, 1971, 30 of my colleagues and I filed with the Civil Aeronautics Board a reply brief dealing with airline fares in a case known as the Domestic Passenger Fare Investigation.

Our reply brief follows:

(Before the Civil Aeronautics Board
Washington, D.C.)

IN THE MATTER OF DOMESTIC PASSENGER FARE
INVESTIGATION PHASE 9—FARE STRUCTURE,
DOCKET 21866-9

(Reply Brief of Hon. John E. Moss, et al.,
Members of Congress to Examiner Robert
M. Johnson)

I. INTRODUCTION

This reply brief is directed to several different issues: The nonapplicability of mail and military rate cases; the zone of reasonableness; rate-making mileages; revenue hour statistics; cost of service projections; earnings results.

II. MAIL AND MILITARY RATE CASES NOT APPLICABLE

In support of its "acid test" of how a rate formula actually affects individual carriers,

Trans World Airlines (TWA) refers to the language of the Board in various mail and military charter rate situations; TW Brief, p. 5-9. For example, "so long as the overall yield to each carrier is reasonable, it is of no particular importance whether the various elements of the rate formula; i.e., the line-haul charge and terminal charge, are directly related to costs involved in the particular functions; *Nonpriority Mail Rate Case*, 34 C.A.B. 143, 147 (1963).

This method of rate-making may be justified in the case of mail and military charter rates since there is no "undue" preference and prejudice because in any particular situation the party being preferred is at the same time the party being prejudiced; i.e., the U.S. Postal Service or Department of Defense. While this may also be the case in certain cases with respect to the purchase of regularly scheduled passenger services, it is not true in all cases. As a consequence, the overriding consideration in the development of a passenger fare structure is not just what the resulting payments will be to each carrier. Instead that factor must share equal consideration in the design of the formula with unjust discrimination and undue preference and prejudice because more than one purchaser of the service is involved. For this reason in designing the passenger fare structure, the question of whether the various elements are directly related to the costs involved in the particular function is equal in importance with the question of whether the overall yield to each carrier is reasonable, and mail rate law is not applicable.

III. ZONE OF REASONABLENESS

Eastern Air Lines (Eastern) does not feel that the Board should prescribe a range of fares where "carriers would be free without interference from the Board to set fares within a given range." EA Brief, p. 33, 44. Accordingly, the Members of Congress believe the question of the application of a zone of reasonableness needs further clarification.

I

Under the Act every air carrier is entitled to file with the Board tariffs which are posted and published in such form and manner as the Board shall by regulation prescribe, Sec. 403(a). It is the duty of the carrier to establish in these tariffs fares which are just and reasonable, and not otherwise unlawful; Sec. 404. At the same time, the Board is empowered, upon complaint or its own initiative, to enter upon a hearing concerning the lawfulness of such a newly filed individual or joint fare, rule, regulation or practice; Sec. 1002(g). Pending such hearing and decision thereon, the Board may defer the use of such fares, etc., for a period of no longer than 180 days; *Ibid.* As a result, the determination and prescription of a zone of reasonableness cannot estop any carrier from filing a tariff with a fare greater than the maximum, nor lower than the minimum; nor does the prescription of such a zone of reasonableness change the Act to mean that the Board must suspend for at least 180 days any fare filed outside the zone. The Board's powers of whether or not to defer the use of a newly filed fare outside the zone of reasonableness pending its decision as to the fare's lawfulness is not affected by the establishment of a zone of reasonableness.

At the same time, neither does the establishment of minimum and maximum rates limit the Board's powers to enter upon a hearing concerning the lawfulness of a newly filed fare which falls within the zone of reasonableness; nor the Board's obligation upon complaint to either (1) hold such a hearing and issue a decision, or (2) deliver to such complainant a statement in writing of its opinion that the complaint does not state facts which warrant an investigation or action; Sec. 1002(a). Nor does the use of such a zone change the Economic Regulations of the C.A.B. which require that at any

hearing involving a change in a fare, the burden of going forward with the evidence shall be upon the person proposing such change to show that the proposed changed fare is just and reasonable, and otherwise lawful; 14 C.F.R. 302.506.

Rather, all the establishment of minimum and maximum rates does is (1) to state in writing that it is the intent of the Board not to use its powers under Sec. 1002(g) to defer, upon grounds of unreasonableness, the use of any new fare falling within the zone of reasonableness pending any hearing and decision concerning the lawfulness of such fare, and (2) provide the various parties with one additional piece of rebuttable evidence as to the lawfulness or unlawfulness of any fare.

II

Given the foregoing interpretation of the zone of reasonableness and the fact that for a major part of the airline market, value of service exceeds cost of service by a great amount, the Members of Congress do not believe that cost of service should be used as the mid-point or minimum as urged by other parties. It is clear from even the most cursory reading of the Briefs of the carrier parties that the airlines are becoming increasingly aware that value of service is relatively high for businessmen and government officials, and that the carrier management desperately want to literally sock it to this group of captive travelers in order to maximize their revenues (We repeat, revenues as opposed to earnings.) Under these circumstances, the Members of Congress agree with the Department of Transportation (D.O.T.) that normally where there is more than one carrier, a rise in fare would precipitate an increase in non-price competition; DOT Brief, p. 8, and that therefore only the Board stands at the gatehouse to bar a repetition of the unsound economic conditions of the recent past brought about by a combination of too high fares resulting from an improper fare structure, and a sudden economic downturn which removed the captive traveler from the market place.

To foster sound economic conditions in air transportation under existing circumstances and conditions, the maximum rate must be based upon the Board's minimum rate-making guidelines, i.e., rate of return, load factors, etc., Sec. 102(b). As noted previously, this will not estop any carrier from filing higher fares, nor prevent the Board from permitting such fares to take effect pending a hearing, if any, as to their lawfulness. On the other hand, such a maximum rate will not tie the Board's hands from deferring the use of fares which do not even meet the Board's minimum rate-making guidelines, i.e., the lowest cost consistent with the furnishing of adequate and efficient transportation by air carrier given the Board's standards, Sec. 1002(e)(2). Instead, it will tend to assure that new fares which do appear to at least meet or exceed the Board's minimum rate-making guidelines will be allowed to go into effect pending any hearing as to their lawfulness, and that the benefits of greater flexibility provided by a zone will be directed in terms of price competition towards an alternative of more varied and potentially less sumptuous service at prices reflecting its lower cost which have heretofore been denied the public, DO Brief, p. 14, rather than continued competition in other areas such as flight frequency, lounges, piano bars, more spacious seating, etc., at inflated costs.

IV. SHORTEST OPERATED MILEAGE

The Bureau supports the use of shortest operated mileage for local service routes, BE Brief, p. 44-45, even though (1) its witness Mr. Randall D. Bennett stated in conjunction with trunkline service that "It does not make sense to charge more or less for a given trip depending on how the airplane happened to operate on a particular day," Exhibit BC

t-7, p. 2-3, and (2) the Bureau admits that in the "not too distant future" it may become feasible to have all fares based on shortest authorized, or even direct non-stop mileage, BE Brief, p. 45. One must therefore speculate that the Bureau's argument is based not so much upon rate-making factors as consideration of subsidy requirements.

In regard to this latter point, the interwoven relationship between the fare structure, pattern of service provided, and subsidy requirements of the local service carriers should not be overlooked. Federal subsidy payments are made to certain domestic carriers to enable them to provide adequate and efficient service to markets where the density of traffic is not sufficient to support such service on a purely commercial basis; Sec. 102(a), (f) and 406(c). The amount of the subsidy need flows from three factors. First the type of the equipment used to furnish such service (primarily 2-Engine Prop-jets) is not as economical to operate as trunkline jets; e.g., \$6.02 vs \$5.45 (adjusted) Direct Operating Cost per available seat hour. At a 54% load factor this cost differential creates a subsidy need of \$3.27 per passenger-hour flown.

Second, since subsidized services are furnished to less dense markets, actual on-board load factors are less than the 54% trunkline standard. In Phase 6B, the Board adopted a 44.4% load factor guideline for local service carriers. The difference between the 54% and 44.4% load factors adds another \$5.42 per passenger-hour to the federal subsidy requirement. Finally, beyond a distance of around 100 miles there is an increasing disparity between the block times of propeller and jet aircraft. Economically this means that all other things being equal, the yield per hour of propeller aircraft will diminish with increasing distance—a difference that must be made up by higher federal subsidy payments. Under the fare proposal of the Members of Congress this will add another zero dollars at 100 miles, \$2.27 per passenger-hour at 200 miles, \$4.86 per passenger-hour at 300 miles, \$7.16 per passenger-hour at 400 miles, and \$7.21 per passenger-hour at 500 miles. The total federal subsidy per passenger at various distances is as follows:

TOTAL FEDERAL SUBSIDY PER PASSENGER

Mileage	Per hour	Per trip
100	\$7.79	\$5.45
200	10.06	10.06
300	12.65	17.71
400	14.05	28.41
500	15.00	33.00

Given these facts, it is clear that the federal subsidy requirement can be reduced three ways: (1) reduce the length of haul/block time on the subsidy segment, (2) reduce the total number of aircraft/seat hours flown to provide such service, and (3) use more economical equipment; see Exhibit MOC 3C and MOC Brief, p. 42. For example, a passenger from Topeka, Kan. to Denver or the West Coast will require approximately \$3.90 federal subsidy if routed via Kansas City (56 miles) versus over \$33.00 if routed directly in a linear manner to Denver (509 miles).

Airline fares should be based upon rate-making factors, subsidy needs on social considerations. For this reason, the Members of Congress feel the Bureau's argument for adoption of the shortest operated mileage in certain situations should be rejected as being unduly preferential and unduly prejudicial, and that instead more flexible passenger routing options should be allowed to provide a more adequate, economical and efficient manner of furnishing such service.

V. REVENUE HOUR STATISTICS

Ozark Air Lines (Ozark) states that "the revenue hour approach would require a new

set of statistics and recordkeeping which would add substantially to the carriers' cost if a dual element system were involved;" OZ Brief, p. 9. As the Members of Congress pointed out on Brief at page 33, footnote 25, this argument is not entirely true. The Chairman of the C.A.B. has informed the Hon. John E. Moss, M.C., that revenue hour traffic data is available from the existing recordkeeping process on an original basis. The Members of Congress know of no reason to doubt the veracity of the Chairman's statement and therefore look forward confidently to the availability of such data in the very near future.

The Members of Congress further believe the greater accuracy of this system in the measurement of cost and revenues for the purpose of fare construction, OZ Brief, p. 10, has been established on this record; see MOC Brief, p. 34-35. In this regard it might be wise to further note that in Exhibit MOC 1, the system average revenue per hour, \$6.36, is the same as Route 4, but the average revenue per mile, 50.62¢, is considerably different than Route 4's average of 44.92¢ per mile. Conversely, the system average revenue per mile is similar to the average revenue per mile for Route 1, 50.67¢, whereas the yield per hour for Route 1 (\$6.94) is substantially greater than the system average yield per revenue hour (\$6.36). These facts show that there is a significant difference in revenue per mile and revenue per hour, and that there is "no doubt that revenue per hour information is worth much more than revenue per mile information, and that to get the total evaluation the two should be compared;" Witness Tom W. Woodward, Exhibit MOC T-1, p. 2. The simple fact is that annual revenues are directly related to the yield per hour, and there is no relationship directly between revenues per annum and the revenue rate per mile.

VI. COST OF SERVICE

I

There is general agreement by all parties that air transportation involves two different costs: those related primarily to the activities on the ground regarding preparation of the aircraft and passengers for a trip, and those related to the actual air movement of the aircraft and the passenger. Both costs are fixed in the sense that it is a phenomenon of air transportation that the cost of flying and servicing a given aircraft type over a specific route is about the same regardless of the number of passengers carried; MOC Brief, p. 7. That is, both categories do not vary with traffic volume, or whether such traffic moves on a non-stop or multi-stop trip with or without on-line or inter-line connections, unless the overall magnitude of the operation is changed. In other words, we are dealing with a capacity cost industry both in the air and on the ground.

Historically, it has been the feeling of airline cost experts that the ground costs are fixed in the sense that they do not vary with trip length, EA Brief, p. 15. But the Bureau's exhibits in the BC-4600, 4700, 4800 and 4900 series do not support such a cost thesis. Their indirect cost unit input values for ground servicing do vary with trip length. The major difference in the 4900 series relates to the use of new departures by equipment group, BE Brief, p. 21, based upon a new R.P.M. distribution with the same aggregate indirect cost values and block hours. Only the average stage length and departures per hour varied. This undoubtedly is the most important fact on the record since a number of the fare structure proposals of the carriers, the Bureau, and other parties rise or fall literally on the basis of this one key fact. The entire argument that short-haul fares cannot cover costs, and that such difference must be made up by medium and long-haul traffic is moot if the ground handling costs allocated to each unit is in

point of fact affected by average stage length/block time.¹

The Members of Congress are willing to let the Bureau's exhibits speak for themselves—and they say that different lengths of hauls/block times do have an impact on the aircraft servicing, traffic servicing, reservation and sales costs allocated to each unit when aggregate total inputs remain the same. This fact explains why the local service carriers have historically had the same ratio of direct costs to total costs as the trunkline carriers; why under the present fare structure TWA is less profitable than American Airlines (American) and United Air Lines (United) (no cross-subsidization from medium haul markets), and these two latter carriers are in turn less profitable than the medium sized carriers (who do not have to use their medium haul revenues to cross-subsidize long-haul services); why a long-haul carrier like Pan American has the highest station costs, and a short-haul carrier like Pacific Southwest Airlines relatively low indirect costs; why the ratio of ground and indirect costs to total costs shot up to 64% during World War II when service was suspended to many smaller communities, length of hop increased, and frequency of service decreased;² which is also the same reason why the so-called terminal costs are at present increasing much more rapidly on a unit input basis than line-haul costs, EA Brief, p. 16, as the great concentration of labor costs in the terminal cost pools, *Ibid.*, 17, are being spread over fewer units with increases in length of haul and below average load factors on such flights.

The Members of Congress are aware of the catastrophic impact which this fact has on the fare proposals of a number of the other parties but we would hasten to remind all concerned that the Members of Congress have worked tirelessly to preserve the carriers' right to set their own fares and did urge the other parties during the hearings to

¹ The finding that ground costs do in fact vary with length of haul/block time is equal in importance to the discovery that annual revenues are a function of the yield per hour, because this finding closes the last major gap to understanding why airline costs act as they do. The development of this cost concept is clearly outlined in this record: In Exhibit MOC T-4, it was indicated that there appeared to be some reason to believe that ground costs were capacity costs; Subsequently in MOC T-6 it was stated that the ground costs were in fact capacity costs affected by peaking, i.e., simultaneous operations during a limited period of time; And then finally the Bureau's cost studies confirmed the ground costs were actually capacity costs and went on to disclose the fact that the allocation of such costs to each unit was affected by the number of departures and length of haul/block time; BC 4600, 4700, 4800, and 4900 series.

While it is a fact that at the outset of this proceeding the staff of the Members of Congress was generally persuaded by the carriers' cost experts argument that ground costs did not vary with distance, the fare proposal of the Members of Congress was nevertheless geared to the historical fact that the ratio of direct costs to indirect costs are the same at all distances. As a result, the Members of Congress fare proposal is not affected by the disclosure flowing from the Bureau's cost study. Prior to the finding made in the Bureau's cost study, the staff of the Members of Congress felt that the ground costs were related in some unexplainable fashion to the so-called "stop time", and that this stop time varied with length of haul/block time because flight operations vary with distance.

² Gill, Frederick W. & Bates, Gilbert, Airline Competition, Howard University, Boston (1954) 498-503.

submit their own fare proposals; see letter to Examiner Robert H. Johnson, from Richard W. Klabzuba, dated April 5, 1971, Re: Phase 9—Fare Structure.

Turning now to several other matters concerning the Bureau's cost study, the Members of Congress would first observe that when the new R.P.M. distribution (Exhibit BC-4811) was used in conjunction with the departure factors (by mileage block and equipment group) as developed by the Bureau for use in its costing program to develop the 4900 series departure "in a continuing effort to reflect the average cost per passenger by mileage block using the guidelines implicit in the Board's Phase 7 decision," BE Brief, p. 21-22, the resulting indirect costs were greater than direct costs before and after deleting belly cargo revenues; i.e., \$3106.2 v. \$3328.2 mixed service, \$2925.3 v. \$3104.8 passenger service; Exhibit BC-4902, footnote 3. In Phase 7 at page 30, the Board recognized a ratio of indirect to total costs projected by the Bureau for 1972 of 48.4%, which implies that indirect costs should be less than direct costs, not greater.

III

Second, when the Members of Congress applied a ratio of 1.938 (see Exhibit MOC 12) to the Bureau's direct cost of \$2925.3 million for scheduled passenger service, Exhibit BC-4902, the resulting total Operating Expense is \$5669.2 million as opposed to \$584.9 million in Appendix 1 of Order 71-4-60 and \$5970.2 million after adjustment for standard seating in Exhibit BC-T-3, p. 2, or about 5% less.

IV

This latter finding brings the Members of Congress to the third and final point with respect to the Bureau's cost studies. The Bureau claims that the basic difference between the 4700 and 4800 series is occasioned by the use of a new R.P.M. distribution (Exhibit BC-4811), BE Brief, p. 21. A comparison of the carriers' projected block hours from Phase 7 which were used to prepare BC-4611 with those shown in BC-4905, developed by TS and TC factors (footnote 2, BC-4905) indicate a significant difference in block hours by equipment group.

BLOCK HOURS

Equipment type	Phase 7 (BC-4611)	BC-4905	Changes
4EWB.....	193,454	170,682.4	(22,771.6)
3EWB.....	193,713	174,934.5	(18,778.5)
4ETF.....	979,428	781,146.6	(198,281.4)
3ETF.....	1,815,373	1,559,752.8	(255,620.2)
2ETF.....	741,054	921,051.1	179,997.1
4ETJ.....	461,281	393,971.6	(67,309.4)
4ETP.....	23,259	23,681.2	422.2
Mixed totals.	4,407,562	4,025,220.2	(382,341.8)

Assuming an annual utilization of 3,000 hours per aircraft, the 179,997.1 block hours added to the Bureau's 2ETF cost program would require the trunk-line carriers to acquire an additional sixty 2-Engine Fan jets next year to reflect the Bureau's average cost per passenger. Absent these aircraft, the average stage length of the trunks would most likely increase further thereby reducing the number of departures and increasing the average cost per departure. Of course the Members of Congress do not feel that given the existing traffic and financial conditions surrounding the industry that it would be realistic for the Examiner and the Board to expect the airlines to acquire sixty more 2-Engine jet aircraft than previously planned.

V

For all these reasons, as well as those outlined previously in our Brief of November 24, 1971, the Members of Congress believe the Examiner and the Board must find those fare proposals based upon the Bureau's cost

studies as being unjust and unreasonable, unduly preferential and unduly prejudicial, and otherwise unlawful.

VII. EARNINGS

It is now well settled law that under the statutory standard of "just and reasonableness" it is the result reached, not the method employed which is controlling; *F.P.C. v. Hope Gas Co.*, 320 U.S. 591, 602 (1943); it is not the theory but the impact of the rate order which counts, *Ibid.*; and that carriers must present evidence as to the rate of return they have earned and will earn if their proposal is allowed, *Increased Class & Commodity rates, Transcontinental*, 329 I.C.C. 420, 426 (1967), on the traffic that will bear the increase, *Ibid.*

A further examination of the Briefs of the various parties indicates that with the possible exception of the Associated Carriers, no party to this proceeding has attempted to determine what the results would be of their fare proposal in terms of earnings. As a consequence, the Examiner and the Board have no probative evidence upon which to make a finding that the total effect of these fare proposals would be just and reasonable to investors, and users of the services, as well as the carriers.

The Members of Congress, on the other hand, have shown in their exhibits what the revenues and earnings would be per passenger per trip, per mile, per hour. From a revenue standpoint, the individual fares in the Members of Congress proposal are lower than the other parties at certain distances for two reasons: (1) Certain costs burdens laid upon short-haul traffic by other parties are spread to longer medium- and long-haul services thereby reducing the costs of some short-haul services and raising the amount of costs allocated to longer haul flights;³ and (2) The dilution recognized on long-haul services is reduced from 17% to 12% thereby lowering the fare charged a passenger paying a full fare in these markets despite the higher costs assigned to such passengers. Thus the total revenue is the same, the only difference being more long-haul passengers would travel at a lower full fare than a discount fare. In regards to this last, it is the opinion of the Members of Congress that the decision in Phase 5 is dependent upon the finding in Phase 9, not the other way around; re: DL Brief, p. 46-47.

Respectfully submitted,

RICHARD W. KLABZUBA,
Representative for Hon. John E. Moss, et
al., Members of Congress.

December 3, 1971.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply Brief has been mailed to all parties on the Appearance and Exchange List in the *Domestic Passenger Fare Investigation, Phase 9—Fare Structure*, Docket 21866-9.

RICHARD W. KLABZUBA.

December 3, 1971.

NO SECURITY IN TREATIES

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SCHMITZ. Mr. Speaker, President Richard M. Nixon said:

We are entering an era of negotiations.

And John Jay, said:

³ The reduction in cost of service is sufficient to eliminate the need for cross-subsidization from other markets as proposed by some carriers.

I would not give a farthing for any parchment security whatever. They (have) never signified anything since the world began, when any prince or state, of either side, found it convenient to break them.

As the administration's stated fondness for negotiations increasingly shows itself to be more than just rhetoric, we must ask ourselves: Have men and nations appreciably altered their behavior toward those treaties and agreements which our Founding Fathers considered nothing more than "parchment security"? If there has been no demonstrable change, the long-range results of the administration's entire foreign policy can easily be predicted as our real power continues to decline at a rapid rate while negotiations and agreements are regarded as the mainstay of our national security.

As we examine the history of treaty performance to see if the essential realism of the Founding Fathers still holds, we can refer to a comprehensive study of every important political treaty negotiated by the United States and European nations over the last 300 years. In "The Treaty Trap," Laurence W. Beilenson reviews nearly a thousand political treaties concluded among nations between 1661 and 1965, seeking to determine whether there has been any consistent pattern of observance or nonobservance. As the author warns in the introduction to this valuable work:

Before a nation relies on new promises, good sense suggests a scrutiny of the promises previously made.

The sad truth about treaty performance, past and present, revealed in this extensively documented work may come as a shock even to those who have never been inclined to place much faith in the hooked bait of words.

The author finds a "universal regularity of breach in every age by nations with all forms of government, embracing the entire spectrum of ideologies, and led by statesmen of widely varying characters." It is especially interesting to note his statement that:

After the destruction of World War I, the statesmen erected the strongest paper structure for peace ever devised. It did not prevent as cynical a disregard for treaties as in any era of history, or the vast destruction of World War II.

Even more enlightening is the author's discovery that:

During the longest period of relative European peace (1814-1914) in the 304 years tested, the treaty structure was the weakest. The relation between peace and treaty operated in inverse ratio.

In other words, not only do peace treaties and various other agreements not prevent war, but they may actually serve to bring on a war.

Treaties, the fruit of negotiations, can actually encourage war because, among other reasons, diplomats habitually assume that they provide some real national security. "Treaty reliance" is identified in "The Treaty Trap" as "the occupational disease of statesmen." From Biblical days to modern times at Munich and Yalta, treaty reliance has proved

fatal for any number of peoples and nations.

Since the administration continues to act as if "negotiations" could actually prevent "confrontation" with the Soviet Union, while at the same time "reordering priorities" away from essential defense measures, it is apparent that the age-old and fatal error of treaty reliance is again rampant. When, as Mr. Bellenson shows, even allies have by and large been consistently unreliable in carrying out their treaty obligations, it is foolish to expect that those with unconcealed enmity toward our way of life will honor their promises. In a separate chapter devoted to Soviet treaty performance since 1917, the author calculates that based on the average number of breaches per year the Soviets are entitled to the crown as the champion treaty breakers of all time.

The author concludes his study of three centuries of treaty performance by setting forth a basic rule to guide present and future statesmen:

In reaching a decision to act or not to act in foreign affairs—including maintenance of strong armed might in being—a nation should give little or no weight to the expectation of performance of political treaty.

This sound conclusion—echoing John Jay's—should be kept constantly in mind as we face the mounting barrage of "era of negotiations" propaganda.

THE NEW SUPREME COURT APPOINTMENTS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SCHMITZ. Mr. Speaker, it is quite clear from the original discussion and debate concerning the Constitution of the United States that our Founding Fathers expected the House of Representatives, whose Members were popularly elected every 2 years, to be the "activist" branch of government, promoting change most vigorously. The President with his 4-year term and the Members of the Senate with their 6-year terms were expected to be a moderating influence, while life terms were provided for Justices of the Supreme Court because they were expected to be the most conservative of all, the guardians of the enduring meaning of the Constitution.

But the topsy-turvy age in which we live has completely reversed this pattern once regarded as the natural character of our Federal Government. Today the Supreme Court is the most "liberal" branch of that Government, the Senate next, and then the President, while the House of Representatives—still closest to the people—has for some time been—relatively speaking—the most conservative.

During his 1968 campaign President Nixon repeatedly promised that if elected one of his primary goals would be to right the imbalance created by the Warren Court by appointing Justices who would begin returning the Supreme Court to its proper role of constitutional guardian rather than innovator.

The best of all President Nixon's Supreme Court appointees was Judge Clement Haynsworth. A carefully planned and executed character assassination campaign, together with the "liberal" character of the Senate which must confirm all Supreme Court nominees, brought about Judge Haynsworth's defeat. The nominations of present Chief Justice Burger and Justice Blackmun were acceptable when made, if not particularly encouraging, to those aware of the immense harm the Warren Court had done to the Constitution and the country.

The two latest Supreme Court appointments, judging by the past record of the nominees, appear to be a longer step toward fulfilling President Nixon's promise.

In addition to his notable attainments in the legal profession, nominee Lewis F. Powell, of Virginia, is on record as an uncompromising defender of the fullest extent of law enforcement needed to preserve order. Interestingly enough, he also seems to have been primary author of the very valuable report of the President's Blue Ribbon Panel on Defense—see my newsletters 71-18, 71-19, and 71-20. One might almost wish he had been appointed White House adviser on defense policy, rather than Supreme Court Justice.

The other nominee, William Rehnquist of Phoenix, Ariz., seems even better. By all indications he was a genuine, philosophically committed supporter of Senator BARRY GOLDWATER in his presidential campaign of 1964, when principled conservatism finally became a major political force in modern America. If Rehnquist remains true to these principles and is confirmed by the Senate, he will finally give the "strict construction" of the Constitution a voice on the Supreme Court which it has not had since the days of Franklin Roosevelt.

Yet we dare not depend entirely on one or two individuals, however impressive their records. In the words of Thomas Jefferson in the Kentucky and Virginia resolutions of 1798:

Let no more be heard of confidence in men, but bind him down from mischief by the chains of the Constitution.

The Constitution gives Congress the power to restrict by statute law the jurisdiction of the Supreme Court. Since the House of Representatives is now the most conservative body in our Federal Government—in that respect occupying the role foreseen for the Supreme Court by our Founding Fathers—the House should demonstrate its willingness to restrict the Court where it has clearly exceeded its authority, as in its notorious decision requiring forced busing of children to achieve racial integration in public schools.

FARMER COOPERATIVES IN DEVELOPING COUNTRIES

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. HATHAWAY. Mr. Speaker, I wish to call the attention of my colleagues to

a study called "Farmer Cooperatives in Developing Countries," just published by the Advisory Committee on Overseas Cooperative Development.

The Advisory Committee is an ad hoc committee of people, most of whom are business leaders of U.S. cooperatives. The organizations they represent include the American Institute of Cooperation, the Cooperative League of the U.S.A., the National Farmers Union, the National Council of Farmer Cooperatives, the National Rural Electric Cooperative Association, CUNA—credit unions—Inc., FS Services, Inc., Farmers Union Central Exchange, Inc., Agway, Inc., CF Industries, Inc., Wisconsin Federation of Cooperatives, the Foundation for Cooperative Housing, International Cooperative Petroleum Association, and League Life Insurance Co. The committee provides needed liaison between U.S. cooperatives and various agencies involved with helping people in the developing countries.

The committee's report points out that:

Small farmers make up three-fifths of the people of the developing countries. (Yet) two decades of development and foreign aid have left many of them no better off than when the Age of Development began.

The Advisory Committee believes one way to help these neglected small farmers is through cooperatives. It has singled out farmer cooperatives for special study, believing them to be an effective way of providing farmers, especially the small ones, with access to the elements of a modern agricultural system: credit, production inputs, farming know-how, and dependable markets.

There is now much concern over the population explosion and how to cope with the uncontrolled mass migration from the farm to the city, and the soaring underemployment and unemployment which follows. Even the United States is not immune to this mass migration which has seen 25 million people shift from rural to urban areas in a generation.

I find the following quotation from World Bank President Robert McNamara strikingly appropriate:

The marginal men, the wretched strugglers for survival on the fringes of farm and city, may already number more than a half billion. By 1980 they may surpass a billion, by 1990, two billion. Can we imagine any human order surviving with so gross a mass of misery piling up at its base?

There is also the reminder of the Pearson Commission that:

The failure to create meaningful employment is the most tragic failure of development.

So, any proposal that offers hope of meeting the problem of jobs is worth taking a look at. The proposal set forth in this study seeks to put people to work on the land. The report insists that:

If small-farm, labor-intensive, capital-saving agriculture is to provide productive employment and is to be the strategy of the future, then the role of the cooperative becomes crucial.

The U.S. cooperatives are working overseas now in some 17 countries, trying to demonstrate the soundness of utilizing labor-intensive methods rather than capital inputs in agricultural develop-

ment. The involvement of these organizations grows out of their conviction that the cooperative technique for organizing people is a proven way of inducing participation of rank-and-file citizens in development.

These programs operate on a people-to-people basis in agriculture, rural electrification, insurance, credit unions, housing, marketing and consumer distribution. The report points out the successful use of farmer cooperatives in Japan, Taiwan, and to a lesser degree in Egypt and Korea, and incipiently successful cooperative programs in Uganda and Ceylon. It also points out the reasons for failures in some other countries.

The Advisory Committee states that:

Cooperatives in the developing countries have a much broader and more meaningful purpose than being a bargaining instrument to help farmer-members lower operating costs and get better prices, as important as these objectives are.

Cooperatives to succeed must be strong enough to open their doors to millions of small subsistence farmers and give them access to tools of modern agriculture. In so doing they can wage war on unemployment by stimulating labor-intensive agriculture that will mean more jobs and better living for the people in the rural communities of the developing countries.

JAMES MADISON HIGH SCHOOL OF SAN DIEGO ANNUAL ARMISTICE DAY PROGRAM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BOB WILSON. Mr. Speaker, on Thursday, November 11, the students and faculty of James Madison Senior High School, San Diego city schools, again observed their traditional Armistice Day custom by presenting a special program in the high school auditorium in the morning and then student representatives proceeded to the national cemetery at Fort Rosecrans in the afternoon for a special ceremony conducted by them.

It is inspiring to know that the Armistice of 53 years ago and its significance is not lost to our young people—a great day of peace, of sacrifice for freedom, and a day that should be remembered as the program has expressed it; a day of heroic effort to maintain our way of life as a free people. I include the text of the program with the keynote address of guest speaker, the Reverend Robert H. Mayo, D.D., pastor of the First Presbyterian Church, San Diego, Calif.

JAMES MADISON HIGH SCHOOL PRESENTS THE
ARMISTICE PROGRAM HONORING VETERANS
DAY

Madison Auditorium—Period 4.

November 11, 1971—9:50 A.M.

Opening ceremonies—Madison Band.

Invocation.

Presentation of Colors—Madison R.O.T.C.

Language of Patriotism—Madison High School Students.

Music—Madison Band.

Keynote address—Removing the Vell, Second Corinthians, Chapter Two 4-18; Rev. Robert H. Mayo, D.D.

Closing Ceremonies—Madison Band.

The Armistice or Veterans Day draws our attention and respect for all veterans living and dead who served and are serving our country.

We also remind ourselves that the armistice is a day of peace, and high as the price was to win that day, it is our purpose to maintain peace and good will among men, but we do so as a free people.

VETERAN'S DAY PROGRAM, PERIOD FOUR

Chairman of the program, Tom Dargan, Madison Senior, 2nd period.

OBJECTIVE

To observe Veterans Day as a day of tribute and respect for all veterans living and dead who served their country and to unite with all citizens throughout the land, in celebrating the Armistice which means cessation of hostilities.

INTRODUCTION

This program is dedicated to the purpose of furthering our awareness of Veterans Day. It is a day of peace and thankfulness. It is also a day of looking into the future and wondering what it will bring in terms of peace or war.

We associate Veterans Day with the many who are fighting and dying every day. Think of their families and loved ones, also. And think too, of the response when these men have been called to serve their country. It is better expressed in a poem by Josiah Gilbert Holland.

Narrator.

GOD GIVE US MEN

God give us men. A time like this demands strong minds, great hearts, true faith, and ready hands.

Men whom the spoils of office cannot buy,
Men whom the lust of office cannot kill,
Men who possess opinions and a will,
Men who have honor, men who will not lie.

Men who can stand before a demagogue
and damn his treacherous flatteries
without winking.

Tall men, sun-crowned, who live above the fog

In public duty and in private thinking—
For while unruly mobs enflamed by those
with baseless creeds

Their large professions and their little deeds
Mingle in selfish strife—Lo, Freedom weeps,
Wrong rules the land, and Justice sleeps.

Narrator or Chairman, Tom Dargan, 10:03.

We commemorate Veterans Day and honor every hard won peace—every effort to overcome aggression, tyranny, injustice. We honor this day in tribute to our fighting forces, their families, sweethearts and friends who stood behind them. We pause as they did in the still Armistice after the conflict: Yorktown, Appomattox, No Man's Land on the morning of November 11, 1918, VE Day, VJ Day, to keep that momentary stillness a memory on an Armistice we hope some day will be permanent.

We also remind ourselves that Armistice or Veteran's Day is a day of peace and high as the price was that we paid for peace, it is our purpose to tread the path of peace and good will among men but we do so as a free people.

Finally, this day draws our attention and respect for all those we fought and are now fighting to keep our country free.

(Music Interval)

Narrator, Mary Jo Sandow, 10:05, 4th period.

The day set aside for Veterans Day is November 11. It is significant to remember this Armistice of November 11, 1918 because it symbolizes a peace after World War I that was to be peace for all time among all nations. It didn't quite turn out that way but we fought that war in a total effort and spirit

that the men and women who gave their lives for this cause would not die in vain.

Narrator.

We honor all veterans on land, air, and sea. It has been exactly fifty-three years since the first World War ended with the Armistice on the battlefields of France. Only a few months earlier, American troops in force broke the three and one-half year stalemate that had soaked the earth of Europe with its blood since August, 1914. Around the world there was a universal joy with the news of peace. The war had been so gruesome and horrible. D. H. Lawrence: "All the great words to describe it had been used for a generation."

Narrator, Dennis Boudeaux, 10:06, Senior 8th period.

From March to August, 1918, the Germans massed eighty-two divisions and gave great offensives, all aimed at crossing the Marne River and on to Paris. For seventy-two days the Marne River rocked under a succession of major German attacks. "They shall not pass", was more than a by-word of the allied defenders.

The first real test for the American force was at Cantigny. Then at Chateau-Thierry and Belleau Wood, the Second and Third Divisions brilliantly smashed the spearhead of an enemy "V" pointing to Paris. Three days after it started, the German drive was crushed and the history of the world was played out in those three days. "Over the top" was heard all along the trenches as the allies prepared for the St. Mihiel and Meuse-Argonne offensives. The Americans beat their way through the vicious Argonne forest, and in the process they added the heroics of the Lost Battalion and Sgt. Alvin York.

Narrator, Laura Shiwanov, 10:08, Senior 2nd period.

American strength and spirit went into the war as though the effort would accomplish something of transcendental benefit for all mankind. When Johnny came marching home again, there were "welcome home" parades in towns and cities all over the land. At every depot and home port, our veterans hastened to rejoin their families—but for the thousands who would never come back, in our memory of them, we are reminded that winning by arms alone is not enough.

We must still win the peace.

Narrator, Denise McKenzie, 10:10, Senior 4th period.

The war had its lighter moments. There is the tale of the carrier pigeon direct from the Argonne battle swooping into headquarters with an "urgent" message which read: "I'm tired of carrying this stupid pigeon." Then there were the songs, the memorable unforgettable tunes of World War I—"K-K-K Katy", "Oh, How I Hate to Get Up in the Morning", "You're in the Army Now", "Till We Meet Again", "It's a Long Way to Tipperary", "Pack Up Your Troubles", and "Good Morning, Mr. Zip, Zip, Zip." Those songs all conveyed a deeper meaning beneath the surface, they expressed the true nature of the American mood for peace, brotherhood with freedom.

(Music Interval)—World War I Songs and Marches.

Narrator continues.

These are the words of Captain John D. McCrae, a great soldier who fought in that war and didn't come back; but he left this message:

Denise McKenzie, 10:11, Senior 4th period.

IN FLANDERS FIELDS

In Flanders fields the poppies blow
Between the crosses, row on row,
That mark our places; and in the sky
The larks, still bravely singing, fly
Scarce heard amid the guns below.

We are the Dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved and now we lie
In Flanders Fields.

Take up our quarrel with thy foe.
To you from failing hands, we throw
The torch—be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders Fields.

Bob Calligan, 10:13, Senior 4th period.
Alan Seegar, a G.I. was among the first
American soldiers to see action in France.
He fell where he had a premonition he
would in the midst of a barbed wire entangle-
ment during the Spring Offensive of 1918 in
No Man's Land. A piece of paper dangling
out of his back pocket contained his mes-
sage; a poem that was to become the most
famous verse of World War I.

Bob Calligan, 10:14, Senior, 4th period.
I HAVE A RENDEZVOUS WITH DEATH
I have a rendezvous with death
At some disputed barricade,
When Spring comes back with rustling shade
And apple blossoms fill the air—
I have a rendezvous with death
When Spring brings back blue days and fair.
It may be he shall take my hand
And lead me into his dark land.
And close my eyes and quench my breath—
It may be I shall pass him still.
I have a rendezvous with death
On some scarred slope of battered hill
When Spring comes round again this year
And the first meadow-flowers appear.

God knows 'twere better to be deep
Pillowed in silk and scented down,
Where Love throbs out in blissful sleep,
Pulse nigh to pulse, and breath to breath,
Where hushed awakenings are dear . . .
But I've a rendezvous with death
At midnight in some flaming town,
When Spring trips north again this year,
And to my pledged word am true,
I shall not fall that rendezvous.

(Music Interlude)
Narrator, Arlene Hagey, 10:17, 4th period.

IN MEMORY OF HAMBURGER HILL
Albert Colletto wrote this poem after he
fought in the battle of "Hamburger Hill"
shortly before he was killed somewhere in
the jungles of Viet Nam.
We owe many thanks to brave men like
Albert Colletto.
Arlene Hagey, 10:18.

HAMBURGER HILL
As I crouch among the shattered trees
The fallen dead without shroud nor wreath
A soldier cried out "Come to me—please.
There was no need, he ceased to breathe.

The wounded dying, the dead already gone
A sergeant yelled, "get up, drive on."
With lead flying in from every way,
I didn't expect to last the day.

We fought hard trying to win
Pinned down halfway as night set in
"Dig in deep. Pass the word around."
Hold your positions and gain the high
ground."

They called our assault "Hamburger Hill."
It's one to remember as I always will.
Ask the wounded torn limb from limb
What more can they tell you
What could be more grim?

The dead left their message
On Hamburger Hill
For the living that is
That we bear no ill will.

The burden of war could be relieved
If love among men were somehow achieved.
That this be our purpose in word and in
deed

The promise of men as honor decreed.

Narrator concluding program, Sherri Lind-
mark, 10:20, 6th period.

In our respects to all Veterans on Nov. 11

this year we also respect their message to us
which our program has tried to express. We
particularly extend our regards and prayers
to all Prisoners of War now in prison camps
and who are serving their country there per-
haps more than anywhere else. This poem
was written by a Veteran American: Denise
A. McCarthy. She inspires us all to celebrate
Veteran's Day with thankfulness and
compassion.

Sherri Lindmark, 10:21, 6th period.
"THE LAND WHERE HATE SHOULD DIE"
This is the land where hate should die—
No feuds of faith, no spleen of race,
No darkly brooding fear should try
Beneath our flag to find a place.
Lo, every people here has sent
Its sons to answer freedom's call;
Their lifeblood is the strong cement
That bulks and binds the nation's wall.

This is the land where hate should die—
Tho dear to me my faith and shrine,
I serve my country well when I
Respect beliefs that are not mine.
He little loves his land who's cast
Upon his neighbor's word a doubt,
Or cite the wrongs of ages past
From present rights to bar him out.

This is the land where hate should die—
This is the land where strife should cease,
Where foul, suspicious fear should fly
Before our flag of light and peace.
Then let us purge from poisoned thought
That service to the States we give,
And so be worthy as we ought
Of this great Land in which we live.

Tom Dargan, 10:23.
We are honored to have with us as Guest
Speaker for this program Dr. Robert H. Mayo
who will deliver the Veteran's Day Address.
Dr. Robert H. Mayo, 10:25 to 10:35, closing
ceremonies, Madison Band.

10:46 to 10:50, Dr. Robert H. Mayo places
wreath on the tomb of the Unknown Soldier.
Music by the Madison Band.
Continuation of this program at the Na-
tional Cemetery, Fort Rosecrans—12:30 PM
November 11, 1971.

Madison High School presentation of the
Armistice wreath. Directed by Craig McNeil,
Madison R.O.T.C.
Mr. W. J. Stratton, Superintendent, Rose-
crans National Cemetery, Point Loma—San
Diego, California.

At the Rostrum—12:30 PM—entrance to
the National Cemetery from Highway 209
(Rosecrans Boulevard) near the Cabrillo
Monument.

The Madison High School R.O.T.C. and
student representatives will proceed to the
National Cemetery and conduct the cere-
monies for placing the wreath at the memo-
rials for our war dead.

REMOVING THE VEIL

II CORINTHIANS 3:4-18

When Moses came down from Mount Sinai
with the Ten Commandments, his face was
veiled, presumably because the reflected glory
of the Lord upon his face was so bright, the
people could not gaze upon it. (Ex 34:33-35)
But in our text (vs 13) the Apostle Paul adds
the further suggestion that the face of Moses
was veiled in order that people might not
have to gaze upon the slow fading of that
glory. It is a sad thing to see the fading glory
of anything, whether it is a man past his
prime, a nation in decay, or the fading glory
of God in the life of an individual.

I have a thesis I want to suggest to you
this morning—that the fading glory of a peo-
ple is primarily a religious problem. The de-
feat of Athens in 404 B.C. was more than just
a military defeat. Stripped of the things of
which Athenians were once very proud, mili-
tary power, Hellenic wisdom, and world lead-
ership, Athens turned in upon herself and

developed what Gilbert Murray, in lectures
which he delivered at Columbia University in
1912, called "failure of nerve," compounded
by a sense of guilt. During this period of her
fading glory, Murray suggests the Athenian
state developed four religious heresies: (1)
Anti-nomianism, literally (anti-nomos from
the Latin) anti-law, rebellion against the es-
tablishment. In the days of the Judges every
man was described as doing what was right
in his own eyes. (Judg 17:6) Today we de-
scribe the anti-nomian spirit, "Every man
does his own thing." (2) An Athenian form
of Zoroastrianism which divided the world
into two warring factions, black and white.
(3) Astrology. Murray says that astrology fell
upon the Athenian people like some exotic
disease on a remote island. (4) Cynicism. Di-
ogenes and his Cynics dropped out of the
world and forsook their culture to live the life
of a dog.

Does history repeat itself? I really don't
know, but the similarities are striking. (1)
Cynical and disillusioned young people drop
out of society to lead the life of a dog in hip-
pie communes. (2) The anti-nomian spirit
in youth rebels against the establishment and
reacts against authority in the home, on the
streets and on our campuses in their disre-
spect for our police officers. (3) Neurotic na-
tional guilt feelings are illustrated by My
Lal and the trial of Lt. Calley. (4) A new in-
terest in the occult, as even Presidential as-
pirants like Senator Harold Hughes express
their faith in astrology. (5) The division of
the world (literally) into warring factions
within the ghettos, of the blacks and whites.
Heresies thrive in spiritual emptiness! In a
period of fading glory people seek to redeem
a blighted culture with shallow and second-
rate solutions and begin to worship false
gods.

I plead not guilty! I refuse to be caught up
in this national neurosis which results in
a failure of nerve, and I refuse to yield to
masochistic feelings which condemn our
country for being imperialistic, mercenary,
or warlike. I would suggest this morning that
we stand before our God with unveiled faces,
(vs 18) and these are some of the veils which
I suggest need to be removed in this hour.

First, there's the veil of gloom and doom.
Even our American history today is being
taught in this kind of atmosphere. We are
the first generation of Americans to be taught
to be ashamed of ourselves. It is time for
us to quit apologizing for our greatness and
begin to take pride in those things which
have made this nation to be great. We have
heard it said so many times that civilizations
become decadent after 200 years that, as we
begin to approach our own Bicentennial, we
have almost come to believe our culture is
over the hill.

Secondly, I would remove the veil which
has clothed Communism in a halo of decency
and has made an aristocrat out of a wanton
harlot. Actress Jane Fonda told 2,000 stu-
dents at Michigan State University last No-
vember 22nd, "I would think that if you
understood what Communism was, you would
hope, you would pray on your knees that
we would some day be Communists." (De-
troit Free Press, Nov. 22, 1970) I presume Jane
Fonda knows what Communism really is.
She has spent enough time and money propa-
gating its doctrines. But do you know what
it really is? Do you know Lenin's legacy to
youth? On October 16, 1905, Lenin wrote
these revolutionary instructions: "Go to the
youth. From fighting squads everywhere of
3, 10, 30 persons. Let them arm themselves
at once as best they can, be it with a revolver,
a knife, a rag soaked in kerosene for start-
ing fires. . . . let 5 or 10 percent make the
rounds of hundreds of workers' and student
study circles, and supply each group with
brief and simple recipes for making bombs." This
prescription for revolution was given
when the Russian people were bitter over
their Naval defeat by the Japanese at Port

Arthur. The Encyclopedia Britannica says, "Patriotic feeling began to turn against the government. The war grew extremely unpopular." Be warned, Christian America! War weariness is Communism's opportunism.

Thirdly, I would remove the veil which confuses anarchy with dissent. The freedom to dissent is one of our most precious American freedoms. But the patriot exercises this freedom within the framework of the law. The anarchist expresses his dissatisfaction outside the law. The one is constructive; the other is destructive. President Nixon said to the graduating class at the Air Force Academy last year, "A nation needs many qualities, but it needs faith and confidence above all. Skeptics do not build societies; the idealists are the builders. Only societies that believe in themselves can rise to their challenges." I think it's time we began to believe in ourselves, to rally constructive support for our country, and to label the anarchist as the outlaw he really is.

Fourthly, I would remove the veil of military unpopularity, with the demonstrations outside recruiting offices, antagonism against recruiting offices on college campuses, and more recently, activities which sought to keep our ships from going to sea. The expulsion of Taiwan from the United Nations has greatly sobered me. The undisguised glee with which delegates from certain nations hailed the departure of Nationalist China is a very ominous sign that our U.S. diplomacy is at its lowest ebb. We cannot afford the luxury of fighting among ourselves, civilians against the military. We must recognize that we are all part of the same team.

A hundred years ago a British soldier wrote these words on a sentry box in Gibraltar:

"God and the soldier all men adore
In time of trouble and no more.
For when war is over and all things righted,
God is neglected and the soldier slighted."

There are no atheists in foxholes in war-time and no heroes at home in peace-time.

What if our military, fed up with their critics, vacated the perimeters of our national defense to the enemy and said, "All right, you armchair critics, you peaceniks, it's your war! You take it from here!" Military men don't initiate policy; they obey orders. They're not gangsters and assassins but patriots and Christians.

We all fight under the same national ensign, and live beneath the same banner of faith. We have the same common goal, the same idealism, the same citizenship, the same love for our Lord and for our country.

Fifthly, I would remove the veil which suggests that the only road to peace is the road of withdrawal and retreat. Moshe Dayan, Israeli Defense Minister, has said, "We would not achieve peace by retreating . . . what has been offered to us is retreat without peace." The bleeding hearts in Congress and in the clergy seek to convince us that our only alternative for peace is pacifism. We chip away and we chip away at our military preparedness until we have lost our military superiority. I do not believe that we could afford another Cuban crisis today in the Near East or the Far East or in Berlin, Korea, or South America. In an eyeball-to-eyeball confrontation with the Russians, I believe we would blink. And when we do, we relinquish our place of leadership in the world.

As Admiral Moorer, Chairman of our Joint Chief of Staffs, said to the graduating class at Annapolis a year and a half ago, "In international gamesmanship there is no prize for second place." Where did we ever get the idea that God can't operate through strength as well as weakness? Or that the solution to evil is to run from it, rather than stand and fight against it? Jesus said, "I have not come to bring peace, but a sword." (Mt 10:34) And if we remove from the Old Testament all the passages of Scripture in which God told the Israelites to fight against

the enemy, we have a mutilated Scripture. On one occasion He ordered the complete destruction of the Canaanites, every man, woman and child in order to eradicate evil from Israel. No commanding officer would give an order as harsh as that today. Take out of our Psalms the military songs, and we remove some of our most beloved hymns, including the Twenty-third Psalm. It is a privilege to be an American. Our faith is worth fighting for. But we don't preserve freedom with a naked ideal. We have to beef up our freedoms with the strength to sustain them.

Sixthly, I would remove the veil from patriotism itself. I am grateful for a service like this one. It sends chills up and down my spine to hear the voices in this great Sanctuary sing in unison "The Star-Spangled Banner." I think we as clergy and churchmen err by our silence when we fail to affirm those things which made this nation great. Before our Pilgrim forebears ever set a single foot upon that stern and rock-bound coast, they gathered together in the cabin of the Mayflower and signed a Compact: "In the Name of God, Amen. We whose names are underwritten. . . Having undertaken, for the glory of God, and advancement of the Christian faith and honor of our King and Country, a voyage to plant the first colony in the northern parts of Virginia, do by these presents solemnly and mutually in the presence of God and one of another, covenant and combine ourselves together into a civil body politic." That is how it all began. That was the beginning of our country. "In the Name of God, Amen." Men and women, for the glory of God and the advancement of their faith, combined in a civil body politic. Never has that civil body politic been more threatened than it is in this hour. Never has it needed men and women to stand up and affirm their faith in this body politic more than now. We all abhor war as useless slaughter and waste. But cannot we, as Christians, seek peace with honor and victory and prove to the entire world that we have recovered from this failure of nerve?

Shakespeare wrote in Julius Caesar (Act IV, Sc 3):

There is a tide in the affairs of men,
Which taken at the flood leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries.
On such a full sea are we now afloat,
And we must take the current when it serves,
Or lose our ventures.

We stand at the flood tide and a failure of nerve now can cause us to lose the venture. This is no time for the faint-hearted. Jesus said, "Would that you were cold or hot! So because you are lukewarm, and neither cold nor hot, I will spew you out of my mouth." (Rev 3:15-16) A vacillating people cry out, "Peace, Peace, when there is no peace" (Jer 8:11) because they have lost their pride, their honor, and their heritage. Jesus said, "Blessed are the peacemakers." Peace is something that has to be made. We have to work at it. It occurs only when we make sacrifices for it. There are no panaceas, no bargains in peacemaking. It will take the blood, sweat, and tears of every Christian to emancipate us from this failure of nerve. And that's why I feel that our problems today are primarily religious problems.

When Jesus came down from the Mount of Transfiguration, He was greeted by the father of an epileptic boy who said, "I asked your disciples to cast the devil from my son and they could not." (Mk 9:18 T.E.V.) Will the world say to us, the Christian churchmen of America today, "We asked you to cast out these devils which debilitate and destroy and you could not?"

There is an inscription on a 17th Century church in Leicestershire, England, "In the year 1653, when all things were throughout

the nation either demolished or profaned, Sir Robert Shirley, Baronet, founded this church, whose singular praise it is to have done the best things in the worst times and hoped them in the most calamitous." What a tribute to a church! In an hour of crisis to do the best things in the worst times!

I believe we will rise to our challenge. Only a miracle can save our fading glory. Only a miracle can remove the veils caused by this failure of nerve. But within the church we believe in miracles. The Scripture said, "Where the Spirit of the Lord is, there is freedom." (Vs 17) and individuals filled with the Spirit of God will help us to recover our faith, preserve our freedoms, redeem the time (Eph 5:16), and accomplish "the best things in the worst times." It will take a miracle. But Christian statesmen can pull it off. Then when we pledge allegiance to our flag, "One nation under God," it will not be blasphemous irony.

This is not the best possible of all worlds. There's room for improvement in the church and our nation, but I would rather be here, in this hour than any other place, at any other time, in the world's history. We can't rely solely upon our military leadership to provide the patriotism and they can't rely solely upon us to provide the faith. It's our privilege to serve both our God and our country in this hour. We will meet the challenge and we will solve our problems. I believe that this failure of nerve will become the foundation of our faith, and that through patriotic Americans and faithful Christians, we will recover our fading glory. But it is the flood time!

POLITICAL ADVERTISING ON TELEVISION

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. YATES. Mr. Speaker, there has been a great deal of discussion about the quality of political advertising on television. Mr. John E. O'Toole, president of Foote, Cone & Belding Communications, Inc., discussed the subject in a speech on November 17, 1971, from the viewpoint of the experienced executive in the field of advertising.

I believe his views would interest Members of the House, and I am therefore attaching them to my remarks:

AND IF ELECTED, HERE'S WHAT I'D DO ABOUT POLITICAL TV SPOTS

Recently I found myself in Washington, D.C. In an earlier and more innocent era, that might be the last place you'd look for an adman. But in the balmy autumn of 1971 many of us were there at the cordial invitation of the Federal Trade Commission.

Washington is a city from which has been heard, in recent months, a lot of commentary about our business which might make the most hardened of us reluctant to tell our kids what we do for a living.

And as I was cabbaging it back to National Airport, I thought about all the elected officials in that very city who had used television in their campaigns in ways that would never be tolerated for product advertising. I thought of abuses and misuses which, were they for a product, would never get past a continuity acceptance department. And I got mad. Not only because of the importance of the electoral process, but because I'm tired of the advertising business taking it in the seat of the pants for these excesses.

We have enough people on our backs now

without the thinking electorate of the United States accusing us of "packaging candidates" and "selling Presidents."

And we can do something about it. All of us in advertising agencies and particularly people in broadcasting. We can learn from the mistakes of 1970 and make 1972 the year some maturity enters the whole area of political campaigning on television.

And there is some evidence that mistakes were made in '70. A week after the November elections Foote, Cone & Belding interviewed more than 1600 people through our Monthly Information Service and the Gallup Organization. We wanted to know if voters shared our concern with the way TV was used. We found three-quarters of the sample favoring restriction or control of political advertising on television. Most were concerned about the inequity of TV time and funds among the candidates. Of those favoring restriction, 23% felt the content wasn't truthful or honorable enough. That percentage was higher here in the West, interestingly enough.

Well, how did we reach this sorry state? It all began back in 1952, which happened to be the first election in which I was qualified to vote. More importantly, it was the first election in which television advertising was employed.

General Eisenhower, with the help of Robert Montgomery and Rosser Reeves, did a series of spots in which he answered questions asked by voters—usually ending with: "Let's clean up the mess in Washington." From there, for twenty years, the political use of television has, for the most part, gone downhill.

There have been some brilliant exceptions. The Kennedy-Nixon debates, for example—a format so candid and revealing it has been skillfully avoided by presidential hopefuls ever since.

There has been little subsequent use of debates and longer length expositions. In the 1968 campaign, 70% of the TV advertising was in "spots."

Meanwhile, television was getting a larger and larger proportion of the campaign media expenditure, 58 million dollars in 1968. And television time got more and more expensive.

As a result, the standard campaign today is a big reach/frequency spot effort of 10, 20, 30 and 60-second commercials: the most expensive form of communication this side of Telstar.

And if you can't afford it, you don't play. Even if you're an embryonic Abe Lincoln.

With that much cash going into media, needless to say a lot of people got their mitts into the creative work. A lot of people who don't share with most of us a certain respect for the powerful tools of mass communication and for the rationality of the individual.

Professional image-builders began to emerge and take over the creation and production of the messages. In the public mind, these people were lumped into the pejorative designation "Madison Avenue," although many of them didn't represent any recognized advertising agency.

But they talked like the worst huckster stereotype. And the statements they made about their craft—statements that would get one forcibly ejected from any reputable ad agency—sounded like this:

"Our job is to glamorize them and hide their weaknesses."

"It's much more important to know the man than to know his stand on an issue."

"If I had only three weeks for a campaign, I'd pick a pretty boy."

"He was a beautiful, beautiful body and we were selling sex."

"Voting is an emotional response."

Well, friends, in my opinion that's a sad compendium of cynicism.

The people behind those statements are making some mistakes about product ad-

vertising, too. But I won't get into that right now. Their fundamental error, if not sin, is in equating the communications program of a candidate for public office with the advertising of a consumer product.

If you say it's just like advertising packaged goods, the simile breaks down immediately. Most packaged goods are minor purchases. Most depend for their survival on establishing a predisposition to repurchase. The consumer's most effective response to a disparity between advertising claim and reality is never to buy it again.

When you "buy" a political candidate as a result of his advertising, you're stuck with the "purchase" for four years—with results that can be far more devastating than not getting your teeth as white as you'd hoped.

If you draw the comparison with a big-ticket purchase, the analogy crumbles just as quickly. An appliance, an automobile, an insurance policy are not sold by advertising. They are sold by a dealer or an agent. Advertising can only establish, in the mind of the prospect, an appropriateness between his need or life-style and the product, then direct him to the personal salesman and the actual product.

Unfortunately, this essential second step is missing if you apply the same techniques to selling a candidate. And the candidate offers you neither a money-back guarantee nor any kind of service warranty.

Furthermore, none of the safeguards imposed upon contemporary television advertising apply to political spots. Even the libel laws are suspended.

The NAB and network continuity acceptance departments wouldn't think of challenging the statements, claims and promises made by a political commercial.

Indeed, I wonder if the FTC is going to insist on the same kind of documentation from candidates as it demands from automobile manufacturers in 1972.

So it's not only insulting to the issues and office involved to equate them with claims for a can of soup, it's potentially quite dangerous.

But it's been done. Done consistently since 1952. And I'd like to show you some examples.

There have been commercials that didn't mention, much less provide an opinion on, a single issue.

Films:

JFK: "It's Up to You".

Nixon: "Nixon's the One".

Taft: "One Man Who Can Win".

There have been commercials that never once showed you the candidate.

Films:

Buckley: "John Wayne".

Evans: Water ID.

There have been commercials so caught up with image-building you wouldn't know there was a political campaign going on.

Film: Agnew: "My Kind of Man".

Some just registered the product name.

Film: Mezhvinsky: "What's His Name?"

And there were unsubstantiated claims galore.

Film: Stokes: "Saturday Night".

Every now and then there's been one that attempts to emulate candor.

Film: Lindsay: "Snow Removal".

But primarily the theme has been disparagement.

Film: Johnson: "Hydrogen Bomb".

Disparagement and more disparagement.

Films:

Smith: "Police are Pigs".

Humphrey: "Laughing Man".

When communication like that can form an important part of a major political campaign, there's something very wrong. And since the advertising industry is being blamed for it, I think we ought to initiate some remedies.

One possibility is for advertising agencies not to accept a political account. This is the

simplest solution. It's our solution at FCB at the moment. But I'm not sure it's the right solution.

I think the talents that reside in an agency could, under the right conditions, be ideal for creating and placing meaningful messages for a candidate.

What are those conditions? Well they certainly aren't a high-level, saturation barrage of spots.

The system adopted in England seems very reasonable to me. Under the Independent Television Act, political commercials are forbidden. However, during general elections the BBC and ITA allocate a certain number of free broadcasts to each party, the number based generally on the membership of the party.

In the 1970 elections, the Conservative and Labour parties each received five TV broadcasts of ten minutes duration and seven radio broadcasts of either ten or five-minute length. The Liberal party was given three TV broadcasts and four radio.

After a year-long study headed up by Newton Minow, the Twentieth Century Fund recommended something similar for the U.S.—one of the few nations in the world, incidentally, that allows political candidates to purchase TV time.

The Fund suggested that, during the last five weeks of a presidential campaign, all TV and radio stations simultaneously carry six prime-time half-hour programs featuring the candidates and attempting to "illuminate campaign issues and give the audience insight into the abilities and personal qualities of the candidates."

That sounds pretty reasonable, too. As an absolute minimum, I think we should have the restrictions on TV expenditures put forth in the bill approved by the Senate on August 5. This bill—which would also rescind the ridiculous equal-time proviso, at least for presidential candidates—made so much sense to both parties that it passed with an 88-2 vote.

But the House has turned it into a partisan political joke composed, as far as one can perceive through the procedural pandemonium, of a multiplicity of different plans.

Equally important is the *kind* of message to be used. Notice the word "message." The idea and terminology of political TV "spots" should be dumped forever.

10-second, 30-second, even 60-second lengths are inadequate and inappropriate for presenting a candidate to the voter.

These lengths defy a discussion of issues and encourage the shallowest kind of imagery, the shoddiest kind of logic and the most reprehensible kind of mud-slinging.

I'm in total agreement with Ward Quaal of WGN Continental Broadcasting who will not allow a political message of less than five minutes on his stations.

If, in an uncharacteristic display of responsibility, the broadcasting industry would follow Quaal's example and set a five-minute minimum on political messages, many of the abuses would automatically be eliminated.

I don't think any political image-builder would risk the ennui inherent in five minutes of groovy music and up-shots of a grinning candidate.

I don't think they could successfully refrain from giving us a glimpse of their man for five minutes or manage to elude every issue.

And I am at least hopeful that they would see the peril in a full five-minute implication that the other guy is a fascist freak.

But just in case, I would suggest a few simple guidelines that would not unduly restrict the creative construction of the message.

And these guidelines would be a code for political broadcast messages that the candidate himself would assent to in writing before he or his supporters would be sold time on any station.

One, the message should be designed to help the voter know and understand the candidate, his character and his ability to communicate.

Two, the message should establish what the issues are which the candidate feels are important.

Three, the message should clearly state where the candidate stands on these issues. That's all. It's very simple. So simple that I'm sure many of the professional image-builders would smile at the naivety of such an ingenious proposal. They'd probably point out that longer lengths would blow their reach and frequency and render their TV campaign ineffective.

I have a little too much faith in the intelligence of the American voter, having dealt with him as a consumer for some time, to buy that.

And, like a good adman, I also have some research. There was a study done on political broadcast advertising by the School of Journalism and Mass Communication at the University of Wisconsin. It was done in areas of Wisconsin and Colorado among 512 voters after the 1970 campaigns.

Here's the last paragraph of the introduction:

"The results of this study suggest that a moderate number of high-quality, substantively informative advertisements may be more effective than a saturation presentation of superficial image-oriented spots."

And here's the final sentence of the study: "Thus, the most effective advertising strategy would be one that allocates campaign funds away from a high frequency of exposure approach into a more modest number of ads containing substantive informational content that is presented in an interesting and entertaining manner by skilled producers."

"Yeah," reply the image-builders, "but how do you make it interesting and entertaining? Five minutes of a guy talking issues is about as exciting as watching paint dry."

Well, there's only one way to prove that this kind of political message doesn't have to be dull. To make one.

At the time that thought occurred, there were only two announced presidential candidates—Representative McCloskey and Senator McGovern. We placed calls to associates of both candidates. Only Senator McGovern's group responded, and he agreed to work with us in developing the kind of message I'm talking about under the guidelines I've set forth.

So last month, one of our producers named Burns Patterson and a damn good cameraman named Al Taffet went with the McGovern group to New Hampshire.

Out of the footage they shot, every inch of which was concerned with Senator McGovern's view of the problems and his proposed solutions, comes this model for the five-minute political message. At a cost, I might add, of about one-tenth of some of those orgies of imagery I showed earlier.

Film: McGovern.

I leave it to you to judge whether that kind of treatment is too dull or too cerebral for the American voter. It's serious, I'll admit. Not a pratfall or gag-line in it. But somehow I continue to regard that job on Pennsylvania Avenue as a rather serious matter.

Ever mindful of the equal-time provision, we're offering to do the same kind of message, at cost, for any announced presidential candidate from either major party.

So that's my platform, fellow Americans. I'm urging the House to stop weaving loopholes into the bill to restrict candidates' TV expenditures.

I'm urging the broadcast industry to set a minimum length of five minutes on all political messages. And to insist that the content concern itself with the candidate, his view of the issues and his proposed solutions.

And I'm urging all of us in the advertising business not to be beguiled into making commercials that confuse a candidate and an office with a deodorant and an armpit.

If these minimum standards of responsibility aren't observed—if we have an encore of those abuses that characterized television campaigning in '70—those fragile strands of public confidence that we're trying so hard to maintain for advertising could be eroded entirely.

And November 1972, is only twelve months away.

TRIBUTE TO AMERICAN VETERANS OF WORLD WAR II

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, on this occasion, exactly 30 years following the enemy attack on Pearl Harbor, I would take the opportunity of expressing the most profound admiration for those Americans who served in the ensuing global conflict and in so doing revealing to the world the spirit of democracy engaged against the greatest odds.

The exact moment of the attack in question is officially recorded at 7:55, Sunday morning, December 7, 1941. Actually, it may have been a few seconds earlier or later; nobody can be quite positive. Men were fighting and dying at that moment and 7:55 a.m. is as close as historical precision can come.

The first bomb cluster to fall wobbling from the first enemy plane engaged on that occasion exploded the United States into the shocking realities of a world war. It took a while for men to recognize the fact and some men died before they were fully aware of what was happening. But in a matter of moments everybody in the United States knew that war had come.

What was not then recognized was that in this moment the world itself had changed forever—for, in the lockstep of history, the first bomb to strike Pearl Harbor became the A-bomb, blasting the life out of Hiroshima; and with this development the machine age gave way to the nuclear age in which we live, precariously, today.

Forces set in motion by Pearl Harbor—dramatic as they have been over the past three decades—are expected to produce more changes equally dramatic before the turn of the century three decades hence.

The war triggered by Pearl Harbor altered the course of world politics, transformed the maps of Europe and Asia, shattered empires, and loosed the forces of change on every hand. When the fighting stopped in 1945, America stood as the unchallenged power of the world. As the one nation with nuclear capabilities at that moment, the chance for world domination was in our grasp. But America could not play that role, and turned away in hope of better things. Disarmament became our national policy and full dependence on the noble intentions of the United Nations.

Had we acted differently, who knows how it all would have worked out? As it

is, we have seen a million hopes and dreams crushed by the impact of aggressive power politics, the ineffectiveness of world diplomacy, and the continued ravages of war.

We have seen, too, the dramatic growth of world communism, since World War II, establishing political domination over more than a billion people—a startling picture, tempered only by schisms in the Communist ranks and the growing realization that Communist economics are no match for the capitalist brand. Most Communist nations today are striving to find ways of incorporating the profit incentive and the mechanics of the marketplace in their own system.

But the changes generated by Pearl Harbor are not concerned exclusively with politics and power. In America, the aftermath of Pearl Harbor included the release of scientific and technological forces revolutionary in nature and of staggering significance. Nuclear power, challenging the position of all other forms of energy. Computer development, remaking the world of commerce and recordkeeping in general. Space exploration, opening avenues to intensive expansion of the rocket industry, to miniaturization in many fields, to development of new metals, and to new and broader horizons of scientific thought.

All of this evolved from the drama of World War II, and for every shortcoming we have suffered in the process there is the sobering realization of what would have happened had we not come out the victors in that war.

As national populations climb to a new zenith; as technology creates mechanical marvels to perform the work formerly performed by human hands; as minerals and other natural resources continue to be swallowed by the voracious gullet of hungry civilization—while all this goes on, mankind is rallying to meet the struggles of the future; as if, after years of internecine war, the people of the world were suddenly ready to make a stab at unity, in the knowledge that failure in this regard could well mean the failure of all mankind in its long, perilous contest with the elements. Indeed, if this is to happen, it will be none too soon.

Whether or not such unity is possible remains to this day a major mystery. Certainly, if precedent is to be followed, universal action in behalf of peace is an impossible development. On the other hand, necessity is a powerful argument, and the threat of nuclear war just may, possibly turn out to be necessary, in the eyes of all the people and rulers of the world, regardless of moral, ethical, or spiritual training or understanding.

In this event, the participants in the conflict detonated by Pearl Harbor will be able to say—"Yes, we were there when it happened. We were there when the plain old nickles-and-dimes world of the 1940's changed overnight into the smashing, blinding wonder of the nuclear age. We were involved in the battle for survival that became, in time, atomic retaliation. In short, we were a part of the military miracle of the ages—the miracle that was to lead the world either to

blazing universal destruction, or to the great era of the nuclear peace.

This is how the world changed at 7:55 a.m. on the morning of December 7, 1941. The first Japanese bomb led to Hiroshima and the creation of the total peril, the global target, the nameless burning city.

The event to which we pay homage on this occasion—American resistance to the Pearl Harbor attack of 1941—signaled the entrance of our country into a war against slavery, and as such shall be eternally remembered by freedom-loving people everywhere. That alone is sufficient reason for hailing its participants as heroes of the highest stature. But there is more to it than that. Those who gave their lives in that holocaust did so far a noble reason—to crush the power of the war mongers and war itself, if that were possible.

As beneficiaries of the American victory in World War II, we are called upon to attain the purposes for which our heroes died; and of all these, the most vital, it would seem to me, would be attainment of the peace so vital to our cause.

Anniversaries do not create real emotions. They merely italicize them. On any day of the year, a visitor to Pearl Harbor can feel sorrow and regret over death and defeat, and pride at men's bravery and a nation's recovery, or bitterness or hate, if that he brings with him. To feel these things it is not necessary to wait for December 7.

But anniversaries do have a way of distilling in the mind the meaning of the intervening years. In this instance, looking back to 1941, it would seem proper to think in terms of peace, whenever possible.

There are still all kinds of fish among us—sharks and minnows, tunas and whales—but Pearl Harbor created for us all the universal fishpond, of which it truly can be said that either everybody sinks or everybody swims. There is no longer a freedom of choice in this perilous regard.

PRINCE SIHANOUK'S PLANS FOR AN END TO THE WAR IN CAMBODIA

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. McCLOSKEY. Mr. Speaker, Mr. Cyrus Eaton, of Cleveland, Ohio, who has long been in the forefront of the search for world peace, recently received a cable from Cambodian Prince Norodom Sihanouk, now in exile in Peking.

The cable outlines Prince Sihanouk's plans for an end to the war in Cambodia and a return to the status quo which existed prior to our invasion of Cambodia on April 30, 1971.

In view of the fact that Premier Lon Nol has recently expressly abandoned the concept of a democratic government in Cambodia and in view of the immense devastation of Cambodia being wrought by U.S. air power at the present time—over 2 million refugees—it would seem appropriate that we reconsider our pol-

icy with respect to Cambodia. I am pleased to insert in the RECORD at this point a recent Chicago Sun-Times column on Prince Sihanouk's views as expressed to Mr. Eaton:

[From the Chicago Sun-Times, Dec. 1, 1971]

**EATON TELLS SIHANOUK PLEA FOR END OF WAR
IN CAMBODIA**

(By William C. Harsh Jr.)

Industrialist Cyrus Eaton disclosed Tuesday a cable from exiled Cambodian Prince Norodom Sihanouk appealing to the U.S. people to aid him in restoring Cambodian independence and neutrality.

Sihanouk, who was deposed in a coup d'etat March 18, 1970, cabled Eaton, an old friend, from his exile residence in Peking. He asked Eaton to "inform the American people of the terms of this telegram."

Eaton disclosed the contents of the cable during an interview with the Sun-Times at the Drake Hotel Tuesday.

"I would dare to hope that the American Congress and government would soon cease the aerial warfare against my people and (bring about) the complete end of the war in Cambodia," Sihanouk said in the cable, dated Nov. 16.

"In order for this war to be brought to an end, it will be sufficient if the Congress definitely refuses credits from your country in aid of the warlike and unconstitutional fascist regime in Phnom Penh.

"I can assure you that my government has the simple goal of re-establishing the status quo ante of Cambodia, that is to say its independence and its neutrality.

"It will not be a question of communizing Cambodia and even less of letting it become a satellite of Communist Vietnam, which, regardless of the recent views of Washington personalities, has no designs on my country.

"Under these circumstances, President Nixon should not continue to dispense excessive sums paid by the American taxpayers to enable the unjust survival, at any cost, of the Lon Nol regime against the wishes of the Khmer (Cambodian) people, who crave peace and the return of Cambodia to its 1947 constitution, to its independence and to its nonalignment before March 18, 1970."

Eaton, chairman of the board of the Chesapeake and Ohio Ry. Co., is a world traveler and maverick capitalist who contends that U.S. industry is ignoring "unlimited markets" by refusing to trade with communist nations.

He said he visited Sihanouk in Cambodia prior to the prince's ouster.

"I think this man is honest," Eaton said. "He is kindly, gentle and fond of music. He stands for the finest things in life, and posterity will condemn the acts of statesmen who have been invading and destroying his beautiful country."

Mr. Nixon ordered U.S. troops to invade Cambodia in May, 1970, and troops of South Vietnam have operated inside the country at various times since then.

"It grieves me very deeply to have that little country, about the size of Missouri, devastated by giant American bombers, with their destructive bombs killing defenseless women and children," Eaton said.

"I feel that in the long history of man's inhumanity to man there has never been a greater example of cruelty than America has exhibited against that little country that never did any harm to us and sought friendship."

"The historian, the playwright and the novelist of the future will tell that story and it will arouse the pity of people all over the world. And they will reflect gravely upon the humanity and the integrity of the United States," Eaton said.

Cambodia is a remnant of the Khmer Empire, which built wonders such as the ruins at Angkor Wat before it fell in the 13th Century.

Sihanouk, 49, spent most of his time since

assuming power in 1941 balancing the United States, France, Russia and, more recently, China in an attempt to ward off Cambodia's ancient enemies, the Thais and Vietnamese.

But, Eaton said, "I believe he was doing his best to keep his country neutral. At times there would be people from North Vietnam there, that's true. But there would also be a number from South Vietnam and the United States always had many people in Cambodia."

FARM SUBSIDY PROGRAM: CLASSIC EXAMPLE OF FOX GUARDING THE HENHOUSE

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. ANDERSON of California. Mr. Speaker, earlier today, I spoke on the waste involved in the farm subsidy program.

The current law, which allows a Federal payment of \$55,000 per crop, per farm, is so fraught with loopholes and ambiguities that even the administrator of the program, according to the Washington Post, collected \$190,000 in payments in 1970 and approximately \$95,000 this year.

Not only are the giant agribusinesses reluctant to be weaned from the Federal trough, they have one of their own doling out the taxpayer's money.

Mr. Speaker, when a so-called public servant collects a Federal payment of \$95,000—not for doing his job in the public interest, but rather for operating a farm that he is supposed to regulate—we need a reevaluation with an eye toward revamping both the program and its administrators.

For the benefit of those students of government who are interested in a classical example of "the fox in the henhouse" theory of government regulatory agencies, I include in the CONGRESSIONAL RECORD the following article which appeared in the Washington Post on December 8, 1971:

SUBSIDY CHIEF'S FARM PROBED

(By Nick Kotz)

Agriculture Department official Kenneth E. Frick, along with more than one-third of his farmer neighbors in Kern County, Calif., have been reported in violation of crop subsidy regulations. Frick runs the federal program.

Frick, administrator of USDA's Agricultural Stabilization and Conservation Service, confirmed reports to The Washington Post that his own farm, now operated by a trust, and 467 others have been cited for violating program regulations. Kern County is the nation's second richest in farm receipts and ranks second in federal subsidies. The county's 1,190 farmers will receive \$27 million in federal payments this year, primarily from the cotton program.

Farmers are paid federal crop subsidies in return for taking part of their land out of production in an effort to balance supply and demand. The alleged Kern County violations include failure to take enough land out of production, counting non-farm land as retired land, and illegally evading the \$55,000 per crop limitation on farm payments.

Frick stressed that official findings have not been made in any of the cases, and that farmers still may prove that they were com-

plying with program regulations. Frick's office is in charge of enforcing regulations for the several million farmers in the subsidy program.

In addition to an investigation by Frick's farm program office, the Kern County situation now is being investigated by the General Accounting Office and USDA's Office of Inspector General.

Frick said the alleged violations in Kern County would be the most extensive in any county in the country. He said many violations probably resulted from the unfamiliarity of farmers with a new cotton program. Nevertheless, the federal official running the program in Kern County has been suspended.

Frick and his deputy administrator, Charles Cox, said the alleged violations on Frick's farm involved use of improper land as retirement land.

Cotton farmers such as Frick are required to "set aside" from production acreage equal to 20 per cent of their cotton allotment acreage. The retired acreage must be as productive as the land in production.

Cox said the Frick farm had been cited for using several acres of non-farm land (previously used as a windbreak) as his retirement land, and for using other land of questionable value for "set aside" purposes. The Frick farm and numerous others were cited by inspectors as retiring alkali land (high in salt content) rather than land comparable to that in production.

Frick said his farm interests are held in trust by the Bank of America and his farm land is managed by his brother Howard. He said the 3,000-acre farm received \$190,000 in cotton payments in 1970 and about \$95,000 this year. Both Frick and his brother would be entitled to a maximum \$55,000 payment.

Questioned whether he is not, in effect, investigating a violation on his own farm, Frick said: "I have confidence in our inspection system. The system triggered this examination of farms. As to my farm, my brother is in charge of it and will have to answer for it."

Frick's assistant Cox then added: "Our instructions (from Frick) are to treat his farm like any other farm."

Frick said discrepancies were first turned up in Kern County in a routine "spot check," in which department inspectors visited states in which they do not normally work. Because of numerous discrepancies, Frick said, his deputies then ordered a check made of each of the county's 1,190 farms. Again, the check was made by inspectors from out of state.

He said the determination of violations is now in the hands of the Kern county ASCS committee, under supervision of the California state committee. However, he said one member of the three-man county committee is not participating in decisions because his own farm is being questioned.

Frick stressed that the county and state committeemen are elected by fellow farmers and thus are free to criticize any farm, including his own.

Cox said the inspection team turned up 547 violations on 468 farms. He said the team considered violations as "serious" on about 200 farms.

Cox said farmers could lose part of their federal farm payment for minor infractions and the entire payment for major violations. Severe violations, including fraudulent evasion of the \$55,000 payment limitation, could lead to criminal prosecution.

Frick emphasized that he had initiated the "spot checks" that turned up the Kern County situation, because "we wanted to make sure that farmers understood the new cotton program and that it was working adequately."

"What we found in Kern County, I would have to describe as 'bad,'" said Cox, in a joint interview with Frick. "It was not typical."

NATIONAL HEALTH INSURANCE

HON. DONALD G. BROTZMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BROTZMAN. Mr. Speaker, during Thanksgiving week the Ways and Means Committee, on which I am privileged to serve, completed 5 weeks of hearings on a myriad of proposals generally known as national health insurance. Witnesses from all sectors of the American society were heard, and I was highly impressed with the concern exhibited by all those who testified. The hearings have made it clear that some form of Federal assistance will be necessary if quality health care is to be within the reach of all Americans.

At the outset of the hearings, I had no preconceived notion as to which, if any, of the proposals offered the best solution. Most of them contain features which, to one degree or another, would ease the financial burden brought on by catastrophic illness. Also, many of the proposals seek alternate methods of providing for the medically indigent since nearly everyone agrees that Medicaid is not the answer for the poor.

Although I was not partial to any one bill at the beginning of the committee's hearings, there were several principles which I felt had to be embodied in whatever solution the committee might devise.

The first overriding principle is that we must build on the best of the present system. The fact that our health delivery system and our health financing system are not perfect does not mean that they are devoid of merit. I cannot accept the notion that the only way to answer our health care problems is to create another Federal bureaucracy. To the contrary, some of the programs now having the most trouble are those run by the Federal Government. Thus, the best national health care bill must build on that which is good in the current system.

My second principle is that there must be a choice for the patient. The patient must be free to determine not only his physician, but also the type of delivery system he prefers—be it the sole practitioner, the prepaid group, the hospital emergency or outpatient department, or any other delivery system that enterprising individuals might develop in the future.

The third principle says that Federal dollars should go most to help those who need it the most. The supply of dollars is limited. Each of them comes from the earnings of the American taxpayer. The Government should help persons who cannot afford to pay their bills, because of illness. I cannot, however, support a program which would utilize tax money to care for those who can pay their own way without incurring special problems.

Fourth, a program involving public funds should provide standard comprehensive benefits to the recipient. Certainly some form of protection against a catastrophic illness must be included. At current hospital costs, very few persons could avoid financial ruin if they were to

contract a long, serious illness requiring extensive hospitalization. Also, there must be a stress on preventive care and ambulatory care.

My fifth principle is that there be review mechanisms for cost and quality of care with true professional review at local levels. The public must be assured that it is receiving the maximum return on its dollars.

The sixth and final principle is that there should be cost sharing and coinsurance unless one is totally without resources. To me, it is imperative that the individual be aware of the cost involved. People must not be permitted to disregard the cost of health care, because they feel "the Government is paying for it."

Throughout the hearings I attempted to measure each of the national health insurance proposals against the six principles I have just mentioned. Naturally, some proposals fared better than others. One proposal, the Health Care Insurance Act, most closely reflects my own thinking at this point, and I am today introducing this measure.

The general approach of the Health Care Insurance Act is to provide tax credits against individual income taxes to offset the premium cost of qualified private health insurance policies. To qualify, a policy must include catastrophic benefits and certain specified basic hospitalization benefits. The amount of the credit would vary with the income of the taxpayer. Those who pay no tax at all would receive a voucher for the purchase of health insurance. Those whose tax liability is over \$891 per year would receive a tax credit in the amount of 10 percent of their health insurance premiums. A sliding scale is provided for determining tax credits for persons in between those two extremes.

The bill utilizes the existing devices of financing health care. It in no way impinges upon the patient's right to choose a physician or method of health care. The greatest amount of public support goes to those most in need. Provision is made for catastrophic illness. And, except for the poorest members of our society there is coinsurance. In short, the approach taken by the bill parallels what I believe to be the essentials of a sound national health care plan.

Mr. Speaker, of particular importance in the Health Care Insurance Act is the provision for catastrophic illness. Ironically, it has been the great strides in medical knowledge which have made catastrophic illness such a threat. Illnesses which were once fatal, and rapidly fatal at that, can now be cured, but often the cures require long hospitalization and expensive initial surgery and sometimes continuing surgery and high cost treatment.

The point at which medical expenses become catastrophic varies from family to family, largely on the basis of family income. This is recognized by the bill which provides a sliding scale for the level at which catastrophic insurance coverage must be afforded. Essentially, the bill defines catastrophic illness in terms of family income. The deductible for catastrophic care would be 10 percent of the first \$4,000 of taxable income

15 percent of the next \$3,000, and 20 percent of additional income. Thus, in the case of a family of four with an income of \$3,000, any expenses beyond basic hospitalization coverage would be viewed as catastrophic. For those families of four with an adjusted gross income of \$7,500, the catastrophic deductible would be \$338. Those with family adjusted gross incomes of \$20,000 would be expected to pay for the first \$2,250 of the excess of their basic hospitalization coverage, and so on.

No American family should lose its home and its hope for the future, because one family member has the misfortune of suffering from a catastrophic illness. One catastrophic illness would place the overwhelming majority of Americans on the brink of financial disaster. And, perhaps saddest of all, the next generation might be denied an education or otherwise denied a chance to get ahead in the world due to the loss of family savings brought on by a catastrophic illness.

Mr. Speaker, I still do not believe that a national health insurance bill has been drafted which cannot be improved. However, I believe the bill I am introducing today represents a solid approach, and I hope an approach which will be embraced in the Ways and Means Committee when consideration of the national health bills is resumed.

COAST GUARD COMMENDED FOR ROLE IN OPERATION DEEP FREEZE

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. GARMATZ. Mr. Speaker, on Monday, December 6, the U.S. Coast Guard cutter and icebreaker, the *Southwind*, departed Baltimore for a 4-month expedition to Antarctica, where the ship and its officers and crew will participate in Operation Deep Freeze.

Operation Deep Freeze is basically a naval operation, conducted to support the United States programs in Antarctica, including military and scientific missions. Although the men who participate in these missions deserve recognition for their outstanding contributions, the hardships and rigors they endure receive little or no publicity or public attention.

Mr. Speaker, I want to say that I hold great esteem for the Coast Guard, and I participated in a bon voyage ceremony aboard the *Southwind*, because I felt the officers and men of this vessel should know that their outstanding service is valued and appreciated.

The schedule of the *Southwind's* voyage is as follows:

- December 14—Arrive Canal Zone.
- December 15—Transit Canal Zone.
- December 16-18—Visit Rodman, Canal Zone.
- December 27-31—Visit Valparaiso, Chile.
- January 6-7—Visit Punta Arenas, Chile.

At Punta Arenas, approximately 32 scientists from the universities of California, Idaho, Scripps Institute, Texas

Tech, and Ohio State, and from numerous government agencies, will board the *Southwind* for transport to Deception Island and Palmer Station, which are located along the northern peninsula of Antarctica. These scientists will then form into separate smaller groups to conduct various studies on the land and water areas of the Antarctic Continent.

Upon arrival at Palmer Station, the *Southwind* will assist with resupply operations and will provide approximately 50,000 gallons of fuel for this year-round naval facility. Since the station is completely isolated during the long austral winter, these resupply activities take on a special significance in insuring the very survival of the wintering-over personnel.

After the completion of the resupply assignment, *Southwind* will journey even farther south into the Amundsen/Bellinghousen Seas to assist Dr. Albert Erickson and a scientific party from the University of Idaho in a study of the abundance, distribution, and status of the Antarctic seal population. The two amphibious helicopters aboard the *Southwind* will be used in this venture, and the study will provide essential propagation information for use in the future management of the entire world's seal population.

On approximately February 28, the *Southwind* will return to Palmer Station, then proceed back to Punta Arenas, Chile. The remainder of its return voyage home will be as follows:

- March 4—Depart Punta Arenas.
- March 9-13—Buenos Aires.
- March 17-21—Rio de Janeiro.
- April 6—Arrive Coast Guard Yard, Curtis Bay, Maryland.

Mr. Speaker, during my visit to the *Southwind* in Baltimore, I made a brief speech, in which I commended the Coast Guardsmen for their role in Operation Deep Freeze. At this point, I insert my remarks in the RECORD:

REMARKS BY CONGRESSMAN EDWARD A. GARMATZ

Captain Schwob, and officers and men of the *Southwind*.

Each time I see a Coast Guard cutter off, I marvel at the complete dedication of Coast Guardsmen.

My admiration is doubled today, because you are embarking on a rigorous and long voyage—and you will face many hardships and hazards—far away from your friends, family and other loved ones.

And yet, despite the difficulties you may encounter, as other Coast Guardsmen have in past tours of the Antarctic, I am sure your voyage will be a memorable one, and one of the outstanding experiences of your life.

Certainly, you can be proud, because you will be providing supplies to naval personnel that will be essential to their very existence. And you will be assisting scientific missions that will gather information which will help us all to better understand a hostile environment—and to preserve and protect the animals that live in that environment.

And so, because you will share in such a rewarding experience, and because you will be making such lasting contributions, I envy you as you depart for your adventure at the bottom of the world.

I am sure you have all heard the old adage about "wooden ships and iron men."

This seems to imply that our seamen are not up to the standards of those who sailed the seas before them.

But you, here on the *Southwind*, are living

proof that this is not so. We now have steel ships and steel men.

As she has done for almost thirty years, *Southwind*, and the crew that man her, will once again do the job quietly, efficiently—and with great pride.

Although I am not a sailorman in the true sense of the word, I have been so closely affiliated with the Coast Guard for so many years, that in the best traditions of the sea—

I wish you fair winds and following seas.

WHY IS THIS OFFICIAL STILL AROUND?

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SCHMITZ. Mr. Speaker, last month a most revealing article by veteran reporter, Clark Mollenhoff, appeared in a Washington publication detailing the questionable background of the Deputy U.S. Representative currently assigned to our negotiation team at SALT, Mr. J. Graham Parsons. As I previously pointed out before this body on May 12, Mr. Parsons was one of the key figures behind the incredible attempt by the State Department to smear the fine record of Mr. John D. Hemenway, a former Foreign Service officer who for 3 of his 14 years with the State Department had worked as Chief of the Berlin section in the Office of German Affairs. Indeed, after having served in Government service with loyalty and distinction for 24 years—and acquiring an unblemished record—he was dismissed without a pension.

And why was Mr. Hemenway the victim of such a harsh reprimand?

While occupying his important position in Berlin it appears that Mr. Hemenway had made the disturbing observation that his immediate superior, Mr. Alfred Puhan, was consistently deciding vital issues in favor of the Communists and actually engaging in activities which were clearly detrimental to the precarious prestige of the United States of America.

After trying in vain to warn Secretary of State Dean Rusk of the damaging activities of this serious security risk, Mr. Hemenway soon found that not only had his well-documented reports fallen on deaf ears, but that he himself had become the subject of a whitewash investigation requested by Secretary Rusk. Mr. Hemenway's reports were contemptuously rejected out of hand by the two investigators assigned to his case, former Ambassador to Iceland James Penfield—now retired—and J. Graham Parsons, a former Ambassador to both Laos and Sweden.

As a result of their investigation, in January 1969, Mr. Hemenway was fired by the Secretary of State he had tired so hard to alert. Stranger still, despite the fact that his adversary, Alfred Puhan, had long been known by intelligence agencies to be just what Mr. Hemenway had accidentally discovered—that is, a serious security risk—Mr. Puhan was actually promoted by Secretary Rusk to the strategic post of Ambassador to Hungary.

Just prior to the "selecting out" of John Hemenway, a derogatory report on his aggressive pro-American conduct was prepared by Ambassadors Parsons and Penfield and placed in his State Department file to justify that dismissal. Some further elements of this duplicity can be seen in an insertion made in the CONGRESSIONAL RECORD of December 3, 1971, by Hon. JOHN M. ASHBROOK, 44659, entitled "Dangling State Department Dirty Linen in Other People's Yards."

That highly distorted Parson-Penfield report purported to show that there had been no impropriety in Hemenway's discharge and while withheld by the State Department for many months became a key document vital to a hearing sought by Mr. Hemenway before an impartial grievance board. The report prepared by these two career officials, we might add, reached this extraordinary conclusion:

While we are not qualified to evaluate the charges (raised by Hemenway) or the rebuttal (by Puhan and Johnpoll), we find the latter *prima facie* persuasive.

And, as has been previously noted, Mr. J. Graham Parson is presently our No. 2 man at Vienna in the sensitive and momentous arms control and disarmament talks with the U.S.S.R.

So that the record of this man Parsons will be abundantly clear, since he was one of the authors of that controversial and damaging report condemning John D. Hemenway, I insert at this point in the RECORD the article by Clark Mellenhoff as it appeared in the November 27, 1971, issue of Human Events: "Why Is This Official Still Around?"

WHY IS THIS OFFICIAL STILL AROUND?

(By Clark Mollenhoff)

Hopefully, the optimistic reports President Nixon has been making on progress at the Strategic Arms Limitation Talks (SALT) do not come only through Deputy U.S. Representative J. Graham Parsons.

The unwarranted optimism of Ambassador Parsons has become legend in the U.S. State Department. The questioning of that optimism started with a House Government Operations Committee report in 1959 that castigated Parsons for the overzealous projections of Communist weakness that turned out to be so poor that they served as the subject of the first chapter of William J. Lederer's book, *A Nation of Sheep*.

Lederer, one of the co-authors of *The Ugly American*—another controversial book on Americans in foreign affairs—used the "erroneous reports" of Ambassador Parsons to dramatize what was wrong with American foreign aid programs.

Those who followed the earlier investigation are astounded that Ambassador Parsons is still around after the stormy session he had in 1959 with the chairman of a House investigating subcommittee. Parsons was ambassador in Laos from 1956 to 1958, and so was ultimately responsible for major corruption and mismanagement that flourished in that troubled Southeast Asian country.

One section of the report dealt with the illegal manner in which Parsons ousted an investigator for the General Accounting Office (GAO) who was in Laos in 1957 to investigate favoritism, conflicts of interest, and bribery in foreign aid contracts.

Ambassador Parsons ignored the complaints of corruption and mismanagement but expended great energy in hiding the mess

in Laos from Chairman Porter Hardy (D.-Va.) and his staff of investigators.

The subcommittee evidence indicated that International Cooperation Administration (ICA) Auditor Haynes Miller "was 'rail-roaded' out of Laos because he was close to discovering the truth about Universal (Construction Co.), its bribes, its virtual monopoly of U.S. AID construction projects . . . and its woefully inadequate performance."

The actions to remove Auditor Miller seemed to indicate a conspiracy was at work within the U.S. Embassy in Laos to eliminate those officials who were complaining of fraud and mismanagement and to shield the men involved in the wrongdoing.

Miller's reports and his persistent efforts to get something done about deficiencies in the program only brought trouble from Parsons. Some of Miller's superiors and associates complained to U.S. Ambassador Parsons that Miller was "unable to adjust" to duty in Laos. Parsons sent a telegram to Washington stating he had invited the investigator to resign "because of obvious signs of nervous disorder."

"Ambassador Parsons' opinion of Miller's 'nervous disorder' was rendered without benefit of medical advice," the House Government Operations Committee reported. "This is contrary to Department of State regulations. Competent medical advice was available to the ambassador and could have been solicited."

"One month later, on Oct. 30, 1957," the report went on, "Miller was subjected to a full medical examination in Washington, and certified as 'qualified for general duty.'"

Officials of the AID program excused the deficiencies and maladministration in the Laotian program, with the claim that the AID program had saved Laos from communism.

"The assertion is purely speculative, and can be neither proved nor disproved," the House said in 1959. That was two years before it was generally recognized that a corrupt AID program actually may have helped the Communists in Laos.

The corruption in the Laos program gave substance to the general Communist charge of U.S. decadence. The report said that "Edward T. McNamara, (ICA) public works and industry officer, accepted bribes totaling at least \$13,000 from Willis H. Bird and Gerald A. Peabody of Universal Construction Co., in return for helping them secure lucrative contracts and overlooking deficiencies in their performance."

McNamara and several others were later convicted of federal crimes in connection with the incident, thanks to the work of the Hardy subcommittee and no thanks to Ambassador Parsons. Parsons sacked Miller, the first ICA investigator who called attention to the frauds.

Parsons, by that time, had been elevated to the post of assistant secretary of state for Far Eastern affairs, and he was later named as ambassador to Sweden.

Rep. Hardy, who has since retired, went to the White House to object to President John F. Kennedy. Kennedy, with an air of futility, commented: "There isn't much I can do about that State Department. He will not do us much harm as ambassador to Sweden."

Parsons served as ambassador to Sweden from 1961 until 1967, and then served as one of the senior ambassadors on promotion panels until he was named to be deputy U.S. representative to the SALT talks in September 1970.

But he is even now embroiled in two personnel cases in which it is charged that only superficial investigations were conducted that gave a completely distorted view of the facts. In each case Parsons went along with the State Department establishment and, instead of digging into the complaints, he pursued the complainer. Both of these cases are in litigation in the personnel division.

It would seem that the President and

Secretary of State William P. Rogers could find a fact finder with a better record of reliability than J. Graham Parsons.

AMERICAN ACADEMY OF PEDIATRICS SUBMIT STATEMENT ON LEAD-BASED PAINT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. RYAN. Mr. Speaker, childhood lead poisoning—a totally preventable disease—is plaguing the children of this Nation. Virtually every center of old, dilapidated housing constitutes a severe peril to the young children who pick up and eat the sweet-tasting, lead-tainted paint and plaster chips which fall from the walls and ceilings of their dwellings.

The toll of lead poisoning is devastating. Each year, it brings death and affliction to hundreds upon hundreds of youngsters. Yet childhood lead poisoning is a manmade disease, and the means are at hand to eradicate its menace from the face of this Nation.

The Food and Drug Administration presently has before it two proposals aimed at combatting lead-based paint poisoning. One, sponsored by five citizen petitioners and myself, would classify all paint containing lead as a banned hazardous substance. The other proposal, sponsored by the FDA itself, would require paints with a lead content in excess of .5 percent to bear a warning label. Interested persons have been given until December 28 to submit written comments to the Food and Drug Administration regarding either or both of these proposals.

As I have often stated to the House, it is my firm belief that if we are to eradicate lead-based paint poisoning, we must eliminate the lead in paint. Merely requiring warning labels on paint with lead content in excess of .5 percent is insufficient to safeguard the children of this country from the devastation of this disease.

On November 30, George Degnon, director of the American Academy of Pediatrics' Department of Government Liaison, submitted a statement on behalf of the academy detailing its views on the two proposals now pending before the FDA. It commented:

The American Academy of Pediatrics endorses the principle contained in the petition filed with the Commissioner that paints containing more than minute traces of lead be declared as banned hazardous substances, if intended for use on children's products or interior surfaces. It appears that cautionary labeling will not adequately protect the public health and safety.

The academy, long in the forefront of the effort to combat childhood lead poisoning, presented a very thoughtful and thorough evaluation of the dangers of lead in paint, and some of those actions it believes are essential to protect youngsters from this dread disease.

The entire text of the statement of the American Academy of Pediatrics regarding this matter follows:

AMERICAN ACADEMY OF PEDIATRICS,
Evanston, Ill., November 30, 1971.

HEARING CLERK,
Department of Health, Education, and Welfare,
Rockville, Md.

Subject: Lead Based Paint.

Reference: 21 CFR Part 191, Federal Register,
November 2, 1971.

DEAR SIR: The attached statement regarding the content of lead in paints is filed with the Food and Drug Administration in response to the proposed regulations appearing in the November 2, 1971 Federal Register.

The American Academy of Pediatrics urges that the public health and safety be protected by early promulgation of final regulations pertaining to the lead content in paints, and that the limit for lead be revised downward to "minimum traces" or $<0.06\%$ of the total weight for paints intended for use on interior surfaces and on toys and other children's articles.

The Academy concurs with the statement of the Commissioner in issuing the proposed regulation that "paint containing small amounts of lead in excess of the proposed levels (.5%) may not be toxic in themselves; but when considered in conjunction with other sources of lead in the environment they constitute a substantial addition to the body burden that can reasonably be avoided through the application of available technology." It is our finding that paint with .5% lead will not provide sufficient protection for young children one to three years of age. We further concur with the FDA that "any unnecessary exposure should be eliminated or minimized," but differ in regard to the standard to be adopted to achieve this end.

Despite voluntary standards, reports indicate paint on children's toys in excess of the standard. Congressional testimony has revealed the continued availability of paints in excess of the standard for use on toys and products with which children usually come in contact. The implication that paints are safe for use on children's products through pictures thereof on paint containers nullifies the minimal value which might exist in cautionary labeling.

One of the Academy's current concerns is with the setting of limits which give some margin of safety with respect to prevention of lead poisoning in children. Unfortunately, labeling of paint containers will have little effect in preventing this disease. Consequently, it is our firm conclusion that firm action is now needed in order to minimize the lead poisoning health hazard to future generations of children.

The members of the Academy's Committee on Environmental Hazards are: Paul F. Wehrle, M.D., Chairman; Robert L. Brent, M.D.; J. Julian Chisolm, Jr., M.D.; John L. Doyle, M.D.; Emmett L. Fagan, M.D.; Laurence Finberg, M.D.; Robert W. Miller, M.D.; Andre J. Nahmias, M.D.; G. D. Caryle Thompson, M.D.; and Robert J. M. Horton, M.D., Consultant.

Please be assured of our continuing interest in this problem and our availability in further assisting the Food and Drug Administration staff.

Sincerely yours,

GEORGE K. DEGNON,

Director,

Department of Government Liaison.

LEAD BASED PAINT

Memorandum presented to: Food and Drug Administration, November 30, 1971.

Reference: 21 CFR Part 191, Federal Register, November 2, 1971.

The American Academy of Pediatrics files the following comments on the matter at issue and now under consideration:

It is recommended that the Food and Drug Administration promulgate a final regulation pertaining to the lead content in paints and that the limit for lead be revised downward from the proposed .5% to "minimum

traces" or $<0.06\%$ of the total weight of the contained solids (including pigment, film solids and driers). This recommendation is based on the study of recently published materials (1, 2, 3, 4), based upon an evaluation of data published after the 1% voluntary standard for lead was originally established in 1955 by the American National Standards Institute. The American Academy of Pediatrics recommends that paints containing more than minimum traces of lead be declared banned hazardous substances, if intended for use on children's toys, furniture, or interior surfaces.

Upon review and evaluation of available data in children and adults, an Ad Hoc Committee (B. G. King, Chairman) (1) recently concluded that for children the maximum daily permissible intake (DPI) of lead from all sources should not exceed 300 μg Pb/day.—This DPI is concerned primarily with increments in oral intake of inorganic lead salts. In calculating this DPI, it was assumed that average daily respiratory exposure in most urban areas is approximately 2 μg Pb/m³. Any significant increase in respiratory intake would have to be given added weight because respiratory retention is estimated at 35-40% of very small lead-bearing particulates in the lower respiratory tract. Assimilation in the GI tract is estimated at 5-10% of oral intake. It is understood that the comments which follow apply almost exclusively to increments in oral intake in the presence of constant but low levels of respiratory exposure (2 μg Pb/m³ on the average).

If average daily intake is maintained below this level, blood lead concentrations are unlikely to exceed 40 μg Pb/100 G whole blood. At this level of intake, it is estimated that the amount assimilated by one to three year old children could probably be excreted, so that no net increment in total body lead burden would be anticipated. It is estimated that approximately one-half of this 300 μg Pb/day intake would be derived from usual food, water and air, so that intake from all other sources on the average should not exceed 150 μg Pb/day. In particular, average daily intakes below this DPI would not be associated with any significant increment in soft tissue lead content. It is this portion of the total body lead burden which appears to be responsible for the known toxic effects of lead.

Available data indicate that increments in total lead intake above this DPI increase assimilation (see Chapter 3 in Reference 2) and raise blood levels above 40 μg Pb/100 G whole blood. Such increments may be associated with increase in the soft tissue component of the total body lead burden. At blood lead concentrations of 40 to 50 μg Pb/100 G whole blood, some individuals may show minimal adverse metabolic response in the form of increased delta-aminolevulinic acid (ALA) excretion in urine (see reference No. 2, Chapter 4).

Increased ALA excretion in urine is the metabolic response most specifically associated with rising concentrations of lead in the soft tissues. Increments in total assimilation of lead to levels fivefold to tenfold above that assimilated from usual dietary intake, if continued for several weeks or months, clearly can bring such persons into the range of adverse metabolic effects and can be statistically correlated with blood lead levels in the range of 60-80 μg Pb/100 G whole blood. In some instances, persons with blood lead concentrations in this range may show non-specific symptoms compatible with, but not diagnostic of, clinical plumbism. At blood lead concentrations of 60 μg Pb/100 G whole blood or higher, x-ray evidence of abnormal skeletal mineralization at the ends of growing long bones occurs in some children when excessive intake persists for several weeks or months or longer. Such undesirable effects should be avoided in young growing children.

It is concluded, therefore, to preserve health, prevent adverse metabolic effects attributable to increased soft tissue lead content in growing children and to minimize the risk of serious poisoning, the total daily intake of lead should be limited to <300 μg Pb/day. A policy statement recently approved by the Surgeon General of the U.S. Public Health Service similarly concluded that blood lead concentrations >40 μg Pb/100 whole blood be considered indicative of undue exposure to lead and that children with blood lead concentrations in the 50-80 μg Pb/100 G whole blood range be considered as possible cases of lead intoxication and that such children require further medical evaluation. (4) In view of the prevalence of pica in one to three year old children, the permissible content of lead in paint should be considered with the foregoing in mind.

The content of lead in paint calculated as elemental lead and expressed as a percent of the total weight of the paint may be a good criterion by industry for the content of lead in paint per se. However, this is not a good criterion for evaluating the health hazard present in chips of paint from surface coverings of the walls, windows, doors, furniture, and other objects to which children may be exposed. It is the weight of lead in the chips that determines the health hazard. Recent studies (5) indicate that the weight of multilayer paint chips can be related to the number of layers of paint applied to a surface. In this way, the amount of lead in single and multiple layers of paint can be calculated from the percentage of lead contained in the paint. Such calculations are shown in Table 1. For example, studies at the U.S.P.H.S. Injury Control Laboratory, Providence, R.I. (5) indicate that 1 sq. cm. of one layer of interior paint may weigh 5.2-8.0 mg (avg.=6.5 mg) and that six layers of paint may weigh 37.0-40.6 mg (avg.=38.8). Sixty-nine samples of multilayer paint chips obtained from old dwellings in Philadelphia were found to weigh 89 ± 33 mg per sq. cm. of exposed surface. (The term "sq. cm. of exposed surface" is used here because of the difficulty in sampling a precise and reproducible volume of paint under field conditions). Forty mg of interior paint (6 layers) containing 1% of lead in the final dried solids would contain 400 μg Pb. Using the same calculation, a 10-layered paint surface containing 1% lead might contain 650 μg Pb/sq. cm. of exposed surface. The calculated dose in either instance is in excess of the calculated DPI (daily permissible intake). One sq. cm. of 6 layers of paint on a surface containing 0.1% lead would contain 40 μg Pb; whereas at 0.05% lead, 1 sq. cm. of a 6-layered surface would contain 20 μg Pb. In this last instance, ingestion of a paint chip with 1 sq. cm. (6.25 cm.²) of exposed surface per day on the average can be calculated to provide a dose of 125 μg Pb. Thus, 125 μg of lead from paint, together with an allowance of 150 μg of lead from the usual lead content of food, water, and air approaches the DPI of 300 μg Pb from all sources but would make little allowance for such other non-dietary sources as the child may encounter (2, 6).

Also to be considered is the prevalence of pica in young children. It is estimated that approximately 50% of children between one and three years of age repetitively ingest non-food substances. Abdominal X-rays obtained in the diagnostic evaluation of children suspected of having lead poisoning indicate that very large quantities of foreign substances such as paint, putty, and plaster may be ingested, often without the parents' awareness.

A federal standard for lead to $<0.06\%$ is needed in order to minimize this particular health hazard to future generations of children. At the present time, lead poisoning as seen in children is related to old, deteriorated housing so that a federal standard is unlikely to have a significant impact on

plumbism as now seen. Nevertheless, as this old housing is replaced or rehabilitated, safe surface covering should be used in order to minimize hazards to the health of future children. Because pica has been a well-recognized habit among humans for many centuries, it appears unlikely that this behavioral pattern will quickly change.

The American Academy of Pediatrics endorses the principle contained in the petition filed with the Commissioner that paints containing more than minute traces of lead be declared as banned hazardous substances, if intended for use on children's products or interior surfaces. It appears that cautionary labeling will not adequately protect the public health and safety.

It should be further noted that therapy is not effective in reversing or preventing permanent brain damage associated with severe forms of acute lead poisoning such as acute encephalopathy. It is currently estimated that 40% or more survivors of encephalopathy sustain permanent brain damage. In order to provide a margin of safety against such occurrences, which are not reversible by current methods of chelation therapy, it is essential that the level of exposure be reduced. Promulgation of a federal standard with respect to lead to minimum traces and certainly to <0.06% Pb probably would provide a safety factor of five with respect to doses unequivocally associated with demonstrable adverse metabolic responses in virtually all individuals and clinical toxicity in some. Except in instances of voracious pica for paint, it would probably provide a safety factor of at least 20 with respect to the average daily intake, which is probably necessary to cause encephalopathy and fatalities in children. Such a safety factor would appear to be a minimum requirement.

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TABLE 1.—AMOUNT OF LEAD IN SINGLE AND MULTIPLE LAYERS OF PAINT VERSUS PERCENT LEAD CONTENT IN PAINT

Number layers	Painted surface covering—rounded average weight of paint chip (milligrams) ¹	Calculated lead content of paint chip with 1 cm. ² of exposed surface	
		Percent by weight	Amount (micrograms)
1.....	6.5	1.0	65 µg Pb.
6.....	40.0	1.0	400 µg Pb.
10.....	65.0	1.0	650 µg Pb.
1.....	6.5	.1	6.5 µg Pb.
6.....	40.0	.1	40.0 µg Pb.
10.....	65.0	.1	65.0 µg Pb.
1.....	6.5	.05	3.2 µg Pb.
6.....	40.0	.05	20.0 µg Pb.
10.....	65.0	.05	32.0 µg Pb.

¹ Same area; e.g., 1 sq. cm. of 1, 6 and 10 layers of paint.

PROBLEMS OF AMERICAN AGRICULTURE

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SHOUP. Mr. Speaker, I recently received a letter which I think underscores the problems faced by American agriculture. This letter from Mr. Ronald L. Moser of Missoula, Mont., speaks for itself and I insert it in the RECORD:

MISSOULA, MONT.,

November 1971.

President Richard M. Nixon,

The Reader's Digest, Orin Lee Staley, President, National Farmers Organization, Clyde Jarvis, President, Montana Farmers Union, Senate Majority Leader Mike Mansfield, Senator Lee Metcalf, Congressman John Melcher, Congressman Richard Shoup.

GENTLEMEN: I am damned irritated. I direct my letter to President Nixon because of his inexcusable ignorance and complete disregard of the depression now encompassing American Agriculture. The lowest prices received by farmers since the depth of the depression are evidence enough in support of my personal views; I direct it to the Reader's Digest because of its constant attack of subsidy payments to farmers, without which they would perish. I also challenge the Reader's Digest to print my protest. In so doing, I do not relinquish my rights to my letter or the views it contains. I also welcome the Digest's sane rebuttal based on hard, clear facts that emanate from the truth as it exists, rather than vote getting opinions it has published in the past six years; I direct the letter to Mr. Staley and Mr. Jarvis because I believe these two men and the organizations they represent truly paint a picture of the rotten conditions under which agriculture exists today; I direct the letter to the Senators and Congressmen because they represent Montana, and do a damned good job of it. I would hope it might provide them with additional ammunition to gain the desperately needed help in agriculture today *everywhere* across the nation; I would in fact like it entered in the Congressional Record that I may be assured my protest has in reality been heard, and by those in power to be able to do something about it. My reasons for the protest are as follows: On November 29, 1971, I went into a health food store in Missoula, Montana and purchased a two pound bag (plastic) of Red Cereal Wheat. The purchase price of this package was seventy-five cents retail, and wholesaled to the health store for fifty cents. I realize this wheat was "organically grown" i.e. not enhanced by commercial fertilizer or touched by toxic sprays or herbicides. Nevertheless, it has simply been cleaned of all alien seeds and packaged. It is high protein spring wheat grown in Montana and North Dakota. I don't know what the North Dakota farmer receives for it when he takes it to market, but the current price offered farmers at Brady, Montana is \$1.27 per bushel. One bushel of wheat will make up *thirty* of these bags. In other words, the amount of wheat a local farmer receives \$1.27 for "grows" into \$38.10 in the market place. This is not the only example. For instance, my wife has in her cupboard a one pound package of cracked wheat that retailed for forty-one cents. That grew into \$24.60 in the market place. Cracked wheat is discounted in the price the farmer receives when he sells it, yet develops into a luxury item when sold to the consumer. Consumers, WAKE UP!!!! A bushel of wheat will make *sixty-plus* loaves of bread. There

are probably at least a hundred other such examples, and wheat is only *one* farm commodity. There are many others in a much shakier position. Now, who in hell is making all the money? I'll show you how much money I make on my own investment, and I feel that I and all other farmers are entitled to a decent return on our investment as well as Lockheed Aircraft, the Railroad industry, the Petroleum industry, the public utilities, and you name it. They are all subsidized, and to a much greater extent.

Now for my own investment. I farm 1,600 acres of the Triangle Area of North-Central Montana. I own 800 acres and rent the other 800 from my father. My dollar investment is as follows: Land—\$91,000, Tractor—\$14,600, Combine—\$13,050, Truck—\$7,050, Drills (used) \$1,550, Pickup (used) \$600, Cultivators—(new and used) \$6,200, Grain augers (new and used) \$865, Granaries and miscellaneous tools and equipment (new and used) \$3,000, Operating capital (minimum annual) \$12,800. The foregoing totals \$150,765. We'll round that off to \$150,000. The current cheapest local interest rate is 7½%. That figure applied to the total investment of \$150,000 equals an annual cost of \$11,250, or a total annual minimum production cost on my farm of \$24,050. Of the 1,600 acres, I am only allowed to plant approximately 720 acres. My average crop dollar production per acre is approximately \$40.00 per acre, or when applied to my share of 600 acres annually, a gross of \$24,000. Without the ASCS payment, this reflects an annual loss of \$50.00, without even considering my labor or repayment of borrowed capital. My ASCS payment currently approximates \$9,000. To the latter can be added patronage dividends from local grain marketing coop and the Production Credit Association, from whom I borrow the capital. These dividends total about \$2,000 annually. My gross income therefore amounts to about \$35,000 annually, and after applying the \$24,000 annual expenses, I realize an average of \$11,000 net income, *before taxes*. Please note this is income from *two* farms, mine and my father's. Assume I will pay off my farm over the next forty years. We can then subtract \$3,750 a year from my \$11,000 income, leaving \$7,250 before taxes. Also assuming I work 1,500 hours a year to produce that income, and I am worth \$2.00 per hour, I am left with a poverty income from labor of \$3,000 to support my wife and two children, in addition to a return, before taxes, on my investment of \$150,000 of \$4,250. Dividing \$150,000 into \$4,250 gives a net percentage return on investment of 2.83%. Is that a fair return? Montana Power Company is currently requesting a rate increase in Montana of 34% because they "can't make it." According to Senator Metcalf's findings, Montana Power had a net return on investment last year of 22.8%. The latter percentage figure is *eight times* that of my own. The President's Wage-Price guidelines call for a 5.5% maximum increase in wages and prices. In 1966 I sold winter wheat for \$1.45 per bushel. If farmers would have had that 5% increase during the last five years, the current price for my wheat would be \$1.82 per bushel. Instead, it is now \$1.08, or almost a 25% decrease *just in the last five years*. During the same time, my production costs have increased about 25%. This one-sided situation cannot go on. On top of that, the West Coast dock strikes cost Montana farmers a reported \$14,000,000 this year alone, not to mention lost markets we may never recover. The President acted on that so late he may as well have ignored it completely. There are countless other current statistics that support the fact the Government and the Grain Trade are short-selling farmers. Unfortunately, I am not a human computer, can therefore not recall that much data and consequently am limited to providing those statistics that directly affect

me. The Reader's Digest thrives on publishing articles by congressmen and others adverse to agriculture by quoting \$7,000,000,000 USDA budgets which neglect to mention that at least 80% of that budget goes not to farmers, but rather to give cheap food to consumers to get more votes, and simply to cover administration costs of the USDA bureaucratic colossus. As much money has been spent every eighteen days during the last six years in Viet Nam as has been allocated to helping the Nation's farmers each year. Each senator and congressman receives an annual salary exceeding the GROSS INCOME of 80% of all the nation's farmers. The one million plus people in New York City alone that are on welfare have an average net income in excess of at least 20% of all the nation's farmers. The farmer's entire income is derived from taxes, the latter's entire income is derived from work. The welfare recipients feel justified in going on "strike" while the working poor farmers who pay taxes to support them are chastised and referred to as economic parasites. I constantly see reference to "expert economic advisors." Where in hell are they to allow such preposterous inequities to exist, let alone ever have come into being?

The USDA advertises a national average loan rate on wheat of \$1.25 per bushel. It is average for sure, just as surely as it is inequitable. It means in fact that while farmers in one locale receive a guaranteed loan of \$1.42, my neighbors and I make up the difference by getting a \$1.08 per bushel guarantee. We in the Triangle Area of Montana raise some of the best milling quality wheat in the world, yet receive up to one dollar per bushel less than some areas producing wheat of dubious quality even for domestic animal feed. We are limited to raising primarily wheat and barley because of climate and rainfall conditions. We also have to leave half our land fallow each year to conserve moisture, and now to add insult to injury, the administrations farm program forces us to set aside additional acres, while simultaneously allowing other regions in the nation to plant all the wheat they want in land that never before grew wheat and in other land in other regions in the same fields along with other grains. What kind of asinine approach is this? Now we have as a Presidential appointment to the position of Secretary of Agriculture a Mr. Butz. He represents Purdue University, the Ralston-Purina Corporation, and is most distinguished for having served under "Ez" Bensen and the greatest agricultural debauchery of history. Farmers are tired of so-called economists who can't seem to tell the difference between profit and loss. We would prefer a man with simple common sense. The only large organization supporting his appointment is the American Farm Bureau, which in reality has a membership neither completely made up nor adequately representative of farmers. The Farm Bureau's support was largely publicized by the USDA, while the only places I saw evidence of the strong opposition of the remaining large representative farm organizations such as the NFO and Farmers Union, was in their own publications, which are for the most part read only by their own members. Agriculture is our largest industry. Without it, our balance of payments deficit would have bankrupt this nation ten years ago. European nations subsidize the farmers to up to \$4.00 a bushel and many of the consumers in those same nations pay out up to 50% of their income for food. In the U.S. tens of thousands of farmers are forced off their land annually while the consumers enjoy a standard of living in which only 16% of their income goes for food. How long would General Motors stay in business if it sold its cars for 3% above cost while simultaneously giving "foreign aid subsidies" to Toyota of Japan to compete with them?

I realize my foregoing efforts are almost futile. However, near futility is better than no action at all. I have taught, have been taught, and believe that the only reliable procedure lies within the system, hence my protest letter approach. Reader, take heed, though, that that belief is tottering on a poor foundation, in my own mind, and those of three million other farmers and ranchers. Sincerely,

RONALD L. MOSER.

HON. GREGORY B. KHACHADORIAN RECEIVES THE FROST-DUNPHY AWARD

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, Hon. Gregory B. Khachadorian was recently honored by the Massachusetts Society for the Prevention of Blindness, Inc., as the first recipient of the Frost-Dunphy award.

The Horace W. Frost-Edwin B. Dunphy, M.D., award is a special award granted only by a vote of the Board of MSPB for extraordinary achievement in prevention of blindness, which will affect the sight of large segments of the population.

The award will not be presented on a regular basis, but only when an individual's work has resulted in a great benefit to mankind.

The citation read as follows:

CITATION TO THE HONORABLE GREGORY B. KHACHADORIAN, SIGHT-SAVER

Whereas—Blinded himself in an accident as a teenager Mr. Khachadorian has devoted his professional life as a legislator to Prevention of Blindness legislation. He was the author of the Mass. School Eye Safety Law of 1964 and strengthened in 1966 (second such law in the U.S.) which provides that safety eye devices must be worn in all shops and labs in all private, public, parochial schools and colleges and universities in Massachusetts.

Whereas—Mr. Khachadorian's historic legislation going back to 1965 to provide safer eyeglasses and sunglasses for all Massachusetts people has resulted in the 1970 FDA regulation which provides safer lenses for all people in the United States.

Whereas—Mr. Khachadorian filed the first bills in the U.S. for safer lenses and safer frames. For years his bills were beaten in Massachusetts. Meanwhile several states enacted laws for safer eyewear based on Mr. Khachadorian's model. However, in June 1970, Massachusetts passed the first complete Model Eyeglass law (based on NSPB text) in the U.S. The FDA regulation followed shortly thereafter.

Whereas—Mr. Khachadorian gave legislative impetus to a program for safer eyewear long endorsed by NSPB. He has protected the vision of the millions of American men, women and children who now wear eyeglasses and sunglasses and the untold millions in generations to come.

Therefore we the Massachusetts Society for the Prevention of Blindness bestow the Frost-Dunphy Award on Hon. Gregory B. Khachadorian for his extraordinary achievements in Prevention of Blindness.

TRADE ADJUSTMENT ASSISTANCE

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BURKE of Massachusetts. Mr. Speaker, I found the following article taken from this morning's Wall Street Journal to be a well documented account of the relative uselessness and ineffectiveness of the trade adjustment assistance provisions of the Trade Expansion Act of 1962, certainly as it has been interpreted by the Tariff Commission. While the article concentrates on the problems firms have had applying for adjustment assistance, the author could well devote any number of articles to an in-depth study of problems workers' groups have had in petitioning for adjustment assistance. I have come to the conclusion that the only avenue for genuine relief, certainly for the shoe industry, would be for the President to act on the industrywide relief petition which has been before him for nearly a year now. Extensive correspondence with the White House, however, reveals only that for the time being at least, the White House feels that unemployed American shoe workers have to wait for some results to emerge from the Spanish negotiations before their needs can be met. In any event, even though the article bandies about phrases like "Protectionists" rather loosely to describe Members of Congress who have been singling out trade adjustment assistance for the farce that it is, it should be required reading for any Congressman who still might feel that the Trade Expansion Act of 1962 offers any kind of real relief to those who have lost their jobs as a result of our foreign trade policies since then. I am also including some of my back-and-forth correspondence with the White House on trade adjustment assistance.

The articles follow:

[From the Wall Street Journal, Dec. 8, 1971]
FIRMS HURT BY IMPORTS, ASSURED OF HELP IN 1962, FIND IT TOUGH TO GET
(By John Pierson)

WASHINGTON.—At stake, it would seem, is peace, prosperity, free trade and nothing less than the future of the plastic piano.

You see, Estey Piano Co. of Union, N.J., and Bluffton, Ind., has been badly hurt because the government agreed to lower the tariff that kept the price of foreign-made pianos high. So the government agreed to help Estey design a less expensive plastic model, which would make the company competitive again, to help keep Estey in business until the new piano was ready and then to help produce it.

Now, after a considerable outlay of time and money all around, the government has changed its mind. Estey has laid off its 100 workers and put its factory—situated in Indiana—up for sale. (There's only an office in New Jersey.) The fate of the plastic piano is in doubt. Says Estey President Robert Mehlin, whose family has been making pianos for six generations: "We have been very seriously injured by this whole thing."

What has happened to Estey is symptomatic of what has happened to a program enacted nine years ago that was supposed to

be free trade's answer to protectionism. Let us cut tariffs, free-traders told business and labor, and we'll help you adjust to the individual flood of imports. For workers, the help was to come in the form of extra unemployment benefits, retraining and relocation money. For companies, the law specified loans, technical advice and tax breaks to help them modernize present product lines or move into new ones.

ONLY TWO GOT HELP

Nearly a decade after enactment of the Trade Expansion Act of 1962, U.S. imports have doubled, thousands of workers have lost their jobs and hundreds of companies have been hurt. While many workers have been getting benefits, only two companies—a shoe manufacturer and a producer of barber chairs—have received any substantial assistance from the government. Another shoe company has been told it will get help.

This failure of the government to make good on its promise to business can only swell pressure for new protectionist moves, free-trade advocates fear. This year the Nixon administration has imposed a 10% import surcharge and has won an agreement limiting Asian shipments of synthetic and woolen textiles—atop earlier restrictions on cotton textiles and steel. If new U.S. import restraints should follow, free-traders foresee higher prices for American consumers and added bitterness between the U.S. and its trading partners.

For the first seven years after Congress passed the law, the Tariff Commission was the villain of the piece. From October 1962 to October 1969, 13 industries, eight individual companies and six groups of workers asked for help but were turned down by the commission. In November 1969, after a change in membership, the commission began interpreting the law less strictly; it ruled that the piano industry had been injured by imports resulting from tariff cuts.

Since then, two other industries (flat glass and barber chairs), 17 individual companies and 64 worker groups have passed the injury test, either through yes votes of the commission or through tie votes that President Nixon has broken in favor of assistance. The latest to qualify are Bibb Manufacturing Co., a textile maker based in Macon, Ga., and 1,000 of its workers and former workers.

SO WHAT HAPPENED TO ESTEY?

The Labor Department has certified some 20,000 workers for extra unemployment benefits. But of the 18 injured companies that so far have applied to the Commerce Department for relief, one has been denied help, two have received loans, one has been promised a loan and 13 applications are pending; Estey, which once was authorized by the Commerce Department to obtain a loan, is getting only technical assistance.

Here's what happened to Estey.

In February 1970, two months after the Tariff Commission ruled that the piano industry was injured, President Nixon gave piano makers temporary "escape clause" relief from tariff cuts and made them eligible to seek adjustment assistance.

In March 1970, Estey asked the Commerce Department for permission to apply for help. In June 1970, after determining that Estey was indeed among the injured of the industry, Commerce Secretary Maurice Stans declared the company could submit an aid proposal.

During the next nine months, Estey, the department, a management consultant hired by it, and the Small Business Administration worked out a package that included a \$90,000 grant and a \$2.6 million loan. The grant was technical assistance for building a prototype plastic piano and for a study to make sure there was a market for the new product. The loan was for paying off Estey's prior creditors, financing continued production of wood pianos until the plastic one was ready and the story a big play.

BIG PLAY FOR STORY

Last March, Secretary Stans certified that Estey's proposal was "reasonably calculated materially to contribute to the economic adjustment of the firm" and "authorized" the grant and loan. A Commerce Department press release heralded Mr. Stans' action. Newspapers in New Jersey and Indiana gave the story big play.

In April, Edward Killam, then director of the department's trade adjustment assistance division, wrote Estey's creditors that the government money "will be available to liquidate obligations of the firm . . . including any obligations which may exist to you."

Under the law, once he has certified a company's adjustment assistance proposal, the Secretary of Commerce first asks the Small Business Administration if it wants to make the loan and the Economic Development Administration if it wants to make the grant. If either agency says "no," then the Secretary "may" provide the help himself.

In May, the EDA said it was willing to give Estey \$90,000 for the prototype piano and the market study. Then things began falling apart.

In July the SBA said it was "deferring" action on Estey's loan. Until the prototype and the study were successfully done, the SBA said, there was no "reasonable assurance"—as required by the law—that Estey could repay the government. Commerce Department sources suspect that the SBA simply preferred to have the department risk its own money.

Meanwhile, Mr. Killam had been replaced as director of trade adjustment assistance by Lewis Kaufman, former Los Angeles partner of Goldman, Sachs & Co., an investment firm. Mr. Kaufman viewed the program somewhat differently from Mr. Killam. For example, he felt that no funds should go to pay off prior creditors. As he saw it, the program was meant "for the economic adjustment of firms, not as a creditors' relief act."

Bothering Mr. Kaufman, too, was the fact that some of Estey's creditors were also principal stockholders. Although Estey's proposal stipulated that the stockholders would wait for their money until the government got its money back, Mr. Kaufman says he still worried that the loan would go to "bailing out" stockholders rather than revitalizing Estey.

So despite Mr. Stans' March authorization, despite the Commerce Department's press release, despite Mr. Killam's letters to banks and other creditors, the department joined the SBA in deferring action on the \$2.6 million loan.

And in September, it refused a request from Estey for enough money to keep going until the prototype was built and the market study completed early in 1972.

Late in September, Mr. Mehlin told a Senate Commerce subcommittee that the department had a right to change its mind about the program, but he argued that once Secretary Stans had approved Estey's proposal, "he should certainly live up to that commitment."

Harold Scott, Assistant Secretary of Commerce for domestic and international business, called the Estey case "unfortunate." According to Mr. Scott, trade adjustment assistance had "languished as a relatively inactive feature" of his department, handled mainly "at the staff level."

FROM CHAIRS TO CABINETS

Mr. Mehlin said he was closing his plant in Bluffton and laying off his 100 workers, many of them experts who would be hard to replace if and when the plastic piano went into production. But he now says he'll try to persuade his creditors to hold off and not force Estey into bankruptcy. With the help of the EDA's \$90,000 grant, he's going ahead with the prototype and the market study. He still believes that the new piano has "terrific" potential, and he hopes, one way or another, to prove it.

While Estey was having its ups and downs, 17 other companies were applying for help in adjusting to imports. Two have received it.

In September 1970, the SBA loaned \$2 million and guaranteed a private loan of another \$2.1 million to Emil J. Paldar Co. of Chicago, a maker of barber chairs. The loans were to help Paldar diversify by moving into production of dental cabinets, too. The EDA has provided \$22,000 of technical assistance.

Paldar used the loans to begin work on a new plant, but Paldar President John Diouhy says he now wants to sell the new plant and acquire another company that makes dental cabinets. So he's asking Commerce for an additional \$3 million.

And early this year, the SBA loaned \$1.4 million to Benson Shoe Co. of Lynn, Mass. The EDA provided \$200,000 of technical assistance, and the Commerce Department gave tax aid in the form of an extra two years of net operating loss carryback.

VARIOUS STAGES OF SUSPENSE

Benson President Phillip Kaplan says government aid has allowed him to reorganize management, production and sales methods. Volume has doubled with only 20% more help. "To us the program has been good," says Mr. Kaplan.

Both these loans included funds to pay off creditors, a standard SBA practice. Both were made before the Commerce Department got adjustment assistance money of its own. Thus, the SBA had to decide the issue for itself, unlike in the Estey case.

Now that it has its own money, the Commerce Department has just agreed to lend \$662,000 to help breathe new life into Louis Shoe Co. of Amesbury, Mass. The EDA will kick in \$100,000 of technical aid.

Meanwhile, 13 other companies are in various stages of suspense. Some submitted their aid proposals months ago and are waiting anxiously for a response. "I just hope they can get us the assistance in time," says Victor Pomper, president of H. H. Scott Inc., a Maynard, Mass., producer of hi-fi equipment.

A few companies have gotten past the Tariff Commission but are still waiting for Commerce Department permission to apply for help. Robert Bretzfelder, president of Krauker Brothers, a New York City piano maker, says that every time he sends department officials some figures to prove that his company has been injured, "they ask for more figures." This has been going on for half a year. "If a company was really on the brink of going out of business and had to wait this long, they'd be out of business," he says.

Commerce officials deny it, but these delays may have had something to do with the resignation last month of Mr. Kaufman, the adjustment assistance director. "There have been some suggestions that things happen faster," Mr. Kaufman concedes. "Maybe my problem is that I'm used to dealing with large, successful companies and not with small, unsuccessful ones."

But clearly there are other obstacles to winning trade adjustment assistance. The requirements for proving injury are so tightly written that few companies to begin with get by the Tariff Commission. After that, the procedure for getting help is so complicated that only a few have received it. Division of the authority for dispensing aid permits apparent buck-passing, as in the Estey case.

There may be a basic inconsistency in the law's requirements that companies must be "seriously" injured to be eligible for help and give "reasonable assurance" of repayment. By allowing companies working capital to pay creditors and meet other current expenses only in "exceptional" cases, the law holds little hope for firms like Estey that are on the brink of ruin.

Recently, President Nixon's Commission on International Trade and Investment Policy recommended a number of reforms in adjustment assistance. Among other things, it said one agency should be responsible for operating the program and there should be easier

December 8, 1971

loan terms. Going farther, it urged the government to anticipate import adjustment problems and identify industries most likely to be hurt.

SEPTEMBER 11, 1971.

HON. RICHARD M. NIXON,
President of the United States, White House,
Washington, D.C.

DEAR MR. PRESIDENT: In writing to you to request favorable action by you on the petition referred to you after a tie vote by the Tariff Commission for industry-wide relief to unemployed shoe workers under the provisions of the Trade Expansion Act of 1962 relating to trade adjustment assistance, I am aware I am repeating myself. We have, in fact, had previous correspondence on this subject. However, hope springs eternal, and in view of the August 15th economic policy statements, I feel there may be some merit in contacting you once again. Insofar as your speech addresses itself to the problems created by increasing imports into our economy and is motivated to a large degree by a concern for rising unemployment, I felt that it might be an opportune time to remind you that you still have before you a measure which would provide a measure of decent relief to thousands of unemployed workers in an industry which few would dispute has been hardest hit in all this land by skyrocketing imports.

There is little doubt that another reason I have decided to write to you once again on this matter is the fact that the Tariff Commission has recently handed down three negative decisions in a row in cases involving shoe workers in my District. That is not to mention the unfavorable decisions involving workers in surrounding Congressional Districts in my State. Discussions to date with the Tariff Commission indicate that they are laboring under a definite handicap in the legislative language of the Trade Expansion Act of 1962 and find it next to impossible to find injuries from imports a major factor on a firm-by-firm basis. I am led to believe from these discussions that the only hope for the shoe workers in the near future appears to be a favorable decision on your part to grant industry-wide relief to the workers.

As if I needed an additional reason to write you at this time, two days ago the major newspapers in Massachusetts all carried stories of the cutback in pension payments to former shoe workers because of the dwindling contributions to the system. In other words, so many firms have closed down and the shoe worker labor force has been so markedly reduced that it is no longer possible for the pension fund to continue to pay unemployed workers at the former rate. I think this Nation has some responsibility toward those who have given some of the best years of their lives to a once proud industry in this Nation, only to find that in their declining years what little bit they got from their pension funds is being reduced and could possibly disappear altogether in the months ahead. In view of the fact that the Tariff Commission split two to two on the question, there is clearly evidence that there is more than a shadow of a doubt that imports are at fault and as one of the Congressmen who insisted on some form of trade adjustment assistance provision in the Trade Expansion Act of 1962, I feel that it is incumbent upon those of us in positions of leadership to do all within our power to assist these people. This is particularly true in view of the lack of action to date on any form of quota legislation for this industry.

Thanking you in advance for your favorable consideration of this matter at this time I remain with all good wishes.

Sincerely,

JAMES A. BURKE,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., September 29, 1971.

HON. JAMES A. BURKE,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. BURKE: The President has asked me to respond further to your letter of September 11, requesting him to break the tie vote of the Tariff Commission on shoes.

As you may know, at the Council on International Economic Policy's first meeting, the President asked Ambassador-at-Large David M. Kennedy to consult with foreign governments on a number of trade issues, one of which was shoes. Following the first round of these discussions, the Italian shoe industry agreed to monitor its shoe exports to the U.S. under a visa system which, we believe, will be helpful in meeting our domestic problems. Discussions are currently under way with Spain. Should this effort fail, we would be prepared to give serious consideration to alternative actions, including that which you recommend.

Sincerely,

PETER G. PETERSON,
Assistant to the President for
International Economic Affairs.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 20, 1971.

MR. PETER G. PETERSON,
Assistant to the President for International
Economic Affairs,
The White House,
Washington, D.C.

DEAR MR. PETERSON: This is to acknowledge and thank you for your reply of September 29th to my request for the President to break the tie vote of the Tariff Commission on shoes and grant a measure of industry-wide relief.

I appreciate your advising me of the very important mission assigned to Ambassador Kennedy. At the time the press reported the Italian shoe agreement, it was indicated that attempts were underway to reach a similar agreement with Spanish producers. Obviously, such an effort would require a period of time which would be difficult to predict in advance. Too, the Ambassador has obviously been very involved in the recently announced textile agreements. Now that this work has been completed, presumably the Spanish shoe problem will be moved to the forefront of his attention.

The facts, however, still remain pretty much the same for the unemployed shoe workers in Massachusetts as when I wrote to you over a month ago. While I realize that international negotiations take time, I hope you will appreciate my impatience. The passing of time is not materially helping the plight of those who have lost their jobs with the closing down of shoe plants in my District. I think that the enclosed petition sums up the frustration and despair of these workers better than any words of mine could do. It is appeals such as this which make me feel that the present system seems designed to produce stalemates and little else. The record of the Tariff Commission is deplorable and, as I have previously indicated, the recent trend of its decisions seems to hold out little hope for any worker looking to it for trade adjustment assistance. Their only recourse is to the President. Since the President is obviously relying on your advice in these matters, I have taken the liberty of writing to you directly on this matter. Is there not some way of having the President act on the industry-wide relief petition without hurting Ambassador Kennedy's chances of successful negotiations in Spain? As I look at it, the two problems seem quite separate and deserve separate treatment.

I would appreciate the benefit of your comments on this matter, as well as anything

you could do to speed arrival of the day the President will finally make his decision. With all good wishes, I remain
Sincerely,

JAMES A. BURKE,
Member of Congress.

THE WHITE HOUSE,
Washington, D.C., November 13, 1971.

HON. JAMES A. BURKE,
House of Representatives,
Washington, D.C.

DEAR MR. BURKE: Thank you for your recent letter in which you ask whether there is some way that the President could act on the footwear industry's escape clause petition without hurting Ambassador Kennedy's chances of successful negotiations with Spain.

As you know, Secretary Kennedy is engaged in consultations seeking the adoption by Spain of a system of voluntary, unilateral restraints on footwear exports to the United States. It is our view that these efforts would be inconsistent with Presidential action under the Trade Expansion Act on the industry's petition for relief and, indeed, that such action by the President would probably eliminate the possibility of voluntary cooperation by Spain.

Moreover, I should note that the footwear industry is enjoying substantial protection by virtue of the 10 percent import surcharge which, as you know, applies to all footwear products and not merely the products covered by the escape clause petition.

I appreciate your letter and you may be assured that this matter is receiving our constant attention.

Sincerely,

PETER G. PETERSON,
Assistant to the President for International
Economic Affairs.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 1, 1971.

MR. PETER G. PETERSON,
Assistant to the President for International
Economic Affairs, The White House,
Washington, D.C.

DEAR MR. PETERSON: I regret that I find it necessary to write to you once again on the matter of relief for our domestic footwear industry. While I am doubtful that I will be any more successful this time than I have been in the past in getting you to see the serious plight of our domestic industry and the unemployed workers in the continued absence of Presidential action on the industry's escape clause petition, I feel I would be remiss in my duties, not only to my constituents, but to the nation, if I did not try once again.

Since I wrote you last, we both know of the very serious trade deficit registered for the month of October. While complete information on the effect of the 10% import surcharge is not yet available, and probably won't be until it is too late, one thing is clear and that is that it is not providing a solution in the short run to our trade problem and the ever increasing flood of imports. The optimism accompanying the rare surplus registered in September has, I trust, been effectively put to rest by October's performance. In my opinion, it would be a serious mistake for those in positions of responsibility to put too much store on the dock strike as the complete explanation for October's sorry performance. The trend has been apparent for some time now, the dock strike's momentary influence notwithstanding.

I just cannot bring myself to agree with the faith displayed in your most recent reply that the unemployed shoe workers in my District, and those threatened with unemployment, are well advised to put their trust in the 10% surcharge and Ambassador Kennedy's seemingly endless negotiations in

Spain. Aside from the fact that collections under the 10% surcharge increase each month together with imports, the fact of the matter is that a 10% surcharge is of absolutely no use as a deterrent where cheap, inexpensive foreign-made shoes are involved. Figures available to government departments should certainly confirm this, if you do not wish to rely on the word of trade associations. Ten percent of \$4.50 is just not going to make American shoes competitive with those produced overseas.

In short, it seems to me that my constituents are being asked to pay an extremely high price for the dubious benefits of our present trade policies in being asked to forgo the industry-wide relief which should be available to them in their hour of need. Something must be done. If the White House does not act on this, then I am convinced that Congress will be forced to respond to the crisis at hand and undertake a complete overhaul of this nation's existing trade policies.

Believe me, I am sincere in what I say in urging prompt, immediate action from the only office in the government able to be of immediate assistance, the Presidency.

With all good wishes, I remain

Sincerely,

JAMES A. BURKE,
Member of Congress.

PROGRAM FOR MINORITIES

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. ESCH. Mr. Speaker, the University of Michigan has made an affirmative response to the need for improved programs for minority students.

In my view for too long we have allowed ourselves to emphasize the negative instead of the affirmative. This program which has been undertaken by the University of Michigan can form a basis for comparable advancements in other universities. I believe the following articles which I am inserting in the RECORD are informative and worthy of the attention of every Member of this body.

As an alumnus of the University of Michigan I am proud of the school's record in taking such a praiseworthy step.

The articles follow:

[A special report from the University Record, Apr. 19, 1971]

U-M PROGRAMS FOR MINORITIES—

OPPORTUNITY PROGRAM FUNDS AND SUPPORTS

The oldest, and perhaps the most vital program at U-M for minority group students, is the Opportunity Program.

The program began in the fall of 1964 and has continuously increased minority enrollment each year since. At that time, and up until very recently, the program was called the Opportunity Award Program.

Recent expansion of the program to include projects not specifically related to financial awards—prompted the dropping of "Award" from the name. Today, the program encompasses not only admissions and financial aid, but special "supportive" services.

Admissions

Great expansion of the admissions program came during this past year with the employment of six new staff members—four admissions counselors in the Ann Arbor

office and two in Detroit. Before the summer months, another counselor will be hired for a Grand Rapids office.

A major task of the admissions counselors is to visit area high school and community colleges to present information about U-M to prospective students. During the fall this year, a total of 125 high schools and 14 community colleges were visited.

Largely because of this effort, the volume of applications for admission to the University through the Opportunity Program has increased tremendously over last year. As of April 8, 426 freshmen and 32 transfer students had been admitted on the Opportunity Program for next fall.

Financial aid

Those students in the Opportunity Program who need financial aid find assistance in several ways: through University scholarships and grants, with a combination of federal assistance and other resources. Undergraduate non-Michigan residents do not normally receive University-supported Opportunity Program funds but seek such federal and outside assistance. Beyond the freshman year, employment within the University is also an important part of the program.

Supportive services

Within the office of student services, the housing office coordinates several programs for minority groups. Working with the Personnel Office's Administrative Intern Program, two or three interns work in programing, accounting, or housing placement. In addition, the housing office plans next year to operate a resident-counselor program in cooperation with the CULS office.

As part of the Opportunity Program, several special projects under the direction of Gil Maddox, director of special academic projects, have been undertaken.

In the planning stages is a Detroit Rackham Building Task Force, in which the University will participate with other colleges to provide general informational and recruitment information to Detroit-area minority groups.

The office also provides coordination and encouragement of black alumni participation to aid students to find summer jobs; provides scholarship funding, especially for out-of-state minority students; and provides career counseling.

In addition to these projects, Maddox hosts a television show on Channel 4, Detroit, called "Profiles in Black." "One function of the show," says Maddox, "is an attempt to show the larger community—especially parents—of occupations and educational options now open to minorities which were not previously open. We consider the parental influence primary on affecting the student's ultimate choice regarding higher education."

The Exchange Program with Tuskegee Institute is also administered under the office of special projects, although not directly related to the Opportunity Program. The exchange program began with student and faculty exchanges in 1965, and has continued with many schools and colleges setting up special other exchanges apart from the regular program. In 1970-71, some six to eight U-M students studied at Tuskegee, and about 14 Tuskegee students came to the Ann Arbor campus.

Events

1959—Regents Adopt Non-Discrimination Policy.

Fall, 1964—First 70 students enrolled at U-M under the Opportunity Award Program.

1965—Student and faculty exchange between U-M and Tuskegee Institute begun.

1967—Administrative Intern Program begun.

1968—Coordinator for human relations affairs appointed.

1969—Black Studies Program for undergraduates in LS&A begun.

1970—March 19: Regents undertake commitment to a 10% black student enrollment and substantially increased numbers of other minority groups by 1973-74.

Fall, 1970—Center for Afro-American and African Studies opened.

While these events are not all inclusive of the many programs instituted for black and minority groups at U-M, they are major points in the history of U-M's program. The events point to a gradual working toward a particular goal—the betterment of internal organization to improve education for minorities at Michigan.

The most active year for expansion and realization of programs, however, is the current one: 1970-71. While many programs are continuing from these early beginnings, and many more are on the drawing boards, it is the 1970-71 academic year in which active steps have been taken to fulfill the Regents' commitment.

The articles in this special report bring up to date these U-M programs—what is happening now, and plans for future development of programs.

SCHOOLS AND COLLEGES HAVE VARIED PROGRAMS

At mid-year each year, U-M schools and colleges submit progress reports regarding an affirmative action program for minority groups in accordance with the requirements by the Department of Health, Education and Welfare. Summaries from some of the schools' reports which were submitted to the office of William L. Cash, Jr., assistant to the president for human relations affairs, follows.

School of dentistry

Recruitment for minority staff members included the addition of two part-time black professionals in the fall of 1970. Recruitment of students included help from the Wolverine Dental Society and present black students. In addition to these programs, the school sponsored visits from high school and junior college students. Last summer, and again this coming summer the school participates in a summer research program of black undergraduates. Funds were made available last year to support five students up to three months to work with research programs conducted by faculty members.

Education

Last fall, the School of Education set a goal of 20% minority faculty, staff, and students. An increase in minority faculty and staff from 22 in 1969 to 64 in 1970 has been realized; an increase of undergraduate students from 15 in 1969 to 58 in 1970; and an increase of graduate students (an incomplete count) in that same period of 56.

In addition to this recruitment effort, the school has developed special programs and services, specifically for inner-city urban programs. Some of these include a new course in teacher education: Urban Tutorial Experience; a day care project; a pre-school program with a training emphasis for a person working with minorities; an urban teacher training program in the Western High School constellation in Detroit; and the Urban Program in Education, located in five all-black elementary schools in Detroit.

Social work

Between 1965 and 1970-71, black student enrollment increased by 268% in the School of Social Work. The school now has one of the largest minority group faculties in the country; and half the student scholarship and traineeship funds awarded go to minority students.

Curriculum at the school has been developed with courses specifically relevant to the black community. These courses deal with the social environment of the black community, focusing on providing a general

introduction to examine the responses of black people to basic American institutions, the origins and development of racism in society, and to study the economic, political and social processes in the black community.

Rackham

Development of a graduate school opportunity program provided an increase of about 50 new black students this year over 1969-70. The school also coordinates counseling and recruiting of black students and faculty with the departments.

Natural resources

Through the Tuskegee Program, the School of Natural Resources transfers an equivalent of a full professor to Tuskegee for one semester during the year. During summer and fall term, a Tuskegee student attends the school. Also, a visitation program to schools of predominantly black students in the Detroit area, to recruit students to the school is under planning.

Law

As part of the Law School's affirmative action program, information on the Law School was sent to more than 100 black student groups across the nation. Members of the faculty visited students at a number of campuses, including predominantly black schools. The school estimates that more than 200 applications were received last year by students who received such contact. The Law School committed \$100,000 of its own resources this year to assist minority group students.

Medical school

In addition to tutorial, counseling and recruitment programs during the regular academic year, the Medical School offers several summer programs responding to the needs of minority group students. In a Summer Research Program, 15-20 students from southern schools work in the Medical School's research laboratories. Special courses in an Intercollegiate Year Program offer special study skill work in medicine for medical students.

Architecture and design

A summer program for students in the third and fourth year at Tuskegee Institute has been instituted at the College of Architecture and Design. Students are offered a ten-week intensive study course in architecture. A new national scholarship program was initiated by the Department of Architecture this year, in which three students at U-M were awarded full six-year support through matching grants of the Ford Foundation and the American Institute of Architects.

In addition to these programs, two courses have been added to the curriculum to provide students with an overview of some of the economic, social, and political dynamics encountered by individuals and organizations involved in urban renewal and development.

Engineering

Special counseling, orientation, and tutoring are offered by the College of Engineering for minority group students, and much of the work is coordinated with the CULS Study groups, much like the CULS groups, are operated by the College. A full-time recruiter has been appointed for minority group recruiting.

Pharmacy

The College of Pharmacy has expanded the summer Drug Sciences Program for high school students to include recruitment of black students. A position for a black faculty member has been approved, and candidates being interviewed. Student recruitment has included notification to colleges of pharmacy that within a graduate studies program, funds have been allotted for support of minority group students.

Public health

Two special programs have been adopted by the School of Public Health: a tutorial program in general academic skills and a content-oriented tutorial program for students in the Department of Medical Care Organization.

Business administration

Within the curriculum in the School of Business Administration, a seminar in Black Capitalism and research in Black Capitalism continue to be offered to all students. School representatives have discussed opportunities for graduate study in business at U-M with minority group students in visits to the Harvard-Yale-Columbia Intensive Summer Studies Program and several predominately black colleges. Research on opportunities for minority students in business has also been undertaken.

Literature, science and the arts

Much of the more publicized elements of programs for minority group students reside under the auspices of the College of Literature, Science and The Arts. It is within LS & A that the Center for Afro-American and African Studies and the Coalition for the Use of Learning Skills office operate.

Dearborn

U-M's Dearborn Campus has formed an alliance with the business administration division program and the Inner City Business Improvement Forum projects. Business administration interneers are assigned to assist inner city residents in the establishment and operation of business enterprises under this program.

Flint

U-M at Flint offers a six-week Pre-College Seminar for about 60 11th and 12th grade students, designed to uncover those with college potential and aid in motivational skills, and encourage college attendance. A vital part of the program is the involvement of parents as active participants. Parents' nights are included in the program with discussion of college admission criteria, financial aid and teacher-parent relationships.

Also, the program at Flint provides for the admittance of 25 students who, normally, would not be admitted. These students are provided with special counseling and tutorial help.

BLACK TEACHING FACULTY, THE UNIVERSITY OF MICHIGAN, 1970-71

School	Total	Professor	Associate professor	Assistant professor	Instructor	Lecturer
L. S. & A.	27	15	6	19		7
Medical	17	1	12	4	19	1
Law	1			1		
Engineering	2		2			
Education	18	14	5	4	2	3
Library science	2					2
Nursing	2	1				
Public health	5			2	1	12

School	Total	Professor	Associate professor	Assistant professor	Instructor	Lecturer
Dentistry	2	1				1
Architecture and design	3			1		2
Natural resources	1					1
Music	1		1			
Social work	7	1	1	4		1
Total	88	13	18	24	16	17

¹ Includes 1 faculty member with dual appointment.

² Includes clinical instructor.

COMMITMENT FIRM, SAYS FLEMING

A year ago March 19 the Regents established a goal of 10 per cent black student enrollment by 1973-74, as well as "substantially increased numbers of other minority and disadvantaged groups." With the commitment went a stated recognition of increased funds for recruiting, counseling and financial aid.

Because of an apparent lack of faith in the commitment and an insistence upon greater detail, a coalition of black members of the University community called for a strike. The strike lasted for some 10 days, with as much as half the University's classes

not meeting at the peak of the action. Meanwhile, a detailed understanding was worked out between representatives of the University administration and the Black Action Movement.

In the last year, higher education, including the University, has encountered increasing financial trouble. No special legislative support was given to the University for Opportunity Programs in the current fiscal year. In fact, because of a shortage of state revenue, the University was forced to cut expenses about one million dollars below the appropriation provided for this year.

Financial support in relation to obligations

looks even less favorable for the coming year.

In light of inadequate funding, what happens to the commitment of the Regents of a year ago March?

"The priority of the Opportunity Program remains," says President Fleming. "We continue to hope the legislature will recognize our efforts with financial assistance. We hope to attract additional support from other sources. But as I said last year, 'We do not lightly undertake obligations, and when the University establishes a goal and says it will try to achieve that goal, it will make every effort to do so.' The commitment is firm."

OPPORTUNITY PROGRAM STUDENTS AT U-M, 1964-70

	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71
OAP students, total	70	110	176	321	429	531	726
Male	31	52	86	155	204	249	334
Female	39	58	90	166	225	282	392

By academic field:	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71
Architecture and design	1	1	3	6	18	24	35
Business administration	0	0	2	4	3	1	8

	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71
Education	1	1	5	10	9	15	58
Engineering	8	16	26	41	51	51	48
Literature, science, and arts	48	77	117	232	317	395	516
Music	5	6	6	6	4	7	21
Nursing	7	8	13	17	22	29	31
Pharmacy	0	1	1	2	4	2	4
Physical education	0	0	3	3	1	6	0

CENTER AIDS ACADEMIC BLACK STUDY

The Center for Afro-American and African Studies opened its doors last fall, under the auspices of the College of Literature, Science and the Arts. The main objective of the establishment of the Center is to provide programs of study and research for the black student as well as to other students interested in black culture, history, social issues and development.

"The Center provides not only the study of black culture," says Frank Yates, acting director, "but cultural analysis and applied knowledge and research—to provide some sense of where the black community is going."

Three major areas of pursuit make up the Center's programs: academic study, research, and service. At the present time, about 30-40 courses are available in the black studies program, with an undergraduate degree and hopes for a graduate degree in a year or so.

"We will be soon holding hearings on the advisability of a certificate program," says Yates, "to enable a student to specialize in another field, yet take a special program of work at the Center. This will enable the student to pursue a degree program on his own and yet provide a sense of perspective for the student by reshaping his skills to

provide maximum benefit for his future employer.

"The emphasis is on the application of knowledge to the development of black institutions and a re-definition of the current institutions."

The Center offers a program whereby a U-M student may enroll in African or Caribbean universities. The program is called "Study in The Black World" and next year, eight students are expected to attend African universities and four at The University of the West Indies under its auspices.

A library and reading room have been established, providing basic periodicals as well as more esoteric materials. "We hope to have the library collections become a real research center, and include the many freedom journals from Africa which are not available elsewhere on campus," says Yates.

Speaker series and workshops are also part of the Center's overall program, with workshops on black creative writing, criticism in black arts, and art currently organizing. A special media project of filming and taping of lectures and events in black arts, history, social science and development and contemporary events, has also been undertaken by the Center's staff.

The first research efforts of the Center will be published in about three weeks, through a monograph and report series. Before the end of June, some eight to 10 papers are expected to be published by the Center.

"The series of papers will be printed in fairly small quantity, about 400 copies of each," says Yates, "and we would expect that the circulation of the papers will lead to reprints in various other journals. At the present time, the papers have been written by members of the Center staff, but this is not a prerequisite for publication."

Some of the reports to be released soon include Thomas Gordon's "Notes On The Limits of White Psychology"; William Suttles' "Voodoo And Conjuring As Ideologies In Slave Rebellions"; a paper on the African slave trade; and another on the political relationship and similarities between the black movements in North America, the Caribbean, and Africa.

Research projects include, says Yates, a survey of the black community in Ann Arbor, a study of black consumer experience and the development of approaches for the pre-school education of black children.

MINORITY ENROLLMENT SURVEY, FALL, 1970, THE UNIVERSITY OF MICHIGAN

[All students (full and part time)]

	Fall 1970 headcount	Total minority	Black	Oriental	American Indian	Spanish surname	Other and non- response ¹
Ann Arbor.....	32,940	2,400	1,546	618	71	165	2,461
Architecture and design.....	871	61	40	17	2	2	3
Business administration.....	771	27	19	3	1	4	5
Dental and dental hygiene ²	576	16	12	1	2	1	1
Education.....	1,441	146	126	5	6	9	105
Engineering.....	3,273	221	98	84	9	30	205
Graduate, Rackham ²	6,772	781	366	343	10	62	930
Law.....	1,185	89	72	13	1	3	1
Library science.....	259	14	9	3	0	2	
L.S. & A. ²	12,539	652	510	98	25	19	1,200
Medicine ²	861	68	60	4	4	0	0
Music.....	765	59	41	10	4	4	0
Natural resources.....	483	12	7	3	1	1	1
Nursing.....	815	34	28	3	2	1	0
Pharmacy.....	259	17	8	6	2	1	2
Public health.....	383	86	53	17	1	15	2
Social work.....	618	117	97	8	1	11	9
Others ²	1,069						
Flint.....	1,819	149	125	11	7	6	1
Dearborn.....	875	47	34	9	3	1	1
All campuses.....	35,634	2,596	1,705	638	81	172	2,467

¹ This category includes those who do not consider themselves as either Caucasian or one of the designated minority groups, as well as those who did not respond.

² Of the total number of students on the Ann Arbor Campus, 1,069 were not requested to supply racial data. The programs excluded were postgraduate dentistry, postgraduate medicine, hospital

training, anesthesiology, English language institute, and postdoctoral fellows. The total for the campus excluding the above is 31,871.

³ In addition, 1,762 students are registered in the graduate resident centers; and 2,265 in other extension courses; adding up to a total fall term headcount of 39,661.

CULS PROVIDES UNIQUE STUDY GROUPS

The Coalition For The Use Of Learning Skills (CULS) is a vital part of the University's overall program for the education of minority groups. The CULS provides counseling, tutoring, reading and writing clinics, and study groups for approximately 60% of the "target" population of black and minority students.

Key to the entire program is the study group system. Approximately 30 study groups, for specific courses and sections, meet for two hours a week. The purpose of the study groups is to do four things:

Make certain that group members learn course materials and perform well on course examinations and papers;

Equip all group participants with learning and performance skills, e.g., effective reading, analytical note-taking;

Compensate for gaps in substantive material of the course with emphasis on materials related to and/or important to Black and minority communities;

Relate course material to the student's own life and the Black and minority communities.

Study groups include courses in Afro-American and African studies, botany and

zoology, economics, chemistry, engineering, French, physics, mathematics, Latin, history, physiology, psychology, anthropology, English, and political science.

"The purpose of this program is not just 'getting a student through school,'" says Frank Yates, director of CULS, "but to teach the things wanted by the black and minority constituencies."

"The main fault in attempts at other schools across the country is to make the black student like the white student—to change the student, to plug him into the present structure of the school."

In addition to the course study groups, several general study groups are planned for next fall in quantitative sciences, social sciences, and the humanities.

Several sections of English 123 are offered jointly between the CULS and the Department of English in LS&A. This summer, a special test will be compiled for those sections by CULS staff.

A new pre-orientation program for Opportunity Program students began this past weekend when CULS sponsored some 50 students (who will attend U-M next fall) for a special three-day weekend. The students joined present minority group students in

attending classes on Friday, and met with representatives of the Black Students Union, and the financial aid and housing offices over the weekend.

"We are trying to find out what is necessary to achieve our objectives," says Yates, "and it should be emphasized that we don't have all the problems solved. But we are working in that direction."

CONGRESSIONAL WARMKING POWERS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BOLAND. Mr. Speaker, the Congress has slowly surrendered its warmaking powers to the White House in a piecemeal process stretching over the past few decades. It is time to get those powers back. The Constitution, after all, makes

one point explicitly plain: the Congress—and the Congress alone—has the authority to declare war. Yet President after President has stood stonily aloof to the Congress' legitimate role in shaping war policies, committing American troops to battlefields overseas without sanction from the legislative branch.

Long reluctant to delve into this issue, the Congress now appears on the threshold of taking action. The Senate Foreign Relations Committee yesterday reported out a bill that would recover our warmaking powers. The bill—virtually identical to one I am sponsoring here in the House—would prohibit any President from initiating combat activities without advance consent from the Congress. In emergency situations—four kinds are spelled out in the bill's provisions, ranging from a sudden attack against the United States to the evacuation of American civilians from places of danger—the President could act swiftly. Any American combat action stemming from his response, however, must be approved by the Congress within 30 days. Otherwise, it must cease.

For too long, Mr. Speaker, the Congress has been pressing its nose against the windows of the White House and Pentagon—peering in at the warmaking process, yet too restrained to take an active role in it.

The Vietnam war demonstrates, if nothing else, just how dangerous that posture can be.

We must reassert our Constitutional authority.

FARM GROUPS AGREE ON AGRICULTURE POLICY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 8, 1971

Mr. ZWACH. Mr. Speaker, on January 18 and 19 of this coming year, a two-State rural development conference will be held in Worthington, in southwestern Minnesota.

The conference is being sponsored by civic leaders in six Minnesota and four Iowa counties.

One of the major areas of concern will be agriculture. It is to note that the three leading farm organizations, the Farm Bureau, the National Farmers Organization, and the Farmers Union have already reached agreement on nine points where action is needed to help correct some of the problems of agriculture.

A series of conferences such as this held throughout the farm belt could well point the way to solutions to the problems now plaguing our countryside.

Mr. Speaker, I insert in the CONGRESSIONAL RECORD the story of this planned conference written by Lew Hudson, regional editor of the Worthington Daily Globe:

THREE AREA FARM GROUPS AGREE ON WIDE AREA OF AG POLICY ISSUES
(By Lew Hudson)

Planning for the January 18 and 19 two-state rural development conference to be held

in Worthington has produced concrete results already and the event is still seven weeks away.

The conference is being sponsored by civic leaders in the six southwestern Minnesota and four northwestern Iowa counties. Discussions will take place in six major areas of concern, one of which will be agriculture.

Norman Larson, chairman of the agriculture sub-committee, said representatives of the Farm Bureau, National Farmers' Organization and Farmers' Union in the two-state area have begun discussing what they propose to present to the conference and have discovered in the process that there is more on which they agree than upon which they disagree.

At a Tuesday meeting of the planning committee, Larson said, "The news media always emphasize our disagreements, but this time we want to get together as a common voice and we're going to continue working together."

He went on to list nine points on which all three organizations agree action is needed to help correct some of the problems of agriculture.

They are:

1. Crop reporting services of USDA should be stopped.

2. No person, group or corporation should be allowed to use farm losses to obtain tax advantages from other activities.

3. Farmers should have representatives on Federal reciprocal trade agreement boards to protect farm interests in international trade.

4. Ways should be developed to enable farm representatives to follow grain from the farms to export ports to guard against deterioration, contamination and shrinkage said to take place frequently.

5. As long as farmers are docked when selling corn at more than 15 per cent moisture and soybeans at more than 13 per cent, they should get a bonus if they market grain below these levels of moisture.

6. USDA's budget should be broken down to reflect what amount is spent for farm aid and what helps consumers.

7. The secretary of agriculture should be producer oriented.

8. Quality standards should be the same for imported farm products as for domestically produced food.

9. Farmers oppose federal doleout programs and prefer programs serving broad farm and public benefit.

Larson said further meetings of the representatives of the three farm groups will be held to continue development of a meaningful platform on agriculture's needs to be given at the conference.

Minnesota Governor Wendell Anderson has offered support and will be present for a noon luncheon address on January 18. Invitations have also gone out to Iowa Governor Robert Ray as well as a long list of other state and federal officials.

The conference idea is to first present the major problems of the two-state area as seen by people who live here and then to bring out local ideas on potential solutions. After the local people have had their say, the visiting governmental officials will be asked to respond with their thinking.

Other than agriculture, topics to be discussed include transportation, inter-city planning and cooperation, provision of vital public services, needs of the elderly and the youth, and industrial development.

The four post secondary educational institutions in the area are co-sponsoring the conference. They are Worthington State Junior College, Pipestone Area Vocational School, Jackson Area Vocational School and Northwest Iowa Vocational School of Sheldon.

REMARKS

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES
Wednesday, December 8, 1971

Mr. KEITH. Mr. Speaker, Donald R. Larrabee, the veteran Washington correspondent, has just returned from a 2-week tour of the Portuguese provinces of Angola and Mozambique. His observations, contained in a series of seven articles, provide fresh perspective on an area of the world that is as under-reported as it is under-developed.

This penetrating series gives new insights into the problems facing both Portugal and the Western World on the African continent. It wipes away some myths and misconceptions about Portuguese Africa while underscoring the positive developments that are reshaping the destiny of millions.

The series is currently appearing in the New Bedford Standard-Times, the Fall River Herald News, the Brockton Enterprise and the Quincy Patriot-Ledger, as well as numerous other newspapers in areas served by the Griffin-Larrabee News Bureau. I have the highest regard for Mr. Larrabee's integrity and objectivity as a Washington observer and commend this series to the attention of my colleagues.

Representing, as I do, more Portuguese Americans than any other Member of the Congress, I believe that my constituents will be pleased with the depth and perception of Mr. Larrabee's work—and I believe it will be of value to my colleagues.

The seven-part series follows:

THE PORTUGUESE IN AFRICA—FIRST IN A SERIES
(By Donald R. Larrabee)

LISBON.—Portugal's almost-forgotten war in its African provinces has wrought unbelievable changes, both at home and in the overseas territories, during the past ten years.

Guerilla warfare, on three separate fronts in Guinea, Angola and Mozambique, clearly has stiffened the resolve of the Lisbon government to "civilize" her African subjects until they are deemed ready for independence. But the war has helped to bring Portugal into the 20th Century.

Portugal has been at its own war longer than we have been fighting in Vietnam. But the terrorist activity, which remains a nagging problem in Portuguese Guinea and in isolated areas of the other provinces, is largely under control, thanks to the presence of a military force of around 170,000.

Still, it is questionable whether the Portuguese could stem the tide of nationalism and independence that has swept Africa in the past decade if they did not enjoy popular support among the natives they rule.

The fact is that Portugal has been shaken out of its lethargy and is moving swiftly in the fields of education, public health, housing, roadbuilding and industrial development.

There is evidence in northern Angola that thousands of blacks who fled to the Congo during the 1961 insurrection, expecting to find better living conditions, are filtering back to work in Gulf Oil's offshore operations at Cabinda (the company employs 4,000) or to share in the benefits of an expanding coffee-growing industry. They apparently failed to find the promised land.

They are being encouraged to live in secure villages with central water supplies, schools, health and community centers. Some are

becoming entrepreneurs with their own coffee production. Coffee cooperatives are springing up.

Blessed with diamonds and oil, Angola is a boom territory and is only beginning to realize its potential. The slow, lazy servatile life has been replaced by a frontier spirit. The Portuguese black mixes with the Portuguese white but, more than that, he can see that life is improving steadily for him.

In Mozambique, on the East Coast of Africa, progress is slower but Portuguese authorities are rapturous over the potential of the \$306 million Cabora Bassa Dam across the Zambezi River. When completed in 1974, it will be the largest hydroelectric project in Africa, fifth largest anywhere, and promises to be a veritable TVA for the Zambesi Valley.

This can mean cheap power for a vast area, including neighboring African states. But Portugal is even more intrigued by its possibilities for agriculture, for mineral development and for economic and social progress generally Mozambique.

To the east, the Portuguese are developing the finest natural deep water harbor in Africa at Nacala. Only 30 years ago, the port was a desolation of bush and sandhills. Today, its four bays are prepared to handle the biggest vessels afloat and could easily accommodate the entire Seventh Fleet. It is a port-builder's dream and will surely become a major repair berth for the era of the super-super tanker.

The first modern European nation to explore Africa, Portugal is not about to relinquish control without a fight, despite heavy and continuing pressures from the United Nations. Portuguese officials are privately fearful that these pressures will intensify with the admission of mainland China to the Security Council.

This can raise new embarrassments for the United States which has preferred to take a laissez faire policy toward Portugal's colonial policy, especially since the Nixon Administration came into power.

The U.S. attitude toward Portugal's African possessions, as expressed by Secretary of State William Rogers, is to encourage peaceful progress toward self-determination for the thirteen-million people who are living there. We respect Portugal's racial toleration, as contrasted with the apartheid (separateness) policy of South Africa and Rhodesia, and we are inclined to give the reform measures of Prime Minister Caetano a chance to work.

"I don't think our pushing them will get any action," one informed African diplomat told me. "There may be autonomy in the provinces one day but that is quite different from independence. That won't come without a lot of ferment and turmoil inside Portugal, an internal political upheaval and perhaps economic pressures."

High Portuguese officials are concerned that Americans generally, and including some important political leaders, do not fully understand the implications for the free world of a Portuguese withdrawal from Africa.

They see the anti-colonialism drive as a smokescreen for communist infiltration and takeover in Africa. They contend that it is in America's long-term self-interest to have a friend occupying seven per cent of the total land area in Africa, strategically distributed. Even a cursory glance at the map, the Portuguese say, shows that Lisbon controls points which are indispensable for the defense of the western world.

THE PORTUGUESE IN AFRICA—SECOND IN A SERIES

(By Donald R. Larrabee)

CARMONA, ANGOLA.—In this northern community of 11,000, the Capitol City of terrorist forces ten years ago, it is possible to walk

down the main street at night and feel secure.

Stability and relative calm prevail in an area where there was savage slaughter and violence in 1961 in an abortive drive by "liberation" groups to separate Angola from the Portuguese nation. Large numbers of blacks fled to the bush and to the Democratic Republic of the Congo but they have returned in droves to a better life in their native tribal areas.

In the countryside, the terrorism continues sporadically. There are occasional ambushes. Land mines are used to harass both civilians and the Portuguese patrol forces concentrated in the Congo and the Zambian border areas. But there is a new security for the population.

The natives no longer live in small tribal clusters in the sparsely-settled countryside. Both for economic reasons and for their own safety, they have been regrouped in villages of 1,000 or more where they have a central water supply for the first time, their own schools and health facilities.

The men work at the biggest industry in this part of Africa—coffee production. Some of them are becoming small businessmen, if not capitalists, selling their own crops to world markets. Others are selling to cooperatives and managing their own farms at a profit.

In this once-hostile area, there is no evidence to support the claims of Radio Moscow that vast sections of Angola are controlled by the insurgent forces—either the Popular Movement for the Liberation of Angola (MPLA) or the Revolutionary Government of Angola in Exile, formerly known as UPA.

The Portuguese say the rival "liberation" movements are badly disunited and fighting among themselves, a factor which has undoubtedly bought time for the Government to launch the long-overdue educational and economic development projects which are blunting insurgency.

Guerrilla activities reportedly continue in the densely forested area in the northwest and the sparsely populated savannah region in eastern Angola. Here the Portuguese have not been able to pull the natives together in communal security. Vast areas are exposed and no wall could possibly be built to keep the enemy out.

In the eastern half of Angola, a scarce ten per cent of the population subsists in ancient tribal fashion and has barely been touched as yet by the economic and social reforms of the past few years although efforts are going forward.

In the comparative serenity of Carmona today, the Portuguese keep the population mindful of the fact that hundreds were killed and thousands hurt in the attacks of the early 1960's. A church at nearby Quixote, where the first blows were struck, displays on either side of its portal the names of those killed since 1961. There are some 20 names with a 1970 date, silent testimony that peace still has not come to the land.

Small detachments of troops are visible in the area but much of the job of policing and protection is now handled in various ways by local militia and volunteers. The big coffee plantations, for instance, have their own security forces which are linked to military units in the area by radio.

The road from Carmona to the capital city of Luanda, a few hundred miles to the south, is not safe for individuals once they leave the city limits. Drivers must travel in convoys and there are reports of terrorist attacks along the way almost daily.

The Portuguese say armed attacks in all the affected areas of Angola average around a dozen a week among a population of 5,600,000 living in 16 districts. Casualties, country-wide, are running close to 20 a week including four or five deaths. The war in

Angola is claiming about 100 lives each year.

But, clearly, subversion is being contained as the Portuguese move toward urgently needed social reforms. The war has accelerated this movement and it seems the natives, black and white, can't build schools and other community facilities fast enough to meet the demand. Carmona has a master development plan as elaborate as that of any American city's.

Beyond this, the black landowner has discovered his own earning power. He no longer wants to work for the white plantation owner south of town. The big coffee producers are finding they must import their labor.

In this northern area of ferment, those who fled to the Congo and listened to the promises of better living are filtering back. They are being welcomed and cared for. Paradoxically, the black Portuguese citizens in southern Angola who remained loyal during the terrorism are getting little reward in the way of better homes and education. They must wait until there is even greater stability in the North.

THE PORTUGUESE IN AFRICA—THIRD IN A SERIES (By Donald R. Larrabee)

CABINDA, ANGOLA.—Missionaries have operated for many years in Angola but a new type of missionary is making his way to the northern coast of this 3,000 square mile Portuguese province these days.

This is the site of Gulf Oil's \$225 million offshore petroleum discovery that has become a political issue in scores of American pulpits the past two or three years.

On the day we visited the Gulf operation, a minister from Dayton, Ohio was being shown around the premises. He had written a letter to the company complaining about Gulf's involvement in the Portuguese enclave north of the mouth of the Congo River. It has become a cause celebre among the clergy to oppose any American investment in African territories where the people remain under foreign control.

The minister will be writing his own report in due course but he indicated that at least one of his pre-conceived ideas had been dispelled. The war in Angola against the Portuguese, he found, did not have the support of any large segment of the native population. Gulf Oil, of course, has brought jobs and new opportunities to the blacks. They are working and happy.

Gulf officials said they were expecting a Presbyterian minister from the United States the next day. A Gulf spokesman commented wryly that it has become fashionable for ministers to make pilgrimages to Angola.

The anti-Gulf campaign reached a pitch last Spring when the Presbyterian Church's "Task Force on Southern Africa" took part in Gulf's annual meeting in Atlanta and backed three new members of the Board—two communist-supported African guerrilla leaders and Angela Davis, a self-avowed communist and black activist now under indictment in California for complicity in murder. The issue divided thousands of church goers.

What the pilgrims to Cabinda are discovering these days is perhaps the most significant economic development in the history of Angola. There are 120 operating wells offshore. The bottom of the ocean is filled with pipe which sends the oil to an onshore tank farm. After a burn-off of final gasses, the crude oil is then delivered by gravity through a huge steel, concrete-coated pipeline to ships anchored nine miles at sea. The output averages 100,000 barrels a day and further increases in production are expected.

The operation employs 4,000 workers, mostly blacks, who are descendants of a tribal group which became a Portuguese territory in 1882 through a treaty signed between the Portuguese government and the local chieftains. The Barons of Cabinda did not want their territories incorporated into the

encroaching colonial empires of France and Belgium.

One of the fascinating landmarks in the area today is a burial ground of the Negro Barons with the busts of three Portuguese kings majestically placed over the gravesites.

This wealthy enclave, surrounded by the two independent Congo Republics, is relatively immune to terrorist attacks these days. Soldiers who are sent to the Carmona-Cabinda region of Angola say it is common knowledge that Gulf Oil and the plantation owners in the area are paying off the insurgent leaders to keep the peace.

The young Portuguese soldier, who hears and believes this, can't be faulted for wondering why he has been sent to this outpost if peace is being purchased in a kind of phony truce.

For this reason, and others, it is becoming a difficult war for Portugal. Her young men are being uprooted from their careers for duty in remote areas where they are not directly encountering the enemy most of the time. Some of them openly question their government's policy although a Portuguese citizen, unlike America's Vietnam soldier, does not protest too much. There is no free press, as we know it, and veterans don't march on the President's palace in Lisbon.

The sporadic war in the bush country is consuming one-third of the nation's budget and involving every young man who is physically qualified for three years. Most of them must serve abroad. Portuguese Guinea, Angola and Mozambique are no longer strange and faraway places because the younger generation is seeing them at government expense. In short, the war is having a broadening effect on Portuguese youth.

Only time will tell what impact this educational experience will have on the central government in Lisbon but Portugal's young are quietly questioning time-honored policies. There is evidence that this resistiveness has not been lost on Prime Minister Marcello Caetano. He has begun to put his own liberalizing stamp on the legacy of the late Dr. Salazar.

THE PORTUGUESE IN AFRICA—FOURTH IN A SERIES

(By Donald R. Larrabee)

NAMPULA, MOZAMBIQUE.—Dr. Miguel Murupa, 32, son of a sub-chief of the Macuan tribe, will shortly become the first black editor of a major newspaper in Mozambique's second largest city, Beira.

But that is only the latest reason why the Portuguese consider the intense young graduate of Washington's Howard University to be exhibit number one for its policy of gradualism in the African provinces.

Just five years ago, as a Howard student, Murupa was recruited by the late Dr. Edouard Mondlane to join FRELIMO (the Liberation Front for Mozambique). He went to Tanzania where he interned in the terrorists' headquarters in Dar-es-Salaam, then to the guerrilla training camp at Nachingwea where the Chinese communists are helping to train insurgent forces to "liberate" Mozambique from the Portuguese.

Dr. Murupa quickly became the equivalent of a foreign minister for FRELIMO, a roving ambassador and the "house intellectual." Within the past year, he has defected and returned to the Portuguese, a disillusioned man who hopes to convince his people that they will prosper more under a peaceful revolution, even as Portuguese subjects, than under a violent one directed by outside communist forces.

We talked with Miguel Murupa for an hour or more. He confirmed the intelligence reports of the Portuguese that the Russians and Chinese are jointly training insurgents and supplying weapons and funds to the guerrilla forces.

But he also confirmed that the commu-

nist powers are locked in their own power struggle to win control in Africa. He finds all this inimical to the long-term hopes and aspirations of black Africans.

Dr. Murupa has an important story to tell. It belies the popularly-accepted accounts of the FRELIMO "freedom fighters" and reflects how little America understands of the forces at work in Africa.

"Dr. Mondlane was traveling to the United States frequently while I was at Howard University. He was trying to convince young men to come to work for FRELIMO. He was against the Portuguese but he was not for the communists. But by the time he arrived in Tanzania to lead the movement, it was already clear that it had been infiltrated by the communists.

"We were taken to the Nachingwea training center, first for political indoctrination to be brainwashed with Mao Tse-tung's revolutionary philosophy, and, second, to learn how to manage weapons. I was named assistant secretary for foreign affairs. I traveled a lot and began to see the new imperialist force that was preparing to come to Africa.

"Most Africans don't know that behind these struggles for freedom are the Soviet Union and the Chinese. I could see the strong communist penetration in government offices wherever I went and I became aware that if we were to support such movements as FRELIMO, we actually were supporting Chinese and Soviet imperialism.

"If these people (the guerrilla forces) took over, they don't have the capacity or the know-how to rule. That means that if the westerners were overcome, our leaders would come from Russia or China but it also means war between the two powers," he said.

Dr. Murupa told me that half of the Chinese teachings in the training camp were directed against the Soviets, the other half against the U.S. and the Portuguese. While he did not visit the Russian camps, which are physically located in the Soviet Union rather than Tanzania, he said others had told him that a trainee in Moscow learns that the enemy is China, as well as the U.S. and Portugal.

Dr. Mondlane was assassinated in early 1969. Dr. Murupa tried to leave FRELIMO but he was jailed. When he escaped a year ago, the Portuguese welcomed him "as a lost son coming back," he says. Now he is prepared to spread the word to Mozambique's blacks that their greatest hope lies with the Portuguese at this time.

He says blacks and whites are treated equally under the law in Portuguese Africa but he is convinced that the people are not yet prepared to run their own affairs. His greatest fear, in the wake of a revolutionary takeover, he says, is that Mozambique would actually become divided into a society which is all black in the north and all white in the south.

Dr. Murupa is not proclaiming Portuguese paternalism has been a perfect way of life. But he says the concept of a multi-racial community of peoples under one nation has been sound government policy, even if economic development and social progress have been slow in coming.

He says it has taken much too long to place Africans in key positions of authority but he also says that the opportunities are opening up quickly today as educational advantages are extended to more blacks.

He acknowledges the serious underdevelopment of Mozambique—the lack of enough good teachers, the need for more schools and roads and the benefits of modern agricultural techniques but he has faith in the sincerity of the Portuguese. He says they have proven themselves in the area of greatest need, racial equality, and he is confident they will deliver on their other promises.

"The world will see," he says quietly, "The world will see."

THE PORTUGUESE IN AFRICA—FIFTH IN A SERIES

(By Donald R. Larrabee)

CABORA BASSA, MOZAMBIQUE.—Explorer David Livingston, coming upon this narrow gorge where the Zambezi River has roared untamed for centuries, decided on a name that has stuck.

In the local dialect, Cabora Bassa means "the place where the hard work ends." In Livingston's time, it marked the end of the road from the coast. Boatmen had to make a wide overland detour. Today, the hard work of building one of the largest hydroelectric power projects in the world is proceeding around the clock amid breathtaking surroundings. The first power should

The harnessing of the Zambezi will make available huge blocks of cheap power to most of Southern Africa. It will open up the untapped potential of its hinterland, transfer ten million acres from arid wasteland to croplands and forests and trigger exploitation of significant deposits of coal, iron, manganese, and fluorite, as well as chrome, gold and nickel in the Zambezi Valley. A steel industry is inevitable.

It will mean thousands of jobs for Mozambicans who now emigrate to find work and a type of socio-economic progress for the native population that Livingston never dreamed of. The huge lake created by the project will provide an inland commercial fishery and protein-rich fish flour. Tourism will be developed.

Finally, Cabora Bassa is expected to prevent the recurrent flooding of the lowlands while making the Zambezi navigable upstream as far as Tete, the capital city of the district, and possibly to the Rhodesian border, some 700 miles from the Indian Ocean.

In a sense, it will be a symbol of European presence in Africa since France, Italy and Germany are privately involved with Portugal in the construction.

For the Portuguese, it is no mere power production system but part of a basic infrastructure of a more ambitious plan to bring civilization and development to a remote part of Africa. It can also serve to strengthen Portugal's hold on the native population which has been under sometimes violent pressure since 1964 to throw off its foreign yoke and join the African independence movement.

Cabora Bassa is viewed less kindly by the United Nations Trusteeship Committee which called it a "crime against the people of Mozambique and a plot designed to perpetuate the domination, exploitation and continued oppression of the people in this part of Africa . . ." The theme is echoed on propaganda broadcasts by Radio Moscow and Radio Tanzania.

Amid the protests, however, the adjacent African countries are quietly showing more and more interest in obtaining some of the cheap power from the controversial project. Zambia, Malawi, Rhodesia and South Africa are already committed to buy some of the output.

The area is twice the size of European Portugal and 98 per cent of the two million natives live in tribal groups. The earliest studies gave heavy emphasis to the needs of these people and the best method of community development. There have been accidents caused by mines and terrorists have tried to disrupt resettlement of the population in the lake area. The resettlement program now has heavy military protection.

For several years, the Portuguese have lived with the threat that terrorists, trained by the Chinese in nearby Tanzania, would attack the construction camp and bomb the dam site. This seems a remote possibility to anyone who has seen the intricate security network at Cabora Bassa.

A more serious threat for the future may be posed by the 900 miles of transmission lines which will be largely unprotectable from

sabotage. Asked about this danger, a Cabora Bassa official said: "We have to expect incidents. We have to be prepared for sabotage. It can happen anywhere in the world. But we have lived with danger for ten years."

This is no overnight scheme to keep the enemy at bay. The Portuguese have been studying Zambezi River development since 1953, intensively for nine years before the work began in 1968. Typical of the problems that have been solved is the system devised to get the ships through Cabora Bassa and four other downstream dams. There will be a special railway around the dams. Trains will carry dual purpose containers which can be transferred and placed in the water at the end of the line below the dams.

The big project is on schedule. One of the two diversion tunnels has been completed and already is shunting the unruly river around the site of the 550-foot high double-curvature arch dam. Boring is well along on the left bank tunnel. The diversion tunnels are scheduled to be closed in 1974 and, according to the engineers, Cabora Bassa will back up enough of the Zambezi's waters in six weeks to generate the first power.

Current plans call for a power station capable of producing some 17 billion kilowatt hours of electricity a year, compared with 10 billion from Egypt's Aswan Dam. Cabora Bassa, if it succeeds, will literally change the face of Africa, geographically and politically.

THE PORTUGUESE IN AFRICA—SIXTH IN A SERIES

(By Donald R. Larrabee)

NAMPULA, MOZAMBIQUE.—At this headquarters of the Portuguese military forces in the north, you hear worried whispers about China's intentions in Africa.

The Portuguese are particularly concerned about a reported 30,000 Chinese who are working on the so-called Tan-Zam railway project which is designed to link land-locked Zambia to the sea. The railroad workers are said to be members of the Popular Liberation Army. And the Portuguese are convinced they will not pull out when the line is completed.

An informant connected with a major newspaper claims knowledge that 147 members of FRELIMO, the principal guerrilla organization based in Tanzania, have been killed in recent action. There is nothing official on this, no such word in the public press or any mention of a battle with Portuguese forces.

But FRELIMO is a fact of life, getting its help in arms, training and money largely from the Chinese communists, while taking all the support it can get from the Soviets, as well. Yet, the Portuguese say FRELIMO has no ideas or political philosophy of its own.

Officials on the scene say FRELIMO operates very heavily as a propaganda machine through political commissars who are planted among the native population to arouse them against their white rulers. Their efforts are followed up methodically by terrorists and guerrillas and the Portuguese contend that any local chiefs who offer serious resistance are murdered.

Anti-Portuguese broadcasts from Radio Peking, Radio Moscow and Radio Tanzania, in Portuguese and tribal languages, charge that NATO weapons are being used to kill the native population. They say the Cabora Bassa power project, if completed, will continue the domination of the white man in Africa forever. The general theme is that it is a popular war but there is no evidence anywhere in Mozambique that the population is rushing to join the revolt.

Although the Portuguese say the guerrillas are really not very impressive as soldiers, the presence of an estimated 4,000 to 5,000 terrorists here in the North means that Portugal cannot let down its guard or withdraw its forces, even if there is no direct confrontation.

To combat the enemy propaganda, the Portuguese have a well-defined system for conducting a counter-campaign in the settlements. They use loudspeakers in helicopters ("sky shouting") to get the word to natives. The planes drop leaflets with posters and news pictures to convince the tribes that China and the Soviets are seeking control of all Africa.

Beyond this, the Portuguese have pushed a program of settlement villages on the northern border of Tanzania to show the natives on the other side what is happening. The "aldeamento" settlements are showpieces, with electricity and central water, health facilities, schools, small industries, tarred roads. They are designed as visible proof that change is taking place. They are designed, of course, to discourage subversion.

The Portuguese say that not only the Chinese and the Soviets, but also Cuba, North Korea, Algeria and Czechoslovakia have had a hand in helping to train guerrillas. They say 82mm mortars and 75mm recoilless rifles belonging to the Chinese and Russians have been captured. Most of the guns and ammunition are believed to emanate from China but the mines are said to be mainly Russian.

The Portuguese also produce documents alleging that American and world-wide church groups and private foundations are providing financial support, both directly and indirectly, to insurgent forces.

To the Portuguese in Africa, communism thus is an imminent threat. They are shaken by what appears to be an American retreat from its postwar containment policy. They wonder why the nature of the threat, as they see it, does not penetrate the West.

The central Portuguese argument, for American consumption, is that it is better for the U.S. to have Portugal in control than Soviet Russia or China. With the emerging nations, they say there is no guarantee that they will be on our side at any time, while we have a firm ally in Portugal which will be there when the chips are down.

THE PORTUGUESE IN AFRICA—SEVENTH IN A SERIES

(By Donald R. Larrabee)

LISBON, PORTUGAL.—Portugal today is a country in trial and transition.

It is a black mother standing at the airport in Beira, the bustling central city of Mozambique, her face drenched in tears as she watches her son board a military transport headed north where the terrorists engage in war games.

It is a military man, governor of the vulnerable Tete District in the North, who produces a set of pocket books with Mao Tse-Tung's "Revolution" translated into Portuguese. They were taken, he says, from a prisoner trained in neighboring Tanzania for guerrilla warfare aimed at ending Portuguese rule and giving the natives their independence.

It is a young, white Portuguese aeronautical engineer who has done his military service and is restless to see his country move ahead faster. He admits there is movement but says his country waited far too long to open up the rich potential of this part of Africa to the people who live there and to the outside world.

The war and the new generation of Portuguese who have been exposed to it are destined to change the face of Portugal and Africa. The mother will learn from her son. The professional soldier senses he is sending a new breed back to civilian life. The young veteran sees no reason to emigrate to France for jobs when he has seen first-hand the need for technicians and able bodies in the overseas territories.

The violence that has rocked Mozambique, Angola and Portuguese Guinea has made the difference. By staying neutral in World War Two, the Portuguese did not benefit

from the strange fruits of participation. The post-war economic boom in Europe passed them by.

Now, insurgency is shaking the foundations of one of the oldest and most tradition-bound states of Europe. Portugal today is an old man with a zip in his step. The status quo is being replaced by a spirit of creative expansion.

Prime Minister Marcello Caetano is overseeing constitutional changes which reflect the changing mood. The national assembly is being strengthened to include more delegates from the African provinces. Enabling legislation has been passed to pave the way for various forms of local autonomy in the provinces, with Lisbon still calling the basic shots and directing foreign and military affairs.

There is still no provision for political parties as we know them, although there was an opposition campaign in the 1969 elections and the press covered it to some extent. While it still borders on treason to criticize war policy, a new press law was passed last summer which abolishes censorship of most newspaper material prior to publication.

Informed American diplomats, however, see the insurgency in the provinces acting as a drain on the Lisbon government and its budget for an indefinite period. If external communist support was ended, the Portuguese say, the "liberation" movement would evaporate but there are American observers who question this judgment.

It is a heartening sign to U.S. officials that the Portuguese provinces are beginning a dialogue with African states to the north where there still is no formal diplomatic recognition but where Portuguese diplomats are active on an informal basis. Trade and business contacts are increasing with the independent African states.

Only recently, President Mobutu of the Democratic Republic of the Congo, which has just assumed its own Portuguese name of Zaire, said he could find no fault with the racial policies in the provinces and would not turn down an invitation to visit Portugal.

Things cannot be all bad when a Portuguese soldier in Angola can put on his civilian attire, on his day off, and drive across the Zaire border without fear of being stopped.

The Portuguese, meantime, have a wary eye on the United Nations and the 1972 elections in the United States. The Nixon Administration's "no policy" toward the African provinces has been appreciated. In effect, the Administration, mindful of our defense and treaty commitments with Portugal, has looked the other way. It has endorsed the right of self-determination for the 13 million people in the provinces and has accepted the fact that Portugal is making progress in this direction, while practicing racial toleration.

The admission of mainland China to the United Nations could, and undoubtedly will, rekindle the smoldering issue of Portugal's presence in Africa. The Portuguese worry less about Mr. Nixon than the possibility of a Democratic successor next year.

With Nixon engaged in bold foreign policy initiatives with Peking and Moscow, the Portuguese are wondering if the Democrats will seize on Portuguese Africa as an issue. They were upset by the belligerence of the Kennedy Administration and continue to feel that some politicians used the African issue as a means of appealing to the black vote in America. Sen. Edmund S. Muskie, in one speech, has already suggested a much tougher, prodding line toward Portugal to force her to change her colonial policies. They think he has been ill-informed on the issue.

The aim of the insurgent forces in Portuguese Guinea, they say, is Cape Verde which the Portuguese regard as the key strategic position for defense of the western hemisphere. At the moment, these islands have

the only major airport controlling communications in the middle Atlantic.

What does the future hold for the provinces? Can they ever expect to be granted independence? One high Portuguese official replied: "My only answer to that is, we did in Brazil. I don't know what will happen in 20 or 30 years but, at the moment, they cannot be independent. They are not ready. At this stage, it would be disastrous."

American diplomats tend to feel that as long as the Portuguese take a hard line and dig in, as they are now doing, there will be no immediate change barring a radical political upheaval in the Metropole. The Portuguese believe in their mission. They are ready to fight for it.

They see themselves as lonely defenders of western civilization in Africa against the imperialistic designs of Soviet and Chinese communism. And there are times when they think that no one in the West really cares.

DAIRY IMPORTS

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. O'KONSKI. Mr. Speaker, the dairy industry is deeply concerned over the continued importation of certain specialty cheeses, which have been entering the country through price manipulation.

Almost a year ago, Swiss, Gruyere process and certain other cheeses were put under quotas; however, any of these cheeses costing 47 cents or over, were exempt from the quotas. This was an open invitation for the foreign dairy producers to raise the price of their cheese and thus legally evade the quotas. When it became evident that these importations were constituting almost one-fourth of all dairy imports, the President, in March of this year, requested the Tariff Commission to conduct hearings. This was the fourth hearing in recent years on closing the dairy importation loopholes.

I was very pleased when the Tariff Commission recommended to the President that the 47-cent price-break exemption should be eliminated and that the quotas for the specialty cheeses be set for a representative period of normal trade, before the foreign exporters flooded the market with "over 47-cent cheeses."

At the time of the March hearings, I testified for absolute quotas to protect the American cheese industry from unfair but legal quota manipulations. In September, I wrote to the President, urging prompt action in implementing the recommendations of the Tariff Commission. The White House replied to me that a Government interagency group was studying the report to prepare recommendations for the President's consideration.

During this delay, the imports of "price-break cheeses," outside of the quota have been increasing by leaps and bounds, with each month showing a dramatic increase over the previous month. For this reason, I am again urging that the President act promptly on the Tariff Commission recommendations to protect the domestic cheese and dairy industry.

CULTURE BOONDOGGLE

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. HALL. Mr. Speaker, an article in the December 6, 1971, issue of Barron's deals with a number of the ridiculous and scandalous aspects of the Federal Government's mushrooming love affair with artists of all stripes, professors of various bent, and at least one art collector.

I am pleased to note that our colleague, the gentleman from Iowa, Mr. H. R. Gross, is recognized in the article for the leading role he has played in unearthing many of the most ludicrous grants that have been made in the name of "culture."

We are helping to spend ourselves into the poorhouse by such insane projects as are mentioned in the Barron's article and I would hope that every Member of this Congress will read it.

I include the article for insertion at this point:

CULTURE BOONDOGGLE—FEDERAL SUBSIDY OF THE "ARTS" LATELY HAS TRIPLED

(By Shirley Scheibla)

"We all, no doubt, remember the debate that went on in this nation over many years over government involvement in the arts, the feeling of some that it was a frivolous waste of the taxpayers' money, the concern of others that government support might lead to government control or a drying up of the private funds on which ultimately the arts, of course, depend.

"The important thing now is that the government has accepted support of the arts as one of its responsibilities not only on the federal level but on the state and local levels as well."—President Richard M. Nixon, to the Fifth Annual Conference of the Associated Council of Arts, Washington, D.C., May 26, 1971.)

WASHINGTON.—If President Nixon really means what he says about holding the line on inflation, perhaps he should put his foot down the next time someone offers the government a donation for culture.

Originally, the John F. Kennedy Center for the Performing Arts was supposed to be financed entirely from private resources. But by the time it opened here last September, the tab picked up by the taxpayers had soared to \$67 million and threatens to go much higher.

ART FOR WHOSE SAKE?

Again, when Joseph Hirshhorn donated his collection of modern art to the government, it didn't look like bad news for the public purse. Now, however, construction is afoot on the edge of the Mall for a huge museum and sculpture garden as a proper setting in which to display the art treasures. For taxpayers this means a bite of at least \$16 million just for construction, additional expenses for restoring the art works to museum condition, plus maintenance estimated at between \$2 and \$3 million per year annually—to say nothing of the cost of the most valuable land in Washington for the site (now occupied by the Armed Forces Medical Museum, which is slated to be torn down).

Besides receiving such costly "gifts," the government also boasts its own foundation to hand out federal grants for culture: the National Foundation for the Arts and Humanities (NFAH). Created on the premise that support would come chiefly from non-government foundations and individual phi-

lanthropists, NFAH now is dispensing federal funds at the rate of \$61.2 million a year, double last year's total and triple that of the previous one.

NFAH operates through two subsidiaries, the National Endowment for the Arts and the National Endowment for the Humanities. Contributions to launch them came from foundations, including several noted for their support of liberal causes, like the Stern family funds, the Ford Foundation, the Field Foundation and the Southern Education Foundation. Thus fortified, NFAH swung into action to solicit gifts of money and then to cry there was a great unmet need for supporting culture which could be filled only by the federal government.

ECOLOGY OF GAZELLES

Several Congressmen, notably Rep. H. R. Gross (R., Iowa), have begun to question the "need" for some of the activities which NFAH has financed. They include studies on the biological rhythms of the catfish, ecology of gazelles in Israel, oral folk poems of Vietnam, Africans in the Roman Empire, relations of fishing boat crew members and how they relate to conflict groups in Yugoslavia, group encounter (sensitivity training) techniques as a means of determining user needs for low-income housing, and economic and cultural effectiveness of government arts programs during the New Deal.

Grants also have gone to former Senator Eugene McCarthy for an anthology and to the Vermont Council on the Arts at Montpelier for a pilot project "to demonstrate the feasibility of making minimal-cost public sculpture for what will become the first American sculpture highway."

NFAH grants are questionable on other grounds. Subsidies to the press, for instance, could jeopardize the latter's constitutionally guaranteed freedom. The agency has subsidized 152 "literary magazines" in 38 states. It also gave \$25,300 to WETA Channel 26 in the District of Columbia for "The Wolf von Eckardt Project on National Capitals." Wolf von Eckardt is a reporter for the Washington Post.

In Congressional testimony last April, Wallace B. Edgerton, acting chairman of the National Endowment for the Humanities, declared, "One goal of the Endowment in the coming years will be the broader use of the public media and the more effective use of them."

"QUALITY" ARTS PROGRAMMING

According to the National Endowment for the Arts (NEA), it "is exploring cooperative programming with the Corporation for Public Broadcasting and will itself be making a limited number of grants aimed at bringing quality arts programming to audiences through the media."

The Washington Post recently reported that NEA has subsidized the American Film Institute, which, in turn, has subsidized a CBS News documentary. NEA also gives grants for the development of film courses in schools and colleges.

The National Foundation does not hesitate to plunge into controversy. At New York State University at Stony Brook, it is financing a study of "The subculture of youth, both American and European, on a comparative basis . . . The project is not an easy one but promises understanding of the worldwide phenomenon of youthful alienation and possibly some practical recommendations for dealing with it."

At the University of Hawaii, it is paying for the application of "ecological and humanistic understanding to the design of a new kind of community. Called 'eco-community,' such a community would encourage redefining the 'good life' in terms of less consumption, more perception of individual uniqueness, and more responsible use of both human and natural resources."

PARENTS BARRED

Funding of controversial ventures has received little unfavorable publicity, except in the case of Living Stage '71. In a play given for 6- to 12-year-olds, with guards barring parents from attendance, a production in Baltimore seemed to approve beating up a teacher for sending a child home for being rude. The actors were applauded when they told the audience to yell an obscenity whenever it saw something it did not like. But when the children used the same words at home that night, enraged protests from parents made the Baltimore papers. During Congressional hearings, Rep. William Scherle (R., Iowa) questioned Nancy Hanks, head of NEA, about the play. She explained that since it was improvisational theater, her organization could not pass on the performances it was underwriting. Federal support for the group continues.

PRIEST ON TRIAL

Through NEA, the government also funds the Baltimore Center Stage, which opened the season earlier this month with a play titled "The Trial of the Catonsville Nine." The author is Father Daniel Berrigan, convicted for throwing napalm on draft records, and the play is his story of his trial and that of eight others.

Charges of conflict of interest have been made by the House Administration Committee regarding the connection of Gordon Bunshaft with the Hirshhorn Museum. One of the conditions Mr. Hirshhorn set for giving his collection to the government was the right for him and the Secretary of the Smithsonian Institution to name the architect. Their choice was Mr. Bunshaft, who happens to be a member of the Fine Arts Commission. The Committee said it questioned "the propriety of appointing an architect to design the museum who at the time was a member of the Fine Arts Commission which would have to approve the final design." According to Congressional testimony, Mr. Bunshaft's fee for the \$16 million museum and sculpture garden was \$1.4 million. He is a partner in the firm of Skidmore, Owings & Merrill, which designed Lyndon Johnson's library in Texas and handled the controversial redesign of Pennsylvania Avenue in Washington, which has not yet been carried out.

Much more than a possible conflict of interest, however, is involved in the Hirshhorn deal. According to the agreement with the government, which fixes the conditions for his donation, the museum and sculpture garden will bear his name and be maintained by the government with free access by the public, all in perpetuity. (Traditionally, donors provide funds for the upkeep.) So far as can be determined, the agreement is the only one Congress has ever approved which binds future Congresses forever; Senator James B. Allen (D., Ala.) has questioned its legality on this ground. Nevertheless, it has been approved by Congress.

APPALLING DISCOVERY

Back in May of 1966, President Johnson held a special ceremony in the White House rose garden to announce acceptance of the collection and the conditions embodied in the pact. This was before it was submitted to Congress, although it could not be implemented without new law. The following month, however, the legislators perfunctorily approved it. Later they were appalled to learn that the garden would involve a 600-foot trench cut directly across the Mall, with vertical walls 16 feet high at some points. Now it has been redesigned at a cost of \$55,000, to run beside the Mall.

Although construction is underway, and the government is committed to outlays of \$16 million for it, the collection has not yet been turned over to the government and won't be until construction is complete. Meanwhile, the House Administration Com-

mittee reports that federal funds are being used for upkeep of the collection, although the Hirshhorn agreement stipulates that he will be responsible for its care until construction is finished.

HUGE TAX DEDUCTION

According to accounts in the press, Mr. Hirshhorn spent between \$4 and \$5 million to acquire the collection. It later was appraised at \$22 million and then revised to \$25 million to account for inflation. Newspaper columnist Clark Mollenhoff says S. Dillon Ripley, secretary of the Smithsonian Institution, now values the donation at \$40 and \$50 million, thus indicating that Mr. Hirshhorn will derive a huge tax deduction for his gift.

There's hardly a government agency without a cultural program. The Office of Education, for instance, recently gave \$77,000 to the Academy Theater in Atlanta, "to extend its concept of 'involvement' of audiences into small Georgia communities, where it will attempt to influence thinking on the sensitive subject of school desegregation."

Even the National Park Service gets into the act. It is in charge of historic Ford's Theater, where President Lincoln was shot. Currently playing at Ford's, with federal subsidy, is a rock musical, "Mother Earth," with the message that because of pollution, doom is on the way. The show was given at the Interior Department on November 3 at the request of Secretary Rogers C. B. Morton.

SPECTACULAR OPENING

Ford's, of course, is dwarfed by the spectacular Kennedy Center, which opened to critics' brickbats. One of the chief complaints is that it caters more to the elite than to the general public. Orchestra tickets for opening night sold for \$25.

According to Washington Star columnist Betty Beale, "Kennedy workers" want Congress to appropriate more money for additional guards and replacement of stolen items, including plated silver, crystal drops from Waterford wall brackets, pink marble handles from faucets, parts of chandeliers and hand-sewn table cloths.

In addition, Center officials are trying to persuade the National Park Service to construct an underpass or overpass to the center for pedestrians. With no public transportation to the door of the center, pedestrians now must risk life and limb to cross the interchange of highways surrounding the center. Further subsidies also are likely since, according to press reports, the Eisenhower theater does not contain enough seats to be self-supporting.

In response to the criticism, the Center's director, Roger Stevens, responded, "It's here, and there's nothing anybody can do about it." That's another way of saying, "The public be damned."

THE INDUSTRIAL WORLD AHEAD:
A LOOK AT BUSINESS IN 1990

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. GERALD R. FORD. Mr. Speaker, since the shape of American life in the future depends largely on a wide range of steps taken now, I wish to call attention to a significant event that relates directly to our economic future, the White House Conference on "The Industrial World Ahead: A Look at Business in 1990."

The Nation's business press has been briefed at the White House on the aim of the Conference: To prepare for the future.

Jointly chairing the Conference are Secretary of Labor James D. Hodgson and Secretary of Commerce Maurice H. Stans. The event will take place at the Sheraton-Park Hotel in Washington. It will last 3 days, starting February 7.

A major portion of the Conference will be devoted to examining and analyzing trends affecting workers and their jobs. Continuous change will dominate the world of work in the next two decades, Labor Department experts assert. For example, in the next 10 years alone, the labor force is expected to increase by 15 million to a total of 100 million.

At this Conference, key representatives of labor and business will work together to prepare for these changes affecting our work force and to devise sound and meaningful approaches for meeting other challenges posed between now and 1990. They will work with leading representatives of the professions, education, and Government, who will also participate.

Thus, more than 1,500 leaders will pool their ideas in an intensive study of our future industrial world. This will be a joint effort representative of all parts of the Nation. The conferees are exceptionally well qualified to help solve the social-economic challenges of the future.

Two of the broad themes established for the Conference agenda are related directly to the workingman: "The Human Side of Enterprise and the Social Responsibility of Business." The other two themes are: "The Private Enterprise System" and "Technology and Resources for Business."

In sponsoring this Conference now, the Labor and Commerce Departments are to be commended for looking ahead to insure our economic and social well-being in the future. I know that my colleagues will join me in wishing the best of success to this Conference.

DISCUSSION ON ARTHRITIS AND
THE RHEUMATIC DISEASES AT
THE ROBERT B. BRIGHAM HOSPITAL

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mrs. HICKS of Massachusetts. Mr. Speaker, there is a very unique hospital located in my District in Boston, Mass., the Robert B. 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.

Dr. Theodore B. Bayles joined the medical staff at the Robert B. Brigham Hospital in 1939; at that time, he was one of only several dozen rheumatologists in the Nation. The Robert B. 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 5-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 hospital. Her time is divided between seeing patients and learning to use research tools and ogy, after being exposed to 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 3 years as a medical intern and resident. She will return to the 708-bed hospital in Baltimore, Md., next summer to become chief resident in medicine. Then, after 10 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 B. 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 from 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 1-month course in rheumatology and allergy sponsored by the Robert B. Brigham.

The one-to-one student-teacher relationship enabled him to see at firsthand the decisionmaking 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.

ROUNDTABLE

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 es-

entially 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 are 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—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 is true at almost every hospital.

But in the short time I have been here at the Robert B. Brigham Hospital, I have become more sensitive to the possibilities for coordinated care. One day, when I am seeing my own patients, I will know that there is 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 B. 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 two 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 are really turning out people with solid training in the field. It is 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 B. Brigham.

But you can't teach rheumatology off the cuff. Sometimes it takes patients three months, six months to respond, so it is 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 the 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 is another reason that brought me to the Robert B. 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 B. 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 are 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 are not having a chest pain; diabetics can often take a pill or a shot and forget about it. It is 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 B. 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 and a critical care unit.

In the past thirty-two years, I have seen the Robert B. 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!

AIR CARRIER INSPECTORS— MISSION IMPOSSIBLE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. CHARLES H. WILSON. Mr. Speaker, I recently read an article pertaining to the duties and responsibilities of an elite corps of Federal employees that most of us do not even know exists. I am speaking of the air carrier inspectors of the Federal Aviation Administration who are charged daily with the responsibility of maintaining quality control over the more than 35,000 certified pilots who fly billions of scheduled passenger miles each year. The safety and success of air transportation rests to a great degree on the ability and integrity of this small group which must master the intricacies of a vast new spectrum pertaining to the hardware, terminology and procedures of "the jet environment." Not only must he pass the written, the oral, the simulator and flight checks on a particular plane, he must also be able to judge, examine and qualify designated airmen.

This fact filled article was written by training Capt. Ed Mack Miller, a pilot of some 33 years. Training Captain Miller started flying in 1938; he was an Air Force pilot during World War II; and, flew with the Minutemen, a jet precision team of the Colorado Air National Guard. Captain Miller, who is presently the senior Flight Instructor for United Airlines, has qualified and mastered the intricacies of our most sophisticated jet aircraft. In addition, Ed Miller is an author in his own right, having written numerous articles and books of aviation interest.

Mr. Speaker, I commend Captain Miller on the fine job he did with respect to a subject so few of us know exists. I think it appropriate at this time to submit this article for the benefit of my colleagues:

THE "MODERN" FAA INSPECTOR

(By Capt. Ed Mack Miller)

Under the pressures generated by the "technological explosion," the jet-qualified Air Carrier Inspector has found himself in a "new ball game," where he has had to scramble to keep abreast of a revolution in techniques, knowledge, and intelligent application.

Because the airline industry has fallen heir to the quantum strides and technical break-throughs engendered by the space program, the job of an FAA Air Carrier Inspector has taken on multiple new and difficult facets in the past dozen years.

In the mid-50's, an Air Carrier Inspector was usually a pilot who had qualified for the job by passing a type rating test in an antiquated DC-3 and who was then issued a certificate which stated "All Ratings Authorized." This quotation allowed him to flight check applicants on all equipment even though he was virtually unqualified. This being the case, he soon lost the respect of his aviation counterparts who were more knowledgeable of the current aircraft.

But how about the Air Carrier Inspector of today? If you were to illustrate his position with a cartoon, you would show him riding a rocket . . . hanging on for dear life. In the space of a few years, he has been projected into—and has had to master (in

fact, show a greater mastery than those he is checking) the intricacies of theory and operation of such exotic equipment as complex Inertial Navigation Systems, Doppler, Loran and Consolan navigation systems, radar altimetry, automatic reporting devices . . . and a vast new spectrum of hardware and terminology and procedures termed "the jet environment."

In one giant step he had to stay abreast of a doubling, for instance, of aircraft speeds—from the 300-miles-an-hour of the Constellation and DC-6 type planes to the 600-miles-an-hour 707's, DC-8's, and 990's . . . and other first-generation jets, carrying passenger loads twice what had been normal before.

Hardly had he mastered the nuances of this vigorous new air-travel world, and its almost frantic need for newer and higher criteria of safety, when the industry began to stretch its jets . . . until, in the case of the DC-8-61, up to 250 persons could be carried.

The pressures on the small number of elite FAA jet-qualified Air Carrier Inspectors became even more agonizing as the individuals involved realized that they, and they alone, were responsible for a degree of quality control hardly ever imagined earlier. ACI's today monitor directly or indirectly over 35,000 certificated airmen in scheduled operation who fly billions of passenger miles each year.

For instance, they carried the burden of making sure that cockpit crew members, especially the Captain and the Flight Engineer, knew their equipment well and could handle it, at all times, with the maximum degree of safety—in normal or emergency circumstances. But also they had to make sure, God forbid, if something did go wrong and one of these huge "birds of burden" ended up off the runway . . . broken up, that everyone could be gotten out safely and expeditiously. They have with them now a vastly expanded area of "evacuation training." Where once it had been the pilot's simple statement, "Just follow me," now evacuation of a plane in a few seconds has become a well-planned and implemented semi-science . . . if the Inspector involved does his job well.

A world was on the move. There had been a revolution aloft. And its safety—and success—rested on the ability and integrity of a small group to monitor its standards and keep them high.

In the new jet world of great altitudes and tremendous speeds, new goblins leaped up to challenge the pilot and the Inspector; to name just a few, Clear Air Turbulence, the Jet Stream, and the Mountain Wave.

He had to insist on strict oxygen discipline ("mask on in five seconds"); he had to assure that a candidate captain could execute an emergency descent quickly, safely, and smoothly. The complications of a growing intermix of light and heavy traffic became another knotty problem confronting the Air Carrier Inspectors. They had to find time somewhere in a very tight schedule to accent and re-emphasize to flight crews "the constant and increasing importance of strict cockpit discipline and vigilance, especially in VFR flight conditions," as Mr. John H. Shaffer, the Administrator, has noted.

This flowerburst of technological expansion left little room for the Air Carrier Inspector who couldn't or wouldn't keep up. The "Stinson" days were gone forever. In addition to learning to fly newer and bigger equipment (almost every year, it seemed!), and learning it "from all three seats," there were new-type problems cropping up all the time: those associated with the Category II approaches and missed-approach procedures (especially critical); the unique problem for the jet airplane that became its particular *bête noir* . . . aquaplaning. The Inspector had to learn an entirely new kind of approach procedure (a much

safer one), the high-drag approach . . . and then he had to sell it to the pilot group, which was often somewhat resistant.

He had to exert a tough quality control over pilots who often didn't "buy" such new "goodies" as the flight director—"goodies" absolutely necessary to the safe conduct of jet flight in weather conditions.

And scarcely had the overburdened Inspector almost caught up with the "sky revolution" (exploding on all fronts like Fourth of July in a fireworks factory), then along came the Wide Bodied Jets, carrying up to 362 people.

Beautiful planes, highly automated. But "quality control" was needed more than ever now. The planes were easy to fly for a veteran of ten years on first-generation jets who had been well trained on the new plane. But there were many new things for the Inspector to learn and "sell," again: auto-throttles, autoland, altitude select, indicated airspeed hold . . . a raft of new and exotic "gadgets." He must hold the line for a complete program of training even though economic costs are skyrocketing. To relax now could be disastrous.

How far . . . how very far . . . the Air Carrier Inspector had been separated in a dozen years from his previous DC-3 and "All Ratings Authorized" paper qualification. The Air Carrier Inspector, with all of the learning and study, the long hours, the fantastic responsibility, now is qualified and rated on each jet aircraft from the Twin Engine DC-9 and B-737 to the jumbo B-747, and shortly the DC-10.

In addition to being able to pass the written, the oral, the simulator and flight checks on a particular plane, the jet-qualified Air Carrier Inspector must be able to do many other things. He must be able to judge, examine, and qualify designated check airmen.

He must become an expert in giving oral examinations, a fine art if it is to be done correctly. He must force himself, with the patience of a surgeon, the integrity of a District Attorney, and with the judgment and compassion of a priest . . . to efficiently but thoroughly test a man's knowledge and his reasoning capacity (especially under pressure) and have the courage to probe any soft spots. And—whether the man be a friend or the time be Christmas Eve—send him back for more training if that is the course that good sense and integrity dictate.

Giving an oral examination on a piece of airline equipment as exotic and sophisticated as a DC-10 or a B-747 is not easy. It presupposes a far greater knowledge on the part of the giver than on the part of the taker. The ACI must determine the applicant's understanding of aircraft systems, operating limitations, emergency and abnormal procedures, TERPS, and the basic pilot qualities of confidence and command.

Simulator checking is an art that has been called "almost arcane" with the advent of the "fantastic" second-generation ground trainers, which an Inspector must now be able to use for conducting the major portion of "rating rides."

Before the airline receives its approved simulator certificate, which allows it to use the flight simulator instead of the airplane, the Inspector runs the acceptance check on all the components and systems of the simulator to assure that they operate like the aircraft. He flies performance tests with the simulator and compares his findings with existing flight test data that has been compiled from actual aircraft flight data. The Inspector must also check the visual system so that the pictorial display will give a realistic environment. If an Inspector approved a simulator in a sub-standard condition, it could easily affect the entire training program and flight safety.

Learning to "fly" the 747 or DC-10 simulator is not too difficult compared with learning how to operate this "first cousin of the

Apollo simulator," with its myriad systems and complicated "trouble panels."

This type simulator has "six degrees of motion," actually "flies" in its auditorium home on tall, spindly legs. The motion system is so good that, with the loss of an engine on "takeoff," you can close your eyes and tell which engine quit from the sensory cues you receive. If you were to kick a rudder too hard, anyone standing up in the simulator had better be hanging on to something solid . . . because it moves . . . fast and far.

Inside the approved simulator, the crew seats are faithful to the aircraft set-up; all the panels are the same. Everything works. It is on the left wall, just back of the first observer's seat that things look much different from a first-generation jet simulator. The old "trouble panel"—the switches and selections used by the two instructors to set up procedures and techniques—have, as one writer said, "gone to college and got a doctorate."

At the far end is a section of "potpourri" controls, such miscellaneous items as "Motion on," control loading, ground reset, "Flight in progress," etc.

Above this grouping is the Aircraft Location Selector, and above it the Environmental Controls, where wind, barometric pressure, icing, lapse rate, temperature, and runway conditions can be set, as well as weight and payload.

Above this unit is the large MIDU (Malfunction Insertion and Display Unit), a big white screen onto which nearly fifty slides can be projected, using selector buttons just below. Schematics of all the major systems of the plane can be "called up" in visual display. On each side of the screen are lines of switches, with lines leading from the screen display out to the buttons. Selecting a particular switch-button will cause a malfunction to occur at some time during the simulated "flight."

As an example, if the Inspector wishes to test the pilot on one or more different fire-type situations, he calls up from the computer memory bank the slide labeled "fire protection." Here he can see some 18 different fire or overheat discrepancies. He selects the situations he wants (perhaps "wheel well fire" or "Engine No. 2 fuel fire" or "Aft cargo compartment overheat") and presses the buttons.

At some point in time downstream, the appropriate lights and bells will ring, and it is up to the pilot being checked to take care of the emergency at the same time that he continues to fly the airplane accurately (or have it flown by another crew member). When the problem is over, a reset button is punched to put the "plane" back in prime condition.

The possible combinations of things that can be used in the checking process runs into the tens of thousands. If the ACI is just checking a flight engineer, the flying of the plane (and the instrument displays up front) can be divorced from the "action in the back." He can pose many mechanical problems for the engineer, for instance, as though the plane were in cruise, while in actuality the crew "up front" is "shooting landings."

Just forward of the MIDU is another "far out" gadget, the CRT (Cathode Ray Tube) which will do nearly all the things the MIDU will do . . . and many more. Its button controls will set up thousands of flight and ground situations. The ACI can call up a page out of the manual on a particular system or emergency procedure he needs to consult; he can actually "build" an entire checkride for automatic sequencing of events, or he can instantly "initialize" the simulator to any airport or any aerial location in the world (one that has been programmed into the computer).

The machine is so advanced and yet so versatile that it is almost unbelievable. An Inspector must be very careful not to overburden the student, not to "initialize" him too often so that he gets confused, or to "ring in" emergencies at too quick a pace.

Veteran ACI's caution extreme care with the machine because, they say, it is possible to drive a tense pilot "out of his gourd" if it isn't intelligently operated.

However, if a student has made a poor takeoff or executed a poor maneuver, the Inspector can punch a "demonstrate" button and the machine (uncannily!) will, by itself, demonstrate how the maneuver (any maneuver programmed) should be flown.

Or, by pushing another button, the Inspector can have the machine reproduce exactly, with identical displacements of throttles, stick and rudder, how the person being checked flew the last maneuver.

Or, the ACI can evoke a complete printout of the last maneuver(s) to prove to an unbelieving checkee what parameters he touched on his last maneuver(s). It is a little unearthly, even unbelievable. And certainly a far cry from giving a check ride in an aircraft of yesteryear with his old certificate of "All Ratings Authorized."

The Aircraft Visual System (one system used is called VAMP, *Visuals Anamorphic Motion Picture*) allows the Inspector to set up variable weather situations to check the pilot's ability to transit from instrument to visual flight conditions—and effect a visual landing. In addition to allowing training in the most difficult decision the pilot must make, the VAMP system also gives a big bonus to the company and the Inspector—it allows most of the difficult rating flight to be given in the simulator—a great advantage from the safety standpoint, and a great economic saving. Other visual systems even allow circling approaches.

The VAMP is a 70 mm color motion picture (Cinerama) actually filmed from a helicopter, with an ability to be speeded up or slowed down to make it correspond with speed changes in the simulator/plane. Special effects are used to simulate fog, rain or low cloud. Night films are also used, and prisms are employed to warp the view for the pilot who is high, low, right or left of course.

The ACI, however, must be skilled in its employment to make it realistic. If he is careful and imaginative in setting up situations, the simulator becomes almost an airplane—better than the real thing in the situations of checking for proper procedures to be followed.

No one may ever be able to accurately determine how much credit the ACI should get for the airline industry's safety record—but it is considerable.

There really is no way of placing a price tag on the services of a highly trained, competent ACI.

"I only know," one veteran airline pilot said, "that the gap between what they are paid and what they should be paid is merely tremendous."

SOCIAL SECURITY BENEFITS PENALIZE OLDER AMERICANS

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. GIAIMO. Mr. Speaker, despite congressional intent to the contrary, many older Americans are penalized when social security benefit increases conflict with benefit restrictions tied to the medicare and medicaid programs.

A recent article in the Wall Street Journal as well as editorials in that paper and in the New York Times have again drawn attention to this problem. The problem is encapsulated in the Journal's headline: "Dismayed Aged Learn Social Security Raise Means Cut in Benefits."

These pieces make clear the fact that Congress never intended increases in social security benefits to bring penalties in loss of medical insurance coverage. They also note that an apparent remedy is at hand—a proposal legislatively tied to the welfare reform bills now pending.

The current White House Conference on the Aging lends timeliness to a consideration of this problem. But for 9 out of every 10 years there is no White House Conference focusing attention on the needs of the elderly in America. I sincerely hope that the good intentions and dedication of the Members of this and the other body who deal with tax legislation will work to eliminate once and for all this anomaly.

Mr. Speaker, we cannot do everything immediately that we should do to guarantee older American a dignified life, but the least we can do is reduce their unnecessary anxiety and suffering that stems from conflicting laws and regulations of the Federal Government.

The three above-mentioned articles follow:

[From the Wall Street Journal,
November 26, 1971]

**DISMAYED AGED LEARN SOCIAL SECURITY RAISE
MEANS CUT IN BENEFITS—IN MANY STATES,
A \$10 BOOST MAKES ELDERLY INELIGIBLE
FOR FREE MEDICAL CARE**

(By Tom Herman)

MIAMI BEACH, FLA.—Leah Miller is a diminutive, white-haired lady who lives alone in a small, \$100-a-month hotel room here. For the past several years, Mrs. Miller has lived solely on the proceeds of her Social Security check, welfare benefits and the occasional gifts of a few close friends. Mrs. Miller is a diabetic, and after she buys her prescribed drugs and pays her rent, there's not much left over each month.

Mrs. Miller is probably just the kind of person Congress had in mind when it decided to increase Social Security payments 10%. Well, the 10% increase is in effect now, and Mrs. Miller says it has changed her life, all right.

For the worse.

"I begged the government not to make me take it," she says, "but they said I had to. I told them that's not fair. But they said their regulations won't allow them to take it back."

Mrs. Miller has not lost her mind. Because of some quirks in federal and state laws, she and thousands of other old folks in 25 states have discovered that their Social Security raises are costing them far more than they benefit them. Specifically, Mrs. Miller now gets at least \$20 a month less than she did before the "increase." She also has less hospitalization insurance. And she isn't insured at all for many things she was once covered for.

NEW GARBAGE BILLS

The problem arises when elderly poor people receive just enough of a Social Security increase to make them ineligible for valuable other benefits they had been receiving, such as old-age assistance, Medicaid and free Medicare insurance. In some communities, the Social Security raise even disqualified recipients from receiving free garbage col-

lection and forced them to pay more for their food stamps.

To some people in government, the unfairness of that ironic situation is plain, and legislation now is pending in Congress that would largely eliminate the problem. However, the proposal is a part of the controversial welfare-reform bill, which is bogged down in the Senate Finance Committee, so there's no telling when or if relief will come. In the meantime the problem is likely to be aired at the White House Conference on Aging, scheduled for Sunday through Thursday of next week.

Mrs. Miller hasn't been invited to that conference, but if she were she would have plenty to gripe about. Before the increase, Mrs. Miller's only income was \$113 each month from Social Security and \$6 from the state welfare department—or \$1,428 a year. The state welfare department also furnished her with a little blue card that paid up to \$20 a month for prescribed medicines, and it picked up her monthly Medicare insurance premiums of about \$5.60.

MRS. MILLER'S SCISSORS

Then came the "raise." Now, Mrs. Miller gets \$124 a month from Social Security—\$11 more. But she no longer gets the \$6 welfare check, or her \$20 in medicines, or her \$5.60 in insurance premiums. (Medicaid in Florida and 24 other states is available only to welfare recipients.) The Medicaid Mrs. Miller lost covered free X-ray treatment and skilled nursing home services—which, if the need should ever arise, she will now have to pay for herself. Medicaid also pays a patient's entire hospital bill for up to 60 days. Without Medicaid, Mrs. Miller must pay the first \$60 of any hospitalization costs, and that figure will go up to \$68 in January.

To make ends meet, Mrs. Miller has started cutting her most expensive pills in half with a scissors. "That way, I use them up only half as fast," she says. She also spends less on food now. She also worries.

"What would I do if I should have to go to the hospital?" she asks. "I don't know where I would get that \$60. And the chances of my needing to go to the hospital get better every day. I'm 83, and I'm not getting any younger."

Mrs. Miller is confused, and she is bitter. "I still can't understand how anyone could let this happen," she says. "I told the welfare people, 'Thanks a lot for nothing.' They said they were sorry, but that their hands were tied by regulations. But what are we supposed to do, those of us who are much too old to do any work?"

Government officials don't have an answer to that question, but they say it isn't a new one. Thousands of cases like Mrs. Miller's pop up every time there's a Social Security increase, they say. "It's a real tragedy," says Virginia M. Smyth, a federal welfare official in Atlanta. "It's especially ironic because it runs completely counter to the intention of the law."

TOO OLD TO FIGHT

Although the problem may have been around for years, many government officials seem unaware of it, or assume it's not around any more. One official with the Social Security Administration in Miami recently insisted for several minutes that "the whole problem was cleared up last spring in some new legislation that you should know about." Later, after thumbing through several thick reference books, he confessed: "Well, I suppose you're right. The problem is still with us."

One reason few people seem aware of the situation is the extreme reluctance of many poor people to protest. In interviews, some people express fears that any protest would mean sharp cuts in their Social Security checks. Others simply shrug their shoulders and say they are too old to fight.

Some have reacted by pleading with Social Security officials to take back the "raise."

Sam Salit, a short, stocky, 77-year-old man, lives with his wife, Julia, age 66, in a small one-room apartment in South Miami Beach, an area of the elderly and the poor. Sitting in his "living" (the front half of the apartment) on a hot afternoon, Mr. Salit mops his brow and recalls a conversation he had with a state official after he discovered that the "increase" was going to cost him at least \$43 a month.

"First, I say to the man, look, I make you a deal: You take back my little increase and I won't tell a soul. In fact, I say to the man that I give back the increase gladly. The man smiles and says he's sorry. I say that sorry won't help. He says he knows. I say to myself, so what can I do? At my age, I'm going to fight the law?"

One answer, of course, would be for each state to give Medicaid to people whose incomes are too small to pay for the medical care they need. At the moment 23 states and the District of Columbia do just that. But in the others, only those on welfare are eligible for Medicaid. And it doesn't seem likely things will change. If anything, the trend is moving in the opposite direction; many states have begun or are considering cutbacks in medical care for the indigent.

Another answer would be to disregard Social Security altogether when computing welfare eligibility. That is the approach of a bill that will be introduced this winter by several Florida state senators; it is also an approach that has been proposed several times before and defeated, mainly because of cost.

Meanwhile, there is no help for people who lose money by getting money. That's especially tough on those with heavy medical expenses, such as Mary B. Powell, who lives near Miami. Back in the good old days before the Social Security increase, Mrs. Powell was technically on welfare and entitled to \$45 a month in free prescription medicine. Now, she's off welfare, and the \$45 a month comes from her own pocket—as does her \$5.60 Medicare insurance premium.

That's not all. Mrs. Powell and her husband, James, live in an unincorporated area of Dade County, which means that, as welfare recipients, they were entitled to free garbage collection. Now that they're off welfare, they have to pay the \$52 a year themselves. Like his wife, Mr. Powell lost his free medicines—\$20 a month in his case. Both the Powells lost their welfare checks, of \$1 each per month. The Powells figure their Social Security increase amounts to \$206.40 and will cost them \$810.40 a year, which means they must somehow find another \$604.40—assuming they will need no X-rays, hospital care or nursing home services.

That's an unlikely assumption. Mrs. Powell is either 73 or 75—"I can't remember if I was born in 1896 or 1898, but when you're my age, what's a year or two?"—and uses a wheelchair and suffers from ulcers and arthritis. Mr. Powell, who is 76, had "a complete mental breakdown in 1965 or so" and since has had a stroke, Mrs. Powell says. So the Powells are not exactly top candidates for the labor poll.

Nor are many others. "What worries me isn't losing the welfare check," says William Lucas, age 66, of Atlanta, who is mostly paralyzed on his right side and suffers from hardening of the arteries and an arthritic left leg and wrist. "Hell, they can keep the welfare check. What I need is that \$20 drug card and the Medicaid hospital coverage."

Lelia Comer, a 75-year-old St. Petersburg widow, can sympathize. Mrs. Comer's Social Security increase amounted to \$12 a month and robbed her of \$35.60 in welfare medical money as well as of the wide variety of hospital benefits paid by Medicaid.

Sitting on her porch with her shoes off, Mrs. Comer says: "I tell you what I think: Us old folks that worked hard, that can't

work no longer, that need the money just to stay alive and buy medicine, they are the ones that can't get no money. But those young mothers that have all them babies, they get all the money they need. This raise ain't a raise none at all. It's just what they do to get us old folks off of welfare, that's all. You see what they done, they just put on to one check and took off from the other. So I'm worse off from where I was. It hurt me a heap. God knows, they think the old folks ain't got nothing to spend money on. Nothing to spend money on."

To save money for herself and her 51-year-old asthmatic daughter who lives with her Mrs. Comer says she borrows "from my neighbor on food. And I leave off (buying) some of the groceries. My daughter, she says she don't care none about leaving off some of the groceries. She say that medicine is the most important thing."

Some observers think cases like Mrs. Comer's reflect the government's—and the whole society's—lack of sensitivity to problems of the aged. Max Friedson, a 72-year-old activist for improved old age legislation, thinks he knows why no one cares: "You know why problems like this exist?" he asks. "You know why? Because some people in government today think they'll never grow old. Of course, I never thought I'd grow old either."

[From the Wall Street Journal, Nov. 30, 1971]

WHEN MORE IS LESS

Fatter Social Security benefits are naturally high on the agenda of the current White House Conference on Aging. In this connection, we trust the conferees have duly noted Tom Herman's article in the Journal a few days ago.

When it comes to government benefits, it seems that more can indeed be less, and we do not refer only to the erosion of Social Security payments through inflation. As Mr. Herman's article explains, thousands of old people in many states are finding that raises bring smaller total benefits. This crazy condition happens if a Social-Security increase is just enough to make a person ineligible for other benefits he had been receiving, such as Medicaid and free Medicare insurance. In one case cited, an 83-year-old woman is getting at least \$20 a month less than before the last 10% Social-Security boost.

To the credit of the administration and Congress, legislation is pending that would largely clear up the anomaly, although it is tied to the welfare-reform bill and its prospects are thus uncertain. Anyway, the real question is how such a mess could have come about in the first place.

Without advocating the abolition of Social Security, we think it should be possible to note that the program has been oversold and overbureaucratized from the start. The addition of the vast new federal-state undertakings in health care probably made it inevitable that cross-purposes would develop. In fact, government appears to have a congenital proclivity toward cross-purposes in the social-economic domain, as is so painfully evident in aspects of the farm program, urban renewal and the like.

But whatever the basic explanation of this particular mix-up, it is bound to be cold comfort to all those old people on the receiving end of government help that hurts.

[From the New York Times, Dec. 1, 1971]

ELDERS' LIES

The elderly now represent 10 per cent of the population of the United States, cast more than 15 per cent of the vote and are growing fast enough to command major political attention. No doubt these facts account for the emphasis on action instead of rhetoric at the current White House Conference on Aging, the second of its kind. Arthur S. Flemming, its chairman, wants the emphasis to fall on the older citizen's

"Inadequacy of income"—a mild phrase, considering that one-fourth of all Americans over 65 are forced to live on a poverty-level income as defined by the Department of Labor. Many more must make do on fixed incomes little above that level while wrestling with inflationary prices, rising property taxes, wretched transportation systems and even nursing homes that would take a Dickens to exorcise adequately.

The five-day conference is expected to deal with these issues, but little can be hoped for unless it comes to grips with Mr. Flemming's salient point. It is nothing short of scandalous that the recent boost in Social Security payments has meant for many elderly not more income, but less. Increased payments from this source have, under varying state regulations, automatically cut thousands from Medicaid, hospitalization insurance, welfare assistance and even food stamps. Yet they are forced to take this "raise" which leaves them substantially worse off than they were.

An injustice of far longer standing is the penalty of reduced Social Security payments for those who exceed the low annual limit of \$1,680 in earned income, while no such penalty is invoked against those well off enough to collect dividends from investments. Perhaps most urgent of all, education and possibly legislation are needed to end arbitrary discrimination based on a fixed age—for employment and various types of license—rather than on a person's physical and mental state.

In this age of self-liberators, the aging should certainly not let themselves be forgotten.

SALUTE TO SENATOR BILL BROCK

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BAKER. Mr. Speaker, I was honored to participate in the appreciation dinner for Senator Bill Brock of Tennessee in Chattanooga on December 2. It was a privilege to introduce the Senator and join his distinguished colleague, Hon. JAMES BUCKLEY of New York, in honoring this outstanding legislator.

Since his election to Congress in 1962, BILL BROCK has served the citizens of Tennessee well. In four terms in the U.S. House of Representatives, where he rose to fourth-ranking Republican on the important Committee on Banking and Currency, BILL combined expertise in national and international affairs with demonstrated concern for needs of Tennesseans.

He has carried his fine record into the United States Senate. Although midway through his first term in that distinguished body, Senator Brock is not a freshman in experience. One of the Senate's youngest members, he has already made his mark on that body. Senator Brock convincingly displayed his leadership and competence last week as floor manager for an administration bill to coordinate and direct all Federal programs against illicit drugs through a special action office. The bill, S. 2097, passed unanimously December 2.

Senator Brock's performance is especially impressive in view of the usual Senate practice of allowing only members with several years' seniority to manage bills.

Now a national political figure, Senator Brock has not forgotten the "folks back home" in Tennessee, as response to the Chattanooga dinner proved. He continues to work long and hard for all the people of our State.

The Chattanooga News-Free Press recently published an editorial "Salute to Senator Bill Brock" citing his fine record of public service. I join in its praise of Senator Brock as a man of conscience and legislator of high moral principle. I am pleased to incorporate the editorial into my remarks:

[From Chattanooga News-Free Press, Dec. 2, 1971]

SALUTE TO SENATOR BILL BROCK

There's going to be a dinner here tonight to express appreciation to Sen. Bill Brock for his service to Tennessee and the nation. The headline speaker will be outstanding conservative Sen. James Buckley of New York. Also appearing or sending messages of praise will be such leaders as President Richard M. Nixon, Sen. Barry Goldwater, Sen. John Tower, Gov. Winfield Dunn, Sen. Howard Baker and Rep. Lamar Baker.

All of these people have good reason to applaud Bill Brock because he has been an outstanding leader in association with them. But the ones who should be most appreciative are the rank and file Americans of Tennessee. Bill Brock has been a representative who has given outstanding attention to both the interests of his constituents and the national interest, a senator who has expanded his effectiveness in service.

There are few people in Congress whose efforts to give personal service to the inquiries and problems of the individual people back home can compare with those of Bill Brock. He has been more than just a representative and senator voting on the national level; he has been an accessible helping hand bridging the gap between the local people and the national government.

This is important. Also important in these grave times is upholding principle in the vital debates that shape the course of our nation. Sen. Brock has displayed intelligence in recognizing the varied aspects of national policy, strength in supporting good programs and courage in standing against bad ones. Sometimes the pressures are terrific. Often the forces that represent some narrow interest that can be harmful to the general welfare are organized and effective, while there is no equal lobby for the public or for sound principle. We need men in Congress who can stand against those pressures for what is right. Sen. Brock has shown a readiness to do that and effectiveness for sound decisions.

Few "freshman" senators have the influence and respect that Bill Brock has. He has earned that enviable position by an apprenticeship in the House of Representatives in which he showed himself eager to do his homework, willing to take the hard tasks, not seeking the spotlight as a self-promoter but always trying to make his actions and viewpoint coincide with the Constitution and the best concept of law, while lending his ear to all.

No one in Congress can make a perfect record that will suit everybody all of the time, simply because there are diversities of opinion and interest, some legitimate and some destructive. Sen. Brock has sought to uphold the common good, not by expediency, not by holding his finger to the political winds, but by adherence to the principles that have made America a great and progressing nation.

The thing that makes Bill Brock a great senator is not that he deserves credit from many of the big "names" in political life but that he has done a good job deserving credit from ordinary Americans whose names may not be known but whose interests he serves.

THE SPRINGFIELD, MASS., EXCHANGE CLUB AND ITS "STEP OUT FOR PEOPLE" PROJECT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BOLAND. Mr. Speaker, the Exchange Club in my home city of Springfield, Mass., raised a record \$68,000 in contributions for its "Step Out for People" project last spring. The greatest amount ever raised by any Exchange Club in the United States—11,000 local chapters exist—the \$68,000 went for an animal care facility at Springfield's Forest Park Zoo.

"The Exchange," the national magazine for Exchange Clubs, has just published an article outlining the 6 months of planning and work behind the Springfield project's remarkable success.

Mr. Speaker, I put the article in the Record at this point:

SPRINGFIELD'S "STEP OUT FOR PEOPLE" RAISES A COOL \$68,000

Take a group of creative, hard-working Exchangeites, add a worthy cause, capture the enthusiasm and interest of youngsters, or citizens of any age, with a new and novel idea, and you have the formula for a fundraiser that grossed a fantastic \$68,000 for the community projects of the Exchange Club of Springfield, Mass., and untold dividends in community prestige and image.

That is the extraordinary story of the Springfield Club's "Step Out For People" project held last May 8th in the Greater Springfield area. To the best of anyone's recollection, the amount collected stands as a new record among Exchange Club fundraisers.

How was this remarkable feat accomplished? According to Public Relations Chairman Bruce M. Elmer, it took six months of planning and six to seven thousand concerned citizens and Exchangeites.

Late in 1970, the Club's board of directors began looking diligently for a fund-raising project. Someone recalled that at Holyoke, Mass., a nearby community, money had been raised through the efforts of a large portion of that community in planning and participating in a hike. Ted White, coordinator of the Holyoke hike, was contacted and later presented a program on the project at a Club meeting. It was learned that the hike concept had originated in Canada and had been done successfully for a number of years. Members were heartened to learn, also, that a city the size of Springfield could be expected to raise something in excess of \$50,000.

Club members responded enthusiastically. Within a few weeks the wheels of progress were rolling. An initial problem faced by the Club was finding a cause sufficiently worthwhile to capture the interest, imagination and involvement of the public. One was found—Springfield's public park had 750 acres of recreation area and a zoo, but no animal care facility or hospital. This became the goal of the hike, and the name "Step Out For People" was established. The estimated cost of the animal care facility, \$40,000, was set as the monetary objective. The size of the project and the work involved turned out to be much greater than anticipated. For one thing, if the hike were to be successful, the fullest support and cooperation of the community was needed.

The project's chairman, David H. Bass, who is now president of the Club, called a meeting of student council representatives of all the junior and senior high schools in the area. The student leaders responded vigorously. They organized student action committees

within their own school systems. They held assemblies and gave individual classroom talks to all students from grade six through high school. The response was overwhelming.

Adults also responded enthusiastically, and on the Saturday of the hike, some 6,000 people were on hand to begin the 25-mile, circuitous trek routed through the streets of Springfield. Another 1,000 to 1,500 persons aided at checkpoints and first aid stations.

The idea was that interested people of the community would be hikers, with each hiker also responsible for obtaining sponsors. Every sponsor, most of them ordinary citizens and householders, would pledge to pay his hiker a set amount per mile for every mile of the 25 he completed. Sponsor pledges varied from as little as 1/25 of a cent per mile to several dollars per mile. Each hiker tried to obtain as many sponsors as possible. The record amount raised by one hiker was \$603. The prodigious sum raised by all the hikers exceeded \$68,000. Expenses were just slightly over \$2,000, primarily for printing the various forms such as the sponsor list, map of the parade route, regulations and checkpoint card; and meeting, mailing, protection, and promotion expenses.

The animal care center is almost complete now and the cost was \$33,255 with an additional \$5,000 for furnishings and equipment. The public has shown continual interest in the disposition of the remaining funds. A committee of interested citizens has been formed to decide where the remaining money will be spent. The committee consists of several Exchange Club members, several students who worked on the hike, the president of the Chamber of Commerce, and several citizens. Club members find it important to keep the public well-informed to avoid any credibility gaps.

Publicity played a key role in the hike's success. At first the news media were slow to take up the cause, fearing that "Step Out For People" might not be well received. But as momentum increased, local television and radio stations ran public service announcements, special contests to interest hikers, and on the day of the hike, roving cameras and news reports. The newspapers were in continual contact with various members of the Club, seeking additional information and the most up-to-date facts.

The hike itself proved to be successful in more ways than raising money. Despite the bad weather—it rained steadily from noon-time on—the enthusiasm of most of the marchers remained undaunted and was very inspiring. About 6,000 people began walking at 8 a.m. and about 2,500 completed the 25 miles. Among the hikers were a dog, a boa constrictor, several people over 65, and multitudes of young people ranging from 4 years old on up. But in addition to all the marchers, many others along the 25-mile route encouraged the hikers with comments like: "Keep going . . . you're doing a great thing!" and "I didn't think kids today could do any thing this good." At many places along the hike route, residents had left hoses running for those who wanted a drink. When the rain came, several people provided hot chocolate and hot soup from their homes, reacting spontaneously to the hike and the weather. One package store owner along the route gave free cans of soda to hikers as they passed the store. Local businesses provided drinks, food, and ambulance service. In short, there was total community involvement, free of any generation gaps, apathy, or prejudice. There was genuine giving—giving from the heart.

Indeed, "Step Out For People" was, in every way, an outstanding success. And plans for "Step Out Two" already are underway. The Exchange Club of Springfield, fast earning a reputation for excitingly bold and effective community projects, is proof positive that an Exchange Club can achieve—can involve its total membership in meaningful Club activity—and can inspire a large

segment of the community to active participation in a worthwhile cause. Further, we'll wager that most of the people in Springfield and environs know what the Exchange Club is.

CONSTITUTIONAL AMENDMENT TO LOWER AGE REQUIREMENTS FOR SERVICE IN CONGRESS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. VANIK. Mr. Speaker, I have recently joined with a number of other Members in cosponsoring an amendment to the Constitution which would lower the age requirement for service in the House of Representatives from 25 to 22 and in the Senate from 30 to 27.

Young Americans today are better educated and more able to assume the responsibilities of political office than a comparable group only a few generations ago. In 1910, 13.5 percent of the American people were high school graduates. College graduates were 2.7 percent of the population in 1910, but by 1970, 16.4 percent of all Americans had graduated from college. In addition, a large number of other persons had had some years of college training. Our vastly expanded educational system, accompanied by a growing communications media, has resulted in the largest, most educated electorate in the history of any democracy. Today's educated youth are more politically aware and active than at any other time in our Nation's history.

The fact that this Nation's youth deserves to and is able to participate in the political process at an earlier age was recognized by the passage, this year, of the 26th amendment, which lowered the voting age from 21 to 18. It now follows that we should allow this newly enfranchised electorate to enter directly into the business of democratic representation by lowering the age requirement for service in the Congress.

Other countries have already reacted to this need. In Australia, Canada, France, and Great Britain, to name only a few, individuals younger than 22 can serve in any legislative capacity. Among our various State legislatures, 42 permit the seating of individuals in the lower chamber before the age of 22. It is time that we permit this pool of interested talent to enter into the national legislative body.

The average age of the Nation is now approximately 26 years. The average age of Members in the House of Representatives is 52.7 to 53 years of age—nearly double the average age of the Nation. I believe that it is time that we afford an opportunity for representatives of the new generation to seek election to the National Legislature to serve, to represent, and to present the ideas of their peers.

World history gives us many examples of young men and women who displayed such remarkable talent that they rose to leadership at a young age—an age which would prohibit them from serving in our present National Legislature. Our own Nation's generation of Revolutionary

War leaders were remarkably young. Jefferson wrote the Declaration of Independence at the age of 33.

During the Revolutionary War, Alexander Hamilton became one of Washington's chief artillery advisers at the age of 19 or 21. Henry Clay of Kentucky was elected Senator at the age of 29—and permitted by the Congress to which he was elected to take his seat. Clay, of course, decided to move from the Senate to the House and on his first day of service in the House was elected Speaker. These, of course, are all remarkable cases, but I believe that it is time that we change our fundamental law to permit remarkable individuals to contribute to our society when they are qualified. It is certain that it would be exceptional for a very young man or woman to be elected to the House or Senate. But these exceptional people should not be deprived of the opportunity to exercise their talents for the benefit of the Nation.

It is contrary to the best political traditions of this Nation that we should allow meaningless restrictions to hamper our political progress. Young Americans today hold their own views of where America should be going and they have their visions of what our future goals should be. To help make that future come true, we should allow participation of younger persons within the legislative process.

FREDERICK LUSSEN, A GREAT CHIEF OF DETECTIVES

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BIAGGI. Mr. Speaker, on Wednesday, December 8, a host of fellow police officers and friends will be honoring a man who had an exemplary career in the New York City Police Department. Born in the Bronx and educated in the borough schools, and the son of a policeman, former chief of detectives, Frederick M. Lussen, followed in his father's footsteps and entered the department on March 9, 1936.

In a career which spanned some 35 years, Chief Lussen engaged in a wide variety of police duties—on patrol, youth work, lecturer at the police academy, desk officer, and finally, detective duty. During this period he rose steadily through the ranks and in March 1963 was appointed to the rank of chief of detectives. Former Police Commissioner Howard Leary called him the "best chief of detectives ever," and I want to take this opportunity to echo these sentiments.

Chief Lussen was well known for his superb administrative ability. While chief of detectives he made over 200 personnel changes to increase efficiency, but also undertook such innovations as creation of the Wall Street squad, the bond squad, the airport squad. He also fought for and succeeded in getting increased personnel assigned to the narcotics unit and the auto squad.

His renown, however, is not confined to the imaginative handling of adminis-

trative duties, for he has obtained an international reputation and is acquainted with most of the top figures in foreign governments. He is probably one of the few people whom Premier Alexei Kosygin invited to visit the Russian Embassy. The chief's intelligent handling of the United Nations environs and the many embassies and consulates prevented many incidents which might have created crises situations.

The list of important cases which were personally supervised by Chief Lussen would delight the crime story writers. Just to mention a few will indicate the extent of his work and ability—the Anastasia murder case, the assassination of Malcolm X, the "Mad Bomber," investigations of the Minutemen and the Black Panthers, the attempted assassination of the son of Chiang Kai-shek, the 11th Street explosion involving the Weathermen, and the bombings in various department stores.

As in the armed services, police departments have various means of granting recognition to those who have shown exceptional courage in the performance of duty. Chief Lussen is one of those dedicated peace officers who fall within this category. The holder of some 14 commendations, his bravery led to his being awarded the second-highest medal which can be given, the Police Combat Cross. Affiliated with many civic and fraternal organizations he treasures mostly his membership in the honor legion of the police department, an organization reserved for the "finest of the finest."

When a person thinks of all Chief Lussen has accomplished in his long and arduous police career, he would surely wonder what kind of family life he led. Yet, he and his lovely wife, Kay, have much to be proud of. They are parents of two sons and a daughter, and, not surprisingly, all three have some connection with the law. Timothy, following in the tradition of father and grandfather, is now a detective in the police department, John is an attorney, and Eileen is married to a treasury agent.

When Chief Lussen retired on July 1, 1971, the New York City Police Department lost one of its most intelligent, dedicated and resourceful members. I hope that the many men he helped train can carry on his great work. However, it was not only a loss to the department but to the citizens of New York City and for them I say, "Many thanks, thou good and faithful servants."

For myself, and with your legion of friends, I say: "May your golf handicap be lowered and may God bless you with many long, healthy and happy years of retirement."

REFORMS NEEDED TO IMPROVE VOTER PARTICIPATION

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mrs. HANSEN of Washington. Mr. Speaker, the fact that 47 million eligible

citizens failed to vote in the 1968 presidential election is good reason to examine our election system and seek reforms aimed at improving voter participation. In 1972, 25 million young voters will then be allowed to vote for the first time and reforms passed by Congress will add another 14 million potential voters, but it is probable that fewer than one-half will actually register and vote. Unless some action is initiated in the coming months to reduce residence requirements, and to induce more citizens to register, there will be a tragic repeat of the low voter turnout we had in 1968.

It is gratifying to see a county election official who not only shares this concern but is doing something about it. Don Bonker, the Clark County auditor in my home district, has written an excellent article on this subject and proposes some needed reforms in Washington's registration system. At 34, he is the youngest county auditor in the State and has already received national recognition for his new and imaginative ideas on improving elections. His major accomplishment is use of punchcard voting which has cut election costs 50 percent. He was the first in the State to computerize voter lists and is the only one to mail election notices and sample ballots to all registered voters before every election.

Mr. Bonker believes that Government must assume greater responsibility to encourage citizens to register and vote. He has developed a program to register 90 percent of all eligible citizens in his county by the 1972 general election.

His article illustrates some of the problems he sees in voter registration and recommends needed changes in registration laws. I insert it at this point in the RECORD.

ARTICLE BY DON BONKER

Why don't Americans vote?

Partly because it's so difficult.

The burden of registering and voting in this country is on the individual, and government has done very little to accommodate the process. Our election laws have been more concerned with controls and safeguards than with access and convenience to the voter.

The result is an election system which does more to frustrate and inhibit the voter than to encourage him on election day.

Indeed, it is ironic that America, which enjoys one of the highest literacy rates ever and which professes to be the guardian of democratic elections, claims one of the poorest voting records in the world today.

Voting statistics in our national and state elections are appalling.

Forty-seven million eligible Americans did not vote for president in 1968—a trend which, over the next 20 years, could lead to between 70 and 90 million adult citizens not voting for the highest office in the land.

Our average turnout in presidential elections is only 62 percent of the eligible voters, and in off-year elections we seldom do better than 50 percent. European countries, by contrast, average more than 75 percent of all eligible voters in their elections.

In Washington last year, we had the biggest turnout in the state's history, yet nearly 700,000 qualified Washingtonians failed to vote on election day.

Our non-voting phenomenon is serious enough that national foundations and private groups are funding projects to study the problem. Common Cause early this year launched the Voting Rights Project aimed at changing state laws in the areas of resi-

dency requirements and registration procedures. Since ratification of the 18 year old vote various youth groups have been busy with registration campaigns and they will also work towards reform of registration and voting practices.

Sensing the need for reform Congress enacted the Voting Rights Act of 1970 and lowered the voting age to eighteen in all elections. These reforms eliminate some long standing barriers in the registration system and will add 25 million potential voters in 1972, but history shows that less than half will actually vote.

The reasons for non-voting are complex and deep-rooted. It is not easy to explain why forty-seven million people did not vote in a presidential election.

Statistics show at least half that number are disenfranchised by archaic and restrictive state laws. Voter requirements (and turnout) vary greatly from state to state. In 1964 only 63% of the population voted for president—that was the average. Idaho had a high of 77.5% compared to 33.7% in Mississippi, the lowest in the country. The same election in the same country—yet a difference of 44%.

A look at the registration laws in these two states will tell us why. In neighboring Idaho registration is automatic, permanent and can be done right up to three days before an election. To be eligible a person need only reside in that state six months. By contrast, in Mississippi, an individual must have lived in that state for two years before he can vote. Registration closes early in July—four months before the election. And before the Supreme Court outlawed such things, prospective voters were expected to pay a poll tax and take a literacy test. Recently the state legislature authorized counties to cancel entire election rolls if it were felt records were outdated, thereby requiring re-registration.

The time has come for an extensive review and reform of our registration system.

Many of our registration laws were adopted at the turn of the century and were actually designed to prevent people from voting. Some were aimed at abuses of political machines and others to disenfranchise the Negro. Reasons for these requirements have long since been forgotten, but the laws remain on the books today.

State residency requirements alone exclude millions of mobile Americans from voting. In a two-year period nearly 12 million people in this country—most of them voting age—move from one state to another. Approximately 5.4 million voters were disqualified for this reason in 1968. It is obvious that a person who is qualified to vote for President in one state is no less qualified because he moves to another state. Congress agreed, and last year it reduced the residency requirement to thirty days in presidential elections.

Yet many states still have residency periods longer than is necessary. Three-fourths of the states have one year residency periods, including Washington. Twelve states have a six month requirement and in two, New York and New Jersey, it is three months. Citizens need wait only ninety days in Pennsylvania and sixty days in West Virginia before they qualify as voters.

The United States is one of the few nations in the world where the voter must qualify himself rather than being included automatically in some type of government enumeration. Given modern-day standards of literacy and communications, a voter should be able to prepare himself to vote on local candidates and issues within a few weeks or, at the most, a few months.

The "closing period" is another hurdle. In Washington a voter cannot register during the thirty days before the election—right at the time when he is most interested in voting. While the closing period may be convenient for election officials, it also inconveniences

the potential voters—and prevents them from voting. There is no reason why this period could not be reduced to, say, seven days.

Also the manner of updating registration records is negative and self-defeating—it penalizes people for not voting. In Washington, if you fail to vote in a thirty-month period you are cancelled and must register anew. We could learn from the Oregon system which updates its voter records on the basis of residency rather than voter performance. Non-deliverable voter pamphlets serve as a means for election officials to verify a person's address, and if it has changed the voter simply returns a post card noting the change and is re-registered.

These are but a few examples of how state laws work to obstruct the registration process.

But laws represent only one aspect of the problem. If election reform is to be a reality we must also improve the attitudes and practices of those administering the laws. We must recognize that registration is more than a privilege—it is a right.

Government has a duty to encourage its citizens to vote and to facilitate the process in every way possible. We should do what Canada and other Western nations have done for years—put the burden of registration on government rather than on the individual.

In these countries registrars canvass every house—just as census takers do—and register everyone who is eligible.

Universal voter enrollment should be adopted in this country. Automatic, permanent, nationally valid registration of voters in national elections is long overdue. We are virtually the only advanced democratic nation without such a plan. There is legislation before Congress to tie voter registration with the social security system and to have universal voting by mail. The Federal government will step in if states are unable or unwilling to act in this area.

Washington could serve as a model in developing a voter enrollment program. Never before has state government assumed such a bold initiative in registering its citizens.

But never before has our voting system been confronted with such a challenge. The system which has at last brought voting rights into the twentieth century has failed to bring forth the additional reforms necessary for the realization of these rights by millions of Americans.

If we are to meet this challenge, government must assume greater initiative and responsibility. Certainly the same government that has so carefully devised bureaucratic systems to draft youngsters and to provide social security benefits is capable of making good the promises of democracy.

The time has come for government to shed its passive role concerning voter participation. The image does not accurately reflect our democratic ways. Here is a vital service that should clearly be taken to the people rather than waiting for people to come to it. And the public would accept and have every right to expect government to do everything possible to encourage its citizens to vote.

modernize the Nation's antiquated correctional systems and institutions.

Speaking with the full support of the President, Attorney General Mitchell announced several new Federal initiatives in the area of prison reform, especially in the fields of inmate education and rehabilitation, the training of correctional personnel, and the design of correctional institutions.

As important as these initiatives are, however, I found the overall tone and sense of the Attorney General's message even more significant. It was thoughtful, humane, progressive and determined. He made it perfectly clear that the President and he recognize that correctional systems, especially at the State and local levels, represent the most neglected aspect of society, that our prison system is inefficient and counterproductive in that it neither reforms criminals nor protects society, and that abusive treatment of inmates does not cure crime or criminals.

On a personal level, Mr. Speaker, I was especially pleased to read the Attorney General's remarks because the philosophy he expressed coincides so closely to my own, a fact which led me, just a few days earlier, to propose the creation of a new and independent prison inspection system as a means of arousing public understanding and support of prison reform by studying and publicizing the conditions that actually exist in specific prisons and jails throughout the country.

As a part of my remarks in the RECORD, I include both the text of the Attorney General's speech and a brief description of my prison inspection proposal from my most recent newsletter.

"NEW DOORS, NOT OLD WALLS"

(An Address by John N. Mitchell, Attorney General of the United States)

Let me join the others in welcoming you to this National Conference on Corrections. As many of you know, this conference stems from the continuing concern over prison reform by the President of the United States, and is a part of the national corrections program that he set in motion two years ago.

In 1969 President Nixon directed his Administration to pursue correctional reform along 13 specific avenues. He also appointed a Task Force on Prisoner Rehabilitation, which made a number of significant recommendations in April 1970.

Together, these directives and recommendations represent the most determined and comprehensive approach to corrections ever made in this country. I refer not only to Federal corrections, but insofar as the Federal Government can provide funds, training and leadership, this approach is a Magna Carta of prison reform for all levels of government.

We are here to review how far we have come in implementing the reforms already proposed by the President and others, and to chart a course over the vast sea of problems remaining.

Until the last two years, it could be said of prison reform what Mark Twain is supposed to have said about the weather: "Everybody talks about it, but nobody ever does anything about it."

Some of the talking was done at a National Congress on Penitentiary and Reformatory Discipline, meeting in Cincinnati. Among other things, it recommended that:

The prime goal of prisons is not to punish, but to reform.

Prison personnel should be much better trained and developed to professional status. Prisoners should be classified and treated appropriately and separately.

They should be handled with incentives and moral suasion, not physical punishment. They should be given hope of reduced sentence and parole for good behavior.

Their academic education and vocational training should receive primary emphasis. They should be helped to find their way in society after release.

When were these enlightened ideas proposed? Not last month or last year, but in 1870—more than a century ago.

Forty years ago a National Commission on Law Observance and Enforcement, known as the Wickersham Commission, devoted an entire volume of its report to the subject of corrections. Among its recommendations were the very same ones that had already been recommended in 1870.

Nearly five years ago a President's Commission on Law Enforcement and Administration of Justice devoted a chapter of its final report to corrections. Among its recommendations were ones previously made in 1870 and 1931.

What was the result of this century of recommendations?

In state after state, most of the prisons have no programs for correcting the prisoner. Only a fraction of inmates in the country are exposed to such programs.

Only from 10 to 20 percent of all prison system budgets in this country is spent on actual programs to correct the inmate; the rest is spent on custody and administration.

Only 20 percent of institutional personnel are assigned to correctional-type programs.

In many states, first offenders are mingled with hardened criminals; in many cases, juveniles are mingled with adults.

In any other profession this kind of neglect would be unthinkable. How would we react if a hospital put accident victims in the Communicable Disease Ward—and at that, a ward in which the patient received a bed, but no treatment? We should be just as appalled at the situation in many of our prisons today. Little wonder that, in sounding the call for prison reform, President Nixon declared, "The American system for correcting and rehabilitating criminals presents a convincing case of failure."

There are, of course, some outstanding exceptions. But in characterizing most American prisons I need only use the same language that the Wickersham Commission used 40 years ago:

"We conclude that the present prison system is antiquated and inefficient. It does not reform the criminal. It fails to protect society. There is reason to believe that it contributes to the increase of crime by hardening the prisoner."

Today we have figures to confirm that belief. According to the FBI, those arrested on Federal criminal charges in 1970 had an average of four prior criminal arrests and an average of nearly 1½ convictions at the local, state or Federal level. The nearly 38,000 arrested on Federal charges in 1970 had a total of more than 22,000 prior imprisonments of six months or longer in one type of institution or another.

These and many other studies with similar results should not surprise us. It is as simple as the words of the novelist, Dostoyevsky: "... neither convict prisons, nor prison ships, nor any system of hard labor ever cured a criminal."

The fact is that other trends in American life are going to make this corrections problem even more pressing in the future. The trend toward improved law enforcement systems will not only deter crime in the long run, but in the near term one of its effects should be to increase the arrest rate. Moreover, if the court reform movement proceeds as we hope, it will speed the prosecution of

PRISON REFORM—AND INSPECTION

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mrs. DWYER. Mr. Speaker, the Attorney General's speech Monday at the National Conference on Corrections in Williamsburg, Va., should be a source of considerable encouragement to all who recognize the urgent need to reform and

more defendants. Together, these two factors will send many more offenders through the criminal justice system, thus putting added strain on the corrections program.

We must be prepared for this new wave of offenders coming into the prison system—ready not just with added beds and benches, but ready to make the most of an opportunity to reach a large number of offenders with modern corrections techniques.

At the same time, the rising level of education in the United States is leaving a bigger gap between the undereducated offender and society at large. So our job training and educational programs in the prisons must be pushed even harder to keep up with successes in other aspects of society.

Recognizing that there are many successful corrections programs by various jurisdictions, I would like to examine briefly the particular program developed in response to President Nixon's directions two years ago.

First, the President's program has received growing financial support from Congress, thanks to some dedicated leaders in the corrections crusade such as Senator Roman L. Hruska of Nebraska. Funds specifically earmarked for corrections, over and above the other corrections grants, have been added to the program of the Law Enforcement Assistance Administration, part of the Department of Justice.

Second, in 1970 the Inter-agency Council on Corrections was created to focus the work of all relevant Federal agencies on prisoner rehabilitation. This consists of representatives from a dozen agencies within the Departments of Justice, Labor, Defense, and Health, Education, and Welfare, as well as from the Department of Housing and Urban Development, the Office of Economic Opportunity, and the U.S. Civil Service Commission.

Third, the United States Board of Parole was reorganized in 1969 to enable Parole Hearing Examiners to conduct many of the hearings in correctional institutions across the country. This permits the Board members to devote more time to the decision-making process and to hold more appellate reviews.

Fourth, the Federal Bureau of Prisons within the Department of Justice developed a comprehensive 10-year master plan to improve the effectiveness of the Federal Prison System and hopefully to make it a model of correctional endeavor for other agencies in this country to follow. This plan emphasizes individualized treatment and community orientation. The Bureau has already made a good start in achieving these goals, particularly in two vital areas—personnel training and new facilities.

The first regional staff training center was opened last January. It provides professional training to develop the correctional officer as an agent for change rather than as primarily a custodian or keeper. The second regional training center will be opened the first of this coming year, and three more are planned for the future. As soon as possible, these facilities will also be made available to state and local correctional personnel.

This month the Bureau plans to break ground for its first Metropolitan Correctional Center in New York City. This multipurpose facility will provide pre-sentence and post-sentence short-term detention, diagnostic service to the courts, pre-release services to offenders returning to the city from other institutions, and correctional services for parolees and probationers. Construction will begin on a similar center in Chicago in June 1972, and six other centers are scheduled for urban areas where the need is most acute.

Construction will begin early next year on a facility unique in correctional practice. This is the Behavioral Research Center at Butner, North Carolina, which will provide

treatment for and research on special groups of offenders, including the mentally disturbed. And in the fiscal 1972 budget, Congress provided for construction of a West Coast complex of facilities in four metropolitan areas to provide better correctional techniques for youthful offenders.

Fifth, the Law Enforcement Assistance Administration has greatly increased its funding for correctional aid to the states and localities. In fiscal 1971 this reached \$178,000,000, which included more than \$47 million in Part E funds that Congress, for the first time, especially earmarked for corrections, at the urging of President Nixon. This Part E funding has been more than doubled in the current 1972 fiscal year, bringing the total LEAA funding for corrections in this current year to nearly a quarter of a billion dollars. For the first time, substantial funds are available for a coordinated program to bring American penology into the 20th Century.

From its inception, the entire LEAA corrections program has had a common theme—preparing the offender for assimilation into society. One reason is that community-based programs are within the financial reach of the Federal assistance program and of the states and localities. If these correctional programs are as successful as we hope, we may not need to build all the new facilities that now seem to be required by the antiquated condition of most penal institutions. Some funds are being used for construction, but on a very selective basis which emphasizes corrections, not just detention. Already, as a result of LEAA funding, we can see some visible areas of progress. To cite only a few:

Kentucky has begun its first organized pre-release program for prison inmates.

Arizona has begun treatment programs in county jails.

Michigan is developing a million-dollar model program to treat young offenders in community-based programs.

Missouri is opening 12 new community treatment centers for offenders and ex-offenders and 36 group homes for juveniles.

Louisiana is building a state institution for women and two regional centers for offenders.

Indiana has opened two new regional centers for juveniles in the past two years and will open four more.

Florida is implementing a major probation program for juveniles directed by the state.

New York is launching a massive series of professional training programs for existing correctional personnel at all levels.

Those programs are only a fraction of the whole picture.

Last Fiscal year LEAA put over \$2 million into job training and placement programs operated by private industry.

LEAA has also made direct grants to cities and counties to finance community treatment centers, narcotics and drug treatment, job placement, juvenile probation, work release, group homes, rehabilitation of alcoholics, halfway houses, volunteer aid programs, psychiatric care, and a host of other offender rehabilitation efforts.

We are also aware that many states need technical advice on how their facilities need improving, and even on how their new buildings should be designed to make maximum use of modern correctional methods. I am able to announce that, to meet this need, LEAA has funded a National Clearinghouse for Criminal Justice Architecture at the University of Illinois.

Professional assistance in planning and implementing education programs for inmates is also a need of many states and localities. For this purpose I am today directing LEAA to establish a National Clearinghouse for Correctional Education, using such funds as are now available for its initial

phase of development. This Clearinghouse will give technical help, including curriculum planning and classroom and correspondence course materials, to correctional agencies establishing education programs for primary through college level.

These are only a few highlights, and they do not include numerous research programs to advance the science of corrections.

Already, because this large LEAA funding is now available, state and local correctional administrators have begun to press for change. They are documenting their needs, with new confidence that those needs will be met. No longer are they voices in the wilderness.

In addition, other Federal agencies are providing strong support. At three Federal institutions, the Office of Economic Opportunity has funded programs to prepare selected inmates for advanced educational opportunities. A number of vocational training courses for handicapped inmates have been sponsored by the Rehabilitation Services Administration of HEW. The Manpower Administration of the Department of Labor has made numerous grants to provide occupational training for inmates of Federal, state and local institutions. And the Manpower Administration is also participating with United States Attorneys and the Federal Courts in a program to provide jobs and correctional guidance to selected defendants, without trial.

Recently, steps have been taken to bring even closer coordination of Federal and state corrections programs.

A National Advisory Commission on Criminal Justice Standards and Goals, chaired by Governor Russell Peterson of Delaware, has been established by LEAA. Among the standards it will consider and establish are those for corrections. I trust that when these are forthcoming, correctional institutions at all levels will give them the most serious consideration, to the end that all such American institutions can work toward the same goals.

In addition, the cabinet heads of the Departments of Justice, Labor, and HEW last week joined in sending a letter to the governors of all states and territories, offering fresh technical and financial assistance in a coordinated Federal-state program for correction of offenders. Grants for preparation of plans will be made to all participating states before the end of this fiscal year. Sometime in February the representatives designated by the Governors will meet with Federal officials in Washington to agree upon guidelines for the program plans. The result will be that the states can make comprehensive plans with the assurance that they will receive substantial Federal financial support starting in fiscal 1973.

So we have here the first major step in articulating and implementing a national program—Federal, state and local—on the correction of offenders. I hope that your deliberations here will provide a body of professional recommendations that will guide state and Federal planners.

In short, a number of factors have combined to give us the best opportunity in this century to bring some genuine reform to the most neglected aspect of our society.

We have concerned and enlightened leadership—a President who has made prison reform one of the priorities of his Administration.

We have significant funds available and a viable program for allocating them.

We have some outstanding examples of progress in both state and Federal prison institutions.

We have a higher level of public support than ever before.

For the first time, we can mount a national corrections program that does not simply repair old buildings, and is not based only on old concepts of restraint and deterrence. In-

stead we can make use of the imaginative corrections principles that have been advocated for at least a century.

More than this, we can be bold enough to consider new ideas. Let me close by sharing just a few with you.

First, as you know, the need for better training and common performance standards among correctional officials is shared by all government levels. In this connection I am today directing the Federal Bureau of Prisons and the LEAA to work with the states and localities in establishing a National Corrections Academy. This would serve as a national center for correctional learning, research, executive seminars, and development of correctional policy recommendations. It would cover the whole range of correctional disciplines, from the new employee to the management level. Besides giving professional training of the highest quality, it would provide a continuing meeting ground for the exchange of advanced ideas on corrections. I believe it will be the most effective single means of upgrading the profession and assuring that correction is more than a euphemism for detention. I hope that the members of this Conference will give us the benefit of their ideas on implementing this Academy in the most effective way.

Second, I call upon all agencies to increase minority employment among professional correctional personnel. In my opinion this would greatly increase the effectiveness of counseling and guidance at all stages of the corrections process. Practically all prison systems, including the Federal system, have a long way to go in this regard. I am pleased to report that the Director of the Federal Bureau of Prisons has directed all 28 Federal institutions to work toward a goal of one-third minority employment in all new hiring. I urge corrections institutions at all levels to make an extraordinary effort to find and recruit minority personnel—not only because it is the law, not only because it is fair, but because it can genuinely benefit the corrections process. LEAA is already funding a program to aid police departments in increasing their proportion of minority officers, and I am today directing LEAA to expand this program to include the same aid for correctional systems.

Third, let us recognize that correction should begin, not with the prisons, but with the courts. Let us ask whether in every case we need to achieve "the object so sublime" of the *Mikado's* Lord High Executioner—"To make the punishment fit the crime." In many cases, society can best be served by diverting the accused to a voluntary community-oriented correctional program instead of bringing him to trial. The federal criminal justice system has already used this formula in many juvenile cases—the so-called Brooklyn plan. I believe this program could be expanded to include certain offenders beyond the juvenile age, without losing the general deterrent effect of the criminal justice system. I am therefore directing the Executive Office of United States Attorneys and the Criminal Division of the Justice Department to study the feasibility of enlarging the area of criminal cases in which the prosecutor might be justified in deferring prosecution in favor of an immediate community-oriented correctional program.

Finally, I propose for your consideration a more general problem—the need to elevate public attitudes toward the releasee. Studies have shown an appalling resistance to hiring ex-offenders, even by many governmental agencies at different levels, thus frustrating other efforts at correction. Some state laws prohibit the hiring of ex-offenders by government agencies, however well adjusted or corrected they may be. When such a releasee is thus denied the means of making an

honest living, every sentence becomes a life sentence. The attitude of each citizen toward salvaging offenders as valuable human beings is one of the obvious cases covered by the popular saying, "If you're not part of the solution, you're part of the problem."

It is my hope that as the rehabilitation approach to penology begins to work, the public will begin to change its archaic feeling about ex-offenders. The public's predominant impression of penology will be, not of old walls, but of new doors. And this in turn can be the final breakthrough in the centuries-old battle to reclaim and assimilate the ex-offender.

Winston Churchill once said that attitudes toward the treatment of criminals are "one of the unfailing tests of the civilization of any country." Let us do all in our power to assure that our country may yet be able to meet this test, not in shame, but with pride.

Ladies and gentlemen, I wish to thank you for your participation in this Conference. We are counting on your counsel as we enter a new phase in a national correctional program, and I trust that your dedication to this cause will produce some truly inspired guidance that is equal to the challenge.

REPRESSION VS. REHABILITATION

(By Rep. Florence P. Dwyer)

The rebellion last week at the Rahway State Prison raises some serious questions which Congress, State legislatures and society in general will continue to ignore only at the peril of us all. These questions involve the very nature of prisons: do we intend them to be mindless institutions for repressive punishment or centers for rehabilitating offenders and restoring them to useful roles in the life of the community?

When one considers that the crime rate has increased from 1,123 per 100,000 population in 1960 to 2,471 in 1969, and that the rate of recidivism (crimes committed after release from prison) is in the neighborhood of 75-80 percent, the question answers itself. Every study I've seen shows that abusive conditions in prison only hardens the prisoner's determination to exact a further price from society. He becomes committed in prison to a career of crime, not intimidated into conformity. Conversely, these same studies show that where prisons provide decent treatment, job training, and educational opportunities, the rate of recidivism declines.

Most of us don't like to think about these things. We want to put criminals in jail as quickly and for as long a time as possible, and then forget about them. But we do care about crime and we all suffer from the increased sense of personal threat and insecurity which the growing crime rate induces. Thus, since repeat offenses account for an important share of the crime rate, this "jail 'em and forget 'em" philosophy seems pretty shortsighted. It only makes more trouble for ourselves.

INSPECTION: A PRELUDE TO ACTION

Which is exactly what we're doing. Federal prison officials tell me that conditions in most State prisons and county and local jails are atrocious beyond description, that they physically sicken in some cases these experienced observers. It is instructive, I think, that riots almost never occur in Federal prisons, despite the many and admitted shortcomings of these institutions.

There is much that can be done to remedy this situation, and the U.S. Law Enforcement Assistance Administration is at last beginning to work with some State and local governments in the area of correctional reform. But this is just a beginning.

One way we could stimulate greater prog-

ress, I suggest, would be to institute an independent prison inspection system. Unbelievably—but Federal officials confirm this—there is no such thing as a systematic and effective means of inspecting prison conditions in the United States. We don't even know what's going on in institutions which are vital to our personal security. Until we do, we can't do much to change them.

My suggestion is a simple one. It won't bring reform automatically, but it would give us the foundation on which to make informed policy decisions. I have in mind an inspection corps completely independent of Federal, State or local prison systems, operating in teams of three or more experts in various areas of prison administration, empowered to make unannounced visits to any jail in the country, and authorized to make public reports of their findings and recommendations.

This is not a "do-gooder" idea. It won't work in many cases. But if it results in even a marginal reduction in the debilitating effects of crime, then it could be eminently worthwhile.

THE INDESTRUCTIBLE MRS. MANNIX

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SHOUP. Mr. Speaker, in these days of increased concern for the rights of women to reap the fruits of man's labor by laboring alongside him, I respectfully refer then to the story of a recently deceased Montana lady who did not—because of necessity—wait for a law to be passed to be a man's equal.

In respect to the memory of an "indestructible" Montana mother, I insert the following article in the RECORD:

"INDESTRUCTIBLE" RANCHER DIES; BURIAL IN HELMVILLE

"The indestructible Mrs. Mannix," as she was referred to in a magazine sketch in 1963, died Friday in an Idaho Falls hospital where she had been admitted only a few days previously when stricken ill.

Mrs. Will (Nettie) Mannix, who had lived in the Avon-Helmville area for most of her life, was 95 years old.

Born Jan. 13, 1876 in Marysville, she moved with her family when she was 12 to the Nevada Creek valley where, in 1898, she married William Mannix.

A story written by an Avon author, T. J. Kertula, which appeared in the "Western Livestock Journal" in 1963, related the hardness and determination which led her to operate the ranch which they purchased, her husband crippled with polio—10 children to raise.

In addition to running the ranch she drove twice weekly a stage from Finn, north of Avon, to the railroad at Avon, a round-trip of 30 miles. The stage carried mail, freight and passengers. For 15 years she recorded 1,560 consecutive runs without a missed trip.

After her husband's death in 1927 she let the home ranch go but 20 years later bought it back, at the age of 70. She made it into a Hereford operation and in an average year the ranch put up 800 tons of wild hay. She operated the ranch with her sons until three years ago when she moved to Idaho Falls to live with a daughter Mrs. Herbert Kiss.

Mrs. Mannix leaves 92 direct descendants.

THE LATE THOMAS A. BURKE

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. JAMES V. STANTON. Mr. Speaker, it was with deep regret that I learned recently of the death of Thomas A. Burke, former mayor of Cleveland, and U.S. Senator from Ohio. During his tenure as mayor, Thomas Burke acted with courage and imagination both in meeting the unique problems which confronted the city in the years immediately following World War II, and in initiating new programs to facilitate the growth of Cleveland. His entire career was marked by a rare dedication to the public interest, and the people of Cleveland were most fortunate to have been blessed with leadership of this caliber.

In tribute to his many accomplishments, I include the following article concerning Thomas Burke in the CONGRESSIONAL RECORD.

THOMAS A. BURKE

Thomas A. Burke, mayor of the city of Cleveland first by succession and then by will of the people, and United States senator for a brief period by appointment, was a short, paunchy, affable man whose rose-red cheeks and ready smile gave a misleading impression that he always enjoyed a care-free political life.

This was not so. Mr. Burke, now dead at 73, met head on, and with serious determination, the vexing problems confronting the mayor of this large industrial city in the closing months of World War II and during the arduous transition to peace that followed.

He was head of the city when it was almost impossible at times to find personnel and equipment to take care of municipal chores. But Mr. Burke found ways to get the job done. It was not the most popular assignment in 1946 to convince voters, staggering out from under the load of world conflict, to agree to spend \$35 million in civic improvements but Mr. Burke pushed bond issues in that amount across to keep the city moving.

He had to contend with labor problems and a utility strike and a transportation strike but he met these challenges firmly. He saw the need for a second Cleveland airport, one on the lakefront, and today there is such an airport and fittingly it bears his name.

In actual time, Mr. Burke served longer as mayor of Cleveland than any other man although Tom L. Johnson also was elected four times and Anthony J. Celebrezze, later to become secretary of health, education and welfare and now a federal judge, was chosen five times for the office.

Son of a physician, Mr. Burke grew up in what is now the Hough area. He received his law degree from Western Reserve University and after service in the county prosecutor's office, he decided to run for judge. He was defeated in 1937 and returned to private law practice but in 1941 the mayor, Frank J. Lausche, chose Mr. Burke as law director and this proved to be a turning point in his career. He succeeded Lausche as mayor in 1945 when the latter moved up to become governor of Ohio and later that year Mr. Burke sought, and was elected to, the city's top post.

Four times he steamrolled the opposition, serving a total of eight years, ten months and five days in office. In 1954 he

succeeded, by appointment, the late Robert A. Taft in the U.S. Senate but when he ran for that seat later in the year he was defeated by the late George H. Bender in about as close a race as this state has witnessed. Mr. Burke lost by 6,000 votes and a possible factor in his defeat, yet one which illustrated his sense of fair play, was his announced opposition to the red-hunting tactics of the late Sen. Joseph R. McCarthy. Mr. Burke then retired once more to private law practice but he remained, until his death, a Cleveland political figure respected and pleasantly received as a local boy who made good in his own home town.

KENT STUDENTS SEEK NIXON REVERSAL ON REQUEST FOR GRAND JURY INQUIRY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. MOORHEAD. Mr. Speaker, earlier in the year, 19 of my colleagues joined me in asking the Attorney General to convene a Federal grand jury to put an end to the bickering and confusion concerning what happened on the Kent State campus in May of 1970 when four students were killed and several others wounded.

After waiting until the Congress recessed for its summer vacation, the Justice Department decided that they were not going to pursue this question and announced that there would be no Federal grand jury.

This was expected by all who understood that this administration's commitment to the status quo far surpassed its concern for justice at Kent State.

Now students of Kent, some 10,000 of them, more than half the student body, have petitioned the President to reconsider the decision of the Justice Department.

In Ohio, other campuses are joining the petition campaign and asking Mr. Nixon to make this effort which could go a long way in restoring the faith of young people in elected public officials.

For the information of my colleagues, I am enclosing a copy of the petition signed by various Kent student leaders, as well as an excellent article written by Mary McGrory when the Kent students came to Washington and sat down with the President's assistant, Leonard Garment, to make their feelings known.

The students came to my office and I suggested certain courses of action but the ultimate act would be the decision by the President of the United States that only a Federal Grand Jury can untangle the mass of claim and counterclaim which surrounds the incidents at Kent State.

The statement follows:

STATEMENT OF THE CAMPUS ACTION BOARD REGARDING PETITIONS CALLING FOR FEDERAL GRAND JURY

We have waited and watched; watched the pitiful attempts of the "system" to live up to its claims. Watched as many churches throughout the nation called for a Federal grand jury. Watched as Senators and Congressmen called for a Federal grand jury and

a Congressional investigation. Watched as over 10,000 of our fellow students signed a petition calling for this same Federal grand jury.

It is nearly eighteen months since the guns fell silent on our campus. Eighteen months since four of our fellow students attended their last day of classes. Eighteen months since our Residence Hall rooms were systematically searched without our consent. Eighteen months since Paul Brown, former State Attorney General, emphatically stated no guardsman would be held legally accountable for his action. Fourteen months since Paul Brown convened a special state grand jury to investigate (among other things) whether any guardsman would be indicted. Twelve months since Seabury Ford revealed the true tenor of the state grand jury. Twelve months since Judge Jones of the Portage Common Pleas Court forbade public criticism of the state grand jury report. Nine months since Judge Thomas of the U.S. Federal District Court ordered the expulsion of that same report. Three months since Peter Davies raised many questions which are as yet, unanswered. Two months since John Mitchell, like Pilate, washed his hands of the entire affair.

Now we watch again, our eyes focused on one man alone—The President. We are waiting to see what Mr. Nixon's concept of "law and order" is as will be revealed through his response to the petitions. Is there really such a thing as "justice"? And is it achieved through "law and order"? And finally "law and order" for whom?

We urge that a public comprehensive investigation be undertaken by the Federal Government to study all evidence available to that body to clarify the many discrepancies, legal and political, of the Kent State incidents, May 1-4, 1970.

Campus Action Board of Kent State University:

Dave Altekruze, Student Senator, President Pro-Temp.

Donna Clark, Vice President of the Student Body.

Jack Eyman, Chairman of the Graduate Student Council.

Kathy Jackson, Student Senator.

Carol Keith, President of Panhellenic Council.

Edward Kramer, President of Commuter and Off-Campus Student Organization.

Karl Nelson, Past-President of Inter-Fraternity Council.

Nancy Slominski, President of Kent Interhall Council.

Bill Slocum, President of the Student Body.

[From the Washington Star, Nov. 16, 1971]

STUDENT PETITION FORCING ISSUE—KENT STATE TRAGEDY HAUNTING NIXON

(By Mary McGrory)

After three years of studied antipathy and occasional outright hostility, the President suddenly has decided to make overtures to the young, many of whom will be voting for the first time in 1972.

The official publication of the Republican National Committee, "First Monday," has blossomed out with a 16-page, full-color insert recounting the President's concern and exploits for youth, emphasizing his reference to the "alliance of the generations" as if it were an accomplished fact.

EPI TOMIZED SPLIT

It so happens that the President has before him the surest means of reconciliation that has presented itself during his administration. Kent State University students have submitted a petition with 10,380 signatures asking him to reverse himself and order a federal grand jury investigation of the Kent State killings.

That tragedy epitomized, as one of the petitioners said, "everything that was wrong

between him and us." The demonstration that ended in death was kicked off by announcement of the Cambodian invasion. The morning after his speech the President referred to campus demonstrators as "bums." Four days later, when the National Guard opened fire and left four dead and nine wounded, the President issued a cold statement that further outraged the mourners: "When dissent turns to violence, it invites tragedy."

The Scranton Commission on Campus Unrest issued a report calling the shootings "unnecessary, unwarranted and inexcusable." The President publicly put off reading the report for months. The vice president called it "pabulum for permissivists."

The parents of the dead students, aided by an English-born insurance broker named Peter Davis, the Board of Christian Concern of the United Methodists and more recently by Sen. Edward Kennedy, agitated for a federal grand jury. Last August the attorney-general, in a statement expressing agreement with the Scranton findings of "unnecessary, unwarranted and inexcusable," said there nevertheless was nothing the Justice Department could do.

REPORT BURNED

An Ohio grand jury, meanwhile, had indicted 25 members of the student body and faculty of Kent State in the killings. No action was taken against the Guardsmen. A U.S. District judge ordered the ceremonial burning of that grand jury report, but allowed the indictments to stand.

Supreme Court Justice Potter Stewart yesterday ordered a stay in the trial of the 25, which was to have begun next week. Even if the full court rules against allowing the trial, the Kent State petition drive will go on, and indications are that the killings could become the principal issue of college youth in 1972.

The originators of the petition, graduate student Paul Keane and undergraduate Gregory Rambo, were flown to Washington on Oct. 23 in the university plane by Dr. Glenn A. Olds, the new Kent State president and an old friend of Nixon's. Dr. Olds escorted the pair to an audience with the President's adviser on civil rights, Leonard Garment.

OLDS STYMIED

Olds told Garment that he could do "nothing creative or innovative at Kent until the issue is settled."

Garment promised the President's answer by Dec. 1.

The petition is becoming a national campus crusade. The president of the Kent State student body, Bill Siocum, sent out letters to 200 student body presidents and college editors, asking for signatures. The New York Student Law Council is appealing to 800 colleges to name student petition captains. If the President does not act, the organizers expect to take their case to both national conventions.

It would go hard with Richard Nixon to reverse the attorney general, his campaign manager and arbiter of domestic policies.

But there is a potential of 25 million new voters in the country. And in Ohio, as Rambo, who is president of the Kent State Young Republicans Club, points out, there is a cutting political edge.

TOWN OR GOWN?

No Republican has ever been elected president without carrying Ohio, he notes. Recently, a group of students won a suit in federal court granting Ohio students the right to register and vote on their campuses. The case is now under appeal. If the young win, the President, who has always chosen town over gown, may feel a certain counter-pressure.

He will be hearing more and more about Kent State, which has become a symbol of injustice and official insensitivity to unhappy

students—unless, of course, he takes the unlikely course of ordering a federal grand jury investigation.

He has been content hitherto with campus silence and despair. But if the young are revived to rally round the Kent State dead, and as Nixon turns a deaf ear, he will be hard put to make any claim on their consideration at the polls.

MONTHLY CALENDAR OF THE SMITHSONIAN INSTITUTION

HON. HENRY P. SMITH III

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SMITH of New York. Mr. Speaker, I am pleased to place in the RECORD the December Calendar of Events of the Smithsonian Institution, as follows:

DECEMBER AT THE SMITHSONIAN

Wednesday, December 1

Free Film Theatre: *Digging for the History of Man*. Part I—Archaeological explorations retrieve the long-buried evidence of the art and architecture of the Babylonians, Sumerians, Hittites, Greeks and Romans. Part II—An archaeological examination of the ruins of Sassanian architecture, which marked the finale of ancient Persia. 12:10 and 1:10 p.m., Natural History Building auditorium.

Exhibition: *Early Christian Manuscripts*. Illuminated leaves from Armenian Christian manuscripts of the 12th to 17th centuries, part of the outstanding collection of Biblical manuscripts in the Freer Gallery; and religious and decorative objects, some from a late Roman gold treasure found in Egypt. Freer Gallery. Closing indefinite.

Lunchbox Forum: *Air Refueling Begins*. An informal discussion by Lt. Gen. Ira C. Eaker, USAF Ret., Advisory Board, Hughes Aircraft Co. Sponsored by the National Air and Space Museum. Room 449, Smithsonian Institution Building. 12 noon.

Thursday, December 2

The Proposition. Return engagement. Completely improvised musical review directed by Allen Albert, and created spontaneously by the actors and musicians built on audience suggestions, phrases, psychological problems, political issues or public personalities. No two shows are alike. Sponsored by the Division of Performing Arts and the Resident Smithsonian Associates. 8:30 p.m., Natural History Building auditorium. Tickets \$5. Student tickets \$3 available with I.D. For reservations, call 381-5395.

Free Film Theatre: *Digging for the History of Man*. Repeat. See December 1 for details.

Creative Screen: *The Critic*—award-winning cartoon spoof produced by Ernest Pincoff with commentary by Mel Brooks; *The Art of Collecting*—Five American art collectors interviewed by former TV art critic Aline Saarinen. 11 a.m., noon, 1 and 2 p.m., National Collection of Fine Arts.

Exhibition: *John Steuart Curry (1897-1946)*. Fifteen paintings and 20 drawings make up a selective representation of this Midwestern regionalist who was a colleague of Thomas Hart Benton and Grant Wood. Part of the series of exhibitions on lesser known American artists. National Collection of Fine Arts, through February 29.

Friday, December 3

The Proposition. Return engagement. See December 2 for details.

Saturday, December 4

The Proposition Circus: Return engagement. Musical improvisational review directed by Allen Albert, for children, and adults accompanied by children only. Spon-

sored by the Division of Performing Arts and the Resident Smithsonian Associates. 1:30 and 3:30 p.m., Natural History Building auditorium. Tickets \$2 children; \$3 adults. For ticket information call 381-5395.

The Proposition: Return engagement. See December 2 for details.

Creative Screen: *The Critic; The Art of Collecting*. Repeat. See December 2 for details.

Illustrated Lectures: *Wild Dogs—The Wolves of Africa*, film and lecture by Baron Hugo van Lawick; *Chimpanzees in Africa*, a slide lecture by Dr. Jane van Lawick-Goodall on her 10-year study. Sponsored by the Friends of the National Zoo. 2:30 p.m., Lister Auditorium. Admission \$5 general public; \$4 student rate in groups of 10 or more; \$3 members of Friends of the National Zoo. For tickets, call 232-4500.

Sunday, December 5

The Proposition: Return engagement. See December 2 for details.

Monday, December 6

The Proposition: Return engagement. See December 2 for details.

Tuesday, December 7

The Film and the Producer: L. M. Kit Carson and *The Future's Ours*. First in a series of programs featuring films with the producer present to discuss his work and answer questions of the audience. *The Future's Ours* is half fiction and half documentary, photographed in color by Michael Wadleigh and featuring Michael Pollard and Louis Waldon. Sponsored by the Resident Smithsonian Associates. 8:30 p.m., Natural History Building auditorium.

Wednesday, December 8

Lunchbox Forum. *History of Balloons*. An informal discussion by Roger Pineau, Project Manager of the National Air and Space Museum. Sponsored by the National Air and Space Museum. Room 449, Smithsonian Institution Building. 12 noon.

Free Film Theatre: From the series, "The Glory That Remains." Part I—*The Sudden Empire*. The rise and fall of ancient Persia told against a background of the deserted courtyards of Persepolis, the rebuilt city of Darius the Great. Part II—*Invaders and Converts*. The glittering legacy of Persian culture which flourished despite a thousand years of invasions. 12:10 and 1:10 p.m., Natural History Building auditorium.

Thursday, December 9

Free Film Theatre: *The Sudden Empire; Invaders and Converts*. Repeat. See December 8 for details.

Friday, December 10

Folk Concert: Guitarist David Bromberg in a program of traditional country and blues as well as a selection of his own songs. Sponsored by the Division of Performing Arts and the Folklore Society of Greater Washington. Admission: FSGW members, free; non-members, \$1. Reserved seats only—call 381-5395.

Films: *A Matter of Time*—The devastating changes man has wrought on his world from early man through the age of technology; *For All To Enjoy*—A search for the source of deterioration of many of the most beautiful national parks. Sponsored by the National Parks and Conservation Association. 8 p.m., Natural History Building auditorium.

Exhibition: *Discover Graphics '71*. Prints produced in the NCFA Printmaking Program held in October and November. Prints will be included by John Sirica, NCFA artist in residence, by Federal City College students, and by D.C. high school students. National Collection of Fine Arts, through January 3.

Saturday, December 11

Exhibition. *Society of Federal Designers award winners*. Display of the best graphic illustrations, including photographs and design work, done over the last year by federal government communications personnel.

Arts and Industries Building, through December 26.

Monday, December 13

Audubon Lecture: *East of the Mountain*, by Edward H. Schell, outstanding amateur ornithologist and photographer. Birds, wild flowers and nature scenery from the Potomac highlands through the Shenandoah Mountains and including the major Eastern Shore bird refuges, are shown through color slides taken by Mr. Schell. Sponsored by the Audubon Naturalist Society. 5:15 and 8:30 p.m., Natural History Building auditorium.

Wednesday, December 15

Free Film Theatre: *The Great Sophy*. A visit to the great city of Isfahan, built by Shah Abbas in the 16th century. Part III of "The Glory That Remains" series. *Star of Bethlehem*. The story of the nativity retold with minor woodcarved religious figures dressed in fabrics and styles of the 17th century. 12:10 and 1:10 p.m., Natural History Building auditorium.

Informal Concert: *Concerto III for organ and strings (Hallelujah)*, by Handel. John Fesperman on the organ, with a chamber orchestra. 3 p.m., Smithsonian Institution Building lounge, 1000 Jefferson Drive, S.W.

Lunchbox Forum: *The Wright Brothers*. An informal discussion by Paul E. Garber, Historian Emeritus, National Air and Space Museum. Room 449, Smithsonian Institution Building. 12 noon. Sponsored by the National Air and Space Museum.

Thursday, December 16

National Capital Shell Club. Study group conducted by staff members of the Smithsonian's Division of Mollusks. 7:30 p.m. Monthly meeting and slide program. 8:15 p.m. Room 43, Natural History Building. Public is invited.

Free Film Theatre: *The Great Sophy; Star of Bethlehem*. Repeat. See December 15 for details.

Creative Screen: *Toccata for Toy Trains*—A nostalgic and historical record of great old toys from the world of trains; *Calder's Circus*—The miniature circus of Alexander Calder, brought to life with the sculptor's hands; *Snowman's Dilemma*—A sentimental, animated film of a bashful snowman and a little girl. National Collection of Fine Arts. 11 a.m., 12 noon, 1 and 2 p.m.

Saturday, December 18

Creative Screen: *Toccata for Toy Trains; Calder's Circus; Snowman's Dilemma*. Repeat. See December 16 for details.

Monday, December 20

Concert: *The Christmas Story*, by Heinrich Schütz, with Helen Boatwright, soprano; John Uhrig, tenor; George Harshaw, bass; and The Camerata Chorus of Washington conducted by Joan Reinthal. Instruments from the Smithsonian collections will be used. 8:30 p.m., Hall of Musical Instruments, History and Technology Building. Tickets: \$4; \$1.50 student tickets available with I.D. at the door only. Sponsored by the Division of Musical Instruments and the Resident Smithsonian Associates. For tickets call 381-5395.

Exhibition: Cast Iron and Tinplate Toys of Yesteryear: Sears, Roebuck & Co. Collection of American Toys, 1880-1960. Some 500 toys from a collection given to the Smithsonian by Sears, most of them vehicles such as cars, fire engines, trains, and buggies. After the Washington showing, part of the collection will be circulated under the auspices of the Smithsonian Institution Traveling Exhibition Service. Museum of History and Technology, second floor, through January.

CHANGES OF ADDRESS AND CALENDAR REQUESTS

Mail to Central Information Desk, Great Hall, Smithsonian Institution Building, Washington, D.C. 20560. When applicable, please include old calendar label.

HOURS—CLOSED CHRISTMAS DAY

Smithsonian museums: 10 a.m.-5:30 p.m., 7 days a week.

Cafeteria: 11 a.m.-5 p.m., daily, MHT.

Snack Bar: 10 a.m.-2 p.m., daily, MHT.

National Zoo buildings: 9 a.m.-4:30 p.m., 7 days a week.

Anacostia Neighborhood Museum: 10 a.m.-6 p.m., weekdays; 1-6 p.m., weekends.

FOREIGN STUDY TOURS

For members of the National and Resident Associates. All 1971 tours are full. For further details on 1972 tours, listed below, write to Miss Kennedy, Smithsonian Institution, Washington, D.C., 20560.

Australia and New Zealand: Late March-April. Via Fiji and return via Tahiti, with visits to Canberra, the Australian Outback, and Christchurch.

Mexico and Guatemala: April 3-22. A visit to the historic sites including Yucatan, Oaxaca, Mexico City, Tikal, Antigua.

No-Tour Tour: Dulles-Paris-Dulles. May 29-June 19. Air France Excursion. Members make their own arrangements for travel in Europe.

Greece and Yugoslavia: June 12-July 10. Classical tour of Greek archeological sites plus Yugoslavia's Adriatic Coast and inland sites. Romanian churches and other areas may be included.

No-Tour Tour: New York-Frankfurt-New York. July 3-25. Qantas Excursion. Members make their own arrangements for travel in Europe.

King Arthur's England: July 12-Aug. 2. An archeological, architectural and literary adventure. Directed by Mrs. Helen Hill Miller, author of *Realms of Arthur*.

The Pilgrimage Road: Sept. 11-Oct. 9, traversing Burgundy, southwestern France and northern Spain, the route of the medieval pilgrims to Santiago de Compostela.

No-Tour Tour: Dulles-London-Dulles. Sept. 11-Oct. 2. BOAC Excursion. Members make their own arrangements for travel in the British Isles.

Pakistan and Afghanistan: Oct. 7-Nov. 5. Overnight stops en route in London and Paris; motoring through the provinces of Pakistan; tour will be joined by local scholars at the sites.

RADIO SMITHSONIAN

Radio Smithsonian, a program of music and conversation growing out of the Institution's many activities, is broadcast every Sunday on WGMS-AM (570) and FM (103.5) from 9-9:30 p.m. The program scheduled for December.

FAMILY VOLUNTEERS FOR ACTION

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. FISH. Mr. Speaker, for over a decade the Peace Corps has been attracting dedicated Americans, who wish to participate in self-help programs in developing nations. Now, as part of the newly created volunteer service agency—ACTION—the Peace Corps has expanded its range of potential volunteers by permitting married couples with children, to serve overseas. Hence, a whole new source of skilled volunteers can now be tapped.

Recently, an article appeared in the Washington Evening Star, containing profiles of some of these families now serving in the Peace Corps. Included among them are Mr. and Mrs. Philip Haas, of Canajoharie, N.Y., in my Congressional District. The Haases, and their

three children, will soon be serving in Brazil and I am most proud to call my colleagues attention to this dedicated family and those like them.

Mr. Speaker, I insert this article in the RECORD:

[From the Washington Evening Star, Nov. 17, 1971]

FAMILY VOLUNTEERS

(By Jeremiah O'Leary)

A funny thing happened to Peace Corps volunteer Margit Haas just before her scheduled departure for 27 months in Brazil: She found out she wasn't an American citizen.

But the Peace Corps is resourceful and Mrs. Haas got her citizenship two weeks ago, just in time to leave for South America today with her husband, Philip, and their three children—Heldi, 9, Sheryl, 7, and Bryan, 3.

Mrs. Haas was born in Germany, adopted and brought to the United States at the age of 4. She always assumed she was an American citizen. Now, at the age of 27 and with the expedited help of the State Department and a federal judge, she has her citizenship and the passport that goes with it.

The Haas family is one of a group of 46 persons, including 15 minor children, who are off to Brazil as part of the new Peace Corps emphasis on sending family units—and even senior citizens—into the field.

Almost all the early volunteers a decade ago were newly graduated collegians—generalists with a bachelor's degree. But Peace Corps Director Joseph H. Blatchford is turning increasingly to older and more experienced individuals.

Phil and Margit Haas got interested when they started bringing inner city children from New York City to their home in Canajoharie, N.Y., for summer experiences through the Fresh Air Fund. When they saw the wonder in the face of an 11-year-old Puerto Rican girl who had known nothing of small town life, they got the fever to join the Peace Corps and help people in yet other worlds.

When they found out the corps would accept volunteers with small children, they volunteered, were accepted and that's how Margit found out she technically was not an American. But she is now, and is off to their assignment in Natal, in Brazil's poverty-stricken northeast.

Phil will teach woodwork, ceramics and other industrial arts, while Margit will try to launch a program similar to Headstart in the United States.

The Haas family figures the experience will be worth it even though their income will shrink from about \$17,000 to about \$3,000.

Jim and Jo Glass from Gainesville, Fla., represent another type of the new volunteers. Jim, 58, already is drawing retirement checks from the Coast Guard, in which he was a chief petty officer, and from RCA. He isn't ready yet to admit that he cannot now start a third course in life. Jo, 59, has been a school-teacher for years. Their children now are raised and married.

The Glasses also will go to Natal, after 300 hours of Portuguese language instruction in Belo Horizonte with the other volunteers in the group. He will teach electronics, radio and TV repair while she will teach and work on community projects.

Ronald and Iris Sherman, both 31 and from New York's West Side, are leaving computer analyst jobs that brought them \$40,000 a year. They will work in Rio de Janeiro for the Peace Corps subsistence wage. They got the itch to join when Ron saw a notice on a bulletin board at IBM about another employee who had gone to Kenya for the corps. The Shermans, who will teach computer sciences, are taking their 1-year-old son, Holt along.

William Young, 36, and his wife, Kay, 31, of Gridley, Calif. are going to Joao Pessoa

with their children, Kim, 11, and Kirk, 9. Young was branch manager for an agricultural chemical company and is a soil science graduate. He will try to teach Brazilian farmers the uses of fertilizer and pesticides in a region where agriculture is practiced with traditional rather than scientific means.

James Kohl, 31, and his wife, 29, of Phoenix, Ariz., have a 1-year-old daughter, Jennifer and want more children. They were busy and involved here, but both resolved to take their special skills overseas as a commitment as well as an adventure. Jim has degrees in electronics and business administration, while Jeri is a home economics teacher. Both will serve in Belo Horizonte and have an advantage over the others because they already know Spanish.

Jim will work with INDI, the industrial development organization for the state of Minas Gerais, and Jeri will teach. They have only one mild regret: their hobby is skiing and they won't find any snow in Brazil.

These families are typical of the skilled volunteers Blatchford is bringing into the Peace Corps. By the end of this year, he estimates the level of young generalists in the Peace Corps will be down to about 34 percent of the current strength of 8,139 volunteers in 55 countries.

EAST HARLEM ENVIRONMENTAL EXTENSION SERVICE, INC.—A NEW APPROACH TO URBAN HEALTH AND ENVIRONMENT

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BADILLO. Mr. Speaker, housing—the need for shelter—represents one of our most urgent needs nationally. This need is particularly pressing in our urban ghettos where lack of housing, health and sanitation services, employment and education all combine to create an environment that degrades those trapped by poverty in our slums. The East Harlem Environmental Extension Service, Inc., is trying a refreshing new combination approach to cure these ills—and it is succeeding quite well in motivating and enabling the poor to tackle and cope with their own problems. The program is encountering extreme funding difficulties, however, and needs all the assistance it can get. In fact, without the enthusiastic support given this project by the Senator from New York (Mr. JAVITS), the experimental extension service would no longer be in existence.

I have found it a pleasure to work with the Senator from New York on this very important project. He and I believe that programs similar to the environmental extension service's could profitably be undertaken in other cities of our nation.

For the information of my Colleagues, I would like to include here in the RECORD an excellent article by Robert J. Bazell on the program which appears in the most recent issue of Science magazine.

[From Science Magazine, Dec. 3, 1971]

URBAN HEALTH AND ENVIRONMENT: A NEW APPROACH

NEW YORK.—In the squalid tenements of inner-city slums—where children play in urine-soaked hallways alongside rats and junkies, where crumbling walls fill apart-

ments with choking dust and deadly leaded paint, where often there is no heat in the winter and the plumbing doesn't work—the links between people's housing and their health are all too obvious. Thousands of people enter hospitals each year suffering from conditions ranging from carbon monoxide poisoning to asthma—all possibly resulting from wretched living conditions.

Construction of new housing and attempts at enforcing existing housing codes have done little to solve the problem. In New York City, for example, the number of low-rent units constructed between 1965 and 1968 housed less than one-tenth of the people forced out of tenements after the owners, unable or unwilling to maintain them, had left the buildings to decay. And, according to officials, for every house declared by the city to be abandoned, dozens of others are totally dilapidated, with people still living in them. Categorical health programs such as rat control and lead poisoning prevention—each aimed at a segment of the massive problem—have, by most accounts, accomplished little.

Talk of the environment as more than clean air and protected wildlife, and the use of phrases such as "comprehensive planning for environmental health services" have come into fashion recently. But few of these phrases have been translated into actions that actually improve people's surroundings and health.

At the East Harlem Environmental Extension Service, a year-old program that has already attracted national attention and may be the prototype of slum renewal efforts across the country, the rhetoric of preventive medicine and environmental improvement has been applied to training men from the East Harlem community to paint walls, repair plumbing, supervise buildings, fix boilers, organize tenants into building associations, and mop up the hallways. Such activities may appear at first sight as less than a dynamic solution to major health problems, but in the opinion of Elihu D. Richter, an associate of the Mt. Sinai Hospital Department of Environmental Medicine and one of the prime movers behind the project, "Large-scale preventive maintenance of tenement housing could do more for the health of East Harlem residents than the services of a thousand doctors."

EXTENSION SERVICE MODEL

Modeled after the agriculture extension services that give aid to farmers, the East Harlem program aims at cooperation with the area's landlords by offering them a variety of reasonably priced services that are intended to turn the dilapidated and dangerous tenements into safe and decent places to live.

Sponsors of the extension service, which is a nonprofit corporation, include a variety of groups that have often been at odds with each other in the past—groups such as tenant and landlord organizations, labor unions, and various city departments, as well as the Mt. Sinai School of Medicine.

To date, the program has trained and employed more than 70 men from the East Harlem area and, under contract for either continuing maintenance or for specific repairs, has serviced more than 40 tenement buildings. Observers with years of experience in East Harlem housing problems estimate that the extension service is directly responsible for saving as many as 20 tenement buildings from total abandonment.

FUNDING DIFFICULTIES

Despite these successes, the extension service has experienced extraordinary difficulties in obtaining funds. This for a number of reasons, not least of which is the difficulty of health and antipoverty officials in dealing with a program that solves a number of problems at once. According to the program's

director, Victor Rivera, an energetic young Puerto Rican with experience in a variety of community affairs and minority labor projects, "The extension service's greatest problem has been our successes. Most antipoverty agencies are massive, self-perpetuating enterprises geared towards failure."

Originally the project, which earns an income from the fees charged landlords of about one-third of its expenses for training and subsidized services, received a 1-year \$200,000 grant given to Mt. Sinai by the city's rat control program to cover the remaining two-thirds of the budget. But city officials refused to renew the grant because, in the words of one official, "our own funds were cut and the extension service is not strictly a rat control program." The program then became a football tossed from agency to agency—job training, welfare, health department, and so on—each of which endorsed the extension service but claimed it was beyond their responsibility. Finally, after considerable prodding by Democratic Representative Herman Badillo, whose district includes East Harlem, and Republican Senator Jacob Javits, both enthusiastic supporters of the program, the Urban Coalition promised the extension of some Model Cities funds—but these have yet to be allocated. As a result of the shortage of funds, says Rivera, the extension service had to cease training new men and refuse contract offers from the owners of dozens of buildings in the area.

The multifaceted aspect of the extension service is seen most clearly in the training program for the "urban extension agents," who perform the work of the program. Each man receives 2 months of in-school vocational training and an additional month of field training before beginning full-time, on-the-job training and work. At the Manhattan Vocational and Technical High School in East Harlem, the city's Board of Education uses federal Labor Department funds to train the men in boiler maintenance, building repair, plumbing, electricity, plastering, painting, and other maintenance skills. At the same time, faculty members at Mt. Sinai and personnel from the city's Health Department instruct the trainees in the health aspects of their work.

TEACHING THE SIGNIFICANCE

"What we do in the training," explains Richter, who helped set up the curriculum, "is teach the men the significance of their work in terms of improving the health of East Harlem residents." In explaining, for example, "why a working boiler is so important to the health of the people in your building," a manual prepared for the course details the physiological effects of cold on the body and the number of illnesses that can be caused by prolonged exposure to the cold. "Some of the men didn't like to mop," says Richter, "so we taught them about asthma." Other aspects of the health course include fire, poisoning, and accident prevention. In each category, instructors give considerable attention to methods that the extension agents can use to instruct the tenants to help themselves. The men have responded enthusiastically to the health course, even requesting additional instruction in subjects such as child abuse, where they thought they might be of help.

Preventive medicine is but one of many offshoots of the extension work in the field. In one building, which was turned over to the extension service by the city after it was abandoned by the owner, there had been no heat for over a year, there was no roof, no door, few windows, and, for several months, neither hot nor cold water. After reactivating the heat and the plumbing, fixing the roof and the windows, and plastering and painting the apartments, the extension agents organized regular meetings of the buildings' residents, which evolved into a tenants' association. The association now watches for people throwing garbage in the

yard or the hallways, helps collect the rents, and forms a mechanism for requesting help when new problems appear. Such activities have earned the agents the respect of many members of the community—a factor that the program's supporters believe to be a key to its success.

"Other minority training programs, if they find a guy a job, send him downtown to be the token Black or Puerto Rican on some big construction job," says Rivera. "But here the trainee is guaranteed a job, and in his own community."

The 70 agents trained to date reflect the ethnic makeup of East Harlem—most are Puerto Ricans, with some blacks and a few Italians. While some of the men were experienced in the construction trades, others came to the program from jail, drugs, or the welfare rolls. Despite this disparity of backgrounds, the program has retained over 85 percent of its enrollees—even when the shortage of funds delayed pay checks. In fact, some of the men even left higher-paying jobs for the \$100 a week paid during both training and fieldwork. Explaining this enthusiasm, one of the extension agents told *Science*, "there's no substitute for the feeling you get when you're really helping your own people."

The sense of accomplishment in the work is reflected in the men's personal lives. An East Harlem social worker reported a typical case of an extension agent who "seems to have a whole new interest and hope in his family" as a result of his work with the extension service. Referring to a second extension agent, the social worker remarked that his "increased sense of pride has begun to affect the entire family—knitting its torn ends together."

At the heart of the extension service program is the concept that the problems with housing, and hence with health, have fallen into what Richter dubbed "the semi-public domain"—building maintenance that is outside the responsibility of either the city or the individual tenants. While the program has drawn criticism from some quarters of the antipoverty movement for "catering to slumlords," Rivera believes that "the only way to get anything accomplished is to deal with everyone involved. Sure," he said, "there are plenty of landlords who would never fix anything, but the economics of East Harlem are such that, even if a landlord wanted to keep a building in decent shape, the services are either exorbitantly priced or totally unavailable."

Such attitudes are shared by Ray Galliani, president of the Federation of Lower and Middle Income Property Owners, and a member of the board of directors of the extension service. According to Galliani, the landlords of at least 200 buildings in East Harlem would take advantage of the extension service—if the facilities and manpower were available.

AMBITIOUS PLANS

Conversations with the director and the employees of the extension service reveal elaborate plans to turn the program into more than a preventive maintenance operation. They foresee, for example, hiring a full-time public health nurse to investigate medical problems and to offer health education in more detail, as well as constructing playgrounds, day-care centers, and a number of other facilities for the community. But for now, because of a chronic lack of funds, they can only perform piecemeal repair work—often scrounging up scrap materials to finish the jobs.

The triple concepts of the extension service—housing maintenance, job training, and preventive medicine—satisfy a number of the critical needs of the ghetto. And at a reasonable price: while it costs a few cents per apartment per day to maintain a building, the city spends as much as \$20 per day to house refugee families from abandoned

buildings in "welfare" hotels. Moreover, the controversy in the Forest Hills section of Queens over the construction of public housing indicates the resistance to construction of new low-income housing facilities—even when money is available. But as Richter told *Science*, "Everyone associated with the extension service is tired of hearing how logical we are. What the program needs now is money to do the job it can do."

ROBERT J. BAZELL.

CHARLES E. LOFGREN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BOB WILSON. Mr. Speaker, members of San Diego Branch 9 of the Fleet Reserve Association were deeply grieved to learn of the recent passing of National Secretary Emeritus Charles E. Lofgren. Words cannot express Shipmate Charlie's long years of devoted service to the Navy, the Fleet Reserve Association, and America, but I take this opportunity to share with my House colleagues a few highlights of his long and dedicated career and include the following obituary at the conclusion of my remarks:

COMDR. CHARLES ERIC LOFGREN

Retired Navy Commander Charles Eric Lofgren, 78, National Secretary Emeritus of the Fleet Reserve Association and a veteran of the Vera Cruz campaign and World Wars I and II died of cancer on Thanksgiving Day at the U.S. Naval Hospital in Bethesda, Maryland.

A native of Everett, Massachusetts, he ended his formal education after two years of attendance at Everett High School at the age of 17. Three weeks later he joined the U.S. Navy as a "landsman for yeoman second class" on 11 July 1911. Three years later he had advanced to Chief Yeoman and was the youngest, at age 20, Chief Petty Officer in the Navy. He was commissioned to Ensign on 3 July 1918 and was promoted to Lieutenant junior grade by the end of World War I. In 1920 he reverted to his permanent enlisted rating of Chief Yeoman and served in the Bureau of Navigation, which controlled naval personnel, until his transfer to the Fleet Reserve in January 1927.

A week after his military "retirement" he went to work as the national director of the Fleet Reserve Association, a comparatively new organization representing career enlisted men of the United States Navy and Marine Corps. As the F.R.A.'s national director he toured the mid-west building the Association's membership and organizing local Branches of the organization throughout the nation.

After eighteen months of F.R.A. labor, the lure of the sea and adventure called to him as he read of then-Commander Richard E. Byrd's proposed expedition to the Antarctic. He applied to Commander Byrd to become the business manager of the first Antarctic expedition. Six months later in October 1928 the Byrd expedition set out for the South Pole in the barque "City of New York." Chief Lofgren as aboard as the personnel officer and paymaster for the expedition. The expedition did not return until 22 months later. Fourteen months of that time was spent at "Little America."

When the expedition made its triumphant return in August 1930, Chief Lofgren was his American lecture tour. In January 1931 Mr. Lofgren received Commander Byrd's release from active duty. Commander Byrd then selected Lofgren to accompany him on

mission to launch his own speaking tour. This lecture tour lasted until December 1934 with Mr. Lofgren addressing 2400 groups. The majority of "Chief" Lofgren's audiences were student bodies and he fired the imagination of his male listeners with his impeccable navy uniform and stories of the expedition's adventure and success.

Mr. Lofgren's interest in Fleet Reserve Association affairs remained strong despite his separation and travel. The organization fell on hard times in the depression years. At the Association's 10th National Convention in Boston, Massachusetts in September 1934 the delegates elected Lofgren "National Secretary." As such he was the head of the F.R.A.'s national executive offices and the organization's senior salaried officer. When he took the helm in January 1935 the group's membership had dropped to less than 2,000 and its finances were \$5,000 in the red. Within six months his dynamic organizational ability and leadership had increased membership to almost 3,900 and the treasury's balance to almost \$3,300 in the black.

In May 1942 he was recalled to active duty as a Chief Yeoman and promoted to Lieutenant. He again served in the Bureau of Navigation specializing in personnel matters until retired in April 1947 as a Commander. He was one of the eight enlisted men to reach that rank in that time.

He returned to work as the Fleet Reserve Association's National Secretary being re-elected every two years until he voluntarily retired in October 1957. By this time the Association's membership increased to over 50,000 and its financial assets totaled more than \$250,000. In recognition of his key role in this growth the F.R.A. created the office of "National Secretary Emeritus" to honor him in his full retirement.

As the head of the Association's executive offices, Shipmate Lofgren was a registered lobbyist and represented military personnel before Congressional Committees for twenty-two years. He played a key role in obtaining personnel benefits, oftentimes originating the benefits.

CDR Lofgren was a life member of Hiram #10 Masonic Lodge of Washington, D.C. He was raised on 18 September 1919.

CDR Lofgren was also a member of the Peary Ship Post 427, Veterans of Foreign Wars and served as Commander of the Post. Shipmate Lofgren is survived by his wife, Una, of Seminole, Florida, a son Letcher A. Lofgren of Glenwood, Md., a daughter, Mrs. Marilyn A. Henze of Poway, Calif., six grandchildren, one great granddaughter, a sister and four brothers.

Commander Lofgren was laid to rest with full military honors in Arlington National Cemetery on Tuesday, 30 November 1971. In the words of Dr. Paul W. Moody:

"The Measure of a man is not the number of his servants but in the number of people whom he serves."

As the leader of the most viable career enlisted man's organization in our nation, Shipmate Lofgren directly influenced the lives of all military personnel for a span of almost a quarter of a century. Using Dr. Moody's measure National Secretary Charles E. Lofgren was one of the giants of the military personnel benefits field.

DEPARTING ILLEGAL ALIENS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. McDONALD of Michigan. Mr. Speaker, the average citizen is unaware of the time-consuming, laborious process

that must be completed before an illegal alien can be deported.

We have no Ellis Island now in which these people can be held pending disposition of their cases.

Instead, there is a three-step procedure involving hearing officers, a board of appeals and the U.S. Circuit Court of Appeals. Theoretically, a case can even go to the Supreme Court.

This intricate procedure, which adds to the burden of the Immigration and Naturalization Service and further clogs court dockets, starts when an alien is determined to be deportable.

He is usually given 30 days to leave voluntarily.

At the end of this period, if he has failed to depart, an order to show cause is issued by the district director of his area. The order cites the allegations concerning his entry into the United States and a conclusion on his deportability. He appears before a special inquiry officer, who is a member of the bar, and has the right to present evidence and to cross-examine. The Government has the same right. A transcript is made. If the inquiry officer upholds the deportation he then orders that the alien be given time, not less than 15 days, to depart at his own expense. The order states that if he fails to depart, he will be deported.

But the alien can appeal to a five-man Board of Immigration Appeals, which is not a part of INS but within the Justice Department. Briefs may be submitted and oral arguments heard.

The Board can uphold the special inquiry officer, extend the voluntary departure period, reverse the inquiry officer, or send the case back for further study.

If the Board rules against the alien, he can ask for judicial review in the Circuit Court of Appeals. Theoretically, if the Court of Appeals upholds his deportation, the alien can appeal to the Supreme Court.

When he has exhausted all the administrative and judicial avenues afforded him in his fight against deportation, he is given not less than 72 hours to surrender. A deportation warrant is issued and he is escorted by a deportation officer to the ship or plane that will remove him from the country.

It is clear from this outline of the actual process of deportation that something must be done to cut the time and expense involved.

**SYLVA ZALMANSON KUZNETSOV:
AN IMPRISONED RUSSIAN JEWISH
HEROINE NEAR DEATH**

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. DOW. Mr. Speaker, yesterday, I introduced House Congressional Resolution 477 to call for the release of a Russian woman suffering from tuberculosis who is serving a 10-year sentence in a Soviet labor camp.

Mrs. Sylva Yosifovna Zalmanson Kuz-

netsov has been seeking permission from Soviet authorities since 1968 to immigrate to Israel, and she was a defendant in the 1970 "Leningrad 11" trial. The only medical care available to her is from a fellow prisoner, an old woman doctor, who has been unable to help Mrs. Kuznetsov.

I feel that the release of Lady Fleming by Greece on November 14 is a clear precedent for the release of Mrs. Kuznetsov by the Soviet Union. Lady Fleming, a consistent critic of the Athens military government, was expelled from Greece after a court said that continued imprisonment could cause irreparable damage to her precarious health.

It is discouraging enough that Mrs. Kuznetsov and other Soviet Jews cannot find freedom in their own country. I am hopeful that this effort will demonstrate the critical need for humanitarian treatment of Mrs. Kuznetsov and spur our Government into action to urge her release.

A biographical sketch, the text of the resolution, and the article concerning Lady Fleming are inserted at this point in the RECORD:

BIOGRAPHY

Sylva Yosifovna Zalmanson was born October 25, 1944 in Siberia. In 1968, she graduated from the Riga Polytechnical Institute, becoming a mechanical engineer. She worked as a designer at the "Sakana Zvaigzne" factory in Riga. In 1968, Sylva tried in vain to obtain permission to leave for Israel, and appealed through letters to Soviet and foreign organizations. In one letter to U Thant she wrote:

"I regard only Israel as my spiritual homeland and the people among whom I live consider me an alien element. . . . I believe that there will come a day when the happiness which now seems to me unbelievable will come true. But while I am outside Israel the awareness that my homeland is being created without my participation gives me unbearable pain and helplessness vis-a-vis the authorities which drives me to despair."

In 1970, Sylva married Edward Samuilovich Kuznetsov, an interpreter. During this time, she was deprived of the possibility of applying again for an exit visa to Israel since the management of her factory refused to give her the necessary personal reference.

On June 15, 1970, Sylva and her husband were arrested with a group of Jews at the Leningrad airport, and accused of an attempt to hijack a plane out from the USSR. A defendant in the infamous "Leningrad 11" trial which began December 15, 1970, she was sentenced to 10 years in a labor camp. Her husband was sentenced to death, commuted later to 15 years in a harsh prison camp.

Pregnant when arrested, Sylva lost her baby in the notorious Potma labor camp. Denied medical care, she is afflicted with severe ailments, and is near death.

HER COURAGE

Sylva showed remarkable bravery in the course of her trial. On December 23, 1970, in her final statement to the court, she declared:

"I don't think that Soviet law can consider anyone's 'intention' to live in another country 'treason' and I am convinced that the law ought to bring to court those who unlawfully deny our right to live where we want to. . . . Even now, I do not doubt for a minute that some time I shall go after all and that I will live in Israel. This dream, illuminated by 2000 years of hope, will never leave me. NEXT YEAR IN JERUSALEM! And now I repeat: 'If I forget you, oh,

Jerusalem, let my right hand wither away—*Im eskachaich Yerushalayim tishkach yemini.*"

Ruth Alexandrovich, in the same labor camp as Sylva, has testified to her exceptional courage, even when acutely ill.

H. CON. RES. 477

Whereas Sylva Yosifovna Zalmanson Kuznetsov is presently serving a ten-year sentence in the Soviet Union; and

Whereas this woman continues to be most desirous of immigrating to the State of Israel, and that visas have been granted to numerous other Soviet citizens; and

Whereas the condition of the health of Mrs. Kuznetsov while in prison continues to deteriorate and humanitarian considerations require an immediate change in her status by Soviet authorities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the United States Government urge the Soviet Union to release Sylva Yosifovna Zalmanson Kuznetsov for immigration to the State of Israel, an act which would redound to the benefit of the Soviet Union.

LADY FLEMING IS DEPORTED FROM GREECE TO ENGLAND

ATHENS, November 14.—Lady Fleming, who was convicted in September of having taken part in an unsuccessful plot to free the would-be assassin of the Premier, was stripped of her Greek citizenship and forced to board a London-bound plane at Athens airport today.

According to George Mangakis, her lawyer, the 62-year-old widow of Sir Alexander Fleming, the discoverer of penicillin, was taken from her bed in a downtown Athens apartment at 7:30 A.M. by a group of plainclothes policemen. She was driven to the Athens police headquarters for aliens before being escorted to the airport and deported aboard an Olympic Airways direct flight to London.

SHE OPPOSED DEPORTATION

Lady Fleming was temporarily released from prison three weeks ago after a court order stating that imprisonment could cause irreparable damage to her precarious health. She had been serving a 16-month prison term imposed by an Athens military tribunal.

After her release, Lady Fleming said she would not consent to deportation. "I would never leave Greece of my own will, never," she said. "I now want to live and die in this country because it is mine."

An anonymous telephone caller alerted foreign correspondents early today, saying that Lady Fleming's friends were alarmed because her telephone was being answered by a man unknown to them.

The caller said that Lady Fleming was ill and her doctor had ordered her to stay in bed because of some heart discomfort. The caller said a cardiogram was taken yesterday and another was scheduled for this week.

Lady Fleming's housekeeper said she was still asleep when the police came—four men and a woman, all in civilian clothes. "They asked her to dress and prepare a bag because she was going on a trip," she said. "My lady protested and said she was ill and would not move. They asked me to pack her suitcase and help her get dressed."

GREEK CITIZENSHIP WITHDRAWN

The lawyer, Mr. Mangakis, said that the Athens Police Chief, Nikos Daskalopoulos, confirmed to him that an Interior Ministry order had been issued stripping her of her Greek citizenship for having engaged in "antinational activities."

He said this had been possible only because Lady Fleming (born Amalia Coutsouris) had dual citizenship—Greek and British—since her marriage. The regime issued the decree and an order deporting her as an "undesirable

alien." She was expelled on her British passport.

It was not clear how the Greek authorities had overcome the legal complexities of deporting a person who was on an eight-month parole for health reasons, or of deporting a person against whom other martial-law charges were pending.

Mr. Mangakis confirmed that charges of "conspiring to commit sedition" and violation of the explosives laws had been pressed against Lady Fleming in August. Some 25 other Greeks have been charged in the same case, which was linked to an alleged attempt to set up an underground resistance movement.

Fourteen members of this group, rounded up since last November, are in custody awaiting trial, including Christos Sartzetakis, the investigating magistrate portrayed in the film "Z."

Lady Fleming was convicted of having taken part in a plot to free Alexander Panagoulis, a 32-year-old Greek imprisoned for having attempted to assassinate Premier George Papadopoulos.

SHE PLANS POLITICAL CAMPAIGN

LONDON, November 14.—Lady Fleming said at a news conference shortly after arriving at London's Heathrow Airport that she would start a "vigorous political campaign" against the Greek Government.

The first she knew of her deportation, she said, was the arrival of Greek officials at her Athens home. "They came for me in a car and took me to the airport," she said. "All they gave me was an aircraft ticket and my British passport."

She charged she was deported because her popularity in Athens after her release from prison had embarrassed the Government. "I received flowers, and people came up to me in the street to shake me by the hand," she said. "Yes, I got a wonderful reaction."

She accused the Greek Government of having betrayed an agreement that she had kept. "On the third day of my imprisonment, I was offered expulsion," she said. "I refused. But now, having gone through all that [prison], they have expelled me."

After landing at Heathrow, Lady Fleming at first refused to disembark. "I did not get off because I wanted to be taken back to Greece," she said. Officials argued vainly with her for about an hour to leave, before a friend persuaded her that there was no point in her gesture.

SARGENT SHRIVER DISCUSSES PROBLEMS AND CHALLENGES OF THE 1970'S.

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BADILLO. Mr. Speaker, last month, the first director of the Peace Corps and the Office of Economic Opportunity, Sargent Shriver, delivered a very penetrating and perceptive speech on the various problems and challenges confronting this Nation during the decade of the 1970's.

Speaking before the Puerto Rico Manufacturers Association in San Juan, the distinguished former U.S. Ambassador to France made some very cogent observations on our distorted national priorities and our frequently ineffective domestic and international policies for dealing with the problems we are currently experiencing. In discussing the commitments made during the 1960's

and the failure of current institutions to meet these promises, Mr. Shriver very aptly observed that—

There is a tragic shortfall between dreams and accomplishments.

Although the challenge presented by Ambassador Shriver was directed to businessmen and while he was urging that the mainland employ some of the attributes of Puerto Rico and its people, I believe his message is equally germane to the Congress. Mr. Shriver's speech and its recommendations are based on his many years of outstanding service and progressive leadership in both the domestic and international sector. I feel we would do well to carefully consider and reflect on his remarks and I am pleased to present Mr. Shriver's speech herewith for inclusion in the RECORD:

SPEECH TO THE PUERTO RICO MANUFACTURERS ASSOCIATION

Returning to Puerto Rico, brings back for me, the warmest memories of the excitement, imagination, and patriotic dedication of the early days of the Kennedy Administration.

When I first came here, the Peace Corps was being formed in Washington. Every night idealistic men and women worked till midnight, in small offices, across Lafayette Square from the White House. Already the enthusiastic response of young people was beginning to characterize the Kennedy Administration. Talented young men and women from all walks of life were pledging to give two years of their lives to help others, and at the same time, help themselves gain a better understanding of the whole world in which they were going to live.

As we matched the needs abroad with our manpower at home, we were aware that similar adventures had failed. Previous organizations became so cumbersome and tied up in red tape that the system—the bureaucracy itself—destroyed the original idea and ideal. We wanted to preserve the idealism and excitement, and yet meet the needs of the developing nations. The question was how to put together these two essential ingredients.

As we looked around the world for help with this problem, we saw two places where similar problems were faced and successfully solved. One was the new nation of Israel. The other was the new Commonwealth of Puerto Rico.

We were not embarrassed, in those days, to seek advice. So, in the very first days of the Peace Corps, we flew to San Juan to place our problems before one of the world's great leaders, Governor Luis Muñoz Marín.

The Governor opened to us the entire world of new institutions and concepts he was developing in Puerto Rico. Before long, many of our Peace Corps Volunteers were coming here for training at Arecibo. They needed to learn about the way you had changed your dreams into systems that worked. We were taking nourishment from a people who had pulled themselves up by their bootstraps from the depths of desperation and poverty. An entire generation of North Americans is in debt to Puerto Rico and Governor Muñoz. He was one of the godfathers of the Peace Corps—the symbol.

As we traveled around the world, we were able to tell others what we had seen here. From a people who ranked among the lowest economically in the developing world, you had raised yourselves to a level above every other nation in the hemisphere except the affluent United States and Canada. You had done this without natural, physical resources. Instead, you used your brains and imagination to create opportunities for capital investment; you educated and trained your men and women to respond to technological needs.

What was most impressive, and historic, is

that you achieved a "quiet revolution." You brought about significant change with neither violence nor terror. You reached towards your goals with a fierce desire to preserve individual freedom and initiative.

By contrast, in many other parts of the world, I met young leaders who told me they could gain economic freedom only by restricting individual freedom. They thought that only a regimented state could produce economic growth.

Some of these foreign leaders listened to what I had to say about Puerto Rico—but too few agreed. Most believed that real freedom could not come except through violent revolution, or the restriction of human rights. That is the tragedy of the world today. Too many people have sold their souls into bondage for anticipated economic progress. And as a result, the question faces us: What can be done to stop that trend? What can be done to preserve and extend liberty and freedom? Can Puerto Rico show the way in the '70s, as it did in the sixties?

The world has changed drastically since Luis Muñoz Marín, Teodoro Moscoso, Rafael Pico, and Rafael Durand, and my personal friend Rafael Sancho-Bonet helped set Puerto Rico on its upward and progressive path. Youthful idealism has soured into cynicism. There is a worldwide pessimism as man questions his ability to control his destiny. The people have come down from the mountainous heights of the sixties, convinced that the world they glimpsed from those heights was either a mirage, or, at best, unobtainable through the political systems which now dominate the world.

Today you cannot go anywhere in the world and sell an "operation bootstrap." Even in Puerto Rico, where your government has miraculously maintained a ten percent growth rate, even here, where a brilliant, technologically oriented governor is reaching out to new horizons, even here the universal frustrations are evident. We move everywhere from the brink of atomic war to the brink of economic disaster.

Nowhere in the world are the dreams of the sixties matched by the institutions of the seventies. There is a tragic shortfall between dreams and accomplishment.

The dilemma is not backstage. It is "full center," in clear view of the young of the world, who are growing into maturity and power unencumbered by the promises of the past. They see with a clear eye the historical failures of religions and political philosophies and economic systems. They question Jesus as much as Marx.

In the sixties the prospects, or reality, of failure, were overcome or hidden by excitement and hope. We had the will to accomplish; the desire to succeed. Most of all, there was still time!

Now we hear there is no time left. Past failures are finally tearing apart the fabric of democratic society. More and more young people are arguing—like the foreign leaders I met in the days of the Peace Corps—that only the sacrifice of personal freedom can result in stability and growth. This is the worldwide cry of the far left and the far right—and, I fear, it is becoming the unarticulated desire of many who are not heard, but who have given up hope and are waiting to be shaped by events which they have given up the desire to control.

And, despite this universal crisis, we find very few new leaders rising from the populations of the world. Mao is an old man; the Russian leadership is past retirement age; the most dynamic labor leader is septuagenarian George Meany; my own Democratic Party seems to have only three or four men to offer for the most important office in the world.

If there are few men to lead, there are fewer ideas to follow. Despite their disdain for the present society, the young people of the world have not come forth with answers

of their own. The most progressive of their philosophies—by their standards—is Mao, and his is an agrarian philosophy, limited in scope and imagination, and much too close to social scientist B. F. Skinner and his box, to suit contemporary, Western man. Mao is also a Marxist, and we now know that Marxism was designed for a world before World War I. It works only in nations still struggling to emerge from feudalism and serfdom.

Yet, our own democratic society flounders from one crisis to the next. We are a nation built on the dreams of a free-floating economy, now forced to impose wage and price controls, to curtail the free operation of that philosophy. There are many to blame for what has happened: the politicians, the businessmen, the unions.

But, the facts remain:

There is not enough housing, although there are materials and manpower to build each man his dream castle.

Food rots at one end of the nation while children starve at the other.

Young men fight wars they did not begin.

Diseases are conquered, vaccines are synthesized, yet millions still die in plagues.

Larger numbers of refugees now wander hopelessly in search of a home than wandered during the times when the world was under the domination of so-called barbarians.

The systems we have developed trap as many people as they free. They were not designed for that purpose, and could function otherwise, but somewhere along the line something happened. It may be the test of this decade to find that defect—or those defects—and make the changes to allow the democratic system to flourish.

In the United States we have always assigned the solution of these problems to the political system and seldom ventured beyond that remedy. Yes, of course, there have been yearly calls, especially during the Johnson and Eisenhower years, for businessmen to become involved in the process of government. But many of these requests were made only out of political necessity. As a result the impact of the business and industrial communities on the processes of government was more fringe than substance. Government continued to function as it had throughout recent history, solving only those problems which were so critical that they could not be ignored, and pushing aside all those which could be avoided or postponed. As a result, the gap between the services a government should provide, and those actually delivered, grew immense and has produced a national rebellion.

We must find ways to close that gap. And where better to begin to solve it than here in Puerto Rico? . . . The Puerto Rico which helped provide the vision of the Peace Corps . . . The Puerto Rico which can now show all of the Americas (North or South) that social and economic progress can be achieved in freedom—the Puerto Rico which can show the 50 United States that if we care about our common humanity, and work to solve our common problems, there still is time.

True, we business and professional men could decide to sit in our offices and try to avoid looking out the window, at the people whose lives are scarred by our failures to solve the problems of jobs, education, transportation, race, housing, hunger and starvation—but if we do that, time will run out on the society we love. We can repeat the old wisdom that business has only one job—to make profits. That business has only one responsibility—to the shareholders.

Or business can listen to the words of Senator Edmund Muskie when he spoke here in Puerto Rico before the National Conference of Governors on September 14. Senator Muskie said:

"When we are told that there is no constituency for prison reform, we must become that constituency . . ."

"When we are told that no one will speak for the poor, we must raise our voices . . ."

"When we are told that a race or a group has no influence, we must share our influence with them . . ." Muskie spoke to the governors. He could have spoken to businessmen and said in similar manner!

"When we are told that there are insufficient jobs, then we businessmen must provide the jobs.

"When we are told there are no houses, we businessmen must provide them.

When we are told that the environment has been polluted by business, then we businessmen must change ourselves and our companies.

I used to visit Cuba in the thirties and forties and can remember the glistening skyscrapers and the great material prosperity of those days—but that prosperity produced Castro. Why?

I can remember in many countries of Latin America—Venezuela for example—standing at nighttime in Caracas and looking at the magnificent hills covered with neon signs, all advertising products made in the U.S.A.—Coca-Cola, Chevrolet, Sears—not a word of Spanish on any one of them. Is it any wonder that there is anti-Yankeeism all over Latin America.

I can remember visiting barrios outside of Lima, Peru, Santiago, Chile, Rio de Janeiro, wondering whether it would be possible for democratic governments to survive in countries where so little was being done for so many who needed so much. Democratic government has not survived in those places and it cannot survive in any place if the leaders of government and businessmen pay more attention to economic development and material progress—and not enough to human needs of the people.

Puerto Rico so far has not fallen into the abyss. Somehow you have, it seems, maintained your individuality, your culture, your religion, your customs, despite economic progress. Black may be beautiful in the United States, and God may be red on our Indian reservations. But here in San Juan one thing is true: Latin is lovely! But still, my friends, I am uneasy. Even in Puerto Rico, even in the presence of successful businessmen, I cannot agree that here, or in the 50 states, "God is in his heaven and all's right with the world!"

Why does the stock market continue to decline? Why are the values less today than before President Nixon announced his allegedly revolutionary new economic policy?

Why is the United States "distrusted and despised" (to quote the London *Economist*) by our allies in Europe? Has John Connally done more in one year to unite Europe against the United States than Charles de Gaulle was able to accomplish in ten? That's what they say in Europe!

Why have we lost the friendship of India, of Tanzania, of Japan, of Nigeria, of Peru—yes, even of Canada? Are those the fruits of a successful foreign policy?

Why are we suddenly so popular with dictators—of the left and the right—whether in Spain and Greece, or in China and Romania?

Why is it that we sell arms to Venezuela, where the Army, which has never fought a war—and which, according to its own commander-in-chief, is never likely to fight one—buys more and more sophisticated weapons every year from the United States. Why?

Why is it that 13 supermarkets belonging to U.S. corporations were burned to the ground in "friendly Buenos Aires" last year alone?

Why does the United States veto Felipe Herrera as reported in the New York Times of November 18, a distinguished Latin American, for Secretary-General of the United Nations, despite his years of excellent service as President of the Latin American Development Bank?

Why have we reached the point where a

Roman Catholic priest, a Jesuit, writing in a weekly magazine called "America," feels compelled to say . . .

"Latin Americans have lost faith (in United Nations' promises to terminate the colonial system). They don't even want development! They want liberation! After 20 years of pursuing development, and seeing where it has gotten him, they will have no more of it. Like the man with the broken ankle who was advised to cure it by constant exercise, Latin America learned the hard way that development is not the remedy. It wants all foreign exploiters—But especially the big exploiter, the United States—off its back!"

Do these questions, leave you with the impression that the 50 United States need Puerto Rico more than Puerto Rico needs the 50 United States?

I hope so, because that's what I believe.

We need your acceptance and understanding and toleration of different races!

We need your gaiety and love of life, your compassion for the poor, your gentleness with human weakness!

We need you as a bridge to deeper understanding and more meaningful cooperation with the nations of Latin America!

Your sanctimonious, uptight, "holier-than-thou," hard-working, driven, rich northern neighbors need you!

For, it is written, that it is easier for a camel to pass through the eye of a needle than for a rich man to enter into the kingdom of heaven.

SOVIET JEWS: THEY DO NOT SUFFER ALONE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. DERWINSKI. Mr. Speaker, in inserting in the RECORD the following column from the Chicago Tribune by Mr. Frank Starr, Washington Bureau chief of that newspaper, I wish to remind the Members that for many years Mr. Starr was the Tribune correspondent in Moscow and as such is one of the few American newsmen who possess a penetrating insight into the Soviet Union:

SOVIET JEWS: THEY DO NOT SUFFER ALONE

WASHINGTON.—Americans can [and they should] do a good deal to publicize and thus ease the plight of Soviet Jewry.

But they ought to know what they are doing; they ought to have a balanced, sober, and unembellished picture of the problem. As things stand today they are not getting it.

The issue seems to have become an emotional and political one, with the result that the picture is getting pinched out of perspective.

Last week a House foreign affairs subcommittee chaired by Rep. Benjamin Rosenthal [D., N.Y.] conducted hearings with a view to producing this week a resolution on the subject and possibly getting the issue brought up in the United Nations General Assembly.

WELL EXPRESSED

The subcommittee's aim was probably well expressed by one witness, Richard Maass, chairman of the American Jewish Conference on Soviet Jewry, who spoke of the need "to bring about the removal of the restrictions and deprivations imposed on Jews in the Soviet Union."

"By exposing those restrictions to the world, we hope to bring a knowledgeable and concerned public opinion to focus upon the Soviet government for redress," he said.

This is a realistic objective; there is good evidence that on this issue the Soviets are sensitive enough that they will temporize to ease the pressure of international embarrassment. And there is no question that Soviet Jews are suffering violations of their civil rights and discrimination in those things that make them Jewish, i.e., Yiddish or Hebrew culture, education, language.

However, of 20 or so witnesses the committee heard, 9 were congressmen and 7 were representatives of American Jewish organizations. And some of the un rebutted testimony was at best misleading or at worst incorrect.

A few examples: "Nowhere among the other recognized Soviet minority groups is there anything like the repression of the Jewish community." Rep. James H. Scheuer [D., N.Y.].

"Jews, unlike other minority groups, have been placed on trial for 'hoolliganism' and other crimes." Also from Rep. Scheuer.

"The Jews represent the single sustained dissent in the Soviet Union." Jerry Goodman, executive director of Maass' organization.

Then came Richard Davies, deputy assistant secretary of state, who is known to Soviet experts, both governmental and academic, as a professional's professional. He presented a scholarly treatment of the problem which the one recent Soviet emigrant there, Mrs. Rita Gluzman, 23, read and felt was well balanced.

But he also punctured some misrepresentations. He said all Soviet citizens—not just Jews—suffer from the Soviet government's policies and its restrictions on emigration, that claims that the majority of Soviet Jews live in terror seem overdrawn, and that although sharp punishments are given Jewish militants it should be noted that "other Soviet civil rights activists and minority-group militants have been subjected to similar reprisals of severity similar to or greater than" those given Jewish militants.

His reception was decidedly cool. Rosenthal said the testimony was "out of tone with the facts" and said newspaper accounts of it were "a disservice to the Congress and the world at large."

Fault may be found with the State Department for many things, but Davies' testimony is not one of them.

In fact, a less circumspect man could argue that to the extent that 7,000 Jews have left the Soviet Union this year and that hope exists for others, they as a group have an advantage denied other Soviet minorities. That they achieved this is testimony to their courage and tenacity and to the support they found abroad.

The British scholar Robert Conquest, in a book entitled "The Nation Killers," recounts the fates of eight entire Soviet nations who were deported from their homes—history and geography being rewritten to deny their existence. Despite rehabilitation, three of these still are denied access to their former homelands although these are within Soviet borders.

ONE EXAMPLE

One, Crimean Tatars, related ethnically to Turks, were given their rights back in 1967, but families who tried to return to the Crimea were beaten and physically deported again. Their cemeteries were ploughed up, everything written in their language burned, and the history of the land they knew for centuries rewritten to deny they had ever been there. Despite valiant resistance, as this observer can attest from firsthand experience, their plight is unchanged.

To the extent that Jewish militants challenge Soviet authority and policy they are subject to surveillance, arrest, and imprisonment like other civil activists who do.

Not only Jews should be concerned about suffering of Soviet Jewry, but such suffering in Russia is not only Jewish.

ATTORNEY GENERAL AND CHIEF JUSTICE CALL FOR REFORM OF OBSOLETE CORRECTIONS SYSTEM

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. MIKVA. Mr. Speaker, this week an historic conference took place in Williamsburg, Va. The subject was corrections reform, and the guest list included several hundred experts from the State, local, and Federal level.

Similar conferences have been held in the past. There is no shortage of task force reports and conference recommendations in the field of corrections reform. What distinguishes this one is the breadth of the participants, going beyond academia to include corrections officials and policymakers from every level of government.

Two of the participants were Attorney General Mitchell and Chief Justice Burger. In remarks delivered to the conference, each of them revealed an encouraging sensitivity to the past failures of prisons, and to the urgent need for a change in our attitudes and programs to deal with people convicted of crimes.

Both the Attorney General and the Chief Justice affirmed the basic need for professionally trained corrections personnel, for decent prison conditions, for increased availability of rehabilitative programs and of noninstitutional corrections, and for recognition of the human needs and rights of convicts, both during and after their period of confinement.

It is clear that a corrections system which is truly rehabilitative is our best hope for reducing the level of crime in our society. As the Chief Justice stated in his speech, we would be taking a large step toward reducing recidivism if we could just guarantee that every convicted criminal learned to read and write, to do simple arithmetic, and to develop some basic marketable skill before being released from supervision. Unfortunately, our existing corrections system does not begin to meet even these most basic needs.

Mr. Speaker, the most heartening thing about the conference at Williamsburg is the evidence it provides of a welcome commitment on the part of government officials at all levels to do something about crime in our society by doing something about the way we treat—or fail to treat—people convicted of crimes. The addresses by the Attorney General and the Chief Justice indicate a welcome if overdue willingness to face the dismal reality of how monstrous a failure our past approaches to corrections have been, and a willingness to undertake an honest evaluation of approaches which have failed, regardless of the political consequences.

The cause of corrections reform has witnessed centuries of recommendations, and decades of promises, but a dearth of progress toward the agreed goal. I am hopeful that the Williamsburg conference, and the encouraging statements presented by Chief Justice Burger and Attorney General Mitchell,

augur a new commitment to corrections reform, including the necessary resources of men and money to breathe life into recommendations and promises which are as old as the prisons themselves.

I would like to insert in the RECORD at this point the text of the speeches given by the Attorney General and the Chief Justice earlier this week!

NEW DOORS, NOT OLD WALLS

(Address by John N. Mitchell, Attorney General of the United States)

Let me join the others in welcoming you to this National Conference on Corrections. As many of you know, this conference stems from the continuing concern over prison reform by the President of the United States, and is a part of the national corrections program that he set in motion two years ago.

In 1969 President Nixon directed his Administration to pursue correctional reform along 13 specific avenues. He also appointed a Task Force on Prisoner Rehabilitation, which made a number of significant recommendations in April 1970.

Together, these directives and recommendations represent the most determined and comprehensive approach to corrections ever made in this country. I refer not only to Federal corrections, but insofar as the Federal Government can provide funds, training and leadership, this approach is a Magna Carta of prison reform for all levels of government.

We are here to review how far we have come in implementing the reforms already proposed by the President and others, and to chart a course over the vast sea of problems remaining.

Until the last two years, it could be said of prison reform what Mark Twain is supposed to have said about the weather: "Everybody talks about it, but nobody ever does anything about it."

Some of the talking was done at a National Congress on Penitentiary and Reformatory Discipline, meeting in Cincinnati. Among other things, it recommended that:

The prime goal of prisons is not to punish, but to reform.

Prison personnel should be much better trained and developed to professional status. Prisoners should be classified and treated appropriately and separately.

They should be handled with incentives and moral suasion, not physical punishment.

They should be given hope of reduced sentence and parole for good behavior.

Their academic education and vocational training should receive primary emphasis.

They should be helped to find their way in society after release.

When were these enlightened ideas proposed? Not last month or last year, but in 1870—more than a century ago.

Forty years ago a National Commission on Law Observance and Enforcement, known as the Wickersham Commission, devoted an entire volume of its report to the subject of corrections. Among its recommendations were the very same ones that had already been recommended in 1870.

Nearly five years ago a President's Commission on Law Enforcement and Administration of Justice devoted a chapter of its final report to corrections. Among its recommendations were ones previously made in 1870 and 1931.

What was the result of this century of recommendations?

In state after state, most of the prisons have no programs for correcting the prisoner. Only a fraction of inmates in the country are exposed to such programs.

Only from 10 to 20 percent of all prison system budgets in this country is spent on actual programs to correct the inmate; the rest is spent on custody and administration.

Only 20 percent of institutional personnel are assigned to correctional-type programs.

In many states, first offenders are mingled with hardened criminals; in many cases, juveniles are mingled with adults.

In any other profession this kind of neglect would be unthinkable. How would we react if a hospital put accident victims in the Communicable Disease Ward—and at that, a ward in which the patient received a bed, but no treatment? We should be just as appalled at the situation in many of our prisons today. Little wonder that, in sounding the call for prison reform, President Nixon declared, "The American system for correcting and rehabilitating criminals presents a convincing case of failure."

There are, of course, some outstanding exceptions. But in characterizing most American prisons I need only use the same language that the Wickersham Commission used 40 years ago:

"We conclude that the present prison system is antiquated and inefficient. It does not reform the criminal. It fails to protect society. There is reason to believe that it contributes to the increase of crime by hardening the prisoner."

Today we have figures to confirm that belief. According to the FBI, those arrested on Federal criminal charges in 1970 had an average of four prior criminal arrests and an average of nearly 1½ convictions at the local, state or Federal level. The nearly 38,000 arrested on Federal charges in 1970 had a total of more than 22,000 prior imprisonments of six months or longer in one type of institution or another.

These and many other studies with similar results should not surprise us. It is as simple as the words of the novelist, Dostoyevsky: "... neither convict prisons, nor prison ships, nor any system of hard labor ever cured a criminal."

The fact is that other trends in American life are going to make this corrections problem even more pressing in the future. The trend toward improved law enforcement systems will not only deter crime in the long run, but in the near term one of its effects should be to increase the arrest rate. Moreover, if the court reform movement proceeds as we hope, it will speed the prosecution of more defendants. Together, these two factors will send many more offenders through the criminal justice system, thus putting added strain on the corrections program.

We must be prepared for this new wave of offenders coming into the prison system—ready not just with added beds and benches, but ready to make the most of an opportunity to reach a larger number of offenders with modern corrections techniques.

At the same time, the rising level of education in the United States is leaving a bigger gap between the undereducated offender and society at large. So our job training and educational programs in the prisons must be pushed even harder to keep up with successes in other aspects of society.

Recognizing that there are many successful corrections programs by various jurisdictions, I would like to examine briefly the particular program developed in response to President Nixon's directions two years ago.

First, the President's program has received growing financial support from Congress, thanks to some dedicated leaders in the corrections crusade such as Senator Roman L. Hruska of Nebraska. Funds specifically earmarked for corrections, over and above the other corrections grants, have been added to the program of the Law Enforcement Assistance Administration, part of the Department of Justice.

Second, in 1970 the Inter-agency Council on Corrections was created to focus the work of all relevant Federal agencies on prisoner rehabilitation. This consists of representatives from a dozen agencies within the Departments of Justice, Labor, Defense, and

Health, Education, and Welfare, as well as from the Department of Housing and Urban Development, the Office of Economic Opportunity, and the U.S. Civil Service Commission.

Third, the United States Board of Parole was reorganized in 1969 to enable Parole Hearing Examiners to conduct many of the hearings in correctional institutions across the country. This permits the Board members to devote more time to the decision-making process and to hold more appellate reviews.

Fourth, the Federal Bureau of Prisons within the Department of Justice developed a comprehensive 10-year master plan to improve the effectiveness of the Federal Prison System and hopefully to make it a model of correctional endeavor for other agencies in this country to follow. This plan emphasizes individualized treatment and community orientation. The Bureau has already made a good start in achieving these goals, particularly in two vital areas—personnel training and new facilities.

The first regional staff training center was opened last January. It provides professional training to develop the correctional officer as an agent for change rather than as primarily a custodian or keeper. The second regional training center will be opened the first of this coming year, and three more are planned for the future. As soon as possible, these facilities will also be made available to state and local correctional personnel.

This month the Bureau plans to break ground for its first Metropolitan Correctional Center in New York City. This multipurpose facility will provide pre-sentence and post-sentence short-term detention, diagnostic service to the courts, prerelease services to offenders returning to the city from other institutions, and correctional services for parolees and probationers. Construction will begin on a similar center in Chicago in June 1972, and six other centers are scheduled for urban areas where the need is most acute.

Construction will begin early next year on a facility unique in correctional practice. This is the Behavioral Research Center at Butner, North Carolina, which will provide treatment for and research on special groups of offenders, including the mentally disturbed. And in the fiscal 1972 budget, Congress provided for construction of a West Coast complex of facilities in four metropolitan areas to provide better correctional techniques for youthful offenders.

Fifth, the Law Enforcement Assistance Administration has greatly increased its funding for correctional aid to the states and localities. In fiscal 1971 this reached \$178 million, which included more than \$47 million in Part E funds that Congress, for the first time, especially earmarked for corrections, at the urging of President Nixon. This Part E funding has been more than doubled in the current 1972 fiscal year, bringing the total LEAA funding for corrections in this current year to nearly a quarter of a billion dollars. For the first time, substantial funds are available for a coordinated program to bring American penology into the 20th Century.

From its inception, the entire LEAA corrections program has had a common theme—preparing the offender for assimilation into society. One reason is that community-based programs are within the financial reach of the Federal assistance program and of the states and localities. If these correctional programs are as successful as we hope, we may not need to build all the new facilities that now seem to be required by the antiquated condition of most penal institutions. Some funds are being used for construction, but on a very selective basis which emphasizes corrections, not just detention. Already, as a result of LEAA funding, we can see some visible areas of progress. To cite only a few:

Kentucky has begun its first organized pre-release program for prison inmates.

Arizona has begun treatment programs in county jails.

Michigan is developing a million-dollar model program to treat young offenders in community-based programs.

Missouri is opening 12 new community treatment centers for offenders and ex-offenders and 36 group homes for juveniles.

Louisiana is building a state institution for women and two regional centers for offenders.

Indiana has opened two new regional centers for juveniles in the past two years and will open four more.

Florida is implementing a major probation program for juveniles directed by the state.

New York is launching a massive series of professional training programs for existing correctional personnel at all levels.

Those programs are only a fraction of the whole picture.

Last Fiscal year LEAA put over \$2 million into job training and placement programs operated by private industry.

LEAA has also made direct grants to cities and counties to finance community treatment centers, narcotics and drug treatment, job placement, juvenile probation, work release, group homes, rehabilitation of alcoholics, halfway houses, volunteer aid programs, psychiatric care, and a host of other offender rehabilitation efforts.

We are also aware that many states need technical advice on how their facilities need improving, and even on how their new buildings should be designed to make maximum use of modern correctional methods. I am able to announce that, to meet this need, LEAA has funded a National Clearinghouse for Criminal Justice Architecture at the University of Illinois.

Professional assistance in planning and implementing education programs for inmates is also a need of many states and localities. For this purpose I am today directing LEAA to establish a National Clearinghouse for Correctional Education, using such funds as are now available for its initial phase of development. This Clearinghouse will give technical help, including curriculum planning and classroom and correspondence course materials, to correctional agencies establishing education programs for primary through college level.

These are only a few highlights, and they do not include numerous research programs to advance the science of corrections.

Already, because this large LEAA funding is now available, state and local correctional administrators have begun to press for change. They are documenting their needs, with new confidence that those needs will be met. No longer are they voices in the wilderness.

In addition, other Federal agencies are providing strong support. At three Federal institutions, the Office of Economic Opportunity has funded programs to prepare selected inmates for advanced educational opportunities. A number of vocational training courses for handicapped inmates have been sponsored by the Rehabilitation Services Administration of HEW. The Manpower Administration of the Department of Labor has made numerous grants to provide occupational training for inmates of Federal, state and local institutions. And the Manpower Administration is also participating with United States Attorneys and the Federal Courts in a program to provide jobs and correctional guidance to selected defendants, without trial.

Recently, steps have been taken to bring even closer coordination of Federal and state corrections programs.

A National Advisory Commission on Criminal Justice Standards and Goals, chaired by Governor Russell Peterson of Delaware, has been established by LEAA. Among the standards it will consider and establish are those for corrections. I trust that when these are forthcoming, correctional institutions at all levels will give them

the most serious consideration, to the end that all such American institutions can work toward the same goals.

In addition, the cabinet heads of the Departments of Justice, Labor, and HEW last week joined in sending a letter to the governors of all states and territories, offering fresh technical and financial assistance in a coordinated Federal-state program for correction of offenders. Grants for preparation of plans will be made to all participating states before the end of this fiscal year. Some time in February the representatives designated by the Governors will meet with Federal officials in Washington to agree upon guidelines for the program plans. The result will be that the states can make comprehensive plans with the assurance that they will receive substantial Federal financial support starting in fiscal 1973.

So we have here the first major step in articulating and implementing a national program—Federal, state and local—on the correction of offenders. I hope that your deliberations here will provide a body of professional recommendations that will guide state and Federal planners.

In short, a number of factors have combined to give us the best opportunity in this century to bring some genuine reform to the most neglected aspect of our society.

We have concerned and enlightened leadership—a President who has made prison reform one of the priorities of his Administration.

We have significant funds available and a viable program for allocating them.

We have some outstanding examples of progress in both state and Federal prison institutions.

We have a higher level of public support than ever before.

For the first time, we can mount a national corrections program that does not simply repair old buildings, and is not based only on old concepts of restraint and deterrence. Instead we can make use of the imaginative corrections principles that have been advocated for at least a century.

More than this, we can be bold enough to consider new ideas. Let me close by sharing just a few with you.

First, as you know, the need for better training and common performance standards among correctional officials is shared by all government levels. In this connection I am today directing the Federal Bureau of Prisons and the LEAA to work with the states and localities in establishing a National Corrections Academy. This would serve as a national center for correctional learning, research, executive seminars, and development of correctional policy recommendations. It would cover the whole range of correctional disciplines, from the new employee to the management level. Besides giving professional training of the highest quality, it would provide a continuing meeting ground for the exchange of advanced ideas on corrections. I believe it will be the most effective single means of upgrading the profession and assuring that correction is more than a euphemism for detention. I hope that the members of this Conference will give us the benefit of their ideas on implementing this Academy in the most effective way.

Second, I call upon all agencies to increase minority employment among professional correctional personnel. In my opinion this would greatly increase the effectiveness of counseling and guidance at all stages of the corrections process. Practically all prison systems, including the Federal system, have a long way to go in this regard. I am pleased to report that the Director of the Federal Bureau of Prisons has directed all 28 Federal institutions to work toward a goal of one-third minority employment in all new hiring. I urge corrections institutions at all levels to make an extraordinary effort to find and recruit minority personnel—not only

because it is the law, not only because it is fair, but because it can genuinely benefit the corrections process. LEAA is already funding a program to aid police departments in increasing their proportion of minority officers, and I am today directing LEAA to expand this program to include the same aid for correctional systems.

Third, let us recognize that correction should begin, not with the prisons, but with the courts. Let us ask whether in every case we need to achieve "the object so sublime" of the *Mikado's* Lord High Executioner—"To make the punishment fit the crime." In many cases, society can best be served by diverting the accused to a voluntary community-oriented correctional program instead of bringing him to trial. The federal criminal justice system has already used this formula in many juvenile cases—the so-called Brooklyn plan. I believe this program could be expanded to include certain offenders beyond the juvenile age, without losing the general deterrent effect of the criminal justice system. I am therefore directing the Executive Office of United States Attorneys and the Criminal Division of the Justice Department to study the feasibility of enlarging the area of criminal cases in which the prosecutor might be justified in deferring prosecution in favor of an immediate community-oriented correctional program.

Finally, I propose for your consideration a more general problem—the need to elevate public attitudes toward the releasee. Studies have shown an appalling resistance to hiring ex-offenders, even by many governmental agencies at different levels, thus frustrating other efforts at correction. Some state laws prohibit the hiring of ex-offenders by government agencies, however well adjusted or corrected they may be. When such a release is thus denied the means of making an honest living, every sentence becomes a life sentence. The attitude of each citizen toward salvaging offenders as valuable human beings is one of the obvious cases covered by the popular saying, "If you're not part of the solution, you're part of the problem."

It is my hope that as the rehabilitation approach to penology begins to work, the public will begin to change its archaic feeling about ex-offenders. The public's predominant impression of penology will be, not of old walls but of new doors. And this in turn can be the final breakthrough in the centuries-old battle to reclaim and assimilate the ex-offenders.

Winston Churchill once said that attitudes toward the treatment of criminals are "one of the unending tests of the civilization of any country." Let us do all in our power to assure that our country may yet be able to meet this test, not in shame, but with pride.

Ladies and gentlemen, I wish to thank you for your participation in this Conference. We are counting on your counsel as we enter a new phase in a national correctional program, and I trust that your dedication to this cause will produce some truly inspired guidance that is equal to the challenge.

REMARKS OF CHIEF JUSTICE WARREN E. BURGER

I am sure that everyone concerned about problems of corrections and prisons was heartened by the action of the President in convening this Conference. It is time for a massive coordinated effort by the state and federal governments.

It is also highly appropriate that these sessions are held in this historic place for it was a distinguished Virginian, George Keith Taylor, brother-in-law of Chief Justice Marshall, who, as a member of Virginia's House of Delegates, spoke here almost exactly 175 years ago—on December 1, 1796, to be precise—on behalf of legislation to improve the penal system of the Commonwealth.

Taylor is remembered as one of the first leaders on this continent to advocate the

enlightened views of the great Italian reformer and legal philosopher, Beccaria. Thus, Virginia is a familiar forum for the problems this Conference is considering.

For as long as I have been a judge, I have tried to see the administration of criminal justice in terms of three major entities, or parts, all constituting interrelated parts of a single problem.

The first, obviously, is the police and enforcement function; the second is the judicial function; and the third is the correctional and confinement aspect, and, closely related, the vital release programs of probation, parole, and work parole.

This Conference is concerned with that third and final, and very crucial, aspect of justice. On other occasions I have said, and I strongly believe, that this third phase is perhaps the most neglected of all three of the aspects of justice, although each of the other two has strong claims, unfortunately, for first place in that respect.

The problem of what should be done with criminal offenders after they have been found guilty has baffled societies for thousands of years. Therefore, none of us would be so brash as to assume that this Conference can even discuss, let alone solve, all the enormous problems that have been with us for several thousands of years. Because of this terrifying magnitude of the problem, I hope the Conference will find a way to identify just a few of the most urgent but soluble problems and address ourselves to them at once. If we try to solve all the problems, we will solve none. We must be content with modest progress and small victories.

Ideals, hopes and long-range planning must have a place, but much can be accomplished without further research or studies in the essentially "nuts and bolts" side of corrections.

I hesitate to suggest, even in a tentative way, my own views of those solutions to an audience that includes so many genuine experts and authorities in this field. Since the recent events at Attica, New York and in California, the country has been recalling the warnings that many of you have uttered on the need to reexamine both the basic attitudes and the tools and techniques of correctional systems and prisons. (I need hardly add, to this audience, that there is a vast difference even though for shorthand we use the two terms interchangeably.)

Even to reach some solutions on the urgent, the acute, the immediate problems, will take large outlays of money, and this cannot be produced except with a high order of public leadership to develop a public commitment and, in turn, a legislative commitment at state and national levels.

As I see it, the urgent needs include these:

1. Institutions that provide decent living conditions, in terms of an environment in which hope can be kept alive.
2. Personnel at every level who are carefully selected, properly trained, with an attitude of understanding and motivation such as we seek in teachers; and with compensation related to the high responsibility.
3. Improved classification procedures to insure separation of incorrigibles from others.
4. A balanced program of productive work, intensive basic education, vocational education, and recreation.
5. Communication with inmates.
6. A system of justice in which judges, prosecutors and defense counsel recognize that prompt disposition of cases is imperative to any hope of success in the improvement of those convicted.

I. INSTITUTIONS AND FACILITIES

I will not dwell on the subject of institutional housing since most of you are better informed on the facts and more knowledgeable as to the needs than I am. I fear that if we took a realistic national inventory and determined how many states meet minimum

standards that most of us would agree on, the result would be a melancholy commentary on a 20th century society. The rise in crime has crowded most prisons beyond any reasonable bounds and new structures are needed. We know, however, that many of our problems flow from having institutions that are too large, that are poorly located and inaccessible to the family of the inmates, too far away from facilities for work release programs, and located in areas that do not provide adequate housing for personnel of the institution.

As you well know, bricks and mortar do not make a sound correctional institution any more than bricks and mortar make a university, a newspaper, or a hospital. People and programs are crucial. The recent events in two of the largest and most affluent states are evidence that more than good "plant and equipment" are needed. With all that has been said and written about the problems in New York and California, there has been almost nothing communicated to the public about the fact that the particular institutions in question are among the more modern penal institutions in a physical sense. Attica and San Quentin serve to remind us that even the best of buildings have not provided solutions.

So even when we finally eliminate the 19th century dungeons and terrible overcrowding that prevails in so many places, we will still have enormous problems left to solve. It will take millions of dollars to accomplish the changes needed, but it must be done and we must have new thinking about what constitutes a correctional institution in a purely physical sense, where it should be located and how large it should be.

II. PERSONNEL

You are well aware, but the public is not, that well-trained personnel is far more important than the bricks and mortar. "Just anybody" cannot make a sound correctional institution any more than "just anybody" can make a good parent or a good teacher. We have yet to understand that the people who operate prisons, from the lowest guard to the highest administrator, are as important in the whole scheme of an organized society as the people who teach in the schools, colleges and universities. I suspect some experts would say that is an understatement in the sense that the reasonably normal people who go to schools can overcome the handicap of poor teaching. We know that most prison inmates are not mentally and emotionally healthy and therefore need something more than normal people require. Guards and guns are not enough.

As we are now slowly awakening to the need for more intensive training for policemen on the beat and in the patrol cars, we must sense that the guards, the attendants, the teachers, and the management of prisons must be specially selected for their temperament and attitudes and then specially trained for their crucial part in the task of helping prisoners to help themselves.

I am sure that every person here must be elated over the Attorney General's proposal to establish a National Corrections Academy patterned after the great training program of the FBI Police Academy. The management and operation of penal institutions has desperately needed such a nationally coordinated program to train every level of prison personnel from guards to wardens, as the Department of Justice has done with police administrators.

This decision on the part of the President and the Attorney General could be one of the milestones in correctional history.

III. IMPROVED CLASSIFICATION PROCEDURES

In many institutions we know that overcrowding and understaffing have led to a breakdown of classification procedures and practices. In some institutions there are no such procedures. One of the high prices we pay for that lack is a mingling of youthful

offenders and first offenders with recidivists, incorrigibles, drug addicts and others who are seriously mentally disturbed. A very high priority must be given to separating inmates, and this is particularly important today with respect to the riotprone inmates. Those who would disrupt and destroy a penal institution must be separated to protect those who are trying to learn and to prepare themselves for the future. Every inmate has a right to be insulated from those who are bent on lawless acts.

IV. A BALANCED PROGRAM

We need look only at the median age of inmates to see at once the need for athletic and other recreational facilities so that these young men can burn off the surplus energies of youth as many of them would be doing if they were free. The corrosive impact of enforced idleness at any age is bad enough, but on young men it is devastating. Playing cards, watching television or an occasional movie, with nothing more, is building up to an expensive accounting when these men are released—if not before. Such crude recreation may keep men quiet for the time, but it is a quiet that is ominous for the society they will try to reenter.

Some states have recognized these needs and provided for them, but many have not. If anyone is tempted to regard this as "coddling of criminals" let him visit a prison and talk with inmates and staffs. I have visited some of the best and some of the worst prisons and I have never seen any signs of "coddling" but I have seen the terrible effects of the boredom and frustration of empty hours and a pointless existence.

V. RECREATION AND EDUCATION

Recreation and education programs really go hand in hand in prisons as they do in schools and in life.

When society places a person in confinement, it deprives him of most normal opportunities and much of the motivation for self-improvement. When society does this, it has a moral obligation to try to change that person—to make a reasonably successful human being out of him. Common sense and the self-interest of society dictate this even if we lay aside all considerations of human decency and our religious beliefs as to redemption.

Here perhaps our failure is the greatest. The percentage of inmates in all institutions who cannot read or write is staggering. Another, and largely overlapping category, is made up of those who have no marketable skills on which to base even a minimally successful life.

The figures on literacy alone are enough to make one wish that every sentence imposed could include a provision that would grant release when the prisoner had learned to read and write, to do simple arithmetic, and then to develop some basic skill that is salable in the market place of the outside world to which he must some day return and in which he must compete. Since the best of human beings need motivation and hope, why have we thought prisoners can do without both? We should develop sentencing techniques to impose a sentence so that an inmate can literally "learn his way" out of prison as we now try to let him earn his way out with "good behavior."

We know that day today the programs of education range from nonexistent to inadequate, with all too few exceptions. However we do it, the illiterate and the unskilled who are sentenced for substantial terms must be given the opportunity, the means and the motivation to learn his way to freedom.

Meanwhile, we should make certain that every inmate works and works hard. With countless thousands of law-abiding citizens "moonlighting" on second jobs to make both ends meet, there is no reason why every healthy prison inmate should not be required to work to earn at least a part of his "keep." Moreover, every consideration of re-

habilitation demands that inmates be kept busy with productive work, with learning and self-improvement. With this must come an expansion of psychological and religious counseling to instill motivation and maintain hope.

VI. COMMUNICATION

We know that one of the deepest hungers of the human being is communication with others on his hopes, his fears, his problems. Inside the walls of a prison this basic need of Man does not vanish and indeed we know it is greater than ever. A means of regular communication should be established between inmates and those who run the institution. We cannot turn the management of a prison over to the inmates, but society, as represented by the "keepers," can listen to what the inmates have to say.

To the extent it is feasible and consistent with orderly administration, therefore, the inmates need to have a chance to regulate some limited part of their lives, however small, by the processes of deliberation and choice. If we tie a person in a chair for a long time, we can hardly be surprised if he can't walk when we let him loose. Within limiting regulations necessary for basic order, inmates should be allowed to think and walk and talk as we will demand that they do when they are released. What can be wrong with allowing prisoners to practice, on a small scale, the very things we will insist they do when they are again free?

VII. SPEED IN ADMINISTRATION—JUSTICE

Finally, a few words need be said about the functioning of the courts in relation to the correctional system. Time does not permit discussion of standards for sentencing and related matters that you are dealing with in "work shops" and seminars, but I am confident we would all agree the judicial system has a responsibility to see to it that every criminal charge is tried as promptly as possible and that the appeal is swiftly heard and decided. In some places the time lag between arrest and trial is hardly less than a public disgrace. Some of this is due to the maneuvering of lawyers who misconceive their function and seek to postpone the trial date as long as possible; some is due to overworked defender legal aid staffs, overworked prosecution staffs, and overloaded courts—and some to poor management of the courts.

Whatever the cause, the impact of the delay in disposing of criminal cases covers a range of consequences:

(a) For any person, guilty or innocent, a long pretrial confinement is a corrosive experience; it is an enforced idleness in an environment often worse than the poorest correctional institution.

(b) Prolonged confinement after sentence and before commitment to a conventional corrections institution is likely to erode whatever may be the prospects of making a useful and law-abiding citizen out of the convicted person.

(c) We have all seen examples of defendants who have exploited procedural devices to postpone the final verdict of guilt for years with the result that their warfare with society has embedded and intensified their hostilities and rendered prospects for future improvement virtually zero.

(d) Delay in final disposition also exposes the public to added dangers when the accused is in fact an incorrigible criminal whose release on bail is exploited to commit new crimes. Sometimes this rests on a belief, widely shared by sophisticated criminals, that when finally brought to justice he will receive concurrent sentences for multiple crimes. The measure of these risks can be found in the increasing percentage of recidivists on the criminal dockets of every court in the country.

We in the legal profession and the judiciary have an obligation to put our own house in order, and to this end the Judicial Conference of the United States in October approved programs to expedite trials and

appeals in federal courts and to establish means of identifying the cases in which there is a likelihood that delays will occur. Other programs have been instituted and yet others are to come, all directed to insure the speedy justice to which every accused is entitled and which the society has a right to demand for the protection of all its members.

The statistics of the federal courts are only a small fraction of the total picture and they show nearly 42,000 new criminal cases annually, an increase of 45% in 10 years.

VIII. PRISON VISITATION

Two and one-half years ago, in discussing corrections problems at the ABA meeting in Dallas, Texas, I urged that lawyers and judges—and indeed citizens generally—visit prisons and form their own judgments. The Young Lawyers' Section of the ABA took on the burden of promoting a Prison Visitation Program. I am not currently informed on all the details but I do know that in some states a very large number of such visits have been organized and that more and more judges and lawyers are finding out about prisons. Few things would help more than having the public fully informed on the problems of prisons and the burdens of those who administer them. Most administrators know a great deal of what ought to be done and none of my cursory observations at this Conference present anything new to you. What is desperately needed is that you have the resources and the authority that only public support and legislative action can provide. The people of this country can bring that about if they will see first hand how their institutions are being run and what support they receive. We know that not all offenders can be salvaged, as we know that not all lives can be saved from disease, but like the physician, we must try.

It is most fortunate that one of the great organizations in the country saw, two years ago, that a national effort was called for to improve our correctional processes. The ABA created not one of the usual committees of lawyers, but a Commission that includes leaders of Labor, Industry, Judges, lawyers, penologists, and other specialists, including some of the most distinguished correctional administrators in the country, and a professional staff to carry on their work. All of the members of that Commission are invited members of this Conference and I know that Governor Richard J. Hughes, its Chairman, will cooperate in every way with you.

What I have been trying to express is my deep conviction that when society places a person behind walls we assume a collective moral responsibility to try to change and help that person. The law will define legal duties but I confess I have more faith in what a moral commitment of the American people can accomplish than I have in what can be done by the compulsion of judicial decrees.

The great tradition of America comes to us from the people who came here and by work, faith and moral fortitude turned a wilderness into a nation. Most of them were the poor and the oppressed of Europe. All of them wanted something better than the life they had abandoned.

Part of the American tradition has been to give of our bountiful treasure to others to restore them from the ravages of wars and natural disasters. We have not always shared our resources wisely but we have shared them generously.

Now we must try to give leadership and guidance to see that this generous spirit and this American tradition are applied to one of the large unsolved problems of Mankind and surely one of the unsolved problems of our society.

You accept this as your obligation by being here and I accept it as part of mine. Together we must let the people and the lawmakers know what need to be done.

HILLSDALE COLLEGE: ACADEMIC AND ATHLETIC EXCELLENCE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. CRANE. Mr. Speaker, we are entering that time of the year when many of our colleagues undoubtedly will use this forum as a means of extolling the virtues of their favorite college football teams.

To be certain, this has been an exciting football season and alumnae of the Universities of Nebraska, Alabama, Oklahoma, and Michigan have much to be proud of as their schools prepare for bowl games.

But there also is much for the Nation's smaller colleges to be proud of, too, and as an alumnus of Hillsdale College in Hillsdale, Mich., I am particularly pleased that my alma mater has recently received national publicity for its football performance as well as for its dedication to educational excellence.

A recent article in *Sports Illustrated* about Chester Marcol, a Hillsdale football player who has attracted considerable attention as a placekicker, made reference to the school's philosophy.

Dr. Louis Pitchford, assistant to the president of Hillsdale, said:

We try to maintain values of human dignity and a belief in a powerful God, which in turn brings out the individual and his potential.

I would like to share this fine article with my colleagues, and include it at this point:

CZESLAW MARCOL IS NO POLISH JOKE

It was as bad a day as Chester Marcol is likely to have. He missed a field-goal attempt of 38 yards, one of his punts was blocked and his team, Hillsdale College of Michigan, suffered its most depressing loss of the season, 43-10 to Indiana University of Pennsylvania. The fact that Marcol saved one touchdown by making an open-field tackle on a punt return, completed two passes from kick formation, averaged 44 yards on the seven punts that were not blocked and, before the game, warmed up with several 60-yard field goals—all that was of little consolation. Chester Marcol does these things frequently.

In case you are wondering what kind of kicker performs this way on a bad day, understand that Chester Marcol is hardly ordinary. He holds the modern collegiate records for longest field goal (62 yards) and most consecutive extra points (104) and has averaged better than 40 yards a punt in his career. In case you are wondering why you have never heard of Chester Marcol, keep wondering. As the prison boss said in *Cool Hand Luke*, "What we've got here is a failure to communicate."

"It's hard to phone someone and tell him about Hillsdale College," says Mike Mills, a senior who performs a full-time sports information director's chores in addition to completing 17 hours of studies. "They just think it's another small college, but when a man is kicking, he should be judged on an equal basis with someone from the Big Ten or Southeastern Conference."

Evidently, though, some people think it is easier to kick a 60-yard field goal for a small college than for a major university. True, Hillsdale, a school of about 1,100 students some 80 miles southwest of Detroit, became

a camping ground for writers and photographers the week after Marcol's 62-yarder in 1969, but publicity subsided quickly. People forgot quickly, too. When Bill McClard of Arkansas kicked a 60-yarder last year, the feat was at first reported as a modern record. When the mistake was noticed, the guilty ones often replied, "Oh, we meant NCAA record. Hillsdale is an NAIA school, and they don't count."

Oddly enough, the two people who should most resent Marcol's anonymity—Marcol and his coach, Frank (Muddy) Waters—are on the whole unperturbed. "I got enough publicity when I set the record," Marcol says. Adds Waters: "For us, being a small school like we are, we don't command the attention. We're happy to get any publicity at all. In this area alone, we're competing with Michigan and Eastern Michigan—both ranked teams."

Marcol and Waters speak with some precision. At least half a dozen NFL teams have serious enough kicking problems to be on the lookout for top college prospects, and Marcol is likely to be the least-known first-round pick. Well, least known to the public. Gil Brandt, the superscout of the Dallas Cowboys, has a voluminous file on him, and Cleveland scout Lou Groza, who kicked more points than anyone in pro history, has said, "Marcol is the best kicker I've seen so far this year."

His punts, which are high enough to allow for good coverage, are just what the pros want. That his dual kicking talents will save pro teams one specialist enhances his attractiveness, of course. Only one pro—Dennis Pardee (San Diego)—is both punter and placekicker.

In his better-known capacity, placekicking, Marcol is already ahead of most pros. This season only four NFL regulars have missed fewer field goal attempts from inside the 40. Marcol is 2 for 3 from 40 to 49 yards and only some close calls from 50 and more, abetted by stiff winds and rain, have prevented him from joining the six pros who have hit from long range. Marcol attempted a 77-yarder on the last play of one game. It was five yards short and, as the students say, right on. Marcol has kicked eight field goals of 50 yards or more at Hillsdale. He was the first player indicates people other than pro scouts are getting the message, too.

Ever since he was Czeslaw Marcol, stopping soccer balls as the goalie for his town team in Opole, Poland back in the early 1960s, Marcol has been delivering the message in one language or another. He was such a good soccer player that when his mother decided to move the family in with relatives in Imlay City, Mich. upon the death of Chester's father in 1964, the town of Opole reputedly offered to buy Chester a house to keep him in Poland.

His introduction to America was relatively free of the usual cultural hazards. A girl cousin helped him through his early days at Imlay City High and a friendly teacher tutored him overtime in English. His soccer-style kicking talents were discovered in a gym class by a teacher named John Rowan, and it was just another step to the football field. While Imlay City people are vague about the length of his field goals—estimates of his longest range from 46 to 55—he was so accurate from short range that the only two extra points he missed as a senior were blocked.

Marcol was refused admission at Michigan State because he supposedly could not pass the English requirement. "I don't think so," he says. "They say I couldn't pass the English entrance exam, but they never gave it to me. I could have entered that school as a foreign student with no problem because they offer many more languages. I could have taken Polish and Russian, which I speak."

MSU never bothered to exercise that op-

tion, but John Rowan, a Hillsdale graduate, did. He introduced Marcol to Waters and Marcol was enrolled at Hillsdale as a foreign student taking English as a foreign language. He has since been naturalized. It hardly seems too much to suggest that if Chester Marcol had been able to speak English, he might even now be kicking his long field goals on national television.

As an NAIA kicker, he is unrecognized and a bit bitter about the short shrift all kickers, especially foreign-born ones, get. A remark by Alex Karras, the former Detroit lion defensive tackle, especially irritates him. Karras said, "I think those foreign soccer kickers should have their visas taken away from them and be returned to wherever they come from. The game is predicated around the touchdown, that's the way I feel about it."

Marcol, who is 6' 1" and weighs 190 pounds, is a convincing rebuttal in action. He fields errant snaps from center like the goalie he was, made six solo tackles this year and threw a 38-yard scoring pass when a field-goal snap flew over his head. Indeed, Marcol, who was a defensive halfback and split end in high school, is most likely to jeopardize his pro chances through his out-spoiled love of contact.

Hillsdale College is about as well known to the public as Marcol, and with as little reason. The school has been best publicized for a UFO sighting there and for its academic dean, E. Harold Munn, the Prohibition Party candidate for President. Founded in 1844 by Free Will Baptists (it is nonsectarian now), Hillsdale graduated a first class of five that included a woman and a black man named Flisk who founded a school by the same name in Nashville. Hillsdale's major is business administration and the fraternities claim about 45% of the students. The energetic new president, 36-year-old Dr. George C. Roche III, is a widely published economist-historian and friend of William F. Buckley Jr. The school is immensely proud of the fact that it has never accepted state or government aid. It is a quiet campus amid small hills in country more New England than Midwest in character and the most riotous sound emanating of a fall night is the military cadence of fraternity pledges reciting their chants.

Yet Hillsdale is less conservative than liberal, liberal in the classical mold of an institution that values individualism above all else. The school's motto is "Preparation for Leadership." Business leaders conduct seminars at the Dow Leadership Conference Center, and students are invited to watch through one-way mirrors. There are student-faculty committees and a student is expected ultimately to join the board of trustees. "We try to maintain values of human dignity and a belief in a powerful God, which in turn brings out the individual and his potential," says the president's assistant, Dr. Louis Pitchford, a big, friendly man with a remarkable resemblance to Senator Muskie.

Blending in very nicely with the school is the athletic department, which is run by the benevolent presence of Muddy Waters, who looks like a beardless Santa Claus with his white hair, ruddy face and laugh wrinkles around the eyes. There are only 48 tuition grants and no full rides for any sport. Most scholarship athletes come from out of state and work at part-time jobs to remain at Hillsdale. "I don't want an athletic dorm," says Waters. "I wouldn't take one if you gave it to me. I want our athletes to have the full college experience."

Marcol was at first very lost at Hillsdale. "My first kickoff went 20 yards," he says. "I began to ask myself, 'What am I doing here?'" (Interjects Waters, "So did I.") Marcol is now happy about his college experience, speaking English quite fluently—only an occasionally missing article gives his origins away—with the usual quota of "Oh,

wow" and "man" in his vocabulary. He is a fraternity member, is pinned to a girl and lives in a typical off-campus bachelor pad with Saad Jallad, an Arab from Jerusalem who is Marcol's understudy on the team.

Last spring Marcol saved up his money to vacation in Florida. At the end of a week Waters, who also was in Florida at the time, asked him how he was doing "Coach," Marcol said, "I'm spending money like mad. I came here with \$17 and now I've got \$6." Waters is anxious that Marcol isn't conned financially by the pros and a well-versed economist has been chosen to advise him at contract time. "Of course," says Waters, "we don't want to ask for too much. We just want Chester to earn a good salary."

You might say he already has earned it, Muddy.

THE EGG INDUSTRY

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. DOW. Mr. Speaker, I know that many colleagues have been very interested in the bill I introduced on November 19, H.R. 11913, which is designed to assist the egg industry. I am inserting my view of the need for this important legislation and a summary of the bill so that the bill and its purposes are more easily understood.

Farm prices for eggs have been below the cost of production since 1970. This is an abnormal situation for the egg industry, and if it is allowed to continue, many of our commercial egg producers may be forced out of business.

The egg industry has had some hard times due to the control of Marek's disease, a disease of chickens, which caused 10 to 40 percent mortality in flocks prior to the discovery of a vaccine. Egg producers expanded their facilities over the years to compensate for losses caused by this disease, and now that it is under control there are simply too many eggs on the market to provide a good living from egg producing.

The egg industry, under the terms of the bill, can adjust its egg laying flocks equally and equitably among all egg producers.

My bill would provide for the registration of all commercial egg producers through county ASCS offices already established by USDA. It provides for an egg industry advisory board which would advise the Secretary of Agriculture when there was a need for adjusting the number of egg-laying fowl, and the Secretary could enforce a mandatory reduction in fowl among all commercial egg producers having over 10,000 laying fowl. Enforcement would be through county ASCS offices.

There are no bases, quotas, or farm histories required by this plan, and it only affects commercial egg producers. An adjustment program could only be put into effect after farm prices had been consistently below cost of production and only then after the egg board recommended the program. The program would cease after a specified period of time.

This emergency legislation is designed

to last 2 years. It should require little or no appropriations since USDA already has the mechanism for carrying out the intent of the bill. There will be no restraint upon any person who wishes to enter or leave the business, and no adjustment program would be designed to bring about unreasonable prices to egg producers.

In capsule, this bill gives the Secretary authority to enforce a percentage adjustment in all commercial egg producing flocks upon need and request of the egg industry. Such slaughtered fowl would move into regular channels of commerce.

It should be noted that egg industry organizations have attempted, in the past, to recommend voluntary adjustment programs for the egg industry to follow. Producers have been reluctant to follow these voluntary programs for fear that any adjustment one might make would be canceled by another producer adding to his flock. Producers favor an adjustment program where each is assured the other is having to adjust accordingly.

The following organizations have already indicated their support for the bill:

Georgia Egg Association.
Georgia Egg Commission.
Georgia Poultry Federation.
Illinois Poultry Council.
Illinois Poultry and Hatchery Federation.
Midwest Egg Producers Cooperative Association.
Missouri Egg Industries Association.
Missouri Egg Merchandising Council.
National Egg Company.
New Jersey State Poultry Association.
North Carolina Egg Marketing Association.
Northeast Egg Producers Cooperative Association.
Northeastern Poultry Producers Council.
Northwest Egg Producers Cooperative Association.
Pacific Egg and Poultry Association.
Pacific Growers, Inc.
Pennsylvania Poultry Federation.
South Carolina Poultry Improvement Association.
SPICE (New York State Organization).
Southwestern Egg Producers.
United Egg Producers.
Vermont Poultry Association.
Virginia Poultry Products Commission.
Western Egg Company.

HEALTH CARE INSURANCE ACT OF 1971

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, the Committee on Ways and Means has heard many hours of testimony in support of various national health insurance plans, and it will be some time before the hearings are printed and available to all our colleagues for study. As a principal sponsor of the bill entitled "Health Care Insurance Act of 1971," I am anxious that those concerned in this vital area have benefit of information concerning the bill I have sponsored with adequate time to study its provisions

and what I believe would be advantages in enacting this measure.

I insert the full text of the testimony of Dr. Max H. Parrott, and Dr. Russell B. Roth, jointly representing the American Medical Association, in behalf of the Health Care Insurance Act of 1971, commonly referred to as the medicredit bill:

STATEMENT OF THE AMERICAN MEDICAL ASSOCIATION BEFORE THE COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, IN SUPPORT OF HEALTH CARE INSURANCE ACT OF 1971

(By Max H. Parrott, M.D. and Russell B. Roth, M.D.)

Mr. Chairman and Members of the Committee: My name is Max H. Parrott. I am a practicing physician in Portland, Oregon and I am Chairman of the Board of Trustees of the American Medical Association. With me is Dr. Russell B. Roth of Erie, Pennsylvania, the Speaker of the House of Delegates of the AMA, and Harry N. Peterson, Director of the AMA's Legislative Department.

We are pleased to appear today to testify in support of the Health Care Insurance Act of 1971, which has been sponsored by Mr. Fulton and Mr. Broyhill. We are indeed grateful for this sponsorship as well as that of 158 other members of Congress, including additional members of this Committee. We believe that this legislation, commonly referred to as the Medicredit bill, reflects a sincere desire to meet a pressing social need in a responsible and workable way.

Doctor Roth will discuss Medicredit more fully in his testimony. I would like to speak broadly and provide a realistic background against which you can weigh the merits of the many proposals for national health insurance that have been put before this Committee.

HEALTH VERSUS MEDICINE: A DISTINCTION

It would be instructive, first, to identify and isolate some of the problems we are attempting to solve. We should keep in mind that medicine is relatively powerless before many of the major health concerns that trouble us all. This is not to say nothing can be done. But I do wish to emphasize—briefly—that approaches other than purely medical approaches can be more effective in raising the level of health in this country than staggering sums of money concentrated on the improvement of medical care. A distinction should be made between health objectives, which depend on preventive efforts, education, public health policy and research, and medical care, which is concerned with a physician's efforts to cure someone who is sick.

Let me give you some examples to highlight this distinction, to illustrate how some problems can be attacked through health care measures rather than medical care. Accident in our homes, in our factories and on our highways take more than 100,000 lives a year and send 8 million people annually to a hospital or a doctor's office. Bear in mind this is the most highly industrialized country in the world. It is the most highly mobile country there is. And it may well be the most violent. Such factors not only affect our health statistics. They also place a great strain on our medical system and add tremendously to our medical costs.

The choice of lifestyle also plays an important role in our health statistics. The sum of many millions of individual decisions as to health habits and risks have a profound effect on our overall health standards. To give you just one example of the way lifestyle rather than medical care can affect things, you might consider what's happened to our V.D. rate. We know how to prevent venereal diseases, diagnose them, treat them and cure them. Fifteen years ago we almost had them on the way out. But a

changed lifestyle in a new generation has driven our V.D. rates to the highest level since World War II. V.D. is pandemic in this country, despite proven cures and simple preventives. It is pandemic—not because of any failing of medicine—but because of a change in lifestyle.

Medicine can ease these problems, and medicine is properly concerned with them. But the point is this: no matter how drastic a change is made in our medical care system, no matter how massive a program of national health insurance is undertaken, no matter what sort of system evolves, many of the really significant, underlying causes of ill health will remain largely unaffected. They will respond to public education and to research as much as they will to any sort of medical care program, no matter how well-intentioned or how generously financed. To tell the American people anything else is to mislead them.

Before turning to my next point, I should say a word about our organization's membership. It is said that the number of our dues-paying members is only about half the number of physicians in the country. The truth is that not all physicians are eligible for membership in the AMA. Nor are all our members charged dues. But of the active, private practice, office-based physicians in this country—the men or women you usually see when you want to see a doctor—82% belong to the AMA. I might add further that informal polls of doctors taken by two publications, the independent *Medical Opinion* and *Medical Economics*, indicate support for the legislative point of view we are advocating here today by substantial majorities.

ACCESS, COST, QUALITY

Success in reforming, modifying or improving any system of medical care depends basically on balancing three strong and competing dynamics. One of these is the desire to provide universal access to medical care, to make medical care available to all. The second dynamic is the desire to control cost. For many reasons, among them new capabilities for treatment, costs of medical care have risen sharply, as we are all well aware. The third dynamic is the desire for high quality of care. High quality demands a high professional standard for both the physician and the health care team—and the technology available to them.

Now when you devise a system of medical care and emphasize any two of these three dynamics, the two often tend to work against the third. For example, a system which combines universality of access with very tight cost controls can easily affect the quality of care. This combination reduces quality of care mainly because it causes a shift in medical priorities; it diverts a finite number of medical man-hours away from the sick to the well or worried-well. This created quite a problem for the Kaiser-Permanente plan, and I would like to read you something on the subject written by Dr. Sidney Garfield, one of Kaiser-Permanente's founders.

"Elimination of the fee has always been a must in our thinking, since it is a barrier to early entry into sick care. Early entry is essential for early treatment and for preventing serious illness and complications. Only after years of costly experience did we discover that the elimination of the fee is practically as much of a barrier to early sick care as the fee itself. The reason is that when we removed the fee, we removed the regulator of flow into the system and put nothing in its place. The result is an uncontrolled flood of well, worried-well, early-sick, and sick people into our point of entry—the doctor's appointment—on a first-come first-serve basis that has little relation to priority of need. The impact of this demand overloads the system, and, since the well and worried-well people are a considerable proportion of our entry mix, the usurping of available doctor's time by the healthy peo-

ple actually interferes with the care of the sick."

Moving on to another combination of dynamics, let's see what happens when you link the quest for easy and universal access with a desire to maintain quality of care. That combination of factors works against cost. This has happened in at least two instances I can think of. During the years 1950 to 1966 Sweden, under its system of government control and financing, increased health expenditures by 614% while ours were rising 174%. I would also call your attention to the rise in hospital expenditures in Canada under a compulsory hospital insurance program. Between 1950 and 1967 per diem hospital expenditures rose 213% in Canada compared to the rise here of 148%.

Both experiences strongly suggest that when you link a desire for universal access with a desire for at least good medicine the combination works against costs—even within the framework of tight, government controls. Containment of costs does not automatically result from government controls. To argue so is simplistic.

Finally, if you link high quality with vigorous efforts to control costs, then there has to be pressure on access. This may explain what has happened to Medicaid in many states as deductibles have been put in effect or as the income levels for those eligible have been raised.

The search for a perfect health care system, an ideal harnessing of the three dynamics, a magic trioka, if you will, is not impossible. But a system that encompasses universal access, low cost and high quality is difficult. No one that I am aware of has melded all three dynamics harmoniously and applied them successfully to a broad, cross-the-board population base to the satisfaction of all—consumers, doctors and cost accountants. It is for this reason, I think, that we have evolved a pluralistic system of medicine in this country, and I feel we should continue this pluralism—this diverse approach—until there is clear evidence that something else will work better.

MEDICREDIT

This philosophy underlies our own Medicredit proposal for national health insurance—H.R. 4960. Medicredit replaces most of Medicaid, virtually removing the economic barriers between the poor and good medical care. It provides incentives for everyone to seek health insurance and provides generous benefits to middle income families. And it protects everyone against catastrophic costs. No family should have to suffer a financial disaster because of an accident or illness.

Most important, Medicredit preserves the flexibility of our medical system, the freedom so necessary to innovation, to evolution, to experimentation. It avoids the mistake inherent in proposals such as H.R. 22, which would lock medicine into a rigid, monolithic, no-choice, bureaucratic system before there is any real evidence that it would make things better.

Medicredit, while expensive, would be affordable. The federal cost would be some \$14 billion a year, far less than H.R. 22, which under the guise of "free" medicine, would cost at least \$60 billion a year. H.R. 22 would tax the average American family \$1,271 a year according to one HEW estimate.

A vast, monolithic, Federalized health care system such as envisioned in H.R. 22 could easily warp our social priorities, take funds away from programs for housing, education and welfare, establish a new bureaucracy, and create new—and highly unpredictable—costs. It would be a creation almost impossible to change, a decision almost impossible to reverse, an undertaking full of early promise but empty of lasting benefit.

THE PLURALISTIC APPROACH

What has evolved in this country is a pluralistic system of medicine, just as we have a

pluralistic educational system, a pluralistic agricultural system and a pluralistic economic system. And it is no wonder, for our country is unique. It is continental in size, varied as to climate and heterogeneous in background, with a population partly indigenous but drawn also from Europe, Latin America, Africa and Asia. We have population areas of high density and we have counties where the population density is less than one person per square mile. Medicine has to meet diverse needs in diverse ways, for what works in rural Alabama may not work in eastern Oregon, and what is efficient in urban Newark may not be efficient in Los Angeles.

Those who criticize our system of medicine imply that it is static and must be replaced. Let me call your attention to some of the salient accomplishments of our pluralistic medical system, accomplishments that are often obscured in the radical chic, by a disaster lobby which stridently proclaims the need for revolutionary change.

Probably our highest achievement is in the quality of medical care in this country. The world standard of medicine is here. American medical schools produce men and women with the best medical education there is. Our technology is unsurpassed. The ranks of allied medical manpower continue to grow in terms of both size and sophisticated training.

STRENGTHS, ACHIEVEMENTS, AND PROGRESS

Success, may I remind you, can never be complete in medicine, for we are all mortal. But we have made dramatic strides in increasing the number of years of useful life. Let me mention a few. Intensive care facilities and new surgical techniques prolong the lives of heart disease victims. We have in this country developed the most sophisticated cancer detection procedures that exist and we have led the advance in using high energy physics for the treatment of cancer. In dealing with accidents, we do better than anyone in repairing the human damage—in mending the wounds. In physiotherapy, plastic surgery, skin grafting. The new knowledge about the physiology of the kidney and the management of kidney failure have come from American medicine and research. New techniques of anesthesiology have increased the safety factor in all types of surgery. Amniocentesis—diagnosing genetic defects of babies still in the womb—is a product of American medicine. Vaccines that have virtually eliminated polio, and new therapeutics, especially the steroids, like cortisone, have emerged in the context of our pluralistic approach to medicine.

Maybe I should say a word about infant mortality since that is frequently—though incorrectly—offered as an index of how efficiently a nation's health system functions.

First of all, it is idle to argue whether it is the quality of medical care or the quality of a child's environment that is the more important factor in infant mortality. These cannot really be separated. No matter how good the medical care system is, mortality rates cannot be lowered below a certain point unless improvements are made in the social environment.

Nonetheless, you might consider the U.S. record in infant mortality.

In 1940 there were 47 infant deaths per thousand live births; in 1950, 29.2; in 1960, 26; and in June, 1971, 19.2.

That is better than a 25% drop just in the last decade.

We might look briefly at longevity, too. In 1940 the life expectancy of a child born in the United States was 62.9 years; in 1950 it was 68.2; in 1960 it was 69.7; and today it is 70.8 years.

Such figures argue—and argue cogently—that American medicine—our pluralistic, evolving, pragmatic system—is changing things for the better, that we are making

progress. We are making dramatic progress in many areas, and Americans born today, both black and white, are not just living longer than their parents, but growing bigger and living longer than their older brothers and sisters.

EDUCATION AND COSTS

Change and progress can be observed in other areas, too, areas that relate more directly to the problems that are of immediate concern to this committee.

Not too long ago a medical education fell into rather neat compartments—four years of undergraduate work leading up to a Bachelor's degree, four years of medical school leading to an M.D., then a year as an intern followed by 3 to as many as 7 years in residency training.

The once visible dividing lines are blurred today. Some students now complete in college the basic science training once given in medical school. Others now enter what used to be part of the internship while still in medical school. What is taking place is an almost revolutionary telescoping of the traditional medical education. And the result, under many programs, is a physician equally or better trained than his predecessors but with a year or two years or sometimes three shaved off the time it takes to become one.

Simultaneously, there has been a sharp growth both in the size and number of medical schools. In 1967 there were 89 medical schools in the U.S. with a first year enrollment of about 9,000 students. This fall there were 108 schools—20% more—with a first year enrollment of 12,000. By 1975 with 10 or more new schools opening their doors—five of them next fall—enrollment should come to 15,000. That's probably a conservative estimate.

Now and in recent years we have been sharply increasing our physician population, adding some 8,000 doctors a year net, constantly increasing the ratio of physicians. The physician population of this country is growing at a rate more than double the general population rate.

As you know, special health manpower legislation, already passed by the House and Senate, will provide even greater impetus to medical education. The conference report resolving the differences between the House and Senate action has already been approved by the Senate. This legislation will provide greatly expanded training capability for physicians and other health personnel. It will carry greater funds for operation of medical schools, special assistance for schools in distress, and start-up funds for new schools. This legislation provides incentives for schools to shorten their curricula, thus enabling physicians to be trained in shorter time. It provides increased financial assistance to students through larger support for scholarships and loans, and it carries financial incentives to encourage students to be recruited from shortage areas and, upon completion of their training, to practice in shortage areas. It provides special assistance for the training of family physicians, for the training of physician's assistants, and for a variety of innovative training and health delivery projects.

I think it should be part of the record that the AMA has vigorously supported this legislative response to the manpower problem. As your colleagues will tell you, we have raised a strong voice in urging the passage of this legislation.

Next to questions about the number of doctors, the issue uppermost in the public mind is probably the matter of cost. Here again I think you should be aware of some things the profession itself is doing in response to the need for better controls. Again, I want to call your attention to some initiatives that have been undertaken already, some of the ways in which our pluralistic system is responding to a challenge.

PEER REVIEW

The broad principle involved is peer review—practicing physicians evaluating the quality and efficiency of services rendered by other physicians. Peer review is the means by which doctors themselves can question the necessity, quality and cost of a medical procedure. Peer review works in many ways and has for some time.

I want to draw your attention to a somewhat new and rapidly spreading application of peer review. This is the medical society foundation, which offers highly visible means of controlling costs. Foundations can and are screening hospital admissions. Other procedures work to reduce the number of days a patient stays in a hospital. Some foundations screen claims for commercial insurance programs, and when claims go beyond predetermined norms, the computers reject them. These claims then become the subject of peer review. Here physicians can examine all the circumstances and make the determinations that, in the long run, only physicians are qualified to make.

Medical society foundations are not all alike. They serve different communities in different ways, and there is no standard model of a foundation which can be applied universally. Yet they have proven effective in many localities. Foundations may not be the total answer to cost control. But they represent an answer. They give further evidence that our pluralistic system is responding to changed conditions, to new needs—in this case, the need to control rising costs.

To sum up now, I do not want to suggest to this committee that our present system of health care is perfect. It is not. It needs modifications and change. And it will serve people better with the kind of government supported health insurance we propose in our Medicare bill.

On balance, we have a medical system with impressive accomplishments, a system that is flexible and innovative, a system responsive to the need for change and improvement. In whatever action this committee chooses to make, the American Medical Association strongly urges that you build on the very real strengths that now exist.

Mr. Chairman, this completes my testimony. I would now like to call on Dr. Russell B. Roth, Speaker of our House of Delegates.

STATEMENT BY DR. RUSSELL B. ROTH

Mr. Chairman and Members of the Committee:

I should like first to discuss the point of view of the practicing physicians who will be taking care of people under any program for the provision of medical services which may be devised. I am such a physician, engaged in private group practice.

It is our deep conviction that there are limitations to the capacity of our profession, as it now exists, and as it may be augmented in the near future. Sound planning cannot be based on promises which cannot be kept. By the same token sound planning cannot be based on misconceptions as to the facts of medical practice, nor on medical mythology which has seemed to dominate important aspects of some of the proposals which are before you.

Criticism is frequently leveled in some quarters at the American system of medical care, and various proposals call for a radical departure. References are made to such matters as emphasis on health care rather than sickness care to new technologies that must be installed, and distribution of physicians into ghetto and rural areas.

PREVENTIVE MEDICINE

First I should like to comment on the notion that it is practical or possible to try to restructure the practice of medicine so that there will be emphasis on health care rather than sickness care, and that this may

be accomplished by the application of economic leverages.

Preventive medicine is not a new concept. Most physicians are trained to diagnose disease and to treat it, and inevitably, as they deal with individual patients, they do practice and preach preventive medicine. No one, as yet, has pointed out what it could be that the dermatologist, allergist, urologist, neurosurgeon or orthopedist should do differently under a restructured system. An orthopedist can scarcely ignore his waiting room full of sprains, fractures and dislocations while he preaches accident prevention. The idea of the legendary Chinese physician who was paid to keep people well is charming, but irrelevant to the facts of life in an age when there are so many useful things to do for people.

Multiphasic health screening, as an adjunct of preventive medicine, is an exciting development in the application of new technologies to the health care field. Techniques of computerization of the recording of medical histories, the use of multichannel analyzers for rapid economical laboratory testing, and the newer developments in electrocardiographic interpretations, plus many other existing or potential additions to the list occupy a great deal of professional attention. The Kaiser program has been pioneering in this field, along with significant projects in industry, in private groups and in university centers. It impresses us that this new science will mature more rapidly in unrestricted development than under a system circumscribed by the allocation of restricted governmental funds.

It is undeniable that multiphasic health screening has as a long range goal early diagnosis and economies to be realized through the avoidance of the necessity for treating advanced and extended illness and disability. The short and intermediate terms, however, hold no promise of economy. Quite the reverse. The sophisticated equipment is expensive. New personnel must be trained and employed to operate it. The yield, if the approach is successful, is a significant influx of previously unsuspected disease to be treated as an addition to the burden of already recognized illness.

One should not confuse automated multiphasic screening—which promotes early diagnosis—with preventive medicine. It is true that the individual undergoing the screening process is often an ideal candidate for supplementary health education, and this too is being developed.

It seems certain, however, that all of this is a development which does not require national health insurance as an economic base. It will progress as a part of what has been called our Super-Industrial Revolution.

SHORTAGE AREA PROBLEM

A mythology has built up around the motivation of physicians and should be examined. The facts which require examination are that there has been a flight from practice in center city slum areas, from small rural communities, and in truth a flight from the general, primary, family type practice which used to prevail. Quite contrary to most of the allegations, physicians who have been engaged in practice in the center city or the rural areas have left and continue to leave in spite of lucrative practices and good incomes. The usual switch is to a lower income level, in specialty training, research, teaching, occupational or administrative medicine, or simply to premature retirement. There have been many tries to offer economic inducements to physicians to reverse the flow—ranging from free rent, and subsidies of all sorts, to forgiveness of loans. None of these has worked very well. Trade offs against potential military service are now being tried. But too little attention has been paid to why doctors move out once they

are there, or decline to go there in the first place. Dollars are not the explanation.

The center city has become a depressing, dangerous place to live. Few physicians with their wives and families are insensitive to the environmental disadvantages of the slum, the threats to safety of person and property, the problems of educating the children, school busing, drug culture, and the like.

Many rural areas likewise lack educational facilities, as well as the opportunities for cultural activities, professional associations, and modern social exchanges. In both settings the physician finds himself subject to unremitting patient demand from which he finds it difficult or impossible to escape. His life is not so much one of a 50, 60, or 70 hour work week as it is a 24 hour, seven day week of unrelieved duty status. He decides that there has to be a better deal.

No slogan, no change in the manner in which the doctor is paid, is doing to get at the root of the problem. It is better by far to experiment, innovate and adapt. Community health centers, satellite clinics, group practice arrangements, suited to the needs of the individual situation, the population involved, and the providers of service stand far more chance of success than does any centrally mandated program. In the rural areas maximal use must be made of improved transportation and modern communications. In both settings new kinds of allied health personnel will play valuable roles in solving the problems. It should be noted that medical schools and medical societies, in conjunction with hospitals, voluntary health agencies, and the many other cooperating organizations of the Regional Medical Programs are already involved deeply in pilot studies, demonstrations, and experimentation in these fields. New legislation would be far less appropriate than support of existing mechanisms. Nothing in any of the existing proposals for national health insurance seems more promising than pursuit of the widespread efforts already under way.

The essential ingredient in any plan for the provision of medical service is enthusiastic acceptance by physicians. This is a lesson which can be learned from looking abroad. Let me quote from David M. Cleary, the distinguished science writer for the Philadelphia Bulletin, who last year spent time in Europe studying a variety of national health insurance plans. "The most important part of any health care plan, say European planners, is the attitude of the medical profession toward it, since it will be the doctors who must make it work—or can cause it to fail. The biggest task before the United States in its development of national health insurance, the European authorities say unanimously, is to produce a package physicians will accept. Mere grudging acceptance isn't enough, they emphasize. The really good plan is one that the doctors will accept enthusiastically and work at diligently." Thus, in order to achieve maximum benefits for beneficiaries of any program it should be fashioned to assure fullest cooperation from all its providers.

COST CONSIDERATIONS

Then, of course, there is the thorny matter of the economics of medical care. This is a poorly understood field, and the new economists who have concentrated upon it freely caution against transferring standard economic dicta to the medical care marketplace. The role of the physician is quite unlike the role of almost any other professional when one fits him into the supply side of the usual economic equation, since he acts in a significant sense as the purchasing agent in behalf of his patient, exercising substantial control over the demand for the bulk of the goods and services of the health industry. In federal programs, as well as in certain private programs, there has been a

focus upon physician fees with the imposition of freezes at specified payment levels, and an application of arbitrary percentiles on allowable fees. This has accomplished extraordinarily little except to annoy a multitude of physicians. Approximately 13¢ of the medical care dollar ends up as physician income. Even if payments to physicians could be decreased across the board by 5% the resultant reduction in medical service costs would be less than 1/10th of one percent. Meanwhile little has been done to exercise controls on hospital costs, other institutional costs, and administration costs, and those are areas in which physician cooperation and understanding would be far more desirable than physician estrangement. Physician fees suddenly increased after the passage of Medicare. Interestingly enough figures from the U.S. Bureau of Labor Statistics showed an initial 8.3% increase in physicians' fees, which actually masked a 24% increase for the one doctor out of three who raised his fee, usually by about one dollar. In the first few years of Medicare, physicians' fees stood out beyond other components of the cost of living index, except, of course, for hospital charges. But now many other things have surpassed the ten year increase rate for physicians. The increase has been greater in the cost of papering a room, shingling a roof, hiring a laundress, or going to a movie to name a few. It is clearly untrue that physician fees are out of line with the rest of the economy.

There has been a spurious assertion that under a restructured system of medical care delivery it would somehow be possible to provide much more preventive and therapeutic care for a great many more people, to be provided by substantially increased numbers of well-paid physicians and allied health personnel, and to spend no more than is now being spent. This flies in the face of experience and common sense.

Next it is worth noting that some planners have identified the private insurance industry as being the root of the fiscal trouble in our health care system. We believe that the insurance industry is quite capable of defending itself on that score, but we confess concern over the thought that the employees of a private competitive industry are to be replaced by government employees in a vast new bureaucracy, of a size that we can only conjecture, with complicated new duties to negotiate in advance with all providers of services concerning budgets, salaries, charges and the like. Here we would not try to enunciate a principle but would simply recall an old maxim about frying pans and fires.

FOREIGN PROGRAMS

Next, I must comment on what I would call the "greener pastures" approach to medical care planning. Planners so afflicted look abroad to Sweden, Holland, Yugoslavia or Great Britain. It seems rare for anyone to compare or contrast our medical care with the foreign country that has size and population somewhat akin to ours, and in which all the proposals of our critics have been carried out. That is Russia, where there is a ratio of physicians to population which is roughly double ours; where the profit motive has been so completely removed from medical practice that an airline hostess makes more than a young practicing physician; where there is tax paid group ambulatory outpatient care as the general pattern, and where all the mass communications media—radio, television, Pravda, Izvestia and the rest, preach incessantly to the populace that they have the finest medical care in the world. Russia, however, is not generally picked for invidious comparison because in spite of all these things their infant mortality is worse than ours and their life expectancy no better. The "greener pasture" people concentrate on a statistic—usually infant mor-

tality. It makes no difference that they are dealing with a small country of rather homogeneous racial characteristics, little poverty, and with abortion available on demand. It makes no difference that, in Sweden for instance, tuberculosis mortality may be worse than ours, as are deaths from ulcers or pneumonia. It makes no difference that the inflationary element of health care costs has far outpaced ours. Sweden is far away, and one may play delightful statistical games. There is much more to be learned from a study of our own statistics, derived from areas of good experience and bad experience in order to identify the factors which can be modified.

If one looks at statistics in respect to the producing of physicians in the Philippines one finds that some 53 percent of the total number of registered Filipino physicians are not practicing medicine at all but have dropped from the labor force or have switched to other lower level occupations for lack of securing satisfactory employment in the medical profession. Notwithstanding an abundance of physicians, one must also remember that the Philippines, in their out-islands, have a severe lack of physicians.

To be practical one might propound a principle that medical service problems in the United States are peculiarly American, and it may be seriously misleading to seek our solutions abroad.

HMO

We have studied intently the concept embraced in the new slogan, Health Maintenance Organization. Since virtually all of the descriptions of what is meant by an HMO stress that it may range from a Kaiser-Permanente prototype, complete with its own professional staff, hospitals, and the like, through looser organizations such as HIP of Greater New York which subcontracts with outside institutions, and on to a basis of medical society, hospital staff, or even less formal confederations of providers, we can only say that we have always approved of innovation and experimentation. It should be noted that our financing proposal—The Medcredit Bill—includes the option of beneficiary enrollment in such prepaid plans if they meet the criteria of approval of State Insurance Commissions. In general, it has been inherent in the prepaid group practice approach that there be available to the potential enrollee a choice of coverages. We also favor this, and it implies that medical practice shall not be frozen into a single pattern, as has so often happened abroad. The loss of a competitive factor in our estimation would be bad. Results in terms of quality, efficiency, and economy could scarcely be assessed if there were no other patterns with which to make comparisons.

Our misgivings are based on the fact that no evidence exists to prove that this type of organization guarantees greater accessibility of care, or better use of scarce professional talents, or that there are adequate safeguards against under-utilization. Paramount importance must be attached to the competence and integrity of the administrators of such a program and the physicians working within it. Given this high level of competence and integrity there is nothing to suggest that other organizational forms do not function as efficiently and economically.

AUXILIARY PROGRAMS

The American Medical Association believes that it has a sound overall program for accelerated progress toward the achievement of the agreed upon goal—the day when artificial barriers shall no longer stand between people needing professional medical service and those competent to provide it.

Ours is a program with many elements, attacking many barriers.

In every instance it builds upon the solid achievements of the past. It does not promise what cannot reasonably be delivered.

It approaches our manpower problems by

supporting legislation which would enable existing schools to survive and enlarge their enrollments, as well as favoring the development of new schools. And in respect to allied medical personnel it is working diligently to construct standards for educational requirements, certifications, and the like to avoid a deluge of inadequately trained paraprofessionals.

It approaches the education of the public through extensive use of the mass communications media, seeking to reduce accidents, improve the environment, and to warn against over-eating, over-smoking, over-drugging, over-drinking and under-exercising. Its programs on emergency medical services have been making and continue to make significant contributions.

It approaches continuing medical education through promotion of refresher courses and its multiplicity of top quality professional scientific publications, as well as its convention programs, seminars and the rest.

The AMA champions peer review as the only promising method for application of quality and cost controls and has held regional and national conferences on it, together with the publication of relevant literature. Constituent and component medical societies are working with enthusiasm in experimental innovative programs applying the principles of peer review. Pending before this Congress is H.R. 8684, Peer Review Organization Act. This bill, sponsored by the AMA, would provide a system of review of need, cost and quality of medical services provided in federal health programs. There are many other things that the AMA has been doing and continues to do while others debate and philosophize.

MEDICREDIT

At this point, I want to turn to the Medcredit Bill, which addresses itself to the important problem of financing health care.

Under its basic coverage, Medcredit offers comprehensive benefits in respect to hospital inpatient (with availability of extended care services) and outpatient services, as well as full physician services. It also offers catastrophic coverage, including full hospitalization and additional extended care, with a continuation of outpatient services and full physicians' services, designed to prevent those few but highly visible disaster cases in which massive medical care costs may exhaust the resources of even the well-to-do. It puts these benefits within the reach of all Americans under age 65 as a prepaid insurance package. The benefits are uniform for all citizens under the program. For those with little or no income, the cost would be borne by the federal government from general revenues. For those with a capacity to pay part of the costs, the program is realistically geared to encourage them to do so. The motivation for participation would, we believe, be especially strong because of our incorporation of tax credits. It would cover most services now authorized under Medicaid. The details, in respect to scope of benefits and range of financial eligibility for full or partial subsidy, are not inflexible. They may be scaled to the willingness of Congress to assume the financing responsibility for those with limited means. The important principles are that Medcredit builds upon the outstanding accomplishments of American medicine which has shown a capability of being the best in the world. It reaches gaps and inadequacies in a constructive way. And it can be put into operation now. It has no dependence on untried theory or dubious economics. It does not require an unreasonable expenditure of federal dollars, and it would not jeopardize the funding of other vitally necessary programs to improve the nation's health. It places emphasis on greater financial support for persons needing this assistance. It does not create an unreasonable, unrealistic and burdensome administrative bureaucracy.

With that general description, let me now describe more fully what Medcredit does:

It is a program to give every person in America under the age of 65 equal access to high quality medical and health care regardless of ability to pay.

Without disturbing the present Medicare program for the elderly, covering services now provided under Medicaid for the poor and near-poor, it makes available to everyone under 65 a private program of comprehensive medical and health care protection, covering both the ordinary and the catastrophic expenses of illness or accident.

The protection may be in the form of a health insurance policy from a company; membership in a prepayment plan such as Blue Cross and Blue Shield; or membership in a prepaid group practice plan. Choice of the kind of protection desired is made by the family or individual; not by anyone else. All programs offered under Medcredit would be approved by the respective states to assure that benefits meet the national standards.

Payment for the private programs of health care protection would come wholly or partly from the federal government, depending on the financial condition of the family or individual.

For persons of low-income who are unable to buy protection for themselves and their dependents, the federal government will pay the total cost of the premium or membership. For persons whose income is higher, the federal contribution is reduced along a specified sliding scale; as income rises, the federal contribution diminishes. Every family, however, is eligible for at least a small amount of federal contribution to provide an incentive for them to protect themselves with an approved policy or plan.

The complete bill is available for your study, so I will provide only limited additional details. And we have also appended to this statement, for your convenience, a brochure containing a rather complete explanation of the proposal.

Each approved insurance program under Medcredit must provide payment of expenses for inpatient care in a hospital or extended care facility; outpatient and emergency care; and physicians' services wherever they are provided. In addition, there is a provision for catastrophic coverage which pays additional expenses beyond those in the basic coverage.

In each case under the basic coverage, the hospital services for which the program pays include all of the services customarily provided, including drugs, supplies, specialized rooms, all forms of care and all needed services.

Under the basic coverage part of the program, inpatient hospital or extended facility care covers 60 days, with two days in an ECF counting as only one day. For persons who need additional care as an inpatient, the catastrophic coverage portion of the program pays for unlimited hospital days and 30 extended care facility days. Medical services would of course continue under the broad basic coverage.

Catastrophic coverage also extends benefits of outpatient or emergency care to include blood and plasma, after the first three pints, as well as prosthetic aids ordered by a physician.

The federal government pays the premium for catastrophic coverage for everyone. The government pays for all or a part of basic coverage depending on the financial condition of the family or individual, measured by federal income tax liability. If a family owes no income tax, the government pays the entire premium. As a family's income tax liability rises, the government contribution reduces from 99 percent to 10 percent, remaining at 10 percent for everyone whose tax liability is \$891 or more.

As the income tax liability rises in ten-dollar increments, the corresponding federal contribution toward basic coverage decreases by one percent.

Naturally enough, any broad-coverage

insurance policy, prepayment plan or membership group offering as many benefits as those offered under Medicaid's approved programs must have financial safeguards built into it. The Medicaid deductible and co-insurance are small, compared with the benefits, but they serve very important purposes. Primarily, they keep the total cost of the program lower. And secondly, they discourage abuse or overutilization of the program, either by patients or physicians.

There are deductibles and co-insurance in both the basic and catastrophic coverage, but it is important to note that those incurred under basic coverage apply to the deductible corridor required under catastrophic coverage.

Under basic coverage, the patient pays \$50 per stay in the hospital as an inpatient. Second, the patient pays a co-insurance of 20 percent of the first \$500 of expenses for outpatient or emergency care; and 20 percent of the first \$500 for physicians' services. The co-insurance limit applies to the family as a unit.

Persons who need the additional help of hospital or extended care facility catastrophic coverage are required to satisfy a deductible "corridor" of expenses after basic coverage runs out. The size of the corridor is based on the family's taxable income, being 10 percent of the first \$4,000; plus 15 percent of the next \$3,000; plus 20 percent of any additional taxable income.

CONCLUSION

The American Medical Association is a responsible organization of responsible professional people dedicating its energies to professional and public education, the upholding of standards of quality, and the advancement on all fronts of the art and science of medicine for the public good. Along with its constituent and component state and county medical societies it strives to enable physicians to discharge those broad societal obligations with which individuals are virtually powerless to cope. Since part of this responsibility lies in giving public expression to convictions as to what may be constructively achieved by legislation, what may be adversely affected by legislation, and what is not amenable to legislative remedy at all, it has of necessity entered into public debate and the giving of congressional testimony. It has welcomed these opportunities, and it is pleased that there has been widespread approval of its position. It is neither surprised nor dismayed by inevitable opposition from those whose views may differ and who find the AMA views either too liberal or too conservative. It is our hope that you will find our considerations helpful in your difficult task.

Mr. Chairman, both Doctor Parrott and I want to thank you on behalf of the AMA for this opportunity of expressing our views on the subject of national health insurance. Let me assure you and this Committee that the physicians of this country want only the highest quality of health care possible to be available to all our citizens, and we want promises to be capable of fulfillment. We urge your full consideration of the Medicaid bill before you, and we sincerely offer our assistance to you in your deliberations on the important subject matter before you.

THE PILGRIMS AS OUTCASTS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. DRINAN. Mr. Speaker, on Thanksgiving Day Mr. Thomas Boylston Adams, the president of the Massachusetts Historical Society, had a most perceptive,

original, and striking article in The New York Times with regard to the contemporary meaning of the Pilgrims who first came to our shores.

I call this extraordinarily creative and thoughtful article to the attention of my colleagues:

THE PILGRIMS AS OUTCASTS

(By Thomas Boylston Adams)

BOSTON.—November is the pious month. In November, politicians, editorialists and sometimes historians spout platitudes as if Plymouth Rock were Old Faithful. It would be better this grim year to remember certain realities of the American experience that began with the Pilgrims.

Mylai is now a household word. It is not remembered that Mylai is in one of the worst and oldest American traditions. On a winter day in 1823 Myles Standish and a half-dozen men from the Plymouth Colony arrived in Quincy Bay, a part of Boston Harbor. Under pretense of trade they lured some of the local Indians into their stockade. Suddenly shutting the gates, they stabbed and murdered two chief warriors, hung another with rope and shot or hacked to death three more.

This is called "the Wessagusset Affair." No white man had been attacked by any Indian. The alleged reason for the massacre was a plot suspected against the settlement at Plymouth. It is a plot whose existence is substantiated only by the testimony of those who committed the murders. It was said to be a preventive action. As such it has been condoned by historians.

One notable protest was made, however, at the time. John Robinson, the Pilgrims' spiritual leader, wrote from Holland "concerning the killing of those poor Indians"—"where blood is once begun to be shed, it is seldom stanching off a long time after." And of their military men "there is cause to fear—there may be wanting that tenderness of the life of man (made after God's image) which is meet."

Robinson's warning has turned out to be unfortunately true. The record of Americans in dealing with weak groups of people of different race has been thoroughly savage. The Pilgrims got us off to a bad start.

This is much the worst, really the only serious crime that can be charged up against the Pilgrims. They were, compared to the later settlers of Boston Bay under Winthrop, decidedly tolerant, almost gentle. And there is another part of their story pertinent to our time. We are accustomed to celebrate their fortunate landing. Material success has always pleased Americans inordinately and a turkey dinner is one of its symbols. It is more appropriate this year to remember the flight of the Pilgrims from their homeland.

In many respects the Pilgrims resembled those we now call draft resisters. They found intolerable a society whose aims they totally deplored. In protest they risked life and property and took the chance of exile.

Tudor and Stuart England required complete compliance with the King's will. Dissent was a crime and the crime of advocating dissent in others was worse still.

The whole system seemed rotten to a gradually enlarging group of serious people. Those who felt deeply the guilt of association with the corruption of government fled to Holland. But their flight was little noticed by their contemporaries. To the authorities the chief interest of the refugees was the opportunity to confiscate their property. The populace called them "Brownists," a term of contempt like our word "hippie," and occasionally enjoyed watching the humiliation or execution of one of them.

Looking back into history we can see portents where contemporaries saw only subjects for ridicule or active dislike. For when conditions become sufficiently intolerable so

that an appreciable number of people flee their country things may be getting serious. It is like the flight of geese southward. So it proved with the Pilgrims. Within their generation there was a complete overthrow of the regime that forced them out. The notion of divine right on which it was based was utterly discredited and the King was beheaded.

For intolerable governments have a tendency to destroy themselves while building up and enriching other nations. America has commonly been the beneficiary of such social profligacy. Those we call Pilgrims were but the first comers. The Reformation continued to send refugees for well over a hundred years, both Protestant and Catholic. And the repressions of liberty in nineteenth-century Europe kept up the flood, aided by economics and military conscription. The enrichment of our society by the flight from fascism is a major fact of our time.

Only black slaves found America intolerable in the nineteenth century. But the increasing flight of slaves from the South foreshadowed the Civil War. The flight of young men to escape the American draft may be a similar portent. It reveals a society ill at ease, a society that depends more than formerly on repression to hold itself together. There can be no Thanksgiving till the strange unnatural tide of young Americans away from their country is stopped. Till again America is a land that Pilgrims come to, not a land that they flee.

FUTURE U.S. POLICY FOR THE INDIAN OCEAN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. HAMILTON. Mr. Speaker, the fall 1971 issue of the Johns Hopkins University S.A.I.S. Bulletin contains a useful and imaginative essay on what should be the future policy of the United States in the Indian Ocean area. In it, Prof. John Badgley argues persuasively for an international agreement to demilitarize this vast sea area and to promote the development of the Indian Ocean for economic and scientific purposes. I recommend his remarks to my colleagues.

AN AMERICAN POLICY TO ACCOMMODATE ASIAN INTERESTS IN THE INDIAN OCEAN

(By John Badgley)

(NOTE.—Dr. Badgley, Associate Professor of Asian Studies and Political Science, is presently Director of the SAIS Asian Studies Program.)

This essay deals with the interests of major Asian powers, as well as the principal concerns of lesser powers influenced by developments in the Indian Ocean. Such considerations should remind U.S. policymakers of Asian regional interests at a time when they weigh world issues primarily for their significance in Sino-Soviet-American relations. Granting the primal importance of advancing a detente between these three great powers, the effort should not be at the expense of other Asian countries, for to ignore their interests only invites their enmity, and eventually will lead to unnecessary conflict.

Although most of these remarks are directed toward the Indian Ocean concerns of Asian states, a basic assumption should be stated at the outset. This assumption is that the Soviet Union correctly perceives itself as an Asian power, with vital strategic interest along its vast border, in the Atlantic, Pacific, and in the Indian Ocean. As long as the United States has the capability of mov-

ing long range missile craft into each of these oceans, the USSR will be vulnerable and seek to ameliorate that threat.

An economic interest in the three oceans is also significant, for over half of the Soviet Union's territory rests within the continent of Asia and much of its unexploited natural resource base is there. Internal air and ground transportation to the Pacific Maritime States remains a basic problem, therefore open shipping lanes and warm water ports, the classic Russian quest, are still vital to domestic development. Because the Trans Siberian route is vulnerable to a Chinese threat, the Indian Ocean offers an important transportation option.

Objective analysis justifies Soviet strategic interest in the Indian Ocean. Therefore the real issue is whether a Soviet naval presence is an appropriate instrument to defend that interest. (See Marshall Shulman, "What Does Security Mean Today", *Foreign Affairs*, Vol. 49, #4, July, 1971). The current disposition of a small flotilla of a dozen ships stationed between the Mauritius and the Red Sea suggests some uncertainty on their part, for no base is being developed and these craft rotate from both Pacific and Atlantic commands. Soviet Middle East commitments and the goal of global strategic parity with the United States complicates the issue, but thus far have not induced the Russians to create a major Indian Ocean naval presence. This essay will return to that issue after considering interests of other Asian states, for such a competition would drastically affect their future.

ASIAN INTERESTS

Whereas every Asian state must eventually worry about the future of the Indian Ocean, Japan has an immediate interest there, for its economic survival is at stake. Over four fifths of Japan's petroleum (or \$1.7 billion worth in 1970) comes from the Middle East, and while that proportion may decline by half over the next decade as Indonesian oil exports increase, Japan will retain a strategic interest in Indian Ocean accessibility. Apart from a critical need for petroleum energy and by-products, foreign trade (over \$48 billion in 1970) accounts for a quarter of Japan's burgeoning national product, and increases at a high annual rate (between 15 and 23 percent annually over the past decade). Southeast Asia, Africa, and Europe account for a third of that total, about equal to the trade across the Pacific with the United States, and most of the non-Pacific trade is shipped across the Indian Ocean or its littoral waters in Southeast Asia.

Japanese interest in open sea lanes is self-evident for these several reasons, yet Japan does not compete for naval supremacy, parity, or even a token Indian Ocean presence to parallel the Soviet and American flag showing. Why? Ostensibly the reason is in Article Nine of the Constitution which prohibits offensive weapons; nonetheless, Japan's military power is expanding without planned expenditures for a distant naval reach. No responsible Japanese politician has even suggested that Japan should create a defense for its trade routes.

Opposition party leaders agree with the government that Japan's security is not advanced by armament for strategic purposes, while support continues to rise for a military posture akin to that of "a hedgehog with rabbit ears," to use former Defense Director Nakasone's phrase, that is a capacity for defense against non-nuclear attack and a sophisticated communications network. The fourth Defense Plan calls for increased expenditures on short-range, anti-submarine vessels, aircraft, and electronic detection devices, as well as research and development of short-range missiles with an anticipated defense budget of about \$4 billion by 1976; the largest in Asia apart from the USSR. Japan's defense perimeter stops at its coastal

waters, with "special interest" in South Korea, Taiwan, and the potentially oil rich China Sea.

Obviously, the American nuclear umbrella is vital to persistence of this policy, which is founded upon the assumption of prompt U.S. support against nuclear threats from either the USSR or China. To loosen the credibility of the alliance could trigger a complete reconsideration of defense posture in Japan, with an Indian Ocean and Southeast Asian fleet a plausible denouement.

The situation facing the Indian government is of the same dimension as that in Japan. India has a vital stake in the disposition of military forces in the Indian Ocean, for it is the preeminent power in the region with a 800,000 man army, a significant air force, but a small navy. Like Japan, India also requires open sea lanes as its foreign trade is growing rapidly and steady economic development is absolutely critical to internal political stability, yet neither power can defend its maritime interests.

Unlike Japan, India lacks the industrial capability to develop a strategic navy should it choose to show its flag outside immediate waters to defend its burgeoning merchant fleet. Since the USSR commenced to develop its Indian Ocean flotilla in 1968, and the United States subsequently committed itself to build a major communications installation at Diego Garcia, India has pressed forward a policy of neutralization for the entire Indian Ocean, which is an extension of its traditional non-alignment policy. However, it is not clear whether Mrs. Gandhi is advocating freedom of the seas, or is interested primarily in banning super-power competition in the Indian Ocean, by denying the area to Soviet and American navies. In any event, both powers now make annual port calls in Indian ports.

There is evidence that India aspires to improve its security by becoming the paramount power in the sub-continent, particularly given its current involvement in the Bangla Desh liberation movement. The substantial aid given to Ceylon during its recent crisis, the long-standing commitments to the Himalayan states, and a covert assurance to assist Burma in the event of a Chinese attack all point towards paramountcy. Pakistan, of course, remains the chief obstacle to India's aspirations, and the current crisis in East Pakistan seriously threatens the unstable peace arranged at Tashkent in 1965.

Enlargement of the Indian navy, now about 40,000 men, continues and is viewed as a threat by Islamabad because of India's ability to blockade both East and West Pakistan ports, although that step has never been taken. The Soviet Union, of course, is India's major source of military aid, although British-made vessels constitute most of the navy, with the number of Indian-built patrol vessels increasing rapidly. The basic defense posture parallels Japan, for Indian force disposition, allowing for the differences of geography, also resembles "a hedgehog with rabbit ears."

The People's Republic of China clearly has an interest in the Indian Ocean because of its potential as a base from which submarine missiles, either Soviet or American, might be launched. Also, China shares with Japan and India a need for open sea lanes as its external trade expands; however China is least dependent on trade of these three powers at the present time, despite the need for grain following the disruptions of the Cultural Revolution and bad crop years in the late '60's.

China shares with India a desire for paramount stature in its region. However Soviet and Japanese competition, in both military and economic terms, is viewed by the present government as a serious threat to China's security and future development. Unquestionably that perception of threat accounts for China's expressed interest in the demilitarization of the Indian Ocean, as well as

the removal of foreign bases from Southeast Asia, for these are both areas that appear as links in the encirclement of China by the superpowers, in league with Japan, India, and the major Southeast Asian states hostile to communism.

Indonesia is the most significant power in Southeast Asia which might threaten China should it ally with either super-power, and it also represents an alternative pole to Indian dominance of Southern Asia. Under Sukarno that polar position was emphasized and China sought an alliance to expand its zone of influence in Asia. Since 1966, however, Indonesia has scarcely had an Indian Ocean Policy, for its Russian-supplied fleet has fallen into disrepair and Sukarno's, more accurately, Subandrio's, vision of a confederation of Malay peoples stretching from Malagasy to the Polynesian Islands seems to have died.

Nonetheless, as Indonesia's power increases with its economic growth, and as skillful diplomacy on the part of Jakarta weaves a respect for regional security without super-power involvement, the prospect for Indonesian preeminence in Southeast Asia seems more plausible. Indonesia's deep economic involvement with Japan, a condition shared with other non-communist states in Southeast Asia, contributes to China's fear of Japan's dominance in the area, but from the vantage point of insular Southeast Asian states, Jakarta represents the largest neighbor, and in recent years, a responsible government with reasonably foreign policy objectives. Continuance of that trend over the next decade may lead to renewed Indonesian interest in their own Indian Ocean presence, paralleling that of India's. For the present, the government speaks casually of neutralization in South and Southeast Asia, eschewing permanent bases by either super-power or Japan.

Although Australia is not an Asian power, its proximity requires our consideration. As with the Asian states, Australia has no capability to defend its trade routes, despite a substantial dependency upon Japanese, American, and European trade. The ANZUS Treaty has provided Australians with a sense of security that was severely challenged by Japan during World War II. Removal of the British presence east of Suez increases Australia's need for the American alliance, particularly if the Soviet Union should further expand its naval presence and increase its ability to interdict Indian Ocean shipping. Probably for that reason, Australia accepted a new American communications installation on the North West Cape, bordering the Indian Ocean, which apparently provides the United States with satellite surveillance connections to the huge station in Ethiopia and Diego Garcia. Apart from the firm alliance with the U.S., however, Australia makes no pretense at developing an Indian Ocean navy. Its 13,000 man navy is relevant to SEATO maneuvers, the first of which were held in the Indian Ocean south of Indonesia last year, and to patrolling territorial waters, but is meaningless on the 25.3 million square miles of Indian Ocean waters.

The lesser powers in Southeast Asia, ranging from Burma to the Philippines, all advocate freedom of the seas. With American disengagement from the mainland of Southeast Asia, the foreign policies of all the non-communist states begin to converge. Burma and Thailand, so long at odds on the issue of alignment vs. nonalignment, now articulate a similar goal in their efforts to accommodate China, Malaysia, the Philippines, and Singapore share Indonesia's willingness to neutralize Southeast Asia from the Cold War, and also seek a new relationship with China in the wake of American negotiations.

Each depends upon external trade and investment for their development, yet none seeks an independent naval capability to defend the sea lanes. The Seventh Fleet has

been re-assuring to those governments who perceive a threat from China, as do the present regimes in Saigon, Phnom Penh, and Vientiane; but no government in the region has raised the specter of Soviet interdiction of their shipping. Indeed, increased Soviet trade is actively sought by all but the Indo-China states at war with North Vietnam.

A NEW POLICY

This cursory summation of Asian states' interests in the Indian Ocean provides background for a proposed new policy departure by the United States. Another vast territory bordering the Indian Ocean, Antarctica, offers a model of international amity. On May 2, 1958, President Eisenhower proposed a dramatic step forward in the attainment of world peace by seeking an avenue whereby Antarctica could avoid becoming "an object of political conflict." At the time few students of the Cold War thought the proposal could be adopted; yet within two years the international agreement was reached which enabled these two elementary objectives to be achieved: 1) an accord compatible with the strategic and security interests of neighbors and the world community; and, 2) creation of an organization for efficient development of scientific knowledge, economic resources and exploration of the continent.

Few have thought of the relevance of Antarctica, with its six million square miles and its international situation, to the Indian Ocean. Despite the enormous differences in the strategic and legal problems involved between a land and an ocean area, it would be fitting for the present administration to seek an accord paralleling that Antarctic settlement.

Consider the similarity between the problem faced in 1958 and the one we deal with today. A huge area, claimed but unsettled by the interested powers, had a potential to threaten the security of both superpowers as well as the neighboring states. Its resources were untapped, although scientists speculated that they might be of substantial value. Above all, the competition of the Cold War forced the U.S. and the USSR to perceive the area as threatening should it come under the control of the other power.

The Indian Ocean, of course, is far more vital to the Asian states, Africa, and Europe as a broad highway upon which to ship critical oil and a supply of goods essential to world economic development. The area is too important to become a cockpit of rivalry between Chiefs of Staff, it demands the attention of Heads of State.

At the present time no power has such a naval investment in the Indian Ocean that it could not be removed and still ensure its interests if other exogenous powers also withdrew. Granting the technological difficulty of preventing submarine movement through the area, one has only to consider the problem of nuclear weapons in space to see the same issue, and to find it resolved in the Space Agreement.

Forty-two political entities abut or have immediate access to the Indian Ocean; in addition, France, Great Britain, the United States, the Soviet Union, and Portugal maintain installations in the Ocean. Agreement among these highly diverse states as well as the great powers of China and Japan will doubtless be difficult to obtain. Just how such an agreement might be attained is also difficult to imagine although two distinct approaches suggest themselves. Ambassador Soedjatmoko of Indonesia has proposed an arrangement for East Asia and the Pacific as envisaged by Article 52 of the United Nations Charter, an idea that could be applied with even greater force to the Indian Ocean. (Soedjatmoko, "The Role of the Major Powers in The New Asia." Paper presented at an Arlie House Conference, May 20, 1971.) With the forthcoming admittance of the People's Republic of China to the United Nations, one

major obstacle is removed. As part of our negotiations with China, the United States should raise the Indian Ocean issue, with a view to engaging Peking's support for a settlement within the framework of the United Nations.

Another approach conceived by Philip Jessup for the Antarctic problem was the formation of a Commission, akin to that of the Caribbean Commission created in 1946. (Philip Jessup, *Controls for Outer Space and the Antarctic Analogy*, Columbia University Press, 1959.) Such a Commission might enlist the participation of all littoral powers as well as those with shipping interests, with a view to developing the Indian Ocean for economic and scientific purposes.

Unquestionably, the maritime interests of the Asian states would be served by a demilitarization agreement, and the expenditures saved from the refusal to develop navies with strategic capability would be enormous. Fortunately, none of the Asian powers currently plan such naval capability. American strategic interests would be served by Soviet Agreement to withdraw flotilla, in exchange for the three American ships stationed in the Persian Gulf. It is quite possible that Soviet-American agreement would be easier to attain than the approval of India and Iran, both of whom have recently developed navies of sufficient size to dominate their immediate waters in the Persian Gulf and the Bay of Bengal, if the super-powers withdraw.

It would not be inconsistent with such an agreement for the major and lesser powers flanking the Indian Ocean to seek such improvements of their naval forces as would be consistent with internal security needs. Thus continuance of military assistance programs, the training of officers and loans for the purpose of purchasing light naval craft and short-range air craft, might be permitted within restrictions agreed upon by the signatories. Furthermore, the communications facilities needed by the United States, Soviet Union, Japan, Great Britain, China, France and other countries with communication satellite programs could also be accommodated by such an agreement, given the political will. Such open surveillance probably would be necessary as insurance for the major powers that others are not cheating. Should any exogenous power seek to take advantage of the settlement, through covert development of a naval installation, exposure would be practically assured because of the active non-military development programs encouraged by an Indian Ocean Settlement.

This brief proposal is insufficiently researched to make a compelling case, but it should elicit interest from those who aspire toward a major settlement of strategic conflict in Asia. Without some such arrangement in the Indian Ocean, it is quite possible that a new arms escalation will develop within the next year, at the moment of settlement in the SALT talks and Sino-American rapprochement. Certainly, American naval strategists are uneasy with the expanded Soviet presence in the area, and Soviet suspicions are aroused by American investment in a communications facility that could easily be transferred into a naval base, once the harbor is developed. None of the major Asian powers particularly desire extension of the super-power rivalry into "their" ocean. Indeed, both India and China are strongly opposed to such a development, albeit for different reasons.

Would not all the Asian powers be prudent to take a cue from the Japanese and deter exogenous naval expansion into the area, while improving their own capability to defend themselves against local attacks? The role of submarines in this situation complicates the problem, and memories of the Washington Naval Conference failure suggest pitfalls in maritime arms control agreements. For example, India already has four submarines and China is said to be building a

nuclear powered submarine which would have the capability of firing nuclear missiles. In time, such expansion of naval capability would destroy any possible agreement; however it is just conceivable that an Indian Ocean agreement would be sufficient insurance for Asian powers to permit them to take the risk of having no strategic naval capability, and use the resources saved from such expenditures for land forces or, better yet, human resource development. Japan expected, the population pressures on all the major Asian powers are so great that over the next three decades they may well seek to minimize the costs of military security, so as to enhance their capability to deal with threats to their political security from internal groups frustrated by the slow pace of modernization in the countryside.

SUMMARY

All of the major Asian powers, including the Soviet Union, have interests in the Indian Ocean. For Japan and India these interests represent a vital life line to continued economic growth through rapid expansion of their trade and, in the case of Japan, import of petroleum. China, Pakistan, Indonesia, and Australia are necessarily concerned about the disposition of strategic forces in the Indian Ocean for their security would be deeply influenced should a hostile power gain dominance. The lesser powers share the concerns for trade and security with the major powers, but are even less able to defend those interests.

Since no country has significant naval capabilities at the present time in the Indian Ocean, it is propitious to consider an Indian Ocean agreement that would prevent the growth of naval installations by exogenous powers, and would encourage the development of the Indian Ocean for economic and scientific purposes. Such an agreement might be an extension of the Antarctic accord which has worked to the advantage of the world community and demonstrates the feasibility of Soviet-American cooperation through elimination of the need for conflict in a region remote from both their vital interests.

COURT SHUTS DOWN A DRUG FIRM

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. OBEY. Mr. Speaker, a story in the National Observer for the week ending December 11 reports that U.S. District Court Judge James A. Coolahan has ordered the Lit Drug Co., Union, N.J., to stop production and to recall 725 lots, or batches, of 243 different medicines.

The story by August Gribbin adds that the Food and Drug Administration regards Judge Coolahan's order as precedent setting, and quotes an FDA official as saying the decision:

Will prove to be a great benefit to consumers. Now when our inspectors "request" that a company make a recall or otherwise shape up, the company will take us more seriously. We can march to court and get an injunction that might require the company to get the junk off the shelves, or shut down until it does.

The story, headed "Court Shuts Down a Drug Firm," follows:

COURT SHUTS DOWN A DRUG FIRM

(By August Gribbin)

A little-known drug manufacturer has been marketing misbranded, adulterated, and potentially deadly medicines. Finally a

landmark court order has forced the Lit Drug Co., Union, N.J., to stop production and to recall 725 lots, or batches, of 243 different medicines.

The court order itself is significant. Federal officials believe this is the first order to require a product recall as a condition for resuming normal business.

It is still not clear what threat persists, if any, or what harm, if any, the Lit Co. medicines may have caused patients. But U.S. District Court Judge James A. Coolahan of Newark, N.J., among others, considers the situation serious. In issuing the injunction forcing Lit to stop production and recall its faulty medicines, the judge wrote:

"Clearly, the grave, apparent, and immediate threat to public health and safety in this case is incomparable to that faced by courts in . . . [similar injunction cases], and the scope of the injunction must necessarily be broadened to accommodate this wider interest."

The Food and Drug Administration (FDA) sees Judge Coolahan's order as precedent-setting. It provides the FDA with a powerful tool—one FDA official calls it a "tremendous club"—to force drug manufacturers to pay stricter attention to FDA requests.

Lit's 1,000-plus customers include drug wholesalers, drugstores, individual physicians, and larger, better-known companies that subcontract to Lit for private-label drugs. The FDA, which routinely listed the Lit recall last week, "does not know" exactly how many different labels contain Lit products.

Company president Stuart Lazarus "won't talk about that or anything else" with The National Observer; repeated efforts to obtain comments and information from the company failed.

The unusual Lit Drug case surfaced following a routine mention of the company's large recall campaign in FDA bulletins which became available last week. As it develops, the recall is almost anticlimactic.

In three years, Lit Drug Co. has issued more than a dozen recalls of drugs, and those were just a few of the recalls the FDA had requested. After three FDA hearings on charges of drug-code violations, the company earlier this year signed a consent decree agreeing to change certain practices. A consent decree is a legal document in which the accused agrees to specified remedies but doesn't admit guilt.

But subsequent FDA charges and court findings indicate the company did not change those practices. Later, before Judge Coolahan, Lit Drug admitted to improper, inadequate, and illegal recordkeeping and paid a fine of \$3,000. But the company continued the practices, admitting to that continuation in the most recent court action against it.

Current FDA policy permits the agency to conduct lengthy prerecall transactions without making them public. After a recall is announced, however, the FDA normally will add details. In the Lit case, though, the agency hasn't yet established all the details.

MANY PRIVATE-LABEL DRUGS

For instance, the FDA says it can't tell how many companies buy Lit-made products for resale under their own brand names. So there may be more companies involved than the 40 cited in the recall notice, which lists such companies as Aetna Mail Order Corp., New York City; Scarborough Health Foods, Plantation, Fla.; Prime Pharmaceuticals, Inc., Miami; and Haberle Drug Co., Inc., Montclair, N.J.

FDA officials say that practically all Lit products manufactured since 1965 are suspect because of Lit's court-admitted disregard of normal production, labeling, and testing procedures for drugs. Government inspectors say that Lit has been shipping "finished products" that failed laboratory tests, and that the company has not made the required

tests for potency of various over-the-counter and prescription drugs, including medications prescribed for heart-disease and hypertension patients.

Lit Drug Co. admitted that it didn't properly inspect such important raw materials as reserpine and rauwolfia serpentina before processing them into products used by chronic high-blood-pressure victims. FDA's legal department says that some of Lit's nitroglycerin pills failed to dissolve within the required time.

To ward off attacks, some heart-disease patients must take nitroglycerin pills at the first sign of stress. The pills must dissolve in the mouth—fast. Nitroglycerin's efficacy diminishes if the medicine passes to the stomach before dissolving.

The Government has found serious problems with other Lit Co. heart-disease drugs, such as digoxin and digitals, and also with such common products as aspirin, Vitamin C, saccharin tablets, penicillin, and prescription remedies for asthma.

No one knows, or can yet know, whether or how much anyone has been hurt by Lit's products. That information may never come out. But in explaining the scope of his legal action against Lit, Judge Coolahan wrote:

JUDGE CLOSES THE PLANT

"The defendants have been engaged in an overt, long-standing schematic, and unpenitent thwarting of the law, particularly a law enacted for the protection of an otherwise helpless consumer public. . . ."

The judge also wrote, "Only during a brief span of months in 1968 did the FDA consider Lit Drug Co. to be in compliance with the law." He then ordered the company, before resuming business, to correct 10 specific "deficient practices" in manufacturing, quality control, and records-keeping. He stipulated that Lit must make available for Government inspection all products still at the company plant and reimburse the Government for inspection costs.

Then Judge Coolahan took the unusual step of ordering the company to recall, at its own expense, all of its defective products—before resuming operations. In these cases, a court typically fines a company for violating safety laws and enjoins it not to err again. Often the fines are relatively light, little more than a slap on the wrist, FDA officials say.

The FDA cannot recall products on its own. It must request the accused company to pull back its faulty wares; it depends on the company's "voluntary compliance." Ultimately the FDA can seek court authority to seize tainted foods or drugs. But it rarely does that, assertedly because of the operational difficulties and high costs of seizure actions.

In fact, the FDA did not seek seizure authority against Lit Drug Co. Rather, after requesting many recalls of which Lit agreed to honor 15, the FDA held three hearings in Brooklyn, N.Y., alleging that Lit was violating the law and producing drugs in a potentially dangerous way.

According to Judge Coolahan's written decision, Lit Co. officially asserted at each FDA hearing that it would clean up its operations; each time, Lit did nothing. In April 1971 the Justice Department, at FDA's request, filed a criminal complaint against Lit in Federal court. The company pleaded guilty and was fined \$3,000. But its offenses continued.

The FDA then returned to court with another complaint. Normally Lit could have continued its procrastinations indefinitely, letting the FDA take it to court on a case-by-case basis and calculating the relatively light fines as a business cost. Judge Coolahan made that impossible.

PRECEDENT TO HELP CONSUMERS

Finally, five weeks after the judge's verdict and three years after the FDA began pressuring Lit, the company capitulated and issued its recall. Then, in the Nov. 11 issue of

its letter-size "Recall Report," the FDA officially noted Lit's "voluntary" action. Even then, only persons with access to the recall circular would have known that a serious drug hazard existed.

Says one FDA official: "The [court] decision will prove to be a great benefit to consumers. Now when our inspectors 'request' that a company make a recall or otherwise shape up, the company will take us more seriously. We can march to court and get an injunction that might require the company to get the junk off the shelves, or shut down until it does."

In his written opinion, Judge Coolahan is less sanguine about the Lit Drug affair. Said the judge: "It may well be that the FDA has not yet uncovered all infractions of which defendants are guilty. . . . The facts give rise to this presumption."

PROPER ROLE OF THE PRESS

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. HOGAN. Mr. Speaker, the past year has been one of major controversy over the proper role of the press in our society. We have had an unprecedented number of court cases involving the boundaries of a reporter's right to withhold information about his sources.

We have had the "brouhaha" over the publication of the Pentagon papers. And we have had the vote in these Chambers on the CBS news production, "The Selling of the Pentagon."

It is not my intention here today to discuss all the issues raised by these journalistic concerns but rather to focus briefly on "The Selling of the Pentagon" and in particular on an article written by Jimmie N. Rogers and Theodore Clevenger, Jr., which appeared in the October 1971, issue of the Quarterly Journal of Speech.

In the article the authors painstakingly document their case that the "Pentagon Propaganda Machine," written by the junior Senator from Arkansas, was the fundamental and major source for the arguments advanced, and the approach used, by CBS in "The Selling of the Pentagon."

And yet, the authors point out, nowhere in the broadcast did CBS acknowledge the role the Senator's book and arguments played in the documentary.

In conclusion the authors say:

Since we share the position with CBS that the public has a right to know, we believe the public should be informed that the principal difference between the Fulbright case against "The Pentagon Propaganda Machine" and the CBS report on "The Selling of the Pentagon" is a difference in media; significant dimensions of the message in both cases are the same, and the primary source of that message is J. William Fulbright.

If the authors' thesis is correct, then surely presentation of the Senator's influence on the broadcast should have been considered part of the public service CBS is licensed to render the Nation.

Because of the importance of the issue and its relationship to our fundamental concepts of the freedom and responsi-

bility of the press, I insert Messrs. Rogers and Clevenger's full article into the RECORD at this point.

The article follows:

"THE SELLING OF THE PENTAGON": WAS CBS THE FULBRIGHT PROPAGANDA MACHINE?

(By Jimmie N. Rogers and Theodore Clevenger, Jr.)

On the evening of February 23, 1971, CBS broadcast a special, hour-long report on *The Selling of the Pentagon*.¹ Heralded as an example of investigative reporting, the documentary carried strong evaluative overtones that roused a storm of protest.

In the ensuing media coverage, commenting on the validity of the CBS stand, J. William Fulbright, junior Senator from Arkansas, noted that he had called attention to many of these issues some time ago.² A careful reading of the record shows that Fulbright was much too modest. In a series of four widely publicized Senate speeches in December, 1969,³ and in a book published in November, 1970,⁴ just three months before CBS presented its report, Fulbright had in fact laid out virtually the entire CBS case.

Although Senator Fulbright is nowhere mentioned in the documentary, it follows his case against "The Pentagon Propaganda Machine" almost point for point, not merely with regard to themes and issues, but in both type and usage of supporting materials. This similarity is close enough to suggest that CBS merely provided TV coverage for the case already developed by Fulbright.

In this report, we document six points of remarkable similarity between the CBS case against Pentagon public relations policy and the case made earlier by Fulbright:

1. In summarizing his case against the Pentagon, Fulbright lists seven objections to presently used public relations devices of the Defense Department. In *The Selling of the Pentagon*, CBS emphasizes all seven.
2. A sequential outline of the broadcast reveals virtually no topics not previously covered by Fulbright.
3. An outline of the major and minor themes covered in *The Selling of the Pentagon* reveals virtually no themes not previously discussed by Fulbright.
4. There is a striking similarity between Fulbright and CBS in the use of statistical support.
5. There is a striking similarity between Fulbright and CBS in the use of references to specific individuals as authorities and supporting examples.
6. A surprising number of the individual sentences read by the narrator (Roger Mudd) in *The Selling of the Pentagon* contain assertions previously made by Fulbright.

The similarity in viewpoint between Fulbright and CBS is perhaps most quickly grasped by viewing the documentary in light of Fulbright's summary of a major part of his own case. In *The Pentagon Propaganda Machine*, he sums up his objections to the public relations activities of the Defense Department in the following points:

1. Of course the military needs an information program. But it should be one designed to inform, not promote or possibly deceive.
2. There is no need for production of self-promotional films for public consumption. . . .
3. There is no need for sending speakers at taxpayers' expense anywhere from Pensacola, Florida, to Portland, Oregon, to talk to luncheon clubs and veterans organizations.
4. There is no need for setting up expensive and elaborate exhibits at state and county fairs.
5. There is no need for taking VIP's on pleasant cruises to Hawaii aboard aircraft carriers.
6. There is no need for "Red," "White," and

"Blue" teams criss-crossing the country, "educating" people about the dangers of communism, the need for patriotism, and the Gross National Product of newly independent lands.

7. There certainly is no need for military production of television shows for domestic, commercial use showing "feature" aspects of the Southeast Asian War.⁵

All of these major Fulbright issues constitute principal thrusts of the CBS expose: costly self-promotional films, the ready availability of military speakers, expensive promotional exhibits, red-carpet tours for civilian community leaders, the "touring Colonels" promoting an outmoded cold-war view of U.S. foreign relations, and Pentagon propaganda films on the Vietnam war, all designed, not to inform the electorate but to aggrandize the military and deceive the public. Each of these points emphasized by Fulbright also receives extended coverage in the CBS report. Taken together, Fulbright's seven points summarize the CBS case about as well as they summarize his own.

The major content of the CBS broadcast is arranged under three main points, with each of these divided into a number of subpoints, according to the outline below:

SEQUENTIAL OUTLINE OF MAIN AND SUBPOINTS IN "THE SELLING OF THE PENTAGON"

- I. Pentagon Direct Contacts with Citizens
 - A. Armed Forces Day
 - B. The Touring Colonels
 - C. Travelling Exhibits
 1. General Data
 2. The Thunderbirds
 3. The Green Berets
 4. Military Speakers
 5. VIP Tours
- II. Armed Forces Promotional and Propaganda Films
 - A. Background Information (cost and number)
 - B. Use of Well-Known Stars
 - C. Propaganda Purpose of the Films (examples)
- III. Defense Department Manipulation of the Media
 - A. Introductory Comments (the right to know)
 - B. The Press Briefing
 - C. Obstacles to the Press
 - D. The Hometown News Center
 - E. The V-Films
 - F. Staging Faked News Events
 - G. Military Use of Jargon

All three of the broadcast's main points are dealt with at great length in Fulbright's speeches and book. With regard to the subpoints, Fulbright had failed to discuss only I-A, I-C-3, and III-G. Thus it would seem fair to say that the great majority of entries in the sequential outline of the CBS report could easily have been taken directly from the prior works of Fulbright.

In making its case against the Pentagon propagandists, CBS develops six major themes, three of them clearly differentiated into a number of minor themes, which may be outlined as follows:

MAJOR AND MINOR THEMES IN THE CBS CASE AGAINST PENTAGON PUBLIC RELATIONS

- I. The Pentagon pours enormous sums into public relations.
- II. Millions of civilians are exposed to Pentagon propaganda each year.
- III. Pentagon propaganda takes every conceivable form.
 - A. Special maneuvers.
 - B. Promotional films.
 - C. Red carpet tours.
 - D. Traveling exhibits.
 - E. Military speakers.
 - F. Use of entertainment and media figures as spokesmen.
 - G. Managed contacts with the news media.
- IV. Pentagon propaganda projects a distorted view and warped values.
 - A. It emphasizes values.

B. It glamorizes violence.
C. It is out of line with State Department policy.
D. It is obsessed with monolithic communism.

E. It insists on America's role as the cop on every beat.

V. Pentagon spokesmen distort and deceive.
A. They mislead the media and the public about

1. their intentions.
2. their propaganda methods.
3. the cost of their public relations.
4. the role of the military in the nation and the world.

B. They mislead newsmen and the public by

1. placing obstacles to the free flow of information.
2. deliberately concealing information they do not want released to the public.
3. staging faked "news" films.
4. inundating the media with favorable news releases.

VI. Pentagon public relations activity continues to proliferate regardless of the administration in power.

This outline does not reflect the order of presentation in the documentary. It emerges when one extracts the assertions made by CBS and the inferences they drew from their examples, actualities, and interviews, and organizes these assertions and inferences into a consistent pattern. As we conducted the analysis, we were repeatedly struck by the peculiar ability of the TV medium to weave a variety of themes into a single sequence of brief duration. To sort out issues and relationships in a skillfully done TV broadcast is much more difficult than to perform the same operation on a speech or essay, even for the analyst with script and videotape at his disposal. For the average citizen watching TV in his home, truly critical viewing must be almost impossible.

When the major and minor themes developed by CBS are compared with Fulbright's earlier statements, one finds no major theme not previously covered by Fulbright. Two of the minor themes (4-B and 4-C) are not dealt with directly by Fulbright, but all of the other minor themes are recurring topics in Fulbright's book and speeches. Thematically speaking, the CBS special report could have been taken virtually in its entirety from earlier works of the junior Senator from Arkansas.

Both Fulbright and CBS make extensive use of statistical evidence to support and dramatize their arguments. In *The Selling of the Pentagon* CBS uses 33 specific statistics. Of these, eleven are identical with figures reported earlier by Fulbright. Given the wealth of data available from the Defense Department, it is notable that CBS should have used so much of the same data as Fulbright.

Even more notable, in some cases CBS used Fulbright's figures even though more recent information was presumably available. For example CBS listed the cost of the Army exhibits program as \$906,000.00, which is the amount found in Fulbright's material for fiscal 1969.⁶ A more interesting use of statistics can be demonstrated by both the network's and Fulbright's reference to the cost of the program for fiscal 1969 is found in a letter from Major General Wendell J. Coats, which Fulbright inserted into the *Record*.⁷ The figure of \$902,529.34 was rounded off by Fulbright in his speech⁸ and that rounded figure was used by CBS to describe the cost of the activity.⁹

More striking still is the extent to which CBS uses statistics to support themes earlier emphasized by Fulbright. All of the CBS statistics are marshaled to support the propositions outlined below:

1. The DoD spends a vast and increasing amount of money on information and public relations.

Footnotes at end of article.

A. The amount is great.
B. This amount is increasing.
2. The military message is presented, at taxpayer expense, to millions of people all over the country.

A. The travelling speakers are active and costly.

1. They go to many cities.
2. They address large groups.
3. They meet many speaking engagements.
B. The military exhibits travel widely.
1. They go to many cities in many states.
2. They are seen by millions of people.

C. Specially staged war games and traveling demonstrations are seen by millions.
D. Guided tours for many influential civilians are staged at great cost.

1. Many local opinion leaders are treated to these lavish tours.

2. The guests pay only a fraction of the tour costs.

E. The Pentagon makes many films at great cost and distributes them widely.

1. The DoD makes hundreds of films a year.

2. The films cost millions per year.

3. The films are widely distributed to civilian audiences.

3. The Pentagon has a vast machinery to inundate press and media with favorable news releases, tapes and newsfilms, while concealing unfavorable news.

A. Millions of press releases and thousands of radio and TV tapes are sent out each year.

B. An enormous amount of personal communication passes into and out of the Pentagon each day.

4. Defense Department figures on the cost of these programs are unreliable.

A. Figures are adjusted to suit DoD purposes.

B. The cost of controversial programs is underestimated because certain expenses are not included in the accounting.

With the exception of point 3-B, each of the above propositions is a salient theme in the Fulbright case. He, too, uses statistical evidence generously in supporting these themes, and in most cases uses parallel figures. For instance, Fulbright reported the number of states and cities visited by the Army's Exhibit Unit (120 cities in 34 States) over a six month period.²⁰ CBS reported the number of cities and states (239 cities in 46 states) visited by the same exhibit in a year.²¹ The cost reported for that activity was the same.

Clearly, the statistical evidence in the CBS documentary is similar where not identical in content, and is used in the same way, to support the same arguments, as statistical evidence presented earlier by Fulbright.

Both Fulbright and CBS make frequent reference to specific individuals, sometimes as authorities and sometimes as examples of a point. All together thirty individuals are mentioned by name in *The Selling of the Pentagon*. Fifteen of these thirty were previously identified by Fulbright, almost invariably in the same context as for CBS. Given that thousands of officers and enlisted men are engaged in public relations work for the Defense Department, and that dozens of entertainment and media personalities have contributed talent to Pentagon promotional films, it is hardly likely that coincidence would account for such a substantial overlap.

The point becomes even more convincing when we examine the themes or assertions individuals are introduced to support. The thirty specific individuals named by CBS are cited in support of the following themes:

1. Military speakers tour extensively, promoting a hawkish line on the Vietnam war at public expense.

2. The Defense Department seeks to influence local opinion leaders on expensive red-carpet tours of military bases and operations.

3. The Pentagon uses entertainment and

media personnel to support their line, sometimes on a voluntary basis, sometimes in trade for direct support.

A. Many public figures are induced to cooperate out of patriotic motives.

B. Some movie makers trade talent for essential support in filming battle scenes.

4. Ex-military personnel testify to the deceptiveness of Pentagon informational techniques.

5. The Pentagon manipulates the media to achieve favorable coverage for their activities and viewpoint.

6. Pentagon representatives conceal and deceive.

Every one of these themes was earlier discussed at length by Fulbright. It is clear that CBS used references to individuals exclusively to support dominant themes first developed by Fulbright, and that in fifty per cent of the cases, the individuals were the same.

When we turn from the broad topics, main themes, and supporting materials of the CBS documentary to the individual sentences it contains, we find further evidence of close similarity between the broadcast and the earlier statements of Fulbright. So as to eliminate uncontrolled message sources, we restricted this analysis to the 191 sentences read or spoken by the narrator, Roger Mudd. These 191 sentences were under the direct and detailed control of CBS News, and our analysis of them proceeded in two stages. First, we deleted ten sentences that referred directly to CBS, its purposes, or its procedures in preparing the special report, and one sentence (a question) which was so brief as to contain no information. These eleven sentences were excluded from the analysis, leaving us with 180 sentences containing various amounts of information. Each of these sentences was then examined to determine whether it contained an assertion previously made by Fulbright or, if the sentence were a question, whether it called for specific information or evaluations previously offered by Fulbright.

TABLE 1.—NUMBER AND PERCENT OF SENTENCES IN THE BROADCAST CONTAINING ASSERTIONS PREVIOUSLY MADE BY FULBRIGHT

Part of broadcast	Number of sentences	Number containing Fulbright assertions	Percent containing Fulbright assertions
Introduction.....	14	12	86
Body:			
Direct contact.....	52	25	48
Film.....	39	25	64
Media.....	58	30	52
Total.....	149	80	54
Conclusion.....	17	3	18
Total.....	180	95	53

The results of this analysis may be seen in Table 1. To better display the distribution of similarities through the script, the broadcast was divided into an introduction, body, and conclusion, and the body was further divided into three main points: Direct Contacts with the Public, Pentagon Propaganda Films, and Pentagon Manipulation of the Media. These three points are readily identifiable as the main segments of the broadcast. (CBS organizes its material according to the information channels employed by the Pentagon.)

The data show that 86% of the sentences in the introduction, 54% of the sentences in the body, and 18% of the sentences in the conclusion contain assertions previously made by Fulbright. Of the total 180 sentences, 53% contain Fulbright assertions.

Apparently the conclusion contains the smallest proportion of Fulbright material; however, when we examine it sentence-by-sentence, we find eleven sentences that refer

to developments since November, 1970. Since these events occurred after the publication of Fulbright's book, they could not possibly have been available to him. If these eleven sentences are deleted, 50% of the sentences in the conclusion contain Fulbright assertions, and the total for the broadcast as a whole goes up to 57%.

We conclude that the data reviewed here support our original hypothesis that the Fulbright case against "The Pentagon Propaganda Machine" and the CBS report on *The Selling of the Pentagon* are closely similar. We have shown that the seven Pentagon public relations techniques criticized most strongly by Fulbright are also attacked by CBS; that the main and subpoints covered in the broadcast were, with minor exceptions, previously discussed by Fulbright; that virtually all of the main themes of the broadcast were also dominant themes in Fulbright's earlier speeches and writings; that much of the CBS statistical support (some of it out-of-date at the time of the broadcast) is to be found in Fulbright's earlier statements, and that virtually all of the statistical support is used to support dominant Fulbright themes; that half of the specific individuals interviewed or mentioned in the documentary were originally identified by Fulbright, and that almost all of the others are introduced to support Fulbright's arguments; and, finally, that more than half of the sentences read by narrator Roger Mudd contain assertions previously made by Fulbright.

Striking though they undoubtedly are, these comparisons based on observable, countable content items, fail to reflect adequately the close similarity between Fulbright's position and that adopted by CBS. A viewer familiar with Fulbright's stand on foreign relations and the military establishment detects additional parallels in both semantics and lines of argument.

For example, both Fulbright and CBS give a prominent place in their arguments to the public speeches of certain high-ranking officers. Fulbright focuses most on General Westmoreland, CBS on the "touring Colonels"; thus in our content analysis the supporting materials and individual assertions relating to military speakers appear for the most part as differences between Fulbright and CBS. These differing examples, however, are used to support precisely the same two points: military officers travel widely spreading Pentagon propaganda at taxpayer expense, and the Pentagon holds an outmoded view of our relations with communist countries.

With respect to the military speakers, there is parallel even in inconsistency. In referring to the military speakers, Fulbright says that they travel about at public expense to "shape the public's mind";²² CBS points to military officers who "traverse the country shaping the views of their audiences."²³ Yet the excerpts given in both sources, apparently chosen to picture the military speaker at his worst, portray intellectual and oratorical skills in the dull-normal range. Thus in both sources one finds the curious inconsistency of enormous opinion-shaping power attributed to individuals whose speeches, to judge by the excerpts given, are anything but persuasive.

Considerable footage in the CBS report is devoted to showing that the Pentagon is promoting an outmoded view of our foreign relations, especially in its obsession with monolithic communism. In both the book and the speeches, Fulbright often moves close to this theme, but never specifically mentions it; thus for purposes of the content analysis, it was treated as unique to the broadcast and constitutes a major source of differences noted in the preceding analyses.

Footnotes at end of article.

But, though he never mentions it specifically in the materials used for this comparison, Fulbright is an ardent spokesman for this point of view and has advocated it longer than any other member of the Senate. Writing in *Look* magazine five years ago, Eric Sevareid (a prominent member of the CBS news staff) commented: "Fulbright thinks the world and the nature of the threat from Communism have greatly altered since Stalin's time."¹⁴ And "he does not believe communism is a world, monolithic force, successfully spreading its tentacles."¹⁵ Thus, even in this case of a major "difference" between the Fulbright case and the documentary, the CBS theme is ultimately traceable to Fulbright.

As the foregoing examples show, the parallel between the CBS report and Fulbright's earlier statements goes beyond those elements that can readily be established by standard content analytic procedures. Indeed, a viewer thoroughly familiar with Fulbright's stand on the military establishment and on our relations with communist powers would have to conclude that his case against "The Pentagon Propaganda Machine" and the CBS report on *The Selling of the Pentagon* are so similar as to represent essentially identical arguments.

In our judgment, there is no valid objection to a TV network giving high visibility to a controversial position taken by a well-known Senator. However, early in the broadcast, in describing the CBS news team's purpose and procedures for preparing the special report, Roger Mudd said: "We sought . . . no politicians pleading special causes."¹⁶ In this context, the word "sought" is subject to a variety of interpretations; but it is too much to believe that similarities as extensive as these could result by chance from completely independent investigations. It seems highly probable that CBS at the very least made quite extensive use of materials Fulbright painstakingly compiled over the months preceding their investigation, and in editing the final version of the broadcast they adopted Fulbright's point of view, main lines of argument, style of support, and many of his specific supporting materials. Moreover, in expressing the CBS viewpoint, as reflected in the narration read by Roger Mudd, they seem to have relied heavily on specific assertions developed originally by the junior Senator from Arkansas.

Why, then, did the CBS report fail to mention Fulbright at any time, or even to refer to him indirectly? To avoid "politicians pleading special causes" is laudable; but in this instance it seems likely that the appearance of independent objectivity was substituted for its substance. Having adopted his viewpoint, arguments, supporting materials, and many of his specific assertions, would it not have been appropriate for the network news team to identify the ideas with their source?

That they failed to do so has no bearing on the validity of the charges leveled by Fulbright against the public relations practices of the Defense Department. Indeed, his speeches and writings point at the very least to a need for closer supervision of Pentagon budgets, and CBS has performed a public service to the extent that its special report has focused public attention on that need.

But like Fulbright, the CBS report goes far beyond the public affairs of the Pentagon. On perspective: *Selling of the Pentagon*. Fulbright stated that his remarks were not intended to be an attack on the men of the military or the military itself, but rather were aimed at the Congress that furnished taxpayers' funds for the Pentagon to use in such a manner, and at the civilian administrators of the programs who felt compelled to spend that money.¹⁷ Although CBS did not make such a distinction, the image of the military projected by CBS, in almost every

important respect, is identical with the one pictured originally by Fulbright. But even if the purpose of the two presentations were the same, the case for their mutual validity would have been greatly strengthened if the images had been formed on the basis of completely independent investigations. The CBS report was presented so as to create the impression that this was indeed true.

The analysis presented here raises serious doubts on that point. When Roger Mudd admitted that CBS has reported "only a fraction of the total public relations apparatus belonging to the Pentagon,"¹⁸ he could have admitted that a large part of that fraction came from Fulbright's material.

Since we share the position with CBS that the public has a right to know, we believe the public should be informed that the principal difference between the Fulbright case against the "Pentagon Propaganda Machine" and the CBS report on *The Selling of the Pentagon* is a difference in media; significant dimensions of the message in both cases are the same, and the primary source of that message is J. William Fulbright.

FOOTNOTES

¹ "Selling of the Pentagon," CBS Reports, February 23, 1971. The script used in this analysis was the first readily available to the public. It was printed in the U.S., *Congressional Record*, 92nd Cong., 1st Sess., CXVII (February 26, 1971), 4126-30, and all references to the script are located in this document.

² "Perspective: Selling of the Pentagon," CBS News Special, April 18, 1971.

³ U.S., *Congressional Record*, 91st Cong., 1st Sess., CXV (December 1, 1969), 36129-42; *ibid.* (December 2, 1969), 36317-44; *ibid.* (December 4, 1969), 37003-28; and *ibid.* (December 5, 1969), 37248-89.

⁴ *The Pentagon Propaganda Machine* (New York, 1970).

⁵ *Ibid.*, p. 150.

⁶ *Congressional Record*, December 5, 1969, 37256.

⁷ *Ibid.*, 37250.

⁸ *Ibid.*, 37251.

⁹ *Ibid.*, February 26, 1971, 4128.

¹⁰ *Ibid.*, December 5, 1969, 37259.

¹¹ *Ibid.*, February 26, 1971, 4127.

¹² *Pentagon Propaganda Machine*, p. 80.

¹³ *Congressional Record*, February 26, 1971, 4127.

¹⁴ Eric Sevareid, "Why Our Foreign Policy is Failing," *Look*, XXX (May 3, 1966), 25.

¹⁵ *Ibid.*, 24.

¹⁶ *Congressional Record*, February 26, 1971, 4127.

¹⁷ "Perspective: Selling of the Pentagon."

¹⁸ *Congressional Record*, February 26, 1971, 4130.

NATIONAL PUBLIC RADIO REPORT ON HEALTH PROBLEMS

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. FAUNTROY. Mr. Speaker, we are all well aware of the health care crisis that currently exists in the United States. A recent national poll showed that a large majority of the Nation's people placed health care problems high on their list of priorities. Over 45 health care related bills have been introduced into this session of the legislature.

National Public Radio, the noncommercial radio network with 100 members operating 118 stations in 36 States, Puerto Rico, and the District of Columbia recently sponsored a series of six

congressional style "NPR Health Care Hearings" in six cities across the country: San Francisco, Ann Arbor, Boston, New York, Philadelphia, and Atlanta. The purpose of these hearings was to provide an open forum at the grassroots level on the problems facing health care today, as well as to discuss legislation currently before this body.

Representatives of various interest groups, Congressmen and Senators, as well as consumers, were invited to testify at the various hearings. All who accepted the invitation were allowed to appear.

National Public Radio has provided us with a highly unique contribution to our investigations into health care legislation—a contribution which would be difficult for the House to obtain in any other way. I want to share with my colleagues the National Public Radio health care summary, "Report to Congress and the Nation: National Public Radio Health Care Hearings."

The report follows:

REPORT TO CONGRESS AND THE NATION—NATIONAL PUBLIC RADIO "PUBLIC HEALTH CARE HEARINGS," MODERATOR, BARBARA NEWMAN.

My name is Donald Quayle and I am President of National Public Radio, which is the noncommercial radio network with 118 stations broadcasting in 36 States, Puerto Rico and the District of Columbia.

Mr. Chairman, we appreciate the opportunity to appear before you today and transmit to this committee the information which National Public Radio has gleaned from its six public hearings on health care and national health insurance which were held this past September in San Francisco, Boston, Atlanta, Philadelphia, Ann Arbor, and New York.

We do not appear here today as experts on the intricacies of national health insurance nor do we come here to espouse any of the proposed bills. We appear here today to transmit to you the findings of the NPR health hearings. First, I would like to give you a little background on these hearings. Our purpose in holding them was two-fold. Because the health crisis is undoubtedly one of the most important issues on the legislative agenda of this body, we felt that it was important to inform people regarding the complexities of the proposed national health insurance legislation to enable them to participate meaningfully in this public debate. Second, it was our purpose to facilitate communications between those most concerned about health—consumers, providers and insurers—and those who will ultimately enact health care legislation—members of the United States Congress.

We realize that this committee has permitted testimony from all who desire to appear here. However, the fact remains that the average citizen is not the customary congressional witness. So, it is our hope that we can transmit to you today knowledge which you otherwise might not have received.

I think the primary function which we can serve is to humanize the debate. These several weeks you have all been hearing testimony regarding the health crisis, testimony replete with statistics of the soaring costs of health care which command 7 percent of the GNP, of the inaccessibility of health care, of the health manpower shortage, and of uneven quality care. Statistics are a somewhat cold commodity, devoid of the urgency of human experience. What we found during our health hearings was a widespread concern about the health crisis and what we heard was the human agony which some people have experienced at the hands of the health system.

EINAR MOHN. According to the AFL-CIO

research department, sixty percent of all personal bankruptcies in America are directly attributable to health costs. But beyond the bankruptcies are the millions of people who simply do without health care except as a last resort; who delay treatment because they cannot afford it; who do not fill their prescriptions because of the cost of drugs; who must allow minor health problems to become major because in our health industry today the cash register sits next to the appointment book.

EVE MAPES. I am alone with, and support my three children, one of whom is asthmatic. Nearly every year of his life he must be hospitalized with pneumonia. Medical insurance for the whole family was cancelled on the grounds that we did not list the child's asthma as a pre-existing condition when in fact we did not know he had asthma.

This left us unexpectedly in debt for several hundred dollars. We had been a middle class tax paying family who believed in yearly medical checkups and trips to the dentists. But from that point on, our economic situation and the level of health care deteriorated. One of the worst effects of this situation was, of course, psychological. We found that we lost our dignity when we lost our money.

BARBARA NEWMAN. Health care in this nation is in crisis. Speak to almost any person in America and you get a health horror story. You hear about families with savings wiped out, about unavailability and shoddy quality of care, and a growing resentment against health providers. The image of the doctor has become somewhat tarnished.

Chairman Wilbur Mills of the House Ways and Means Committee recently opened his committee's health hearings with the remarks that Americans are increasingly resentful of trying to find their way through a maze of referring practitioners to find services for which a higher and higher part of the family budget must be used, and this without confidence that the care finally obtained is appropriate or of high quality.

Congress will undoubtedly pass a health bill within the next few years. A Harris Poll found public support for passage of national health insurance running at almost two to one, and most politicians on Capitol Hill are in favor of one of the health insurance proposals pending before Congress. The question is, what kind of a bill will be passed, and how adequate will it be in ending the health crisis?

Because health is such an important issue, and because the House Ways and Means Committee has not permitted live coverage of its health hearings, National Public Radio this past September sponsored a series of six public hearings on health care and national health insurance. With the belief that the public should be apprised of the differences in the pending legislation, and that legislators in turn should be apprised about the wishes of the public, we went to San Francisco, to Boston, to Ann Arbor, New York, Philadelphia, and Atlanta. As participants we invited those most concerned with the issue of health—health consumers, insurers, physicians, and hospital officials, as well as those who will enact national health legislation. U.S. Congressmen.

One of the most insistent themes throughout the hearings was the hardship brought by rising health costs. The two people you heard at the beginning of this program, Einar Mohn of the California Teamsters Union, and Eve Mapes, a Los Angeles housewife, testified at our San Francisco hearing.

National health costs—seventy billion dollars a year—are rising at twice the rate of the consumer price index. According to the Department of Health, Education, and Welfare medical expenses will rise fifty percent in the first half of this decade, and the rise in the health share of the gross national product will be as great as the rise in defense spending at the start of the Vietnam war.

One health planner characterizes health as the Vietnam of the 1970's. He sees billions and billions of dollars going into a quagmire. At the NPR New York health hearing, Shirley Kronberg, director of the Neighborhood Service Council of the New York Hotel Trades Council, recounted some incidents of high medical cost in a discussion with New York Republican Congressman Ogden Reid.

SHIRLEY KRONBERG. I have one bill here where a woman entered a hospital in this city at 9 AM, was discharged at 6 PM, and her bill is three hundred and nineteen dollars. Interestingly enough, laboratory services, a hundred and twenty-seven dollars. We asked the hospital for a breakdown of these laboratory costs. They sent us a list of all of the tests made. And we understand that there is now a computer through which they put these few drops of blood and they can obtain a variety of tests for a very, very small fee. Nevertheless, they charged her tests—you know, fifteen dollars, twenty dollars, twenty-five dollars—whereas in fact these tests cost them very, very little.

CONGRESSMAN OGDEN REID. What was the actual room charge there?

KRONBERG. Seventy-five dollars. For room and board.

CONGRESSMAN REID. For less than twenty-four hours?

KRONBERG. Six hours. Blue Cross pays eighty dollars for maternity confinement, and is now increasing this to a hundred dollars. But the average bill is over six hundred dollars. And I have a very interesting bill that was brought in by one of our workers this week in which his wife delivered prematurely at home. A policeman called, he got the ambulance, she was brought to the hospital, she was in the hospital three days. She had already delivered the baby. His bill for this three days in the hospital is two hundred and nineteen dollars for the baby, and three hundred and sixty-two dollars and fifty cents for the mother. Now this is for three days. And here are the two bills. And Blue Cross of this paid eighty dollars.

CONGRESSMAN REID. Have you found, Mrs. Kronberg, that group medicine and peer pressure and peer judgment has lowered some of the costs?

KRONBERG. I don't see where the peer judgments have lowered anything. I know that the AMA spent millions of dollars fighting against Medicare, and they've been the greatest beneficiary of Medicare. The insurance companies haven't done anything over the years to stay the rising costs. And the insurance companies, and in some cases such as Blue Shield, which a doctor operated, have certainly not done anything about questioning their costs, either by the doctors or the hospitals.

NEWMAN. That was Shirley Kronberg at our New York hearing.

The greatest increase in health spending has been in hospital rates. They have risen five-fold in the last four years and now hover at about a hundred dollars a day. The *New York Times* states that some projections put average hospital room charges at a thousand dollars a day by 1981.

Critics of the health insurance industry charge that private insurance companies have not acted effectively to keep these costs down. Much of the criticism of the health industry is directed at Blue Cross, which pays about fifty percent of the nation's hospital bills. Blue Cross is non-profit and tax exempt. But some think that its very institutional structure perpetuates the interests of the hospitals at the expense of the health consumer. The American Hospital Association actually owns the Blue Cross trademark, and in most of the nation's seventy-four local Blue Cross plans, the boards of directors preponderantly represent hospitals' and physicians' interests.

The key area of debate, then, on national health insurance will be the role of the insurance industry. Of the major national health insurance bills pending before Con-

gress, only the Health Security Act, introduced by Senator Edward Kennedy, would eliminate the insurance industry from health care. Under the Kennedy legislation, cradle-to-grave health coverage would be available to all U.S. residents. It would be administered by the Federal Government.

The administration's Health Insurance Partnership Act retains the insurance industry as fiscal intermediary in health care. It actually mandates that all employed persons must purchase private health insurance. The administration has proposed tighter regulation of the insurance industry, but would leave enforcement up to the states.

The AMA's Mediscredit bill and the Health Insurance Association's Health Care bill both provide tax incentives for the voluntary purchase of private health insurance.

There are a great number of health experts who question the advisability of retaining the private insurance industry under national health insurance. From Boston, John O'Leary, former Massachusetts Rate Commissioner, and from Ann Arbor, Doctor S. J. Axelrod, Professor of Medical Care Organization at the University of Michigan. First, O'Leary.

JOHN O'LEARY. (Tape) I have considerable question in my mind as to the role that the health insurance industry should play in a national health insurance program. I cannot help but express extreme concern over the lack of effort on the part of the insurance industry, generally speaking, in the past, to try and influence the organization of the health care delivery system in order to bring about somewhat more efficient and economical delivery of service.

Doctor S. J. AXELROD. The very widespread interest in health insurance, as evidenced by the numerous proposals now before Congress, it seems to me is largely a response—a political response—the high and rising cost of medical care, primarily, and also a response to the inadequacies of private—that is to say voluntary—health insurance as a means for handling these costs. The private enterprise, or ethos, if you will, of our health service industry sees further expression in the fact that private commercial health insurance dominates the field, and this kind of dominance results in considering health insurance not so much a means of providing adequate service, but rather a means of paying bills. And along with this fiscal view of health insurance, of course, it is accepted that there will be payments levied on patients who regard themselves as insured, but payments through deductibles and co-insurance which very often act as important deterrents to the receipt of care.

The fiscal view of insurance concentrates on large medical bills which relatively few people have—very large medical bills, that is. And in general the whole coloration of the health insurance industry takes the view that health insurance should be a mechanism for exchanging dollars, rather than for providing necessary and adequate health services.

NEWMAN. That was Professor Axelrod of the University of Michigan. From California, labor leader Einar Mohn.

EINAR MOHN. For twenty-five years we have gone to the bargaining table with employers and come away with more and more money to pay for health care—money that was needed for wages and other benefits. For twenty-five years we have given the private insurance industry every opportunity to work, we have put our hard won health benefits into their hands, asking them to restrain costs, and to exercise some control over the quality of care provided in hospitals and physicians offices.

The record of achievement by the insurance industry is marked by failure, disinterest, neglect of health needs, and certainly profiteering. California's unions are now pumping one billion dollars annually into the health industry through negotiated benefits. Our estimates make us believe that at

least twenty percent of the money negotiated for in our contracts does not go to provide health care. It goes for costs, it goes for a lot of other things, but do not provide health care. That's far too high a cost.

In good faith, labor has tried to live with the private insurance industry, and tried to live with voluntary methods of policing quality. But the experiment is over. We now want, and need, national legislation that will publicly manage our dollars and exercise public control over the health industry.

NEWMAN. On the other side of the issue are representatives of organized medicine, the insurance industry, and the hospitals who wish to retain the private health insurance industry. These views were best expressed at our San Francisco hearing by William Wayland, Executive Secretary of the California Hospital Association, and Dr. Roberta Fenlon, President of the California State Medical Society. In Ann Arbor, Edward Connors, Director of the University of Michigan Hospital, spoke for the hospital interests in favor of retaining the insurance industry and health care. First, William Wayland.

WILLIAM WAYLAND. Despite the criticism of the health industry, it has been eminently successful in fulfilling its basic goal, the provision of good quality health care.

DOCTOR ROBERTA FENLON. A national system of health care must be based on the insurance concept. Just as every driver in California is required to have automobile insurance, everyone should be required to carry adequate health insurance.

EDWARD CONNORS. I believe that government's role in financing should complement and strengthen the basic health insurance mechanisms, rather than replace them. I acknowledge without question that health insurance needs to be strengthened; it needs to be required or assured for all citizens. And it needs, I believe, to be subject to tighter regulation. But I think the record in many respects of health insurance in this country has been remarkably good, and I would disagree with some of the former speakers that implied that all they are interested in—these are health insurance now—that all they are interested in is just the financing portion—in trading dollars. And I think sitting from my perspective as a provider, there has been a fair amount of progress—probably more progress than in any other sector that I know of—prompted by particularly the Blues in health insurance on such important issues as the appropriate use of the hospital, and cost containment and control. And from my view I think it would be a tragedy as a public policy to dissolve this vital link in the system.

NEWMAN. That was Edward Connors, Director of the University of Michigan Hospital. In Philadelphia, Robert Carpenter, Vice President of the Penn Mutual Life Insurance Company, critiqued the proposed national health insurance bills from the insurance industry's viewpoint.

ROBERT CARPENTER. The health insurance industry's plan does not attempt to promise more than can be provided, establish a whole new government bureaucracy, create huge new demands on the existing facilities by promising "free care," and impose huge new taxes on the constituency which is already reeling from tremendously increased taxation in recent years, such as the health security act program sponsored by Senator Kennedy does. Neither does it force a substantial financial burden on employers, or provide different standards of care for different classes of citizens which the administration proposal includes. It covers the broad range of the problem as contrasted with the limited approach to covering catastrophic health care costs under Senator Long's bill. It does not place its complete reliance on the yet relatively untested organizational structure for delivering care as proposed by the American Hospital Association's Ameriplan, and it does

not rely primarily upon tax incentives for private health insurance programs as proposed by the American Medical Association.

NEWMAN. Thank you very much, Mr. Carpenter. The report of the—the staff report of the Senate Finance Committee of 1970 stated: "Carrier performance under Medicare has in the majority of instances been erratic, inefficient, costly and inconsistent with congressional intent. Unquestionably, many millions of dollars of public funds have to subsidize carrier inefficiency." In view of this, why should we retain the insurance industry in national health insurance legislation?

CARPENTER. That's always an interesting question. And the health insurance industry does have to stand on its record. I believe that when any program is inaugurated you're going to have these types of problems. I think that if you were to move away from private insurance toward the direction of the national security health program advocated by Senator Kennedy you would find that the government bureaucracy to be created would be so much tremendously more inefficient that you would have much greater problems.

NEWMAN. Insurance executive Robert Carpenter found a surprising ally in Pennsylvania's State Insurance Commissioner, Herbert Denenberg. Doctor Denenberg is a vociferous reformer and critic of the health insurance industry, but surprisingly refused to endorse the Kennedy health security bill. He questioned the advisability of administering national health insurance through a governmental bureaucracy.

HERBERT DENENBERG. Public confidence must be reestablished in the federal bureaucracy before great additional responsibilities are entrusted to it. The Kennedy proposal, the national health security plan, scraps private health insurance altogether. Thus, the proposal scraps good and bad insurance companies without distinction. It is true that private health insurance has not performed effectively. But it is also true that we have not subjected it to effective regulation. We are trying to make up for this shortcoming in Pennsylvania.

The Kennedy bill, in view of the deficiencies of private health insurance, would therefore abandon private insurance and substitute government insurance. Medicare demonstrates government is not the whole answer. And it can be as unsatisfactory as private insurance. Many non-profit insurance companies, for example, are doing a better job than Medicare in controlling costs and quality.

Here you see bureaucratic distortion of the intent of Congress in the establishment of the Medicare program. Congress intended Medicare to pay for the necessary costs of patient care to our senior citizens. The bureaucrats somehow distorted the congressional intent and turned Medicare for the aged into an uncontrolled educational subsidy for the medical profession. Medicare, however laudable in its social purpose, has greatly contributed to our runaway inflation of medical costs. Medicare, which should have been part of the solution, instead has become a central part of the problem of our health delivery system. Medicare not only contributes to the problem, but attempts to veil its operations in the cloak of secrecy.

We asked for certain studies of Medicare fiscal intermediaries, and were turned down on the basis of executive privilege. The Medicare people thought the studies might be "misinterpreted." Others were refused access to the studies as well. We finally obtained copies of the study, only for our own use, but they still have not been made public. How can we entrust further responsibility to a government agency that now betrays its public trust? How can we extend Medicare to national health insurance when Medicare now fails to perform its central function of cost and quality control over medical and hospital care?

The key issue is not so much the mixture of government and private insurance, as the mixture of cost and quality controls in the system that emerges.

NEWMAN. Pennsylvania's State Insurance Commissioner, Herbert Denenberg.

People often lump quality and cost together when they discuss the health crisis. For example, proponents of each of the national health insurance bills claim that their bill will provide cost controls while upgrading the quality of care.

New York City, under the direction of its Deputy Health Commissioner, Doctor Lowell Bellin, has embarked on a unique program of auditing costs and quality of care rendered by private practitioners to New York Medicaid patients. Doctor Bellin's staff actually goes into doctors' offices, randomly pulls patient files, and examines medical records. This is the only medical audit of its kind in the nation, and has aroused great resentment from physicians.

Doctor Bellin is one of the most outspoken critics of poor quality medicine and the ineffectiveness of medical peer review. Medicine is self-regulated. Traditionally, doctors have argued that only doctors can regulate quality and costs. Doctor Bellin doesn't dispute this point, but he does feel that peer review must involve outside physicians who don't have a stake in protecting their colleagues. He is not optimistic about quality controls within any of the national health insurance bills.

DOCTOR LOWELL BELLIN. In an attempt to meet the health care crisis, every proposal deals with financing, manpower, and improvement of the delivery system. Regrettably, every proposal also bypasses quality control of services provided to patients. For example, the major emphasis of the President's program and the Kennedy bill are cost controls and minimum standards. The American Hospital Association plan stresses cost controls and peer review. And the health insurance industry plan provides for state control and controls on over utilization through patient payments of deductibles and co-insurance.

Quality control, which includes the availability, acceptability, and nature of care, is defined as a system for verifying and maintaining a desired level of quality in a product or process by careful planning, use of proper equipment, continued inspection, and corrective action when required. Quality is the prerequisite element of that cost control. Without it any cost is too much. Because the major abuse in dollar value is over utilization of service, enormous sums of money can be saved by constraining over utilization, not only within private offices, but particularly within hospitals.

People who emphasize how much auditing of health care services cost the government are either uninformed or wish to keep others misinformed. At present the New York City Department of Health is saving and recovering two and a half to three dollars for every auditing dollar spent. There is only one spot to place ultimate auditing activities of publicly funded health care services. That spot is a public agency. This means that the public agency must have courage. Many of our public agencies are craven as well as technically incompetent.

After the instructive experience of the past five years with Medicare and Medicaid, it is incongruous that anyone dare suggest to legislators that the appropriate place for auditing is exclusively, a) within professional societies, or b) within the fiscal intermediary. They both are too intimately associated with the constituents to be granted the ultimate responsibility of either quality control or cost control. It is an administrative truism that evaluation must be isolated from operation. For the Federal government to violate this principle by funding evaluation of health care services primarily in professional societies, and/or in fiscal inter-

mediaries, is to replicate the folly that has bedeviled Medicare and Medicaid since the mid 1960's.

Since 1965 we all should have learned that tokenistic regulation of quality and cost of health services always discredits any publicly funded health care program.

NEWMAN. Doctor Lowell Bellin, New York's Deputy Health Commissioner.

Supporters of the Kennedy National Health Security bill put great store in its quality controls. Its main quality control is that only board certified or qualified surgeons will be reimbursed for major surgery. There are currently twenty specialty boards in medicine and surgery. In order to be board certified, the doctor must participate in several additional years of post graduate work after residency, and must pass a rigorous written and clinical examination. The reason the Kennedy bill focuses on surgery is because many people feel that far too much surgery is performed in this country. Of the seventeen million surgical procedures that will be done in hospitals this year, many doctors feel that a great number will be inadvisable.

As surgery always involves risk of post operative infection or problems with anesthesia, the old adage, when in doubt, cut it out, is not good medicine. Yet *Fortune* magazine quotes an official of the AMA as saying that the rise in tonsillectomies under Medicaid verges on the scandalous. This unnecessary surgery has become so prevalent that a new term, remunerectomies, has been coined by critics.

Doctor Lowell Bellin, concerned about unnecessary surgery, does not think that even the Kennedy health bill has sufficient quality controls.

BELLIN. The basic, I think is not going to be attacked by addressing specifics, like whether or not there will be a board certified or a board eligible surgeon who is going to be reimbursed for his service. There is no guarantee, for example, that a board certified surgeon is going to do the job properly. This is only one step forward. We know, for example, the famous study carried out by Doctor Trussell, formerly the Hospital Commissioner and Dean of the Columbia University School of Public Health, some years ago here in the city of New York, that a significant portion of the surgery in New York—something like one-third was found to be inadequate, despite the fact that frequently, and most of the time, these were board certified and board qualified surgeons. When the study was continued, to actually ask the patients, what did you think of the quality of work you received; about eighty-five percent of the patients who had received this care, which in Doctor Trussell's and his staff's opinion was completely inadequate, were quite happy with that care and returned to their original doctor.

So what I'm trying to point out is this, that this is one step. But I'm even more concerned with something more fundamental, the actual issue of getting the right kind of structure to monitor this thing, to promulgate a number of standards, and to enforce these standards. This is what's the key to the entire issue.

NEWMAN. One of the basic reforms in the health system is the development of Health Maintenance Organizations—HMO's. Both the Kennedy and administration national health insurance bills provide funds and incentives for their creation. The largest HMO in the nation is the Kaiser plan on the west coast.

HMO's are actually pre-paid group practices, places where several doctors join together in a group practice and are paid a certain amount per patient per month, regardless of how often the patient uses the services. This is called payment on a capitation basis. Currently most doctors are paid on a fee-for-service basis. That is, you pay them for each

office visit, and for each procedure they perform. Critics say that this encourages a system of sickness care and not health care. There is no incentive now for the physician to keep the patient well when he is paid only when they are sick.

In Atlanta, Reverend Andrew Young, Vice Chairman of the Southern Christian Leadership Conference, made a strong case for HMO's.

Reverend ANDREW YOUNG. I'd like to think of us as working toward a health care system that rewarded people and doctors for health rather than for sickness. Right now, the more operations they perform, the sicker people get, the richer doctors get. In fact, it's even more ridiculous because you get to go in the hospital and get an operation, and then your health insurance pays for it, when a doctor could probably do it in his office.

And I think the setup of our hospitalization insurance presently drives people to the hospital, and encourages hospitalization, when I think we've got to have some kind of health insurance or some kind of health plan that encourages people to stay well. Along with this I think the kind of system that would reward people for good nutrition. I'd like to see a group of patients or community served by a team of physicians where at the end of the year they would get a bonus if they had less than the national average of operations for people in that age and income bracket, rather than be rewarded for the more operations they have. I think in some health care plans—I think this was true in the Kaiser plan—where people were rewarded for going to get regular checkups. And they found that in certain categories of operations, they were remarkably less when people received rewards for staying well than they were when people almost had to get sick in order to get some kind of serious medical attention or some consideration from their insurance.

NEWMAN. Reverend Andrew Young of the Southern Christian Leadership Conference.

In San Francisco Republican William Mailliard and Kaiser Foundation Vice President Robert Erickson discuss how Kaiser has kept costs lower than commercial insurance plans. Congressman Mailliard speaks first about commercial health insurance.

Congressman WILLIAM MAILLIARD. The nature of the coverage is much more complete if a patient is hospitalized than if they're kept out of the hospital.

ROBERT ERICKSON. That's true. And our system does have comprehensive outpatient coverage as well as inpatient coverage so that the physician can choose the care that's most appropriate to the patient without being concerned about the out of pocket cost to the patient. I think the most unique feature is savings in hospital utilization.

NEWMAN. (Tape) Regarding Kaiser's ability to keep costs down and hospitalizations lower than other plans, doctors receive extra bonuses if costs are kept within a budget framework. Would you explain that, please?

ERICKSON. There is an incentive program that gives the physician an added piece of the action, you might say, in controlling costs and in accepting financial responsibility. And if there is a surplus above the budget at the end of the year, they receive a share of that surplus.

NEWMAN. Mr. Erickson, we hear that the surgical rate for those with group plans is half that for those with commercial health insurance. And people have indicated that there seems to be too much surgery—much unnecessary surgery in this country.

ERICKSON. I do know that studies have indicated that the rate of surgery in organized group practice programs, including Kaiser, is substantially less. And it may resemble a fifty to sixty percent rate, at least in many of the studies. I think it may be even more marked in some of the truly elective type of surgeries, such as tonsillectomies, OBGYN-type surgeries that are truly elec-

tive. The incentives for unnecessary surgeries are removed from an organized system, and this may be a factor in the surgical rates.

NEWMAN. Are you saying, in other words, that the doctors under the group plans such as yours are remunerated on an annual basis, and do not make extra money for doing surgery?

ERICKSON. That is correct. They are paid so much per member per month.

NEWMAN. Despite the fact that most health reformers advocate HMO's, there are some who doubt their ability to improve the nation's health system. Doctor Oliver Fein of the Health Policy Advisory Center, who has done extensive research on health, expressed his misgivings about HMO's at our New York hearing.

DOCTOR OLIVER FEIN. The health maintenance organization program, a program that Nixon—reorganization of the health system is pointed to as one program that is likely to keep costs down. But I say at the expense of the patient. Here's the way it works. The government contracts with an HMO to provide care to a certain population at a fixed pre-paid price. If the costs of providing care exceed the pre-paid price, the HMO will have to make up the deficit itself. If, on the other hand, the HMO keeps its costs under the pre-paid amount, then the HMO keeps the difference as profit. The profits lie in holding services to a minimum. HMO's are just one more way of reducing consumer demand. This will be done by long waiting lines, delays in elective surgery, rather than in real preventive care.

Without consumer control to monitor the practices of HMO's, they will end up serving the doctors and the hospitals interests, not the patient.

NEWMAN. Doctor Oliver Fein at the New York health hearing.

And this leads to a major issue for which we found a surprising amount of support. When one hears the words "consumer control" one tends to dismiss them as rhetoric of the left, or stale slogans of the Great Society. Yet in every city we went we found support for consumer participation and even control of a revitalized health system. The support came from doctors, nurses and from Pennsylvania Insurance Commissioner, Herbert Denenberg.

HERBERT DENENBERG. I think the most important thing in the whole system, and it's both the cost and quality control, is to be certain that the consumers are in control, and that the consumers are participating in these decisions as much as possible. Our health delivery system is a Frankenstein monster, built on Rube Goldberg principles, and it is now confronted by a public with rising expectations and by a new technology that is dramatically extensive and dynamic. But it goes on its merry way, indifferent to the needs of the community in its limited ability to pay ever increasing medical and hospital costs.

The system is basically run for the benefit of doctors, hospitals, the drug industry, and the other providers of medical care. I have seen first hand the contempt for consumer input and participation in our hospitals while I participated in the negotiations of a new hospital Blue Cross contract. As a result of this indifference, and even contempt, for the consumer, the system delivers bad medicine at high prices. For example, it duplicates facilities for open heart surgery for the convenience of doctors to the point where costs are way up, while quality is way down because of the limited volume in each facility.

The system's inability to control costs is exceeded only by its inability to control quality.

NEWMAN. In Philadelphia a spontaneous discussion developed on the issue of consumer control and peer review between Doc-

tor Ted Tapper, a recent Harvard Medical School graduate, and Doctor Benjamin Friedman, a representative of the AMA.

Doctor TED TAPPER. I think that physicians reviewing their own quality and practices is like asking the owners of the National League and American League baseball teams to review their programs and practices. I think that if you have no outside people looking in, especially people who have no vested interests, as obviously physicians do, in medical schools, in practices in local areas, and in hospitals, if you have no outside people looking in, you're going to get the same kind of system that you have now. Which, in effect, is no quality control and no peer review of a true nature.

Doctor BENJAMIN FRIEDMAN. I do want to comment about peer review approach. Our desire is to create a structure so that there will be constant review of quality. We have seen in other nations where massive interference has resulted in decline in quality. It is our desire to set up a program which would not result in such massive, complicated, bureaucratic procedures so that we could not to the best of our advantage discharge our responsibility to our patients.

TAPPER. I agree with you. I think that it would be undesirable to set up a vast bureaucratic structure. And I think it would be undesirable to compromise quality of control. My only point is that if you have physicians looking after other physicians, with no one else looking at them, you are going to have the same kind of very quiet behind the scenes covering up of poor quality and rampant cost non-control. I would hope that you would get much more truly representative consumers, other than some of the mainline types who are on hospital boards of trustees, on the utilization review committees and really get people who are going to start questioning doctors, who are going to start saying why was that very minor surgical procedure kept in the intensive care unit for four days after his tonsillectomy; why that child with an upper respiratory tract infection admitted to hospital in the first place? Until you start getting people in who are going to make these questions very, very vivid to the physicians and hospital administrators, I think that you are going to have the same sort of system that you have now, which is a very inadequate one.

NEWMAN. Doctor Ted Tapper in Philadelphia.

Several witnesses criticized all of the proposed national health insurance bills as inadequate in providing accountability to health consumers. Doctor Oliver Fein at our New York hearing.

FEIN. If we look at all the proposed schemes on the spectrum from the Nixon administration proposal, which is among the most conservative, to the Kennedy proposal, which is the most liberal. It becomes apparent the Nixon administration proposals will change almost nothing—just a larger number of people will be insured with the inadequate health insurance that Mrs. Kronberg described earlier. The Kennedy proposals will likely leave control of the system unchanged, or shift it toward control by the corporate forces, such as the big hospitals, medical centers, and insurance companies.

To this dead end I can only propose a fundamental alternative. The only way to change the health system so that it provides adequate, dignified care for all is to take power over the health system away from the people who now control it. Not merely the funding of the system, but the system itself, must be public. It then becomes possible to face such questions as how we decentralize the national health care system to make it responsible to the community and accountable to it, and how we insure that patient care is the primary priority of the system, and how we insure equal access to health institutions and to practitioners.

NEWMAN. That was Doctor Oliver Fein in New York.

From Boston, Mrs. Ann Stokes, head of the Columbia Point Neighborhood Health Center's Consumer Organization.

Mrs. ANN STOKES. Health insurance bills, as they stand at the present time, do not include consumer participation in a way that the recipient of service can determine what kind of care will be given. The consumer areas of interest are: one, receiving comprehensive health care; two, to be able to give their reaction to the care received; and three, a degree of knowing that they will receive continuous family care.

The medical professionals, AMA, must begin to communicate with the communities. Information must be shared. And the professional and the community will have to work together to develop a health plan, to define concerns, and identify those powers which belong to the community, those which belong to the professional, and those we share. Or else, like welfare reform, anti-poverty programs and the various health plans will be doomed before they are implemented.

NEWMAN. Mrs. Ann Stokes in Boston.

Mrs. Ann Garland, chief outpatient nurse at Pennsylvania General Hospital.

Mrs. ANN GARLAND. Minority patients have great resentments in the hospital. Mainly among them are the first name basis. When a patient comes in the hospital, whether they're in a private room or a ward, they're not in the hospital five minutes before a nurse pops right into the room and greets them with a cherry smile and says how would this patient like to be addressed, Tom or Thomas? The hostility shield comes right down. This tends to make the patient not relate to the doctor or to the hospital. They do not tell the truth about what's wrong with them. And since the patient is not well informed about medical practice, they do not know that the doctor cannot treat them unless they tell them what's wrong with them. They think the doctor is all omnipotent, knows everything, not knowing, as we do, that they know very little unless you tell them. So when they do not tell the patient what's wrong with them—the doctor what's wrong with them—then the treatment, of course, is stymied.

There's a total lack of privacy offered to these patients in interviews or in an examination. The policies become nonflexible with poor patients. Research is done on these patients without their permission. They know nothing about it and they give no consent. There is a lot of drawing blood for special studies not relevant to their illness, drugs given for drug reactions for these companies. These things should not be.

NEWMAN. Mrs. Ann Garland in Philadelphia.

If consumers had control over health expenditures, then according to the people we just heard they would upgrade medical care quality. They would presumably have a decisive voice in allocating health resources, and could channel funds into areas not now effectively covered by health insurance.

In Atlanta, former Congressman James Mackay, who is now President of the Metropolitan Atlanta Mental Health Association, and Reverend Andrew Young of the Southern Christian Leadership Conference each expressed a desire for greater attention to mental illness. Mr. Mackay speaks first.

JAMES MACKAY. Frankly I'm more concerned about a person's health than any other feature. If you don't feel well you can't relate to your wife and children, and you can't produce down where you work. And health is a fundamental need that we all have.

And the thing that bothers me, I might say to the members of the panel, is all of these programs are frightened by mental illness. And they generally cut you off pretty quick. And yet we know that—I think it's accepted that over half of the people in the hospital

beds of America—not the mental hospital beds, but the general hospital beds—have no objective evidence of illness. But they're not functioning well. And mental health and physical health are inseparable.

Reverend YOUNG. I happened to be in Chicago in 1967 when what is commonly called a riot began. We were having a meeting in a little church and heard a disturbance outside, and got outside the church just as the police were coming to the scene and breaking up a group of kids that were in a fight around a water faucet. In the summertime they wanted to be in the sprinkler system, and the police turned it off, and that started a little incident. The young people moved over into a housing project and we followed them over there, trying to calm them down. And they immediately became inflamed by a young man who was carrying the Bible and quoting from the book of Obediah and saying that this was the day of judgment for the Lord, and the white man's day was done. And he proceeded to try and inflame that group of kids. And did succeed. We were able to try to hold on to him. We tried to get the police to come and get him, to take him out of the crowd in hopes that we could control the crowd. But we were unable to do that. And it was so obvious to us that what ended up being a full-fledged riot, running into hundreds of millions of dollars in Chicago by the time it ended a week later, really was fanned out of an incident by a young man who needed mainly mental health care. Now, he also needed a job, and I would not want to minimize the problems of unemployment and inadequate housing and education and all the other things in causing urban unrest. But the primary situation there was here was a guy that needed a psychiatrist, or at least an outpatient mental health clinic in this impoverished community.

Now I say to you that Chicago nor Atlanta's health care will never be secure so long as you have the level of mental illness which floods through our communities. And I think one of the things I've been looking for in almost all of the present health care programs is some real full-fledged attention to the problems of mental health. When we have people living in overcrowded urban areas, it's not as though it was a century ago when we were living in small towns where you could get sick and you were a hundred yards away from the next family, and your disease, whether it was mental or physical, was not contagious. In an urban area, anything that happens to anybody inevitably will affect everyone else.

And so until we have a health plan that's so comprehensive that it gets the people who are unemployed, that it gets the people who are poorly educated, that it gets the people who are mentally ill, then I think any kind of health plan we come up with will be inadequate.

NEWMAN. Reverend Andrew Young of the Southern Christian Leadership Conference in Atlanta.

Another key area of controversy surrounding national health insurance is whether legislation should restructure the health system, or simply provide health financing. Critics of the present health system feel that it is inadequate to producing enough manpower, and in rationally distributing the available resources. They point to the fact that certain suburban communities are replete with physicians, while hundreds of rural counties have not one physician.

The nation's leading advocate for restructuring is Doctor S. J. Axelrod of the University of Michigan.

Doctor S. J. AXELROD. The proposed changes envisaged in the legislation with respect to the financing of health care—and the emphasis is on the financing of health care, whatever the source and the amount of funds—is not in and of itself adequate to handle the current deficiencies we have in

our delivery system. We must have a significant restructuring of what it is we have at present. There is no regulation for control of the kinds of physicians that we produce or where they practice, and we have a situation, therefore, where we have many more neurosurgeons than we need, and not nearly enough family physicians. We have an excess of physicians in affluent communities, and a serious shortage of physicians and other health workers in our deprived communities.

The major proposals that have been put before the Congress respond in varying degrees to what seems to me to be the basic necessity, that is to say, to significantly restructure our medical care delivery system. Indeed, some of the bills, like the AMA's Mediredit bill, and the catastrophic health insurance bill, which are being proposed by two very important and influential legislators, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, really make no pretense at all at restructuring the admittedly inadequate delivery system. But they preserve the status quo, and deal solely with the financing of care. The catastrophic health insurance bill has a lot of political attraction to it. That is, it costs very little—so few people get the benefits. Moreover, everyone knows the care of a family that really went broke because of truly catastrophic costs. And this kind of experience is a terrifying one indeed to large numbers of people.

Other kinds of major proposals—the administration's health insurance partnership and the health insurance industry's health care plan—rely heavily on the present health care system, with emphasis on extending the admittedly inadequate private health insurance. Both of these latter schemes, the Nixon plan and the health insurance industry plan, as a matter of fact set up two standards of care—one for the poor and one for the non-poor. And they actually provide different levels of benefits—different services—for both categories of people. I'll leave it to you to decide which of the two groups get the lesser benefits.

Really only one of the major proposals—the Kennedy/Griffiths Bill—the so-called Health Security Bill—it seems to me addresses itself very seriously to the problems of organizing a more rational delivery system. There are incentives—strong incentives—to developing of primary health care centers having a full array of health personnel available in the centers to provide a full range of benefits. The Kennedy bill carries with it important incentives for establishing linkages between various parts of the system—between hospitals and nursing homes. It modifies current patterns of physicians' care, and reinforces the position of the family physician, so he is the one who refers to the specialist, and at the same time is not in the uncomfortable position of having to carry on specialist work himself—work for which he is not trained or not qualified.

The Kennedy bill foresees important redistribution of health personnel, and carried with it cost controls. I would suggest to you that the leverage for structural change does exist in any national health insurance plan, but only in a potential sense. And American medical care it seems to me cannot continue to be unresponsive to the need for change.

NEWMAN. University of Michigan Professor, Doctor S. J. Axelrod.

On the other side of the issue was Doctor Roger Mann, who appeared in Boston on behalf of the AMA's Mediredit Plan.

Doctor ROGER MANN. Mediredit does not require restructuring of the entire health care system, which provides care very well for the vast majority of Americans. Some of the other programs before Congress would dismantle what now exists, and rebuild along untried lines. It does not hold up group practice, or any other form of medical practice, as the best or only effective system of patient care. Finally, Mediredit does not

obligate government—the nation's taxpayers—to pay for care of people who can afford to handle most of their medical problems themselves.

NEWMAN. Doctor Mann was referring to the Kennedy plan, which some think by offering basic health care as a right to all U.S. residents, would bankrupt the nation. HEW Secretary Elliot Richardson, appearing before the House Ways and Means Committee, said that the Kennedy bill will cost taxpayers sixty billion dollars in new taxes, and is simply unfeasible. Backers of the Kennedy bill deny this. They admit that it would cost about sixty billion dollars, but claim that they would simply reallocate health funds currently misspent by a wasteful health system.

When all is said and done, a nation must be judged on how well it takes care of its citizens; on how it provides for the needs; and how effective it is in insuring people a climate receptive to the accomplishment of individual potential. Sickness humbles. It saps strength, confidence and drive.

We will have a national health insurance bill, but we must make sure that the legislation that passes will indeed hold the cost line while upgrading quality. As former Congressman James Mackay said in Atlanta:

MACKAY. (Tape) Within the next four to eight years there will be a national health bill passed. And I'm glad we've got some lead time, because I think this panel this morning has illustrated how intricate the subject is, and how much we need to know. Thinking in terms of politics, I think the real hazard here is that we could pass a very bad bill. But I believe that we need legislation, but I don't think legislation is a panacea. A very learned man has just written an article and said that we can pass a sweeping medical insurance bill that will not appreciably improve the services to the American people. And I believe that.

NEWMAN. Only an aware and informed public will insure passage of legislation which will truly protect its interests. It was the hope of National Public Radio that we might be helpful in this effort.

This is Barbara Newman.

PUBLIC BROADCASTING UNDER FIRE

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. VAN DEERLIN. Mr. Speaker, the Corporation for Public Broadcasting has been taking its raps of late, for the salaries paid its talent and executives.

As one who has supported the corporation since its inception 4 years ago, I have been saddened by this criticism, and feel that to some extent it may be undeserved.

Nevertheless, the fact remains that pay scales in the corporation and its affiliate entities by most conventional standards seem uncommonly high. These salaries may well be modest in comparison with the commercial networks, but such comparisons are not entirely relevant since ABC, CBS and NBC exist without an infusion of tax dollars.

Joseph McCaffrey, one of the most astute observers of the congressional scene, delivered a succinct analysis of public broadcasting's dilemma last week over WMAL radio and television.

While I do not necessarily concur with

all of Mr. McCaffrey's points nor his conclusion—that the “dream” of public television has been shattered—I do share his feeling that public broadcasters are ill served by efforts either to imitate or to compete with the commercial networks.

So that our colleagues may have the benefit of Mr. Caffrey's opinions on this difficult issue, I include his remarks as broadcast December 3:

COMMENTARY OF JOSEPH MCCAFFREY

Dan Thomasson of Scripps-Howard has been writing about the latest television give away. Public Broadcasting. In a recent story Thomasson quotes an unidentified official of the quasi-public broadcasting organization as saying that high salaries had to be paid to get people who would draw audiences. So here is another dream shattered. The dream that public television, educational television or whatever its designation, would not adopt the bad habits of commercial television.

But no, it, too, has joined the most deadly of all games—the rating game. Ratings are the bane of commercial television. The reason that most television shows have an appeal to the 13 year old mind, is that is the way to get the biggest rating.

The best 13 year old mind appealer can usually be found up in the top rated shows. This means that programs which could be constructive, which could be inspirational, which could contribute to the commonwealth are relegated to the off beat times. The hope was that non-commercial broadcasting would concentrate on its content—ignoring the so-called “star system,” and the ratings—after all, non-commercial broadcasting isn't concerned with selling soap or deodorants. It is the only area where the concentration could be solely on the product which comes over the tube. Now that it has joined the most deadly game, the rating game—another dream is shattered.

PROTECTION OF THE LOW-INCOME CONSUMER

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. HALPERN. Mr. Speaker, the Neighborhood Consumer Information Center, which is a Washington-based organization, recently published a comprehensive guide for the establishment of neighborhood centers which would exist for the purpose of educating the low-income consumer. It has been my feeling for some time, that in the course of educating the American public in this area, we have failed to realize that there are those less fortunate than you or I who do not have the means or education to gain access to this information. If a man living within the confines of the ghetto feels that he has been wronged by a given service or harmed by a product, it is likely that he will be unable to afford an attorney's fee in bringing suit. It is also probable that he will be totally unaware that there are laws which have been designed to protect him.

The Neighborhood Consumer Information Center is striving to correct these inequities through consumer education and I applaud their efforts. The following material summarizes the center's

goals and I hope that my colleagues will take a few moments to read about this worthwhile program:

IX. EVALUATION

The preceding chapters have outlined the methods that we employed in transferring the system of institutional subordination from the unconscious and indirect to the conscious and direct. Through this process, we have come to several realizations.

First, if the system of institutional subordination is to be eliminated, the dimensions of administrative education must be expanded to include the low-income consumer. Traditional administrative education has been a process that supplemented middle-income consumers' formal education by way of periodicals, newspapers, the media, and social discussions. Unfortunately, because of low-income consumers' lack of sophistication, and because of the inability of government and industry to communicate with them in a positive manner, administrative education has been restricted to middle-income America. This has resulted in the low-income consumer not knowing the benefits to be derived from laws passed by the state and federal governments and other administrative agencies. Consequently, the alternatives, when available, have been restricted to the low-income consumer's own interpretation. With a restricted foundation upon which to base their conclusions, no positive alternatives in sight, and an increased array of problems, they become alienated and rely upon their own imagination and resources for solutions.

In many instances the low-income consumers' resources, frustration, and imagination direct them to methods of behavior that are rejected by society. It, therefore, becomes essential that they be provided with a knowledge of the laws that have been promulgated in their interest; the procedural aspects of the laws, so as to enable them to activate the enforcement of their rights. Alternatives must be recommended or their alienation shall continue, and the frustration will result in dissension.

Second, some segments of the business community have a sincere concern about the problems of low-income consumers. However, the burden for translating that concern into action must be a persistent and consistent objective analysis of the problem, and a candid presentation of the facts. In essence, the burden of the proof will rest with the organization that is attempting to convince industry that it is neglecting its responsibility to the low-income consumer.

This can only be accomplished by demonstrating the results of the procedures that the businesses are employing, and by connecting those procedures to the immediate cause. Once this is accomplished, business will recognize the problem. In some instances business readily implements changes; in other instances they become concerned about costs and the detriment that they may incur from any change. Consequently, the organization will have to assume the initiative in developing a system that remedies the industry's problem, while demonstrating how the long-term advantages will outweigh the costs. Generally, if this is accomplished, industry adopts the program. However, we would like to emphasize that industry is stubborn, and there will be areas of vivid disagreement; but if you remain persistent in your negotiations and consistent in the caliber of your documentation, the problems will be overcome.

Generally, we assume that industry is not concerned about the rights of low-income consumers. As a result, we do not approach it for policy changes. This assumption may or may not be true, but the fact remains that industry should be approached to determine its interest, if any, and the extent to which it is willing to cooperate in bringing about a change. This responsibility must

be borne by the consumer organization. However, if after a sincere effort has been made and no response has resulted, you should assume that they are not interested and proceed accordingly. Conversely, if they are interested, you should develop and implement a mechanism for communication, and proceed to involve business in the process of administrative education.

Third, the media, like industry, are very dilatory in accepting their responsibility to low-income consumers. Although the media are slowly assuming the responsibility to the low-income consumer, they worry about the economic disadvantages that could ensue to them from aggressive awareness and educational materials that may offend their clients. In this instance, it is essential that the consumer organization become an advocate for proportionate distribution of media time to enable industry advertising to be balanced by consumer awareness and educational time.

When confronted with the competition for public service time, one recognizes that it becomes more imperative to acquire programming time rather than spot announcements. This decision, however, must be based upon your capacity and ability. If you have a very small staff specializing in complaints or counseling, spot announcements will be most effective. On the other hand, if you have a full-time educational staff, you can assign one person to develop a media telecasting program.

Fourth, government is willing to work with you in accomplishing small objectives, but when it appears that its aggression will have detrimental repercussions or significant impact upon a major industry, it rescinds its assistance or recommends that you proceed with caution. This factor must be attributed to the administrative procedures that the agencies employ, their leadership, and the political influence of business. In this instance you encounter procedural processes that allow a business to operate for two years after evidence has been submitted emphasizing the industry's impact upon the community, or you confront an agency that can only issue cease and desist orders, and has to transfer its materials to another agency to ensure compliance or to enforce its decision. However, these agencies, under the pretext of unfair competition, assist what are classified as legitimate merchants in protecting the interest and monopolization of unscrupulous merchants.

For example, a welfare recipient with a three or four thousand dollar income finds it difficult to acquire a bank loan, while a finance company with high interest rates that makes the loan to the consumer, or an unscrupulous merchant with an easy credit plan that gives the consumer credit, can acquire an exceptionally large loan with no difficulty.

Generally, when the problems are recognized, the government becomes concerned about the need for new legislation instead of evaluating whether existing legislation is being enforced, and if not, taking immediate steps to insure its enforcement; they then determine what additional legislation is needed to perfect the system. This process is generally increasing the consumer's expectations, but their expectations deteriorate as the administrative agency assumes its enforcement responsibility, without including an educational responsibility to notify the consumer of the processes to employ in insuring the enforcement of the regulations.

This can legitimately be accompanied under our present discriminatory system of justice, without any concern about its results. Fortunately, America's economic growth and the citizens' increased anxiety to acquire the American dream or the standards of expectation that have been set by the American society, have vividly demonstrated the deficiencies in the system and are demanding immediate reconciliation.

As a result of the preceding factors, we approach our fifth and final realization. If any low-income consumer protection agency is to become effective in eliminating the effects of institutional subordination, it must simultaneously assault, document, and develop alternatives to the present systems in the following areas:

1. Education—The consumer's lack of information and how to effectively use it within the framework of the present structure to bring about constructive change has contributed greatly to business infringement upon his rights. In this instance, you must compare the rights of the people (consumers) that spend their money on an individual basis to the rights of the people (industry) that concentrate dollars to influence consumer's behavior and market demand. In essence, you are developing an unpredictable market and subjecting industry to competition, while using the collective rights of the individual consumers to balance the political influence that industry has on the administrative agencies' enforcement authority.

2. Communication—The consumer's assets, i.e., his earnings and his rights, are sufficient instruments, when properly documented, to demonstrate the infringement by any external source, i.e., industry or government, and to demand that a mode of communication be developed whereby he can negotiate the terms under which he is willing to relinquish some of his rights of earnings to acquire certain services and benefits.

- a. In requesting the development of channels of communication from industry, the consumer is to argue for his percentage of participation in the profits that the industry acquires, and the industry's ability to sustain itself by continuing to acquire a percentage of his earnings.

- b. In requesting the development of channels of communication with the broadcasting media, the consumer is arguing his rights to public service programming—including entertaining, instructional, educational, etc. Although the consumer has no direct rights over the media, he has indirect rights via the Federal Communications Commission's requirement that the industry do business within the country. This requirement carries certain specifics of the obligation that the station has to the total segment of the community.

- c. In requesting the development of channels of communication with the administrative agencies, you are automatically requesting the implementation of your rights as a citizen of the municipality, state, or Federal government. Moreover, you are requesting a recognition of your rights as a shareholder who has invested his hard-earned dollars (through taxes) in the establishment of a system that will provide you with certain services and benefits. In essence, your rights to communicate are legitimate ones that are entitled to be recognized and respected.

3. Organization—In this area, the consumer protection agency must accept the initiative in developing the procedures and structures that will enable the community and the other segments of the society to have a direct interchange.

4. Coordination—This is another responsibility that must rest with the consumer protection agency. It must always supervise, analyze and determine when the various segments of the society are deficient in input, and immediately proceed to provide them with the incentive that will allow them to participate at their maximum. Consequently, the program must be able to analyze internally and have such a rapport with the various segments so as to provide it with the information that would enable it to draw some type of conclusion.

5. Enforcement—With effective organization and coordination of effort, the consumer protection agency is able to detect those reg-

ulations that are not being enforced, and recognize those areas where additional legislation is necessary.

We would like to emphasize that we have found it wiser to pursue policy change in industry as a form of immediate relief that can be delivered directly to the consumer, and pursue legislative and administrative change as a long-range remedy. This decision was based upon the political nature of the District of Columbia and the low-income consumer's demand for immediate relief. However, in a state where the consumers are in a political position to elect their own officials, the reverse approach may be more beneficial.

HOSPITAL CONSOLIDATION: ANSWER TO COMPETITION?

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. OBEY. Mr. Speaker, in an article in the November issue of *Hospital Trustee*, Marshall C. Petring, administrator of Columbia Hospital in Pittsburgh, Pa., points out that 7,000 hospitals in the United States are competing for physicians, nurses, technicians, secretaries, janitors, community support, patients, and Government money for Medicare, Medicaid, and building programs.

He asks:

Why is it necessary to compete in the hospital field? Is it because it has always been this way? Because each hospital is proud of what it has and feels it is better than the hospital a mile away or in the next town? Or is it because hospitals are unwilling to change; to compromise; to consider the benefits of not competing, of consolidating, of joining forces to bring prices down and to bring more services to more people in more areas.

Mr. Petring's article is thoughtful and timely, and I insert it in the *RECORD* at this point:

HOSPITAL CONSOLIDATION: ANSWER TO
"COMPETITION?"

(By Marshall C. Petring)

Seven thousand hospitals in the United States. Seven thousand individual institutions competing for physicians, nurses, technicians, secretaries, janitors. All of these individual hospitals, from 25 beds to 2,500 beds, are competing for managers, community support, patients, and government money for Medicare, Medicaid, and building programs.

Each year, the number of hospital internship positions exceed the number of new physicians graduating from medical schools in this country, creating another area for competition. In the 1969-70 school year, the most recent one for which the total is available, there were 8,367 graduates while approximately 15,000 internship positions were offered. This situation has forced increases in the annual salary for an intern, and it forces hospitals to seek interns from outside the United States.

Most of the 7,000 individual hospitals have emergency departments that require 24-hour coverage by physicians. Therefore, hospitals are forced to compete with each other for physicians, paying from \$10 to \$25 per hour for physician coverage of the emergency de-

partment. This raises the question, it is necessary to have an emergency department in every hospital?

As the competition for personnel goes on and on among hospitals, what happens? Some hospitals find themselves referred to as the "haves" and some as the "have nots." Some have the money to pay large amounts for good management, good physicians and, in general, good personnel. Some do not.

IS COMPETITION NECESSARY?

Why is it necessary to compete in the hospital field? Is it because it always has been this way? Because each hospital is proud of what it has and feels it is better than the hospital a mile away or in the next town? Or is it because hospitals are unwilling to change; to compromise; to consider the benefits of not competing, of consolidating, of joining forces to bring prices down and to bring more services to more people in more areas?

How can hospitals eliminate competition among themselves? The board of trustees of each hospital can look at industry to evaluate the advantages when two companies merge. In most cases, they could see it helps both companies and provides continued and even greater service to the public. Why cannot this be true in hospitals? Why cannot hospitals consolidate or merge or work together? Why must they be behind industry? What would be wrong with having consolidated internships in which the intern rotates service in several hospitals instead of working in just one? What would be wrong with having surgical residents assist, on a rotating basis, at surgery in several hospitals with different surgeons? Would not such a system give a wealth of experience to the intern or the resident who took part in it?

MULTIPLE APPOINTMENTS

Many physicians have appointments on the medical staffs of three or more hospitals. Some specialists, such as neurosurgeons, plastic surgeons, gastroenterologists, and thoracic surgeons, have appointments on the medical staffs of as many as 11 hospitals in large urban areas.

The physicians have different committee functions to fulfill on each medical staff in accordance with the different medical staff bylaws of each hospital. How can a physician do it? Would it not be easier if several hospitals consolidated, had the same medical staff bylaws, the same committees, and the same physicians on each committee in order to spread the administrative duties among many physicians instead of giving many duties to a few physicians in several hospitals?

COMPETITION FOR MANAGEMENT

What about management? Each hospital hires an administrator, director of nursing, controller, executive housekeeper, purchasing agent, and other department heads. The hospital's size and location and the amount of competition will determine the salary the hospital pays to obtain the department head it needs. Does the hospital get the management it needs? An organization is measured by its growth, and this can be traced to the effectiveness of its management. A small organization usually cannot compete in salaries with a large organization, and, therefore, it cannot attract the most effective managers.

When the pros and cons of consolidation are examined objectively, there seem to be few negative aspects and many positive points. Improved care, reduction in the rise of cost, and cooperation—the best features of consolidation—should be considered heavily, and then the forward growth of all hospitals should proceed.

HEXACHLOROPHENE: THE FDA'S RESPONSE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. RYAN. Mr. Speaker, the Food and Drug Administration has announced that it will act favorably on a portion of my request that the use of hexachlorophene be restricted.

For the past 20 years, hexachlorophene has been extensively used as an antibacterial agent in a wide variety of products. Yet recent studies have linked this chemical to serious neurological disturbances in children and in laboratory animals.

Therefore, on September 12, I wrote Food and Drug Administration Commissioner Charles Edwards expressing my deep concern over the unfettered use of this chemical and urging him "to take every possible effort to insure that the consumer is protected from its hazards, including a restriction of its use and adequate labeling which will alert the citizen to the dangers presented by this chemical."

On September 22, the FDA responded to my request by noting that it was aware of the concern relating to the potential hazards attributable to the use of hexachlorophene, but stated that it was unwilling to take any action until it had completed studies then underway.

Although in agreement that additional research was essential, I wrote back to Commissioner Edwards expressing my belief that the public should be made aware immediately of the findings of past research in this field and the severe hazards it has uncovered. And I again urged that he advise a restriction of use, pending the final outcome of those studies being undertaken by the FDA.

Thus, I was pleased by the announcement of the FDA on December 6 questioning both the safety and effectiveness of hexachlorophene as a germ fighter and warning against certain uses. Further, the FDA revealed that it will require a warning label on soaps and skin cleansers containing 3 percent or more of this chemical and has sent a separate warning to some 600,000 physicians and health professionals.

This warning, however, does not affect the 300 to 400 other household products containing concentrations of hexachlorophene lower than 3 percent. The Food and Drug Administration is continuing its investigation into these products. Again, although I am in accord with the need for continued research, I believe that it is imperative that the public have a full understanding of the current status of research and its implications.

Therefore, I am including in the *RECORD* the text of the Food and Drug Administration's conclusions relating to hexachlorophene, my correspondence with the FDA on this issue, and several recent newspaper articles on hexachlorophene and its dangers:

CONGRESS OF THE UNITED STATES,
Washington, D.C., September 12, 1971.
HON. CHARLES EDWARDS,
Commissioner, Food and Drug Administration,
Rockville, Md.

DEAR COMMISSIONER EDWARDS: I am deeply concerned by the medical hazards of hexachlorophene, widely used as a disinfectant in soap, detergents, cosmetics, mouthwashes and infant preparations.

Recent studies have linked the use of hexachlorophene with severe neurological disturbances in children and laboratory animals. These studies have disclosed that infant burn patients who were washed daily with hexachlorophene detergent suffered brain seizures and that rats fed certain doses developed paralysis, brain lesions, and poisoning.

In light of the wide variety of products in which hexachlorophene is used, I urge you to take every possible effort to insure that the consumer is protected from its hazards, including restriction of its use and adequate labeling which will alert the citizen to the dangers presented by this chemical.

I would appreciate a full report on all steps taken by the Food and Drug Administration in regard to hexachlorophene, including any studies or reviews you have undertaken.

With kindest regards,

Sincerely,

WILLIAM F. RYAN,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Rockville, Md., September 22, 1971.

HON. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR MR. RYAN: This is in reply to your September 12, 1971 request for a full report on all steps taken by the Food and Drug Administration in regard to hexachlorophene, including any studies or reviews undertaken.

We are fully cognizant of the concern for possible hazards which have been suggested as attributable to the use of hexachlorophene.

Scientists in the Food and Drug Administration are completing comprehensive investigation of hexachlorophene which includes methods of chemical analysis, amounts of contamination of commercial samples with toxic dioxins, toxicologic studies in man and animals and metabolism of hexachlorophene *in vivo* and *in vitro*.

In the near future a report will be prepared which will consolidate the information we have on hexachlorophene. When this report is completed we will forward a copy to you together with any other information we have available at that time.

If we can furnish any further assistance, please let us know.

Sincerely yours,

M. J. RYAN,
Director, Office of Legislative Services.

UPDATED RESPONSE STATEMENT ON
HEXACHLOROPHENE—JUNE 16, 1971
(To be used to answer inquiries)

Hexachlorophene has been used extensively for the past twenty years as an antiseptic for application to the skin. In addition to soaps and solutions, it has also been used in recent years as a constituent of some deodorants, anti-perspirants, feminine hygiene products, mouthwashes, toothpastes, cosmetics, and certain OTC drugs.

Hexachlorophene as an active ingredient in various formulations was cleared for safety through the new drug procedure early in the history of the 1938 Food, Drug and Cosmetic Act. More recent experience has indicated that in certain circumstances toxic amounts can be absorbed. Studies by FDA toxicologists and other FDA scientists, as well as outside investigators, are currently underway to extend our knowledge of hexachlorophene under various conditions of use.

FDA scientists have also asked cosmetic manufacturers (as reported in the Cosmetic, Toiletry and Fragrance Association, Inc. *Scientific Newsletter*, April 1971) to re-evaluate the use of hexachlorophene in their products, with respect to its need, and the optimum levels required. With these data, FDA will then be better able to ascertain the need—if any—to curtail its use.

A CT&FA survey conducted last year indicated that hexachlorophene is used at levels as low as .0003% and as high as 3%. Most uses were well below 1%.

CONGRESS OF THE UNITED STATES,
Washington, D.C., September 24, 1971.
HON. CHARLES EDWARDS,
Commissioner, Food and Drug Administration,
Rockville, Md.

DEAR COMMISSIONER EDWARDS: This letter is in further regard to my correspondence of September 12, 1971, relating to the possible health hazards of hexachlorophene.

In his letter to me of September 22, Mr. Ryan, Director, Office of Legislative Services, informed me that the Food and Drug Administration is currently undertaking a comprehensive investigation of hexachlorophene and its uses. Although such a study is absolutely essential, I believe that the public should be made aware immediately of the findings of past research in this field and the severe hazards that it has uncovered.

Specifically, I bring to your attention the article by Dr. Renate D. Kimbrough which appeared in the Archives of Environmental Health, Vol. 23, August 1971, and the study by August Curley, Robert Hawk, Renate Kimbrough, George Nathanson, and Laurence Finberg which appeared in The Lancet, August 7, 1971, entitled "Dermal Absorption of Hexachlorophene in Infants."

These studies have linked the use of hexachlorophene with severe neurological disturbances in children and laboratory animals. The conclusions of both these articles raise serious questions as to the safety of this chemical, and indicate that excessive or unnecessary use be avoided.

In light of these findings and the wide variety of products in which hexachlorophene is used, I urge that the Food and Drug Administration make every possible effort to alert the public of the potential harm of hexachlorophene and that the FDA advise a restriction of its use, pending the final results of those studies currently being undertaken by your agency.

Again, I urge you to take all appropriate actions to insure that the consumer is protected from any dangers that might be posed by this chemical.

I look forward to receiving a full report on any steps taken by the Food and Drug Administration in regard to hexachlorophene, including the results of those studies that FDA now has underway.

With kindest regards,
Sincerely,

WILLIAM F. RYAN,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Rockville, Md., October 1, 1971.
HON. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR MR. RYAN: Commissioner Edwards has asked me to reply to your September 24, 1971 letter in further regard to possible health hazards of hexachlorophene.

We understand your concern and appreciate the depth of your interest in the recent evidence that has linked hexachlorophene to neurological disturbances in children and laboratory animals.

As you are aware, hexachlorophene has been widely used in a great many products subject to the jurisdiction of the Food and Drug Administration. Our study and evalua-

tion of hexachlorophene has had top priority and is now nearing completion. In this connection, full consideration will be given to the position you have taken.

We will advise you as soon as possible as to the precise course of action we plan to take with respect to products containing hexachlorophene. Please be assured that any action we take will be with the idea of providing full protection to the consumer.

Sincerely yours,

M. J. RYAN,
Director, Office of Legislative Services.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Rockville, Md., December 7, 1971.
HON. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR MR. RYAN: This is in further reply to your September 24, 1971 letter to Commissioner Edwards concerning possible health hazards of hexachlorophene. An interim reply was sent to you on October 1, 1971.

The enclosed *Federal Register* document was published after consideration was given to reports from the National Academy of Sciences/National Research Council, current labeling for products containing hexachlorophene, and other available evidence including that of toxic effects associated with hexachlorophene use.

We are enclosing a Drug Bulletin concerning toxicity in the use of hexachlorophene in bathing infants.

We will keep you apprised of any further action we take with respect to hexachlorophene. If we can furnish any other assistance, please let us know.

Sincerely yours,

M. J. RYAN,
Director, Office of Legislative Services.

Department of Health, Education, and Welfare—Food and Drug Administration,
[Docket No. FDC-D-400; NDA 6270 etc., DESI 6270]

DRUGS FOR HUMAN USE—DRUG EFFICACY STUDY IMPLEMENTATION CERTAIN PREPARATIONS CONTAINING HEXACHLOROPHENE

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drugs:

1. Gamophen Surgical Cake Soap with Hexachlorophene; Arbrook, Div. of Ethicon Inc., Rt. 22, Somerville, N.J. 08876 (NDA 6-270).

2. pHisoHex skin cleanser containing hexachlorophene; Winthrop Laboratories, Div. of Sterling Drug, Inc., 90 Park Avenue, New York, N.Y. 10016 (NDA 6-882).

3. PHisoHex Detergent Cream containing hexachlorophene; Cook-Waite Laboratories, Inc., Div. of Sterling Drug, Inc., 90 Park Avenue, New York, N.Y. 10016 (NDA 8-402).

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. A new drug application is required from any person marketing such drug without approval.

The Commissioner concludes that, on an interim basis the labeling stated below will be acceptable pending the results of a major study of all over-the-counter drugs which is being undertaken by the Food and Drug Administration with the assistance of advisory committees.

A. Effectiveness classification

The Food and Drug Administration has considered the Academy's reports, current labeling for these products, and other available evidence including evidence of toxic effects associated with the use of hexachloro-

phene, and concludes that such preparations are:

1. Effective for use as a bacteriostatic skin cleanser.
2. Possibly effective for use in the treatment of impetigo in newborns and other staphylococcal skin infections, cradle cap, and in helping to clear acne.
3. Lacking substantial evidence of effectiveness for use in the relief of pruritus ani, for the broad claim as a vaginal douche, in the treatment of chronic eczema, in irrigating or cleansing wounds and burns, and as an "aid to personal hygiene."

B. Conditions for approval and marketing

The Food and Drug Administration is prepared to approve new drug applications and supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug*—Such preparations are in a form suitable for topical administration.

2. Labeling conditions—

a. The drug is labeled to comply with all requirements of the Act and regulations. The labeling bears adequate information for sale and effective use of the drug. The "Indications" section is as follows:

INDICATIONS

For use as a bacteriostatic skin cleanser.

b. The labeling shall also include prominent and conspicuous warnings. Recent studies confirm absorption into the blood stream when such products are used for daily bathing on infants and adults. Since this use has not been shown to be safe and is only possibly effective, it is contraindicated at this time except under the direction and care of a physician. When used on large burn areas, there are high blood levels and clinical signs of neurotoxicity. The warning statement should read:

WARNING

Do not use for total body bathing.

Rinse thoroughly after use.

3. Marketing status—

Marketing of such drugs may be continued under the conditions described in the notice entitled *Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study* published in the Federal Register July 14, 1970 (35 F.R. 11273), as follows:

a. For holders of "deemed approved" new drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and a supplement for updating information as described in paragraphs (a) (1) (i) and (iii) of the notice of July 14, 1970.

b. For any person who does not hold an approved or effective new drug application, the submission of a full new drug application as described in paragraph (a) (3) (iii) of that notice.

(c) For any distributor of the drug, the use of labeling in accord with this announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

d. For indications for which the drug has been classified as possibly effective (not included in the "Indications" section above), continued use as described in paragraphs (d), (e), and (f) of that notice.

C. Opportunity for a hearing—

1. The Commissioner of Food and Drugs proposes to issue an order under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act withdrawing approval of all new drug applications and all amendments and supplements thereto providing for the indications for which substantial evidence of effectiveness is lacking as described in paragraph A. 3. of this announcement. An order withdrawing approval of the applications will not issue if such applications are supplemented, in accord with this notice, to delete such indications. Any

related drug for human use, not the subject of an approved new drug application, offered for the indications for which substantial evidence of effectiveness is lacking may be affected by this action.

2. In accordance with the provisions of section 505 of the Act (21 U.S.C. 355), and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the holders of any such applications, and any interested person who would be adversely affected by such an order, an opportunity for a hearing to show why such indications should not be deleted from labeling. A request for a hearing must be filed within 30 days after the date of publication of this notice in the Federal Register.

3. A request for a hearing may not rest upon mere allegations or denials but must set forth specific facts showing that a genuine and substantial issue of fact requires a hearing, together with a well organized and full factual analysis of the clinical and other investigational data that the objector is prepared to prove in a hearing. Any data submitted in response to this notice must be previously unsubmitted and include data from adequate and well controlled clinical investigations (identified for ready review) as described in section 130.12(a) (5) of the regulations published in the Federal Register of May 8, 1970 (35 F.R. 7250). Carefully conducted and documented clinical studies obtained under uncontrolled or partially controlled situations are not acceptable as a sole basis for approval of claims of effectiveness, but such studies may be considered on their merits for corroborative support of efficacy and evidence of safety.

4. If a hearing is requested and is justified by the response to this notice, the issues will be defined, a hearing examiner will be named, and he shall issue a written notice of the time and place at which the hearing will commence.

A copy of the Academy's report has been furnished to each firm referred to above. Communications forwarded in response to this announcement should be identified with the reference number DESI 6270, directed to the attention of the appropriate office listed below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Md. 20852:

Supplements (Identify with NDA number): Office of Scientific Evaluation (BD-100), Bureau of Drugs.

Original abbreviated new drug applications (Identify as such): Drug Efficacy Study Implementation Project Office (BD-60), Bureau of Drugs.

Request for hearing (Identify with Docket number): Hearing Clerk, Office of General Counsel (GC-1) Room 6-88, Parklawn Building.

Request for the Academy's report: Drug Efficacy Study Information Control (BD-67), Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-60), Bureau of Drugs.

Received requests for a hearing may be seen in the office of the Hearing Clerk (address given above) during regular business hours, Monday through Friday.

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.210).

JAMES D. GRANT.

Dated: November 29, 1971.

[From the FDA Drug Bulletin, December 1971]

HEXACHLOROPHENE AND NEWBORNS

A number of recent studies have raised serious questions concerning the toxicity of

hexachlorophene preparations used for total body bathing of newborn infants. A summary of three such studies follows:

1. Fifty newborn infants, bathed daily with a 3% hexachlorophene product, showed hexachlorophene blood levels of .009 to .646 micrograms/ml. on the day of hospital discharge. No obvious toxic symptoms were noted in the newborns. (Curley, A., et al. *Lancet*, Aug. 7, 1971.)

2. Rats fed hexachlorophene to achieve mean hexachlorophene blood levels of 1.21 micrograms/ml. showed brain changes characterized by cerebral edema limited to the white matter, and cystic spaces of the brain believed produced by fluid accumulation. (Gaines, T.B., Kimbrough, R.D. Paper read at the 10th annual meeting of the Society of Toxicology, Washington, D.C., March 7-11, 1971. See also Kimbrough & Gaines, *Arch. Environ. Health* 23:114-118, Aug. 1971.)

3. Newborn monkeys washed daily with 3% hexachlorophene for 90 days showed mean hexachlorophene plasma levels of 2.3 micrograms/ml. When they were sacrificed, the white matter of the brain, particularly the cerebellum, brain stem and all parts of the cord, showed lesions consisting of cystic spaces like those described above. (Studies submitted by Winthrop Laboratories to FDA on November 18, 1971.)

These studies challenge the safety of hexachlorophene bathing of infants, a practice which has been widely advocated as effective prophylaxis against nursery epidemics of staphylococcal skin infections. A critical review of the studies on which this claim is based indicates that whereas there is no doubt that hexachlorophene bathing decreases skin colonization of gram-positive organisms, there is a lack of substantial evidence that hexachlorophene washings by themselves prevent staphylococcal disease or show antibacterial activity against gram-negative organisms. Hospitals are known to operate nurseries safely without the use of this product.

The FDA has been in close contact with the Committee on Fetus and Newborn of the American Academy of Pediatrics regarding these findings. In light of these findings and since other methods of control of infection are available, we have jointly concluded that the use of hexachlorophene for total body bathing of infants in hospital nurseries or at home is not recommended. In its place the committee recommends the following procedures:

"At present we recommend dry skin care, washing with plain soap and water or tap water alone for skin care of the newborn infants. It should be emphasized that the most important factor in the transmission of infection from infant to infant is hand contact. This can be minimized by scrupulous hand washing before entering the nursery as well as just before and just after handling each infant. Either an iodophor preparation or 3% hexachlorophene emulsion is recommended."

The labeling of 3% hexachlorophene products is being amended to advise against their use for total body bathing.

The effectiveness of 3% hexachlorophene for other uses has been studied by the Food and Drug Administration and the National Academy of Sciences. On December 8, 1971, FDA published NAS Drug Efficacy Study evaluations rating such products effective for use as bacteriostatic skin cleanser (including surgical scrub). They are rated possibly effective¹ for use in the treatment of impetigo in newborns and of other staphylococcal skin

¹ A rating of possibly effective means that there is little evidence of effectiveness for the given indication. Substantial evidence of the effectiveness of drugs is required by law. The responsibility for substantial evidence of effectiveness of a drug rests with the manufacturer.

infections, and in the treatment of cradle cap and in helping to clear acne. They are found to be lacking in substantial evidence of effectiveness for use in the relief of pruritus ani, for the broad claim as a vaginal douche, in the treatment of chronic eczema, in irrigating or cleansing wounds and burns, and as an "aid to personal hygiene".

Further studies will be necessary to determine the ultimate usefulness of hexachlorophene preparations.

[From the Wall Street Journal, Dec. 7, 1971]

FDA ORDERS LABEL WARNINGS ON HAZARDS OF HEXACHLOROPHENE IN CLEANSERS FOR SKIN

(By Jonathan Spivak)

WASHINGTON.—The Food and Drug Administration issued new warnings about the potential health hazards of hexachlorophene and ordered drug companies to adopt precautionary labeling for some products containing the germ-killing agent.

The action will have major impact on skin cleansers containing 2% to 3% concentrations of hexachlorophene, officials said. The substance has been shown to be absorbed through the skin, and in high concentrations in animal tests or in use with human burn patients, to cause severe damage to brain tissue.

The products affected by the FDA action include pHisoHex skin cleanser and pHisoHex detergent cream, made by Sterling Drug Inc., and Gamophen surgical cake soap, made by the Arbrook Inc., division of Johnson & Johnson, and HyperHaze made by Colgate-Palmolive.

While the FDA didn't offer any added information for the record, the agency is known to be considering a far more sweeping series of actions to limit the public's exposure to hexachlorophene. The chemical is contained in lesser concentrations in about 4,000 different products. These include the highly promoted feminine hygiene sprays as well as numerous bath soaps, shampoos, deodorants and numerous cosmetics, where it serves a preservative function against bacteria.

Thus, it's almost certain the agency's action against the hexachlorophene cleansers is only its first step in a regulatory policy that could have far-reaching implications for the cosmetics industry.

The high-concentration hexachlorophene products are widely used for antiseptic purposes in hospitals, particularly with infants, and also are promoted to the public for a variety of other purposes. The FDA announcement challenged the value of many of these other applications, because of a critical evaluation by the nongovernment National Academy of Sciences.

The agency said the products were only "possibly effective" for the treatment of impetigo in newborn babies and other staphylococcal skin infections, cradle cap and in helping clear acne, and lacked "substantial evidence of effectiveness" for treatment of chronic eczema, cleansing wounds and burns and as an "aid to personal hygiene."

But the FDA's chief concern was safety. It warned physicians that studies have raised "serious questions concerning the toxicity of hexachlorophene preparations used for total body bathing or newborn infants." The agency told manufacturers to include safety warnings in their labeling and advertising to caution against use either by adults or infants for "total body bathing." The FDA said such use should be permitted only under the direction and care of a physician.

The producers were given 30 days to request a hearing on the required label warnings and the deletion of specific claims for the concentrated solutions. The hearing would stay the action, but the FDA needn't grant a hearing unless it's convinced the companies can make a persuasive case that the requirements are unjustified. The companies will be given six months or more to come up with the necessary supporting evi-

dence for those claims judged to be "possibly effective."

FDA officials said there hadn't been any evidence that widespread use of the highly concentrated products had caused health hazards except to burn patients whose skin is particularly susceptible to absorption. But, they said, recent animal experiments by Sterling Drug show that hexachlorophene may be more easily absorbed through normal skin than previously thought. Newborn monkeys that were washed daily with a 3% solution for 90 days, the normal human use, absorbed 2.3 parts a million their blood plasma, more than enough to cause damage to parts of the brain and the spinal cord. These new findings, coupled with other evidence of higher-than-expected levels of hexachlorophene in certain population groups with special exposures, such as surgeons and animal handlers, have produced a new sense of urgency about the chemical among government people.

A spokesman for Winthrop Laboratories division of Sterling Drug said the company hadn't yet seen the FDA rulings on hexachlorophene solutions such as its pHisoHex. He said, however, the ruling didn't come as a complete surprise, as there had been publicity over the hexachlorophene controversy.

The spokesman said, though, that Sterling's pHisoHex has been on the market for 22 years. "In all this time and these millions and millions of uses, there hasn't been one single report of neurotoxic reaction when (the product) was used as directed, which I think is a pretty good record." In regard to the animal studies on skin absorption of hexachlorophene, he said: "We don't know what they mean as far as their application to humans; you can't compare a rat or monkey to man."

FDA officials sketch a broad range of potential regulatory approaches, but caution that Commissioner Charles Edwards has yet to commit himself to any one. These include:

Leaving alone products that are washed off immediately, like low-concentration soaps, but restricting hexachlorophene in products like underarm deodorants and vaginal sprays, which remain in close contact with the skin.

Moving hexachlorophene soaps, like pHisoHex, Armour & Co.'s Dial and others, which are considered drugs, to prescription-only basis.

Establishing an overall limit on use of hexachlorophene in any product at preservative levels, which are a fraction of 1%, and banning concentrations above this level. The concentrations in vaginal sprays range from 0.08% to 0.1%, FDA experts say.

The FDA's dilemma with hexachlorophene stems from a continuing lack of hard scientific data on what constitutes a safe exposure level and uncertainty over how much exposure many persons currently have. Furthermore the agency doesn't have any way of knowing precisely what products contain the chemical and in what concentrations, because cosmetics makers needn't disclose their formulas.

But the agency appears to be moving toward setting a maximum safe exposure level for the public. Concentrations of 0.28 parts a million in the blood have been shown to be safe in feeding experiments with rats, while concentrations of 1.2 parts a million in the blood have produced brain lesions and concentrations of 8.5 parts a million have caused severe brain damage.

[From The New York Times, Dec. 7, 1971]

FDA WARNS OF HEXACHLOROPHENE BATHS

(By Jane E. Brody)

The Food and Drug Administration, citing findings of brain damage in baby monkeys, warned yesterday against regular bathing of infants and adults with cleansers containing 3 per cent or more hexachlorophene.

In a letter to be sent today to 600,000 doctors and other health professionals, the agency says recent studies showed that hexachlorophene can be absorbed through the skin into the blood stream, and that this absorption resulted in damage to the white matter of the brains of newborn monkeys.

The white matter is made up of bundles of white-coated axons, the parts of the nerve cells that act as intercommunicating fibers.

The agency also cites a study in rats involving ingestion of hexachlorophene, which also showed damage to the brain's white matter. The rats developed leg weakness and paralysis, but the monkeys showed no outward ill-effects.

Hexachlorophene cleansers, the most popular of which is pHisoHex, made by Winthrop Laboratories, are widely used in hospitals and in homes for daily bathing of infants to prevent skin infections.

The blood level of hexachlorophene in the monkey and rat studies was not much higher than levels that have been found in newborn human infants upon their discharge from the hospital.

The drug agency also announced that it would publish in the Federal Register today proposed new labeling for products containing 3 per cent or more of hexachlorophene. The new label would require "prominent and conspicuous warnings" against the use of such products for daily bathing of infants and adults.

Dr. Louis Gluck, pediatrician at the University of California in San Diego whose studies helped to establish routine bathing with hexachlorophene in hospital nurseries, said in a telephone interview yesterday that the result of the F.D.A.'s action "could be disastrous—it could set back infant care by many years."

Dr. Gluck noted that the Canadian Food and Drug Administration had reviewed the same study findings and had seen no reason to take such action. He added that the widespread use of hexachlorophene in nurseries had resulted in staphylococcus infections being "wiped out all over the world."

The American drug agency's decision to halt this use was reached in concordance with the American Academy of Pediatrics. Dr. Gluck said he was barred from the academy's deliberations.

In place of hexachlorophene, the American Academy recommended washing with soap and water, or plain water.

The F.D.A. also said that it would publish today the results of a drug efficacy study by the National Academy of Science which seriously questions several contentions on the effectiveness of hexachlorophene preparations.

The National Academy said that there was no substantial evidence of hexachlorophene's effectiveness as a vaginal douche and "as an aid to personal hygiene."

Hexachlorophene is an ingredient in the so-called "feminine hygiene" (vaginal deodorant) sprays, which now is said to have a \$53-million market. The sprays are currently marketed as "cosmetics" and do not fall under F.D.A.'s regulatory umbrella at this time.

The National Academy described hexachlorophene as "possibly effective" in treating acne, one of the most common uses for hexachlorophene preparations.

Last week, Ralph Nader, the consumer advocate, urged the F.D.A. to end over-the-counter sales of hexachlorophene products and make them prescription items. The action announced yesterday was the first time that the drug agency has attempted to regulate hexachlorophene products.

Hexachlorophene has become a ubiquitous chemical since its discovery in 1939. In varying amounts, it can be found in 300 to 400 different products, including soaps, shampoos, foot powders, underarm deodorants, baby lotion, shoe liners, shower curtains and wearing apparel.

USED AS A FUNGICIDE

It is also registered for use as a fungicide on citrus fruits and a number of vegetables, including cucumbers, peppers, tomatoes and potatoes.

As a result, the chemical has become a common human contaminant, typically present in the bloodstream in amounts in the neighborhood of one part per billion.

Adults who shower with hexachlorophene preparations have been found with blood levels of nearly a third of that which caused brain damage in the rats.

Although it has generally been considered an extremely safe compound when used externally, hexachlorophene, which is a synthetic compound, has been associated with several hazards over the years.

One condition called chloasma, a darkening of the skin on the face, was reported a decade ago. And three years ago, coma and muscle twitching were reported to occur in burn patients treated with hexachlorophene.

The chemical has also caused on occasion a skin allergy, called photocontact dermatitis, a reaction following exposure to sunlight in which the sun's rays interact with the residue of hexachlorophene on the skin.

The damage to rats' brains was demonstrated a year and a half ago by an F.D.A. scientist, Renate Kimbrough, but her findings did not reach the public eye until last summer when they were published in the Archives of Environmental Health.

And last spring, two F.D.A. scientists—Robert E. Hawk and August Curley of the agency's Atlanta Toxicology branch—reported that individuals who had no unusual exposure to hexachlorophene commonly had blood levels of the chemical that were almost one-tenth of the levels that caused brain damage in the rats—a very small margin of safety.

These two scientists subsequently studied 50 newborn infants who had been bathed daily with hexachlorophene during their stay in the nursery at Montefiore Hospital in New York. The infants had blood levels of hexachlorophene averaging one-tenth of those levels that damaged the rats, and the highest level found in a baby was more than half that in the rats.

The latest study in the monkeys, done by Winthrop Laboratories, the manufacturers of pHisoHex, and reported to the F.D.A. two and a half weeks ago, was apparently the one that sparked the agency's action.

[From the Baltimore Sun, Dec. 7, 1971]

F.D.A. QUESTIONS HEXACHLOROPHENE AND ORDERS WARNING LABELS

WASHINGTON.—The Food and Drug Administration questioned both the safety and effectiveness of hexachlorophene as a germ fighter yesterday and warned against its use in bathing babies and adults.

The U.S. agency ordered warning labels to be placed on soaps and skin cleansers containing 3 per cent or more of the chemical, and sent a separate warning to 600,000 physicians and other health professionals.

In controlled studies cited by the F.D.A., 50 newborn infants were bathed daily with hexachlorophene preparations absorbed measurable quantities of the chemical into their blood by the time they were discharged from the hospital. None displayed toxic symptoms.

It added that a group of baby monkeys bathed with a 3 per cent solution for 90 days developed brain lesions. In addition, rats fed hexachlorophene showed physical changes in the brain.

The F.D.A. action was based on studies by the National Academy of Sciences-National Research Council which found hexachlorophene effective as a skin cleanser, at best possibly effective in treating impetigo and other staphylococcal skin infections and acne, and lacking substantial effectiveness as a vaginal douche and for treating chronic eczema, wounds and burns.

The study found the chemical lacked effectiveness as an "aid to personal hygiene," a phrase that could signal an impending inquiry into the use of hexachlorophene in aerosol deodorants and feminine-hygiene sprays. The chemical has been blamed by some doctors for skin and membrane irritations.

"Further studies will be necessary to determine the ultimate usefulness of hexachlorophene preparations," the F.D.A. said.

The new F.D.A. requirement for labels warning against its use in body bathing and advising thorough rinsing applies to such products as PhisoHex skin cleanser and detergent cream manufactured by Winthrop Laboratories, Hyper Phase by Colgate-Palmolive, and Gamophen soap by Arbrook Division of Ethicon.

Companies have 30 days to comment on the order to be published in the *Federal Register* tomorrow and six months to prove that hexachlorophene fights staph.

In place of hexachlorophene bathing of infants, the F.D.A. and the American Academy of Pediatrics recommended "washing with plain soap and water or tap water alone."

"It should be emphasized that the most important factor in the transmission of infection from infant to infant is hand contact," physicians were told by the F.D.A. "This can be minimized by scrupulous hand washing before entering the nursery, as well as just before and just after handling each infant."

IN THOUSANDS OF PRODUCTS

Hexachlorophene, introduced about 22 years ago, now is found in thousands of household products including soaps, deodorants, acne creams, hand and body lotions, shampoos, makeup, mouthwashes, toothpastes and over-the-counter drugs.

In less than five years, feminine-hygiene deodorant sprays have grown to sales this year of \$53 million and are used by an estimated 24 million women.

[From the Washington Post, Dec. 7, 1971]

F.D.A. ACTS ON GERM KILLER

(By Nancy L. Ross)

The Food and Drug Administration made its first move yesterday against hexachlorophene, announcing it would require a warning label on concentrated cleansing solutions containing that well-known germ-killer.

Tests have shown pHiso-Hex and similar products—used for years to bathe babies or cleanse wounds—with 3 percent hexachlorophene can produce toxic effects, the F.D.A. said. In addition to the warning, the agency today will send physicians bulletins which seriously question the effectiveness of hexachlorophene as an anti-bacterial agent.

The warning does not affect 300 to 400 other household products containing hexachlorophene in lower concentrations, from minute traces up to about 1 percent. However, an F.D.A. spokesman called the move a "door-opening action," which could pave the way for regulation of other products such as aerosol deodorants and the newly popular feminine hygiene deodorant sprays. The F.D.A. is at present investigating these sprays, said by some users and gynecologists to cause skin and membrane irritations.

The warning label, to be published Wednesday in the *Federal Register*, would read: "Do not use for total body bathing. Rinse thoroughly after use."

Winthrop Laboratories, a division of Sterling Drug Inc., which manufactures pHiso-Hex, have repeatedly said they have never received a report of harm in 20 years and tens of millions of cases of the product when used as directed. (The directions urge thorough rinsing.)

Studies submitted by Winthrop itself, the F.D.A. said, showed that newborn monkeys washed daily with 3 percent hexachlorophene for 90 days showed traces of hexachlorophene in their blood and brain damage.

Other recent studies, said the agency, have shown the substance to be not only potentially dangerous but ineffective in combating staphylococcal germs. Hexachlorophene cleansers are widely used in hospital nurseries for this purpose.

But the F.D.A. noted: "Hospitals are known to operate nurseries safely without the use of this product."

The F.D.A., in conjunction with the American Academy of Pediatrics, recommends "dry skin care, washing with plain soap and water or tap water alone for skin care of the newborn infants. Either an iodophor preparation or 3 per cent hexachlorophene emulsion" is recommended by the F.D.A., however, for adults washing their hands before handling infants.

An efficacy rating done by the National Academy of Sciences for the F.D.A. considers concentrated hexachlorophene products "effective" for surgical scrubs, but only "possibly effective" (little evidence of effectiveness) against impetigo in newborns, cradle cap and acne.

Hexachlorophene products were found to be "lacking in substantial evidence of effectiveness" for anal itching, as a vaginal douche, chronic eczema, cleansing wounds or burns and as an aid to personal hygiene.

The F.D.A. said yesterday that further study is needed to determine whether action is warranted in the case of feminine hygiene deodorant sprays.

Unlike concentrated anti-bacterial cleansers which are classified as drugs, the sprays are considered cosmetics. As such their manufacturers do not have to get government clearance of ingredients nor must they list them on the label.

If F.D.A. should seek to regulate these products, it has several possible alternatives. The agency could ban hexachlorophene outright—which it has already indicated it would not do—or try to discourage its use by manufacturers. It could require a warning or instructions on the label about how to stop the spray from getting into the vagina. Or it could seek to prevent manufacturers from making any unproven "medical claim," thus forcing the removal of such words as "hygiene" that imply medical benefit.

MRS. JOHN MCCORMACK

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. NIX. Mr. Speaker, I rise to honor the memory of a dear woman who was a lady in every sense of the word. She was Harriet Joyce McCormack, beloved and loving wife of our former Speaker John McCormack.

A woman of many talents, Mrs. McCormack gave up a promising operative career to become the wife of a young lawyer. The supportive role she played in helping John McCormack realize his great potential and achieve his ambitions was true dedication and undoubtedly was his great inspiration.

The selflessness of this woman ennobled the spirit of Harriet McCormack and enriched the life of a great leader of this body. With the strength of her religious convictions she was a serene source of inspiration to us all and the warmth of her memory will remain with us all.

I wish to join with my colleagues in extending to our distinguished and beloved former Speaker our heartfelt condolences for his great and irreparable loss.

THE ENERGY CRISIS: A FURTHER VIEW

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. PRICE of Texas. Mr. Speaker, this Nation's history is one of record growth. Let us just look at the record of the last two decades. Population has soared. Industry has rapidly expanded. And, even with its current problems, the economy—as measured by the Gross National Product—has nearly quadrupled.

No nation approaches the industrial strength of the United States. And no society in the history of the world has reached our degree of prosperity. This prosperity has been generated largely by the existence and ready availability of large amounts of energy.

A look at the nations of the world points out the intimate relationship between energy supplies and prosperity. The higher a nation's per capita use of energy—as is the case in the United States and Canada—the higher its per capita real income. On the other hand, nations with low rates of energy consumption—such as India and Brazil—have low positions on the per capita income scale.

Because of the reliability of oil and gas supplies—and their low cost—the general public has given little thought about the national energy situation. To the average citizen it has been inconceivable that supplies of energy could be depleted. In fact, a recent survey conducted by Newsweek and the American Forest Institute concluded that nearly twice as many Americans are concerned that our timberlands may be nearing exhaustion than are concerned about the adequacy of our oil and natural gas supplies. Yet, despite this show of public concern, we are on a collision course with the energy problem.

The United States was blessed with an abundant supply of energy resources and these resources have been heavily drawn upon. This is particularly true as far as our oil and gas resources are concerned. Today, approximately 75 percent of our national energy demand is met by oil and natural gas. Not only are tremendous amounts of these fuels being consumed annually, the Department of the Interior projects that the demand for both oil and gas will just about double by the end of this century. Forecasts like this mean that the United States will consume more than twice as much oil between now and the year 2000 as it has in the entire 112-year history of the oil industry.

There are those who have made the claim that even though our energy needs are expanding, we do not need petroleum to satisfy these needs. As a matter of cold fact, nothing could be further from the truth. Alternative sources of energy production simply are inadequate for our growing energy needs.

In the past few years, the consumption of coal has been restricted due to environmental problems. Coal users have had a difficult if not impossible time meeting

various tough air pollution control standards. As a consequence, there has been a marked slowdown in capital investment in coal mining and production.

Construction of nuclear power plants is running years behind the schedules of those who hailed nuclear power as the answer to the energy problem. On the basis of the number of nuclear plants that have been built, or are on the drawing boards, it is clear that nuclear capacity in the next decade may be as much as a third less than had been predicted. In fact, even further delays may occur in the construction of nuclear power plants because the courts have recently ruled that environmental impact evaluations must be conducted for about 100 operating and planned nuclear facilities.

As far as hydroelectric power goes, it has almost reached its peak in terms of utilization. Fewer and fewer sites remain suitable for hydroelectric development and stiff opposition from environmental groups is casting substantial doubt on even some of those. As a consequence of these factors, the share of the energy market taken up by hydroelectric power—which is currently about 4 percent—is expected to slowly wither away.

Finally, although synthetic fuels will ultimately become an important source of energy, they are unlikely to provide a significant share of our energy needs for many years to come. The technical feasibility of synthetic fuels has been proven in some cases, but substantial research and development must take place before these fuels can be economically produced on a large scale basis.

The meaning of these conditions in the energy industry is clear. Oil and natural gas are and will remain for some time to come the foundation of the energy industry and the foundation of our national prosperity.

From a natural resource point of view, this Nation cannot, under present circumstances, continue to rely on its own petroleum resources. For almost three decades, we have drawn heavily on our own resources. We have drawn on them to provide ourselves and the rest of our Nation with an ever-increasing level of material comforts. We have drawn upon them to fight one major war in Europe and two more in Asia. We have drawn upon them to supply our less self-reliant allies when they have been cut off from their usual supply sources.

These heavy uses have had their consequences. In 1957, we had a 12-year supply of crude oil in the lower 48 States based on then-current production rates. Today, we have less than a 9-year supply. In 1957, we had more than a 21-year supply of proven natural gas reserves. Today, we have only a 12-year supply.

Not only are our domestic supplies rapidly dwindling, exploration for new domestic reserves is at the lowest level in 23 years. In effect, we have been living off reserves discovered years ago, while making few new discoveries to compensate for the drain.

What has happened is that this Nation is turning more and more to foreign supplies of oil to meet its needs. Last year, total U.S. demand for oil was 5.4 billion barrels. Of this amount, 1.2 billion bar-

rels—nearly one-fourth of the total demand—was imported. In light of the current status of the struggle between the Middle Eastern powers, and the ever-present maneuvering of the Soviet Union in that area of the world, it is obvious we are engaged in a very high risk enterprise by turning to the Middle East for oil supplies. If the present importation trend continues, this Nation could one day find itself at the mercy of Middle Eastern potentates and their Communist allies.

This increased reliance on foreign oil has also had its effect on the supplies of natural gas and, as those such as myself have been warning over the last few years, this Nation is starting to experience what may well become a real shortage in natural gas supplies. In fact, in the Washington, D.C., area, the supplies of natural gas are so tight, that suppliers are being forced to cut back their deliveries to some consumers, and eliminate them in the case of others.

When the key facts about the energy problem are drawn together and laid out, the picture that emerges is not a pleasant one. While we are not in the grips of an immediate energy crisis, we are facing the threat of an energy gap, with energy demands threatening to outrun available supplies by larger and larger margins. If an energy gap does develop, it will mean we may be hard pressed to supply the fuels necessary to keep our homes, schools, and offices heated. We may encounter difficulty in keeping our personal and public transportation operating. As a nation, we may find it hard to keep our industries producing. We may find it impossible to satisfy our internal energy needs while satisfying the needs that our national security forces—the Army, the Navy, and the Air Force—have. And needless to say, without a strong and healthy defense force, there may not be any domestic energy needs for us to worry about.

We should all take heart by the fact that the difference between our dwindling supply of energy and our growing demand for energy has not yet reached the critical point. We can take no comfort, however, from the thought that the critical point may soon be upon us. This means that if the energy crisis is to be avoided, action must be taken soon.

What this means is that by far the most important challenge facing the Nation now and in the near future is that of providing adequate supplies of energy at reasonable costs in a way that is consistent with our desire to preserve a quality environment.

When I am asked the question, how did a country which seemingly had an unlimited supply of fuel reach a point where demand is now outstripping newly found supplies, I have to answer that it was not easy. It did not happen overnight.

For years, knowledgeable people in the petroleum industry and in Government have been forecasting just such a predicament. Instead of their warnings being listened to, they were charged with having self-serving interests, and their predictions were ignored. As a consequence, nothing was done in the way

of governmental policy to stimulate the search for new reserves, and what was even more deadly, various governmental policies have run in precisely the opposite direction than what was needed.

Sometimes I wonder whether if we had intentionally tried to create an energy crisis, we could have been as successful in sowing the seeds of one. As it stands, the governmental policies and actions that have created the present problems were largely arrived at on a piecemeal basis, without adequate thought being given to their cumulative effects on our energy supply picture.

Fortunately, the voices of the petroleum industry and other concerned individuals in Government such as myself are at last beginning to be not only heard, but listened to. As a result, a number of meaningful studies have been or are being undertaken in search of solutions to our pressing energy problems.

President Nixon has called for a comprehensive study of the total energy problem and for the development of a coordinated program designed to meet the energy needs of the Nation at the same time it meets the national environmental needs. Several Executive agencies are actively engaged in such studies right now. In addition, privately sponsored forums and seminars on the energy problem are on the increase—in fact, one was held in Washington several weeks ago, just days after a similar forum sponsored by the Southern Governors' Conference.

Among the most important of these energy studies is the one approved last May by the U.S. Senate. It is conducting a 2-year study under the auspices of the Senate Committee on Interior and Insular Affairs. This study is designed to develop the necessary background information required for establishing a long-range fuels and energy policy.

While all this is going on, I have been busy introducing various pieces of legislation in the House of Representatives, legislation designed to strike at some of the root causes of our energy problems and to stimulate our domestic industry. I have two bills pending: One would encourage the exploration for domestic petroleum resources by allowing oil and gas operators to offset exploration and drilling expenses with a 12.5-percent annual tax credit over a 10-year period and would give a similar tax credit to those who develop a deposit of oil or gas on a secondary recovery basis. My second bill would amend the Natural Gas Act and wipe out the Federal Power Commission's power to regulate the price of natural gas at the wellhead.

While I am by no means finished with my legislative attack on the energy problem, these two bills, if enacted, would significantly increase the incentives for domestic producers to explore for and develop new reserves. But to get these bills enacted as well as to get established a rational national energy program will take a massive surge of public opinion and support. And if the energy gap is to be averted and if the energy problem avoided, then the public must provide the impetus for these larger goals as well.

The American Petroleum Institute—along with other members and representatives of the oil and gas industry—is waging a campaign to increase the level of public awareness about the energy gap and to educate the American people as to the seriousness of the problem. We have all probably seen some of the advertising messages which have appeared on television—messages centered on the theme:

America runs on oil . . . and a country that runs on oil can't afford to run short.

This is a solid theme. It is an accurate theme. For truly a country that runs on oil cannot afford to run short.

Whether this theme has an impact, whether the energy problem is brought before the American people with such clarity and directness that they force a change in our present governmental policies and laws, will depend on more than an industrywide advertising campaign, no matter how effective it is. Concerned persons everywhere must shoulder a share of the great effort to awaken the American people to the existence and dangers of the energy gap.

I strongly urge the Congress to consider the imperative need for a comprehensive long-term energy policy as well as the need to give domestic producers better business reasons to search for and develop new reserves. The energy problem faces us all—because it is a common problem we must work together for its resolution.

POW EVEN FOR ANOTHER DAY

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 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:

HOUSE 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 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.

TRIBUTE TO HON. THOMAS JEFFERSON MURRAY

HON. ED JONES

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 29, 1971

Mr. JONES of Tennessee. Mr. Speaker, it was with deep regret that I learned of the death of Hon. Thomas Jefferson Murray, my good friend and one of Tennessee's foremost statesmen. Congressman Murray distinguished himself as a Representative from Tennessee for 24 years, January 3, 1943 until January 3, 1967.

I have known and worked with Tom in many capacities throughout my life. I can state without reservation that he was a man of outstanding character. He served the people of West Tennessee in a manner befitting their true nature of unselfishness and good will. While in the House, Congressman Murray became chairman of the Post Office Committee due to his vast knowledge and demonstrated ability.

Tom Murray's life centered around service to west Tennessee. He was born in Jackson, Tenn. on August 1, 1894. After attending public schools and Union University in Jackson, Mr. Murray took a law degree at Cumberland University in Lebanon, Tenn. Tom demonstrated his patriotism by serving overseas in the U.S. Army during World War I.

Following the war, he started law practice in Jackson and became attorney general for the Twelfth Judicial Circuit of Tennessee in 1922. In 1933 he became associated with the office of the Solicitor of the Post Office Department, where he stayed until being elected to the House of Representatives.

Tom's many friends and acquaintances share with me a deep sense of loss. I want to express personal sympathy to Tom's family but ask them to remember Tom in the light of his many contributions to his fellow men and his outstanding accomplishments.

DOING BUSINESS WITH THE U.S.S.R.

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. RARICK. Mr. Speaker, the prospect of doing business with the Soviets has been made so fashionable that a primer is now available as a guideline for U.S. traders.

We are not told who paid for the treatise, but we do know who expects to profit in the final analysis—our enemy.

I include a related newsclipping in the RECORD at this point:

[From the Washington Post, Dec. 5, 1971]

PRIMER TELLS HOW TO DEAL WITH SOVIETS

Moscow.—"Half a liter of vodka is nothing for a well-trained Russian, but may greatly diminish the negotiating abilities of a Westerner the next day."

This is just one of many hints in a primer on how to do business with the Russians, a topic of major concern to many U.S. corporation chiefs these days as trade relations between the two superpowers begin to thaw.

The 199-page primer was prepared for 108 Western businessmen, mostly Americans, who are in Moscow sounding out prospects for trade with the Russians. Their companies sell a wide variety of products, and they belong to Business International, a trade promotion service with headquarters in New York.

The briefing paper put together by the organization's research staff is called "Doing Business with the U.S.S.R." It is full of details on such topics as financing sales, licensing and patent arrangements. But it also discusses some of the social pitfalls a Westerner may encounter in Communist society.

MOST GENEROUS HOST

"In the Soviet Union, Russian officials are the most generous hosts one can imagine," says the book, which appropriately has a bright red cover. "The Western businessman must be prepared to test his drinking ability with his hosts."

"This may be fine after negotiations have been concluded, but it can have disastrous effect on the Westerner if he must attend talks the next morning."

The book advises:

"Drink one large glass of mineral water after each vodka toast, whether the Russians like it or not. In this way you may drink three liters of water in one evening, but you have a good chance to be alert and firm next morning when negotiations are resumed."

A clear head is an absolute necessity, the book warns, because "Soviet officials are certainly among the toughest and smartest negotiators in Eastern Europe."

CRAFTIEST PARTNER

"Top executives of one German company that has been doing business with the Soviet Union since 1953 consider the Soviets the craftiest negotiating partners in the world, with the possible exception of the Chinese."

Other tips:

Russians are impressed by negotiators with university degrees and business cards printed in the Cyrillic alphabet used in the Soviet Union.

"A sufficient supply of calling cards is a must. At negotiations involving half a dozen or more Soviet officials, it can be embarrassing to give two or three officials a card and overlook someone who turns out to be head of the team."

"Russians are famous for their hospitality. They are also known for their love of family and children. Questions about their private life, the well-being of their family, or re-

quests to see a picture of their children will also be most welcome."

"A Western businessman who is impressed by Moscow and its landmarks should not hesitate to say so. Proof of his sincerity is when his wife accompanies him on a later visit to see the sights too."

About 60 of the Business International party brought their wives.

"Small gifts from the West are always appreciated and help to further good personal relations."

"Western businessmen will also receive small gifts, mainly Russian handicraft, and this is a good occasion for asking the Soviet official what small Western gift he would like for the next visit."

"We haven't found anybody who disagrees with the information," said Eldridge Baynes, board chairman of Business International.

"We've given some to our Soviet friends—those who could read it—and they've been unofficially and privately complimentary."

DRUG PUSHERS: THE ONE THAT GOT AWAY**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. RANGEL. Mr. Speaker, narcotics are devouring my community, Harlem, and those of us who have looked to the police and the courts for action have been sorely disappointed. The widespread corruption exposed in the New York City Police Department has been a major factor in the immunity of drug traffickers in Harlem, as the residents of my community have long known. Now, the New York State Joint Legislative Committee on Crime has completed a study on the failure of our criminal justice system to put the drug merchants in prison.

The committee's report details how narcotics dealers have more than twice as good a chance of having their cases dismissed in my borough of Manhattan than they do in the Bronx. The discrepancies in the conviction rate are matched by the shocking revelation that only 2.4 percent of those arrested for felony drug sales in the period from January 1970 to May 1971 in Manhattan were ever jailed for the offense for which they were charged. In that period, 12.5 percent of those charged with felonious sale of narcotics in the Bronx were sent to prison on the original charge—over five times the rate for Manhattan.

The pattern is clear: any big-time dealer knows where to go into business, where he faces the smallest chance of conviction and imprisonment. At the same time, the citizens of communities like mine will continue to be terrorized by the increased likelihood that they will become victims of a narcotics-related robbery, mugging or assault. They will live in fear that their own children might be caught in the deadly spider web of heroin addiction.

I will shortly be calling together the district attorneys of the five boroughs of New York City to see what we, in Congress, can do to decrease the number of arrested narcotics kingpins who are re-

leased. It is imperative that funds be made available to improve cooperation among them and to provide them with as many staff members as necessary to assure the safety of our city.

The New York Times carried an account by David Burnham of the committee's report on December 2 which I would like to share with my colleagues at this point. The article follows:

[From the New York Times, Dec. 2, 1971]

DISPARITIES FOUND IN SENTENCING OF CITY'S BIG PUSHERS

(By David Burnham)

Major narcotics dealers arrested for illegal possession of a pound or more of heroin or cocaine receive substantially more lenient treatment in Manhattan and Brooklyn than they do in the Bronx and Queens, according to a study by the Joint Legislative Committee on Crime.

The study showed, for example, that while 31.6 per cent of such persons were sent to prison for more than a year in the Bronx, only 6 per cent received such a sentence in Brooklyn.

This disparity in the disposition of major narcotics arrests made by the Police Department in 1969 and 1970 prompted State Senator Abraham Bernstein, the committee's acting chairman, to say yesterday that "the people in one county don't appear to be getting the protection the people are getting in another county."

The Bronx Democrat also said the committee's study "indicates to me that something is rotten someplace."

SUBSTANTIAL DISPARITY

While the disparity was less between Manhattan and Queens than between Brooklyn and the Bronx, it was still substantial. According to the study, 27.7 per cent of the major narcotics dealers were sentenced to state prison from Queens, and 10.4 per cent were so sentenced from Manhattan.

In addition to comparing sentences for narcotics dealers, the study also compared the number of dismissals of such cases in each of the four major counties.

According to the committee, 42 per cent of such cases were dismissed in Brooklyn, 37.6 per cent in Manhattan, 33 per cent in Queens and only 15 per cent in the Bronx.

Brooklyn District Attorney Eugene Gold, responding to the report—which was released yesterday during a committee hearing at the State Building at 270 Broadway—said he was "extremely suspicious of the statistics presented by the committee; they do not reflect the facts."

David S. Worgan, the executive assistant district attorney in Manhattan, said the office of District Attorney Frank S. Hogan had "a number of basic questions about the committee's figures."

He added that the study was "of interest and concern to us, and I am sure will be discussed at the next joint meeting of the city's District Attorneys."

Because most criminal dispositions are the result of plea-bargaining between the District Attorney and defense counsel, the prosecutors—rather than individual judges—have a controlling role in the broad range of sentences received by virtually all prisoners.

REASONS FOR DIFFERENCES UNCLEAR

After the comparative statistics had been presented to the committee by its executive director, John O'Connor, Senator Bernstein commented that because there was only one Police Department in New York City, "the percentages should be stable throughout the city."

"Is it a question of more efficiency or some other factor?" Senator Bernstein asked Mr. O'Connor.

The executive director first said he did not feel that the other District Attorneys were using the same methods of control exercised by Bronx District Attorney Burton B. Roberts. But he later said he was not prepared "at this time to evaluate the various District Attorney's offices."

Senator Bernstein said that "If I was going in the narcotics business, I'd look at that chart and base my operations in Brooklyn."

Another committee member, Assemblyman Arthur O. Eve, Democrat of Buffalo, said he

felt the statistics indicated "something is very wrong."

A second committee study examined the disposition of selected felony narcotics sale cases in each case of the four major counties between January, 1970, and May, 1971.

This study also found a wide disparity. In the Bronx, for example, the committee found 12.5 percent of its sample was jailed for the offense charged. This compared with 3.3 percent in Brooklyn, 2.4 percent in Manhattan and no jailings in Queens.

Considering those who went to jail on a lesser charge, the committee found 68.6 percent of the sample serving some time in Manhattan, 52.5 percent serving time in the Bronx, 14.6 percent in Queens and 11.3 percent in Brooklyn.

One of the committee's studies found that in eight instances prisoners had been granted conditional discharges after being convicted of a narcotics felony charge. Mr. O'Connor said that under the state's penal law such sentences appeared to be "illegal."

DISPOSITION OF SELECTED NARCOTICS ARRESTS (16 OUNCES OR MORE) 1969 AND 1970

	Total		Manhattan		Brooklyn		Queens		Bronx	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Defendants.....	213		85		50		18		60	
Dismissed.....	68	31.9	32	37.6	21	42	8	33.0	9	15.0
State prison.....	36	16.9	9	10.4	3	6	5	27.7	19	31.6
City prison.....	15	7.1	9	10.4	0	0	1	5.5	5	8.3
Conditional discharge.....	17	7.9	8	9.4	6	12	0	0	3	5.0
Probation.....	11	5.2	2	2.4	5	10	0	0	4	6.6
Discharge on own recognition.....	4	1.8	1	1.2	0	0	0	0	3	5.0
Bench warrant.....	23	10.8	12	14.1	4	8	2	11.1	5	8.3
Pending.....	34	15.9	9	10.4	11	22	4	22.2	10	16.6
Other.....	5	2.3	3	3.5	0	0	0	0	2	3.3

DISPOSITION OF CONVICTIONS FOR FELONY DRUG SALE ARRESTS IN NEW YORK CITY (JANUARY 1970-MAY 1971)

	Total		Manhattan		Brooklyn		Queens		Bronx	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Jailed for offense charged.....	31	3.0	11	2.4	15	3.3	0	0	5	12.5
Jailed for lesser charge.....	402	38.5	317	68.6	51	11.3	13	14.6	21	52.5
Probation.....	196	18.8	65	14.1	108	23.8	16	18.0	7	17.5
Narcotics Addiction Control Comm.....	302	28.9	26	5.6	258	57.0	14	15.7	4	10.0
Discharged.....	73	7.0	29	6.3	14	3.1	28	31.5	2	5.0
Other.....	40	3.8	14	3.0	7	1.5	18	20.2	1	2.5
Total.....	1,044		462		453		89		40	

LET IT NOT HAPPEN AGAIN

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 7, 1971

Mr. SCHWENGEL. Mr. Speaker, George T. Nickolas, of Davenport, Iowa, has written an essay on the meaning of the 30th anniversary of the attack on Pearl Harbor.

It is an excellent work which I like to share with my colleagues:

LET IT NOT HAPPEN AGAIN

(By George T. Nickolas)

Wounds of the body and spirit are healed in time. The passage of time also clouds the horrible events of history and causes them to disappear from conscious memory. The people of the United States of America should not forget, nor should they be permitted to forget, one of the darkest days of our history. Do you remember that day? It was almost only yesterday. The sun shown brightly on the Pearl of the Pacific. It was a lovely, sleepy, early December Sunday. Men were at Sunday routine, some having a leisurely breakfast, some just lying in bed catching a few extra minutes of sleep, when out of the sun streaked a formation of planes delivering a rain of horror and terror down on citizens of the United States of America.

How could this have happened? Why would any nation dare to attack this powerful country? Yes, few could believe that anyone would sneak to attack the United States of America, but it happened. President Franklin Roosevelt, in his request for a Declaration of War, said that the day would live in infamy. The deaths of three thousand servicemen stand as eternal reminder of that day—December 7, 1941.

Over half of the people alive in this country today were not yet born on December 7, 1941. Have they heard the cries of pain and anguish of those three thousand silent sentinels who stand eternal sentry on the shores of Hawaii, or have their cries been muted by the passage of time? Have these men, in the long run, died in vain? Has the world forgotten and relegated to a page, or maybe only a paragraph in some dusty history book, that day on which they died? Or, does that day, as President Roosevelt claimed, "live in infamy"?

As long as I can stroke a key on a typewriter, as long as I can take a breath of air in a free country, I shall remind people of that day and the fact that the price of freedom is vigilance—not apathy.

This year as we observe the thirtieth anniversary of that Day of Infamy. Let us all remember—Pearl Harbor.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

CHICAGO NEWSPAPERS REJECT FAVORITISM UNDER PHASE II CONTROLS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. MIKVA. Mr. Speaker, when the Senate passed the wage and price control bill recently, an amendment was added exempting newspapers from the operation of the statute. I was proud to read on the editorial pages of the Field Newspapers in Chicago, and also in the Chicago Tribune, that these newspapers disavow any special privileges such as the Senate has offered:

As the Chicago Sun-Times stated:

The press and other communications media would be more credible in the eyes of the public if they operate under the same laws written for other businesses.

The Chicago Daily News wrote:

We expect to be subjected to the same regulations as any other business operating under the free enterprise system. We expect and will insist that the controls be fair and uniform, but we want no special privileges on questionable constitutional grounds.

The Chicago Tribune aptly noted that—

The appearance of favoritism is ill-becoming to the press at a time when the rest of the country is being urged to make sacrifices.

Mr. Speaker, the freedom of the press is not threatened by fair and impartial regulation of circulation and advertising

rates as part of a uniform system of economic controls. To the contrary, it is political favoritism which endangers the freedom of the press, by placing the press in the compromising position of relying on the good will of Congress.

I commend the Chicago newspapers for their principled stand, and am pleased to insert in the RECORD the three editorials referred to above:

[From the Chicago Sun-Times, Nov. 12, 1971]

PRICE CONTROLS FOR THE MEDIA

Exemption of news media—newspapers, magazines and broadcasters—from Phase II price controls is under study by the government. It is the position of the Field Newspapers—publishers of The Chicago Sun-Times and The Chicago Daily News—that there should be no such exemption; circulation and advertising rates should be subject to whatever government controls and regulations are adopted for all businesses.

Our position is contrary to that taken by some media spokesmen. They believe that the exemptions of World War II and the Korean War for the communications media should be allowed.

We do not believe the present conditions or the state of the communications industry warrant such exemptions. The wartime exemptions were granted by Congress which listened to arguments that any power to regulate the news media would collide with the First Amendment of the Constitution which forbids passage of any law that would abridge freedom of the press. Congress wished to avoid any challenge that controls might be used to affect editorial judgment.

We yield to no one in our zeal to protect freedom of the press which is a fundamental right of the people to an uninhibited and untrammelled flow of news and opinion. We have, for example, stood firm against proposals for licensing or other state or federal special legislation intended to put government in a position to interfere with a newspaper's right to be the sole judge of its editorial content or its right to access of information. We most recently argued against the right of the government to prohibit publication of the Pentagon Papers, a position upheld by the U.S. Supreme Court.

We do not, however, believe that a general price regulation, applied with uniformity to business and industry generally, falls in the category of the restrictions described here. During the present freeze, we have been prevented from putting into effect an increase in advertising rates that was announced before the Aug. 15 presidential proclamation and which was to take effect Sept. 1. The increase was deemed necessary because of increases in our own expenses, particularly new and more costly labor contracts already in effect. If the Price Commission should authorize an increase under such particular circumstances, as the Pay Board has authorized noninflationary wage boosts, we surely will accept it. But this would be under rules adopted for all businesses and not because of an exemption for the media. During the freeze and the economic burden it has put on us, we have no complaint that our rights under the First Amendment have been imperiled.

Price controls will not inhibit our freedom of expression or our responsibility to criticize the government itself or the operations of the controls themselves. Publishers should not feel that they must be exempt from the law so as to preserve their duty to act as a check on government. To the contrary we believe the press and other communications media would be more credible in the eyes of the public if they operate under the same laws written for other businesses.

[From the Chicago Daily News, Nov. 12, 1971]

NO SPECIAL FAVORS, PLEASE

In the discussion of Phase II wage and price controls, the possibility of exempting newspapers and other news media has been advanced by various media representatives. Some publisher spokesmen favor such an exemption on ground that applying controls to the media would collide with the First Amendment's guarantee of freedom of the press. We do not agree.

We believe that in matters pertaining to their commercial operations, newspapers and other media should be treated like other private businesses. We consider ourselves subject to the same rules, regulations and laws that apply generally to our readers and advertisers. As we see it, the special protection of the First Amendment was intended to protect our right to print what we consider fit in our news and editorial columns.

We would of course oppose any efforts by government officials to use their regulatory or lawmaking powers to gag the media so as to cover up corruption or suppress embarrassing news, or attempt to stifle the free expression of editorial opinions. But Phase II economic controls are not intended to intimidate the media or compromise the integrity of news reporting or editorial views.

In World War II and the Korean War the media were exempted from price controls. This was done by Congress to avoid any possible contention that such controls were invoked unconstitutionally to influence the editorial content of newspapers and other media. Such exemptions were unnecessary then, and are now.

It so happens that as a business the Field Newspapers—The Daily News and The Sun-Times—did suffer financially from President Nixon's wage-price freeze in August. Increases in advertising rates that we had scheduled for Sept. 1 were postponed by the freeze, resulting in a substantial loss of revenue. Because a newspaper cannot recoup losses in the way a manufacturer of less perishable products sometimes can, this is a permanent loss. Our losses (other media were more fortunate in their timing) were our bad luck; we accept them as such.

We are prepared to continue to cooperate down the line with the President's Phase II. We expect to be subjected to the same regulations as any other business operating under the free enterprise system. We expect and will insist that the controls be fair and uniform, but we want no special privileges on questionable constitutional grounds. We will stand on our constitutional rights only when doing so coincides with the public interest—specifically, the people's right to know. The main thrust of the wage-price controls is to try to contain the inflation that long threatened to make beggars of us all. The public interest will be best served if the controls work. So far as we are concerned, making them apply to the media is one way of helping to ensure success.

[From the Chicago Tribune, Dec. 3, 1971]

A FAVOR WE DON'T WANT

We appreciate the solicitous thoughts of the senators who voted to exempt the information media from wage and price controls, but this is a favor that THE TRIBUNE, for one, would prefer to do without.

The exemption was approved by the Senate in the form of an amendment to the wage and price control bill sponsored by a coalition of senators led by Alan Cranston of California. Their argument is that the press was exempted from controls during World War II and that, in Mr. Cranston's words, the present controls would give the government "economic life-or-death power over every pub-

lishing and broadcasting operation in the country."

THE TRIBUNE has a long tradition of opposition to special privileges for special interests, whether for the newspapers or anybody else. There is only one special privilege we demand, and that is the privilege of freedom granted to the press under the First Amendment to the Constitution. We have fought for this privilege and will continue to do so, because in fighting for this privilege we are fighting for the public's right to know and are not seeking to set ourselves apart from the public.

We don't consider that the present wage and price controls constitute a threat to the freedom of the press. We think Mr. Cranston exaggerates the danger. The Pay Board and the Price Commission are autonomous bodies, unlike the wartime control boards; and while we may not always approve of their decisions, there is no evidence that they are subject to improper political influence.

As finally passed by the Senate, the Cranston amendment does call on the press to abide by the guidelines on a voluntary basis. Even so, the appearance of favoritism is ill-becoming to the press at a time when the rest of the country is being urged to make sacrifices. If the amendment is approved by the House and the President, THE TRIBUNE will strive to live within the framework of the existing regulations and assume the same burdens and responsibilities as we expect of other businesses.

The country is facing a serious economic challenge. We have urged business and labor to subordinate their interests to the national interest. We are willing to do the same ourselves.

THE IDAHO SUNDAY STATESMAN,
DECEMBER 7, 1941

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 8, 1971

Mr. McCLURE. Mr. Speaker, date-line—the Idaho Sunday Statesman, first edition—December 7, 1941. Boise weather forecasters predicted "the day of infamy" would be partly cloudy with temperatures somewhat cooler than the 39 degrees registered on Saturday. Additionally, Boise readers were told that scattered snow flurries could be expected in the mountains. In a big bold-type headline on the front page, the Statesman disclosed that bitter fighting continued as Nazi armies pushed toward Moscow. Also highlighted was the message F.D.R. sent to Japan's Emperor expressing dissatisfaction with Japanese troop concentrations in French Indochina. Little did my fellow Idahoans realize that this country, known to us today as Vietnam, would be so prominently in the news 30 years later.

Page 2. Boise citizens were told of the approaching Christmas decoration contest, with cash prizes to winners. Ten-foot Santas were soon to be positioned on the Capitol and Fairview Bridges for the holiday season. All seemed quite normal. If you needed antifreeze for your car, it was being advertised in the Statesman as a weekend special for 89 cents a gallon. Moreover, if your auto-

mobile tires were getting worn, one store offered a recognized brand for \$7.99 each. More significant than the price, there was no reference to any Federal excise taxes on purchases. If you anticipated an unusually hard winter, a 12-month guaranteed battery for \$6.44 may have interested you.

Sunday's editorial comment centered around economy in Government, and their words still have application today as our Federal Government struggles with the problem of establishing new priorities for the 1970's. The Statesman said:

No one in Washington seems to know how to save money. Non-defense squandering continues. America needs some old-fashioned pinchfist economy. A curious phenomenon has arisen, every bureau and department of the government whose existence is threatened by the demand for all-out defense has evolved some scheme to prove its worthiness as a defense project."

Continuing our search through the first edition, we noted the attention given to the problems of organized labor. Concern for such things as cost of living and wages was finding its way to the printed word, no doubt as inflation crept into our economic society.

If you were thinking about a bicycle for a Christmas present, Montgomery Ward had a "honey" for \$39.95 with terms available—in case you needed to stretch your hard-earned dollars. If your wife's sweeper was worn out, one was available, with all of the attachments, for \$39.95.

For entertainment, Jack Benny was at his usual spot on radio station KIDO at 5 o'clock—but you already knew that without looking. Charlie McCarthy was next, then, the entire family generally liked to listen to the Ford Sunday Eve-

ning Hour before tuning in Walter Winchell's "Dateline" at 10 on KSL.

If you happened to be a football fan, you no doubt noticed the drubbing Oregon received from the Texas Longhorns in Austin the day before. Final score 71 to 7 in favor of Texas—before a sellout crowd of 26,000. How many among us would have predicted 30 years ago that 60 million Americans would view a sports event, as was the case this year in the first televised World Series night game.

A baseball owners meeting was scheduled in Chicago the week of December 8 to discuss trades and player deals. Two new managers were destined to receive the scrutiny of watchful baseball lovers' eyes. They were: Mel Ott of the New York Giants and Lou Boudreau of the Cleveland Indians.

If you planned to go to a December 7, 1941, movie, "Blossoms in the Dust," starring Greer Garson and Walter Pidgeon, was playing at a Boise theater. However, the "best bet" for the kids was "Blondie in Society" at the Rio.

The New York Stock Exchange reported a pretty good week, posting across-the-board gains. Eastman Kodak—to name one—closed at \$134.50, but not many of us had \$134.50 to gamble on the market.

If you read the comics it was ironic that on that December 7, 1941, morning, Flash Gordon was engaged in an air battle over water with unidentified planes launched from enemy aircraft carriers.

Unfortunately, what started out to be just another Sunday morning was not to end uneventful. The afternoon at the movies, the Jack Benny program, were soon to be forgotten as Boise citizens and all Americans awaited anxiously for news about a place called Pearl Harbor. Statesman extras and "read all about it"

soon hit the streets and people everywhere stayed glued to their radio stations for the latest news broadcasts. Tuesday, December 7, 1971 marks the 30th anniversary of "the day of infamy." We all know that 30 years ago today history turned the corner.

We know too that countless articles and books have been written on the subject of the Japanese attack on Pearl Harbor. However, I am reminded of the words of Vice Adm. Homer N. Wallin, U.S.N. retired, who was commissioned to document the series of events that led to the attack and subsequent salvaging operations. Admiral Wallin had this to say:

Warfare with its tremendous sacrifice in lives and treasure is abhorrent to all civilized people.

History tells us that armed conflict is and always has been a fact of life whenever covetous governments desire their neighbors' property or whenever thirst for power dictates the purpose and aim of officials in control.

Peace loving people teach and preach that National aggression and military force do not pay. But that would depend, it seems, whether or not the aggressor is met and repelled by a more powerful force in which righteousness adds to the power. That fact is true among nations even as among citizens who are menaced by criminals and bandits.

As we give thanks for the prospects for peace this December 7, 1971, let us use the occasion of the 30th anniversary of Pearl Harbor to remind our people that the United States of America remains, as it did 30 years ago, as mankind's last best hope for a generation of peace throughout the world.

And above all else let's make certain our Government has essential military and naval forces—not to "make war" but to discourage any would-be aggressor from launching another one.

SENATE—Thursday, December 9, 1971

The Senate met at 9 a.m. and was called to order by Hon. LAWTON CHILES, a Senator from the State of Florida.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God whose splendor fills the earth, grant us eyes to behold and ears to hear the message of this holy season—of singing skies, of a baby's low murmur, of a mother's tender care, of simple shepherds and peasant workmen, of God in the midst of the family circle.

May we be star-guided to the manger where men of old tarried for wisdom. Quicken all our senses that each may be an opening door into the presence of the eternal. And may the anthem "Glory to God in the highest and on earth peace" become a reality in all men's hearts and in all the nations of the earth. And to Thee shall be all honor and glory, world without end. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The legislative clerk read the following letter.

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 9, 1971.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. LAWTON CHILES, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. CHILES thereupon took the chair as Acting President pro tempore.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of December 8, 1971, Mr. KEN-

NEDY, from the Committee on Labor and Public Welfare, reported favorably, with an amendment, on December 8, 1971, the bill (S. 1874) to provide for the establishment of projects for the dental health of children, to increase the number of dental auxiliaries, to increase the availability of dental care through efficient use of dental personnel, and for other purposes, and submitted a report (No. 92-564) thereon, which was printed.

CONFERENCE REPORT SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of December 8, 1971, Mr. KENNEDY, from the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1828) to amend the Public Health Service Act so as to establish a Conquest of Cancer Agency in order to conquer cancer at the earliest possible date, submitted a conference report (No. 92-565) thereon, which was printed.