H.R. 6893. An act to provide for the reporting of weather modification activities to the Federal Government;

H.R. 10367. An act to provide for the settlement of certain land claims of Alaska Natives, and for other purposes;

H.R. 11731. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes; and

H.R. 11932. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1972, and for other purposes.

On December 22, 1971:

H.R. 701. An act to amend the Migratory Bird Hunting Stamp Act to authorize the Secretary of the Interior to establish the fee for stamps issued thereunder, and for other purposes;

H.R. 5419. An act for the relief of Corbie F. Cochran;

H.R. 8312. An act to continue for 2 additional years the duty-free status of certain gifts by members of the Armed Forces serving in combat zones; and

H.R. 8856. An act to authorize an additional Assistant Secretary of Defense.

On December 23, 1971:

H.R. 3304. An act to amend the Fishermen's Protective Act of 1967 to enhance the effectiveness of international fishery conservation programs; and

H.R. 9961. An act to provide Federal credit unions with 2 additional years to meet the requirements for insurance, and for other purposes.

On December 28, 1971:

H.R. 10604. An act to amend title II of the Social Security Act to permit the payment of the lump-sum death payment to pay the burial and memorial services expenses and related expenses for an insured individual whose body is unavailable for burial.

On December 29, 1971:

H.R. 6065. An act to amend section 903(c)(2) of the Social Security Act, and for other purposes.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. HARSHA:

H.R. 12379. A bill to require the National Railroad Passenger Corporation to provide free or reduced-rate transportation for certain railroad employees; to the Committee on Interstate and Foreign Commerce.

By Mr. JONAS (for himself, Mr. PREYER of North Carolina, Mr. BROYHILL of North Carolina, Mr. RUTH, and Mr. MIZELL):

H.R. 12380. A bill to amend the Federal Home Loan Bank Act to require the Federal Home Loan Bank Board to obtain certain approvals before changing the location of a Federal Home Loan Bank; to the Committee on Banking and Currency.

By Mr. RHODES:

H.R. 12381. A bill to amend section 2031(b)(1) of title 10, United States Code, to remove the requirement that a Junior Reserve Officer Training Corps unit at any institution must have a minimum number of physically fit male students; to the Committee on Armed Services.

By Mr. ROY:

H.R. 12382. A bill to require the Secretary of the Army to improve certain highways in connection with the Tuttle Creek Reservoir; to the Committee on Public Works.

By Mr. HELSTOSKI (for himself, and Mr. CHARLES H. WILSON):

H. Res. 757. Resolution expressing the sense of the House of Representatives relative to the crisis in South Asia; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

MAINTENANCE OF U.S. CONTROL OF THE PANAMA CANAL

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. THURMOND. Mr. President, the November–December 1971, issue of the World Wars Officer Review contains a very interesting article entitled "The Capital Vanguard."

In the article, Col. Thomas F. Lancer expresses the viewpoint of the Military Order of the World Wars. The order urges the continued maintenance of U.S. control over the Panama Canal. Negotiations are underway for new treaties with regard to the Panama Canal and some are advocating the surrender of U.S. sovereignty in the Canal Zone and the Panama Canal.

These people ignore that the Panamanian regime is a revolutionary one with little prospect of stability and without the necessary procedures for even ratifying any such treaty.

Mr. President, this article points out that the evidence is conclusive that under no circumstances would the United States have assumed the grave responsibility necessary for the continued operation, maintenance, and protection of the Panama Canal except for the unconditional grant of complete sovereignty over this area. Americans built this canal with their manpower and their cash. It is ridiculous to throw away the money of U.S. taxpayers without good reason.

Mr. President, Panama's greatest asset is being a good neighbor of a country such as the United States. The United States gets no money from the operation of the Panama Canal. The Panamanians receive a half million dollars annually from tolls collected at the Canal. In addition, the United States pays $1.5 million out of its own treasury for the sake of treaty commitments. Radical Panamanian attacks on U.S. sovereignty over the Canal Zone shows that the Panamanians have forgotten that the U.S. Panama Canal is their biggest employer, bringing a payroll spending outlay of $166 milion every year to the Panamanian economy.

I wholeheartedly agree with the Military Order of the World Wars that there can be no better status for the Panama Canal Zone than under the full sovereign control of the United States. These relevant comments deserve the consideration of Congress.

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

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

THE CAPITAL VANGUARD

(By Thomas F. Lancer, Col., USA (Ret))

In view of the strong stand taken by the Order in urging "the maintenance of United States control of the Panama Canal," (National Conventon Resolution 9), it might be appropriate to review the position of the United States vis-a-vis the Republic of Panama.

The Panama Canal enterprise consists of two inseparable parts: (1) the Canal itself, and (2) the absolutely necessary protective frame of the Canal Zone Territory. The two great Canal issues now before the nation are: (1) the transcendant key issue of retaining the United States' unquestioned and undiluted sovereignty over the Canal Zone and (2) the important project of modernizing the existing Panama Canal by the construction of a third set of larger locks for larger vessels adapted to include the principles of the strongly supported Terminal Lake Plan, which was developed in the Panama Canal organization as the result of World War II experience.

Unhappily, the handling of the two principle issues has been greatly complicated by virulently radical Panamanian attacks on United States sovereignty over the Canal Zone and the revival of the historic controversy over the types of Canal—high level lake-lock versus sea level tidal-lock.

The present status of the Canal Zone Territory traces back to the 1901 Hay-Pauncefote Treaty between the United States and Great Britain. In conformance with that agreement, the United States made the long-range commitment to construct and operate an isthmian canal under its *exclusive* control in accordance with the rules set forth in the 1888 Convention of Constantinople for the operation of the Suez Canal.

In 1903, (after Panama had seceded from Columbia), a convention as entered into between Panama and the United States, granting to the United States in *perpetuity* the "use, occupation and control" of the Canal Zone Territory for the "construction, maintenance, operation, sanitation, and protection" of the Panama Canal with full "sovereign rights, power and authority" within the Zone to the "entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power or authority."

The evidence is conclusive that under no circumstances would the United States have assumed the grave responsibility for the sanitation, maintenance, operation, and protection of the Panama Canal in an area notorious for tropical disease and endless internal turmoil under a weak and helpless emergent government except for the unconditional grant of full sovereignty over the Canal Zone and the Canal.

Over the years, there have been repeated attempts by Panama to abrogate United States sovereignty over the Canal Zone. In 1923, the Panama Government endeavored to open negotiations for a new canal treaty (Foreign Relations of the United States, 1923, Vol. II, pp. 638–48). The then Secretary of State, Charles Evans Hughes, stated to the Panamanian Minister in Washington that the United States Government "could not and would not enter into any discussion affecting its full right to deal with the Canal Zone under Article III of the Treaty of 1903 as if it were the sovereign of the Canal Zone and to the entire exclusion of any sovereign rights or authority on the part of Panama." To this he added that "it was an absolute futility for the Panamanian Government to expect any American Administration, no matter what it was, any President or any Secretary of State, ever to surrender any part of these rights which the United States has acquired under the Treaty of 1903."

The foregoing statement epitomized United States State Department policy up until 1939 when, just before the outbreak of World War II in Europe, the Roosevelt Administration inaugurated what could be termed the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

big give-away program to Panama. This program of constant concessions by the United Strates has continued in almost every administration down to and including that of President Nixon! Oddly enough, both Democratic and Republican Administrations have been equally profligate in sacrificing our vital national interests in the Canal Zone!

American blood, sweat, and cash built the Panama Canal! But now, certain ultra-liberal fakirs in and out of government would with a stroke of the pen, throw it into the lap of Panama. Fortunately, while the Senate alone may ratify treaties, Congress as a whole must approve of the disposition of Government property. There are many dedicated members of the Congress who with *proper support* will see to it that the Panama Canal is not sold down the river or turned over to the control of some inept international "one world" organization as has been proposed.

Sovereignty means the state or quality of having supreme power of dominion. There can be no better status for the Panama Canal Zone than under the full sovereign control of the United States with the avoidance of all problems of extra-territoriality. For such sovereignty there can be only one flag flying over the Canal Zone and that is the flag of the United States. Don't let the "One Worlders" strike it!

For information contained in the above we are greatly indebted to the Honorable Daniel J. Flood, 11th Dist., Penn., who has well earned the title in the House as: "The Watchdog of the Panama Canal."

COUNTDOWN '72

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. KEMP. Mr. Speaker, it was my good fortune to participate in Countdown '72 at Kansas State University which was a statewide voter registration and information conference for new voters. We all realize how important and how potentially beneficial to America the young voters are. For that reason, I will continue to do all I can to promote interest in politics among our new voters.

While at KSU on October 30, 1971, Robert D. Linder, mayor of Manhattan, Kans., delivered an excellent speech entitled, "A Point and a Plea." He very succinctly points out the need for the new voters to become active in the American political process.

At this point, I include Mayor Linder's speech at the opening session of Countdown '72:

A POINT AND A PLEA

Speaking strictly for myself, I am here today because I share with the vast majority of people present (and I believe with the majority of people in this country today) a common belief: the belief that something "new and good" *can come* from America! I feel that this basic political optimism is one of the historic hallmarks of American politics which differentiates the democratic system in this nation from most of the other systems and governments of the world. And in a very real sense, the world is still watching to see if this is true; to see if the bold, brash Yankee political experiment can work after all.

Today, in opening this gathering, I want to make one simple point and one simple plea. (I could say a number of things about my concerns for your political future and mine. But as I asked myself what thought I should try to convey to you in the short time I had before you, these two items seem to emerge in my mind as of prime importance.)

First, my point. I want to stress that democratic politics demands that we be realistic idealists. Let me explain what I mean. America today is suffering from the effects of extremism and polarization. It is growing increasingly more easy to be of the extreme Right or the extreme Left and give easy answers to extremely complex problems. It is far easier to be "against" than "for." It is easier to be a man of the Left or a man of the Right rather than a man of the Center. What I am calling for is a new commitment to moderation and balance, an idealism tempered with realism.

Our own Kansas Dr. William C. Menninger (d. 1966) stressed, among others, two major criteria of emotional maturity which bear on one's political behavior, no matter what his party label. One of these marks of a mature individual applicable to democratic politics is to have the ability to deal constructively with reality, and the other is to have the capacity to adapt to change. These principles or marks of emotional (and, I believe, of political) maturity are much more difficult to implement than they are to articulate.

By this I mean that anyone who has been active in the American political process can tell you that democratic politics is hard work. It is easy to sit on the sidelines and criticize the quarterback and the offensive line, it is quite another to take your place on the line and block that 6 feet 4 inch, 250 pound hunk of pure beef on the hoof opposite you; that veritable mountain of hostility, agility and mobility dedicated to tearing you into shreds of human confetti in order to get at your ball carrier and the ball. Other forms of government are much easier than the democratic system, and require far less work and participation from the people. It is easy to sit back and propose simple solutions to the complex problems of today's world. But it is a different matter to roll up your sleeves and plunge into the blood and guts fray of party politics. But hard work is the price all of us must pay for the maintenance of the democratic system and a free society. If we are no longer willing to pay the price, then I can guarantee without reservation that democracy is not long for this political world.

Also, keep in mind that in democratic politics "you win a few, and lose a few." In a democracy, nobody, but nobody, wins all the time! You, either as an individual or as part of a group, will never have your own way all of the time! And young and old alike need to remind themselves of the fact that involvement *per se* does not guarantee instant success. The fact that Perry Mason and Matt Dillion can wrap it all up in an hour has little or no basis in political reality. Politics and tough political problems require wide-scale involvement and hard work. To imagine that simply getting involved will bring instant success and speedy solutions is not only a weak and egocentric approach to politics; it is also a deadend!

Furthermore, democratic politics have been and always will be an unsettled and unsettling experience. Perhaps we all sometimes wish it were not so, but I must admit that I cannot imagine genuine democracy functioning without controversy. It is part of the process of trying to arrive at the most just and fair laws and political solutions possible in an increasingly pluralistic society.

So my simple point is to ask you to be realistically idealistic in your approach to voting and political participation. My call is for you to combine a tough mind with a tender heart; guts with a high degree of sensitivity; the social idealism of a Ralph Waldo Emerson with the political realism of a Harry S. Truman. Always keep in mind that democratic politics is the art of the possible; and that you cannot do anything for anybody unless you or your candidate first gets elected. In a democracy, the winners make the decisions. And getting elected in a complex, multi-racial, multi-cultural society like the US today is no easy task!

I say this hoping that if you realize all of this before you begin to vote and to participate actively in party politics, it will help keep you from becoming a twenty-five year-old cynic and a thirty year-old drop-out. Personally, I am neither an optimist nor a pessimist but a hard-headed, realistic idealist.

Finally, allow me to make one plea at the onset of this historic occasion; and that is for genuine communication to take place here. A well-known political story may help make my point better than anything I can say. Some of you may have heard this before, but I think it is a "classic" and bears repeating. President Woodrow Wilson once received a phone call in the middle of the night. A voice at the other end said: "This is Smith in New York. I regret to inform you that the Chief Postal Inspector for New York City died suddenly of a heart attack just about an hour ago." Wilson: "Well, what do you want me to do about it?" Voice of Smith: "Why, Mr. President, I would like to take his place!" Wilson thought for a moment and then replied: "Well, if it's all right with the undertaker, it's all right with me!"—and hung up!

It was all a matter of communication! And so it is here today. Let us work to communicate with one another this weekend! There is too much at stake not to do so!

Can democracy survive in this extremely complex, extremely restless, extremely nervous, and extremely worried society; a society growing increasingly tired of the whole mess? As Senator Mark O. Hatfield (R.-Ore.) said last weekend in an address at Newton, Kansas: "The key to the survival of democracy in the world today rests upon the quality of America's leaders and the performance of American institutions in the next three decades." Will they respond accordingly?

I am here today to tell you that a great many of the answers to these and similar questions depends upon how much courage and determination you have to make the system work! It's there waiting for you! Do you have the concern, the dedication necessary to do enormous amounts of plain old hard work over a long period of time, and the guts to do something? Are you really willing to pay the price? America may well be the world's last, best hope! And you may well be America's last, best hope!

All I have to say to you in closing today is that I am extraordinarily glad you are here and—right on!

EDUCATIONAL BACKGROUND OF MEMBERS OF CONGRESS

HON. THOMAS F. EAGLETON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. EAGLETON. Mr. President, I recently received a most interesting study prepared by Dr. George S. Reuter, Jr., superintendent of the New Madrid School District, in Missouri, regarding the educational backgrounds of Members of Congress.

Dr. and Mrs. Reuter's first study of this kind, made in 1951, covered the years 1937–51 and was placed in the RECORD in 1951 at the request of the late Senator Thomas C. Hennings, Jr., of Missouri. Dr. and Mrs. Reuter have now brought their study up to date, so that it covers the period from 1937 to 1971.

The study shows that the educational achievements of the elected Federal Representatives of the country have grown dramatically over the years. Dr. and Mrs. Reuter theorize that this is representative of the growth of educational opportunities available to all of the country.

I ask unanimous consent that the text of the study be printed in the RECORD.

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

CONGRESS AND AMERICAN EDUCATION

(By Dr. and Mrs. George S. Reuter, Jr.)

INTRODUCTION

Over 100 years ago, a theologian named Lyman Beecher gave a strident warning to this nation. He warned: "We must educate! We must educate! Or we must perish by our own prosperity. If we do not, short will be our race from the cradle to the grave."

Quality in education is a matter of teachers and teaching. Children are educated not by courses or programs but by persons—by those who prepare the courses, design the programs, and do the teaching. The competence and character of those who teach profoundly influence the competence and character of those who learn.

Accountability of the schools is not an entirely new concept. Wilbur Cohen, President Johnson's last Secretary of HEW, criticized three years ago "the voluminous, yet unsuitable data now available for assessing the products of our education." He complained that "practically none of it measures the output of our educational system in terms that really matter—this is in terms of what students have learned."

Education should contain for various students more voluntarism, more options, less time for some and more time for others who want to fuse education more organically with their lives. Combinations of general education and professional training are shifts in the ecology of leaning away from solely the classroom teaching situation and into a variety of problem areas and learning centers and augmented by electronic media.

THE STATUS OF CONGRESS

In 1951, a study was made of the members of Congress and their educational attainments by one of the current authors. This was reported by the late U.S. Senator Thomas C. Hennings, Jr. of Missouri.[1] Later, the study was extended and reported.[2] Finally, it was extended ten years.[3] The current study is thus the second ten-year extension and is reported with the same twenty-three category, as follows:

1. No university or college training indicated.
2. State university attended in State of election.
3. State college attended in State of election.
4. State university attended outside State of election.
5. State college attended outside State of election.
6. Private university attended in State of election.
7. Private college attended in State of election.
8. Private university attended outside State of election.
9. Private college attended outside State of election.
10. Additional education secured in State university and State college in State of election.
11. Additional education secured in private university and private college in the State of election.
12. Additional education secured in State university and State college outside State of election.
13. Additional education secured in private university and private college outside State of election.
14. Additional education abroad.
15. M.A., M.S., etc. degrees secured.
16. Honorary doctorate degrees.
17. Phi Beta Kappa members.
18. A.B., B.S., etc., degrees secured except professional.
19. LL.B. degrees secured.
20. M.D. degrees secured.
21. D.D.S. degrees secured.
22. J.D. degrees secured.
23. Ph.D. degrees secured.

[1] George S. Reuter, Jr., *The College and University Preparation of Members of Congress, 1937–1951* (Congressional Record: Washington, April 23, 1952) p. A2562.

[2] George S. Reuter, Jr., *Education and Congress* (American Federation of Teachers: Chicago, 1961) pp. 3–4.

[3] George S. Reuter, Jr., and Helen H. Reuter, *Democracy and Quality Education* (Educational Research Association of the U.S.A.: Cambridge, 1965) pp. 101–102.

TABLE 1–A. EDUCATIONAL ATTAINMENTS OF U.S. SENATORS

Category	Year— 1937	1939	1941	1943	1945	1947	1949	1951	1953	1955	1957	1959	1961	1963	1965	1967	1969	1971
1	20	22	22	21	18	16	13	13	13	13	10	8	10	13	14	14	9	10
2	28	27	27	28	33	33	35	39	39	38	38	35	34	45	41	44	45	40
3	6	4	4	4	5	7	8	7	10	10	10	12	11	7	5	2	4	5
4	16	18	16	16	17	15	13	10	4	4	5	6	7	15	12	11	11	14
5	3	1	1	2	2	3	1	1	1	1	1	2	2	0	1	1	2	2
6	16	17	16	14	15	19	19	19	18	17	16	16	15	16	14	9	20	19
7	13	13	18	19	18	18	14	16	4	4	5	7	8	15	12	19	18	11
8	24	21	21	25	26	28	34	29	15	14	18	18	18	39	34	32	37	35
9	8	6	9	7	8	7	8	8	6	6	6	10	11	8	8	7	5	7
10	14	14	12	13	14	16	15	19	21	20	20	24	27	20	22	26	28	2
11	8	10	10	10	12	12	9	10	21	21	20	20	18	10	5	2	2	1
12	9	7	8	11	12	10	10	9	13	13	13	15	16	15	9	7	8	17
13	19	16	17	18	10	24	28	25	24	22	25	30	31	20	29	26	26	32
14	2	2	2	2	3	3	3	3	5	4	4	4	3	3	4	3	5	5
15	10	9	10	11	15	14	18	19	16	16	16	19	19	15	10	13	14	11
16	24	20	24	28	32	31	29	26	30	28	28	28	26	31	25	28	25	25
17	5	6	6	5	4	7	10	8	2	2	2	3	4	2	4	5	8	7
18	69	62	64	67	69	71	71	73	45	46	47	54	55	70	70	73	72	73
19	39	39	40	38	45	50	51	49	42	42	42	45	47	55	54	53	52	51
20	1	0	0	0	0	0	0	0	0	0	0	1	1	1	1	1	0	0
21	0	0	0	0	0	0	1	1	1	0	0	0	0	0	0	0	0	0
22	1	1	1	1	4	4	4	4	4	5	5	8	8	8	7	7	6	6
23	2	2	2	2	2	1	2	1	1	1	1	2	2	3	3	2	2	1

TABLE 2–B.—EDUCATIONAL ATTAINMENTS OF U.S. HOUSE OF REPRESENTATIVES

Category	Year— 1937	1939	1941	1943	1945	1947	1949	1951	1953	1955	1957	1959	1961	1963	1965	1967	1969	1971
1	137	120	102	111	96	82	84	80	82	83	80	75	61	63	55	47	45	41
2	95	97	116	106	105	113	122	124	90	87	86	92	99	160	150	147	144	141
3	26	36	36	28	33	36	33	26	33	34	34	38	34	42	44	45	47	51
4	29	28	34	28	33	33	36	36	33	27	26	35	29	35	34	32	30	27
5	5	5	7	15	5	6	9	5	10	5	4	6	9	5	5	5	5	5
6	103	104	110	171	116	116	119	112	78	82	92	105	86	100	105	109	115	129
7	59	65	63	42	61	68	68	74	74	68	63	56	83	74	70	62	60	59
8	79	94	101	103	117	112	113	104	60	64	53	51	56	91	91	92	92	93
9	30	24	18	20	15	20	13	17	24	19	21	18	24	28	27	25	23	22
10	59	68	77	66	67	67	69	66	64	68	75	76	74	100	99	97	96	95
11	61	56	66	69	67	61	73	44	65	85	93	91	94	72	77	80	84	89
12	12	12	16	15	18	21	15	22	17	17	11	11	14	19	18	14	12	11
13	52	60	61	63	68	56	71	58	67	68	71	80	90	67	69	71	73	75
14	7	9	6	11	11	10	11	5	10	9	10	10	8	13	13	14	14	15
15	24	27	27	35	39	37	34	31	27	30	28	32	27	26	26	29	37	44
16	11	9	14	16	17	15	22	23	18	27	26	27	28	33	35	37	41	42
17	5	5	5	6	9	10	8	11	5	8	10	7	9	6	8	11	13	14
18	140	148	150	152	156	164	164	184	179	179	195	219	219	270	272	278	280	282
19	141	138	150	140	139	159	164	166	165	164	156	176	184	228	220	215	187	178
20	6	8	5	6	6	6	5	6	5	4	5	4	6	3	3	4	4	4
21	1	1	2	1	2	1	1	1	1	1	1	0	0	0	0	0	0	0
22	4	3	4	7	9	9	7	10	12	9	10	9	6	9	15	17	31	45
23	0	1	1	2	1	0	1	2	2	4	4	6	7	3	5	7	7	9

REFLECTIONS VIA ILLUSTRATIONS

1. Our educated Congress attempts to give wise social science leadership.

For all of us who share the goals of liberty, equality, and progress for all mankind, these are difficult and troubling days. On the Indian subcontinent, millions of Pakistani refugees cry out for help. In the Middle East, Israel remains surrounded by forces sworn to demolish her. In Russia, Soviet Jews wait anxiously for a chance to be free. And here at home, six per cent of the work force are jobless; even our policemen cannot walk the streets in safety; our cities are running out of money; and our U.S. Supreme Court is threatened.

2. Our educated Congress attempts to give wise urban leadership. The cry of the cities reverberates across the land, and echoes in the chambers of those who govern. The contemporary compression of people, buildings, institutions, and time factors have brought society perilously close to disaster.

3. Our educated Congress attempts to give wise moral leadership. Dr. Martin Luther King, Jr., the American counterpart to Gandhi, became the instrument that pricked the conscience of white America. Drawing on Gandhi and abiding faith in God, and God's means—love and the power of spirit over matter—he used means that gave moral momentum and dignity to the cause of civil rights. Like Gandhi, he realized as Eric Hoffer, the longshoreman philosopher, put it, "Retribution often means that we eventually do to ourselves what we have done to others."

4. Our educated Congress attempts to give wise advice to all groups. The very first case in the highest court after the adoption of the Fourteenth Amendment in which a challenge of unconstitutional discrimination against an important class in the community was raised involved a claim on behalf of the equality of women. The case referred to—Bradwell v. Illinois (1873)—was an appeal to grant plantiff's (a lady) application for a license to practice law.

5. Our educated Congress attempts to recognize freedom. This is illustrated two ways.

First, during the years that King David reigned, Israel had its ups and downs; its victories, its sufferings, its sorrows, its plagues; but always King David kept in touch with his Master.

Second, "Where the spirit of the Lord is, there is liberty." These words of the Apostle Paul have a special relevance for us today; they touch upon one of the most vital issues of our time—the place of liberty, of freedom, of liberation.

CONCLUSIONS

Americans can assume that the statement below is still representative:

"One could develop the thesis that since the educational attainments of elected representatives of the people from all sections of America have significantly grown that the quality of educational opportunities of students has also moved ahead. There is a sense in which one could thus rejoice. The right kind of legislation has been provided to give full citizenship for all our students—even for those minorities who have suffered the humiliations of second-class citizenship. The conscience of America has been aroused. Human rights have taken precedent over property rights even though the cost has been high. There is, however, much ground yet to cover to insure quality educational opportunities for all students. Such unresolved problems as class size, grouping, textbooks, time in school, and discipline deserve serious attention . . ." [4]

[4] *Ibid.*, p. 102.

NAZISM AND COMMUNISM: TWO SIDES OF THE SAME COIN

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. CRANE. Mr. Speaker, recently, Committee III of the United Nations General Assembly once again entered into a discussion of measures to be taken against nazism and other totalitarian ideologies and practices based on incitement to hatred and racial intolerance.

Once again, the delegates of the Soviet Union contended that nazism was still a problem to which the United Nations General Assembly was obligated to turn its attention each year.

This year, for the first time, the Committee's considerations extended beyond the evils of nazism, and considered as well the evils of other totalitarian ideologies. The U.S. representatives in this body, Representative EDWARD DERWINSKI, of Illinois, eloquently presented the American position.

Mr. DERWINSKI noted that:

My Government is unalterably opposed to Nazism and similar ideologies and racial intolerance.

He continued to hail the democratic record of the Federal Republic of Germany and noted that if any example of German militarism was to be found in today's world it:

Was seen in 1968 when the Soviet directed East German forces goose-stepped into Czechoslovakia.

Pointing out that the threat to freedom and civil liberties today does not come from a resurgent nazism but from an entrenched communism, Mr. DERWINSKI declared that we need only:

Take for example the mock trial of writers and intellectuals in Moscow who dared to publish material at variance with state policy and their sentence to long periods of hard labor. Or the confinement of critics of the regime in psychiatric asylums, a practice which has been widely condemned as inhuman and degrading.

In his statement Mr. DERWINSKI made it clear that the Soviet denial of religious freedom and of the right to emigrate was in violation of the Universal Declaration of Human Rights. He stated that:

The Soviet record does not match the Soviet rhetoric.

It is high time that the truth about the Soviet repression of freedom was told at the United Nations, a body which has not seen fit to express any word of criticism against the government which has for so long made a mockery of the Charter's declarations. As long as the United Nations piously passes resolutions condemning the United States and Israel, Portugal, and Rhodesia and ignores the record of the U.S.S.R.—for so long will it be considered an organization which is irrelevant to the real purposes for which its founders created it.

I wish to share Mr. DERWINSKI's important statement with my colleagues, and insert it into the RECORD at this time.

STATEMENT BY CONGRESSMAN EDWARD J. DERWINSKI

Once again, this Committee is considering the item on nazism and racial intolerance which has become a perennial item on the agenda of this Committee. Debate on this item has followed a repetitious pattern and little of substance has been added on the subject of nazism. Racial intolerance, of course, continues to be a subject of major concern to this Committee and other United Nations bodies. We have concluded lengthy deliberations on this subject under item 54 and we do not believe that any thing further can be added. I refer to statements made by my colleague, Arthur Fletcher, in this Committee on October 26th and November 3rd which fully discussed the U.S. position on racial discrimination.

I wish to make very clear that my Government is unalterably opposed to nazism and similar ideologies and to racial intolerance. Regarding nazism, we have made clear in previous sessions that we regard this evil as a horrible phase in German history which fortunately has ended. Today, the Federal Republic of Germany, after two generations of wise and moderate leadership, is among the leading democracies of the world. Over two-thirds of the citizens of that country were born since 1930 and have no memories or sympathy with the nazi era. The leaders of the Federal Republic have dedicated their careers since 1945 to atonement for the sins of Hitler. The Federal Republic of Germany has developed close ties with virtually all countries and is being welcomed by countries of Eastern Europe.

As a matter of fact the obvious example of recent German militarism was seen in 1968 when the Soviet directed East German forces goose-stepped into Czechoslovakia.

My Delegation does, however, desire to comment on the aspect of this agenda item which pertains to "other totalitarian ideologies based on incitement to hatred and racial intolerance." We are pleased that the 25th session of the General Assembly clearly referred to these ideologies, which are presently manifested in the world and which serve to deprive individuals in societies ruled by such ideologies of human rights and fundamental freedoms. The overriding character of such societies is the infallibility of the state, ruled by a small, unrepresentative group, requiring unquestioning obedience of its subjects. Expressions of human freedom and dignity cherished throughout most of the world, are unknown in these totalitarian societies and any attempt at such expression is characterized as anti-regime and offenders liable to severe punishment.

We need cite only examples which have received international attention in the past several years. Take for example the mock trial of writers and intellectuals in Moscow who dared to publish material at variance with state policy and their sentence to long periods of hard labor. Or the confinement of critics of the regime to psychiatric asylums, a practice which has been widely condemned as inhuman and degrading. A Nobel prize winning author has been quoted on this matter as follows: "The incarceration of free-thinking healthy people in madhouses is spiritual murder. It is a fiendish and

prolonged torture of those who are to be killed. Like the gas chambers, these crimes will never be forgotten, and all those who take part in them will be condemned endlessly, while they live and after they are dead. It is shortsighted to think that you can live constantly relying on force alone, constantly scorning the objections of conscience." This author, unfortunately, is himself subject to severe persecution in the USSR.

Not only does such a totalitarian society blatantly offend Article 19 of the Universal Declaration of Human Rights but of many other Articles as well. I would cite specifically Articles 9, 10, 11, 12, 13, 18, 20, 21. In such societies the Universal Declaration of Human Rights is a piece of paper—nothing more.

The right to practice one's religion or to leave the country are met with acts of repression and harsh, brutal sentences following *pro forma* trials. An individual who seeks asylum in another country is given a harsh sentence for an attempt to exercise a fundamental human right.

We refer specifically, of course, to the Soviet Union. We respectfully note that the Soviet record does not match the Soviet rhetoric. My Delegation and others during this session already have referred to persecution of Jews in the Soviet Union and the brutal military suppression of the popular will in Hungary and Czechoslovakia. Earlier in this session, I directed the attention of this Committee to the continued illegal occupation of the Baltic states by the Soviet Union. It is indeed ironic that the same peoples who were the victims of nazism a generation ago are made to suffer again today.

The delegates of the Soviet Union contend that nazism still is a problem which must be annually discussed by the General Assembly. It is time that they and we recognize just where the evils of nazism do exist. I am pleased that the framework of our discussion has been expanded beyond consideration of nazism, an ideology of the past, to the current practice of other totalitarian ideologies. We hope that this new framework will focus world attention and expose the evils of those totalitarian societies where individuals are denied even the elementary human dignity set forth in the Charter and the Universal Declaration of Human Rights.

JAMES TODD: ACTIVE AT 84

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HUNGATE. Mr. Speaker, at a time when the media has experienced criticism for many, I would like to bring to the attention of my colleagues an article which reminds us that the newspaper industry is also a field of dedicated people. The article, from the December 1971, edition of the Missouri Press News, follows:

JIM TODD: ACTIVE AT 84

"I couldn't be satisfied just sitting down—I have to be doing something," said James Todd, 84, retired publisher and former owner of the Moberly Monitor-Index, who reports at the newspaper office daily to offer his services.

So eager is he to help that recently when his doctor ordered him to stay at home for a week Todd phoned the newspaper office and asked that he be sent some hand-written correspondence to type—or any other typing that was needed.

Todd visits the Norfolk and Western Railway depot regularly as well as other news sources along the "beat" he covered when he owned the paper.

He brings in news tips for the staff and notes for stories he pounds out on a typewriter himself.

He helps distribute mail, carries news copy to the composing room, takes tearsheets to advertisers, checks exchange papers for news tips and does many other jobs.

When the new owners took over the newspaper they told Todd that he was welcome to help at the office anytime. Tom Hackward, present editor of The Monitor-Index, said of Todd:

"I'm a former employe of his. He used to give me assignments, but now he comes in and asks what he can do to help, diving immediately into any kind of task. Mr. Todd is not on the payroll. He does the work because he likes to do it. The "printer's ink" in his system is indelible. This is the drama of Mr. Todd's situation.

W. T. VanCleve of Moberly, former business partner of Mr. Todd said: "Jim is a great public relations man. He has always been the man who meets the people, and he is great at keeping up his fences and keeping up the fences for the business. He has a great personality."

Born Sept. 9, 1886, in Maryville, Mo., Todd has been connected with newspapers since the age of eight. His father owned the Maryville Democrat, and Todd was a "printer's devil" when a boy. When his father became ill and died in 1907, Todd became publisher of the Democrat.

In 1910, the Democrat merged with two other Maryville papers—the Forum, owned by W. C. VanCleve, and the Republican, owned by W. S. Demotte, who later sold his interest in the paper.

Todd was appointed postmaster of Maryville in 1914. He said he was "fortunate enough to get the apopintment because his father had been active in politics."

On January 1, 1919, W. C. VanCleve and Todd purchased the Moberly Monitor and the Moberly Index, VanCleve serving as publisher of the Moberly Enterprise until his death in 1929.

It was in 1925 that the team of VanCleve and Todd bought the remaining Maryville paper the Tribune—and the remaining Moberly Democrat, leaving both towns with one newspaper. In 1929 they sold the Maryville Democrat-Forum to W. S. Rupe.

After VanCleve's death in 1929, Todd became president of the Monitor-Index and Evening Democrat in partnership with VanCleve's two sons, W. T. and J. K. VanCleve. The partnership continued 50 years until the newspaper was sold in December, 1969, to the present owners, the Donrey Media Group.

Todd has received many honors for his outstanding work in journalism and for his service to the community. He has been president of the Northwest and the Northeast Missouri Press Associations.

In 1939, he was named president of the Missouri Press Association. He received the distinguished service award from the University of Missouri School of Journalism at Columbia. He has served as president of the Missouri State Historical Society of which he is now a member of the board.

In 1962, Todd was among 25 Missouri newsmen invited to a White House luncheon given by President John F. Kennedy. He was a colonel and member of the governor's staff three times, being appointed by Governors Forrest Smith, James T. Blair and John M. Dalton.

Todd's wife is the fromer Marguerite Lawson from Daviess County. They married Aug. 18, 1934. The Todds have one daughter, Joanna, a graduate librarian at Stephens College in Columbia, Mo.

The Todds live at 615 West Carpenter Street in Moberly.

THE LISTENER: A TRIBUTE TO C. A. "CHRIS" CHRISTIANSON

HON. FRANK E. DENHOLM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 10, 1971

Mr. DENHOLM. Mr. Speaker, it has been 42 years since the distinguished gentleman that we honor today left the rolling greens of the Midwestern Plains and began the long road of life up the mount of youth.

It was the year of 1930 that he began in the house of the people and said goodby to his parental homestead of the West. He has silently served at the desk of the leaders of the Halls of Congress—and listened. Years have passed since first he began the upward trek of time along the pathways of the mount of youth.

His service is a challenge to all—in terms of time. His heritage an honor—his devotion to duty unequaled. He has heard many sounds—seen many men—tallied the roll—heard all arguments, in peace and in war, served seven Presidents—never voiced a sound.

He listened.

The names of hundreds and hundreds of men have been called and thousands and thousands of names he has entered on the rolls with the preciseness of perfection—never to be challenged.

In majesty he recalls life as time and time as life—up the pathway of the mount of youth. A philosophy of decency, devotion, dignity, honor, and respect have been his pillars along the rocky road and in the fashion of a voice of the Master he muses of the past.

Life took me up on her wings and bore me to the top of mount youth. Then she comes now to beckon me—to look down on the valley of time. I look back and I see many, many things.

I see a strange city of men. A thin cloud almost hides the city from my gaze.

After a moment of silence, he exclaimed, "What is this I see in the city of time—life?"

Now he gazed from mount youth upon a wonderful scene—and saw many objects and sights shrouded in memory like phantoms in the clouds of mist. There are halls built for action, standing giant-like beneath the wings of slumber; temples of talk around which hovered spirits at once crying in despair, and singing songs of hope. "I saw churches," he said, "built by faith and destroyed by doubt." Men of thought, lifting their spires of voice like the upraised arms of beggars; avenues of desire stretching like rivers through valleys; storehouses of secrets guarded by sentinels of concealment and pillaged by thieves of disclosure; towers of strength raised by valor and demolished by fear; shrines of dreams, embellished by slumber—and destroyed by wakefulness; slight huts inhabited by weakness; moods of solitude and self-denial; institutions of learning lighted by intelligence and darkened by ignorance; taverns of love, where lovers became drunk and empti-

ness mocked at them; theaters upon whose boards life acted out its play, and death rounded out the tragedies of life in the valley of time.

Such is the city—the strange city of men in the valley of time—in appearance far away, though in reality near-by—visible, though barely, through the dark clouds of the summit of mount youth, and

Now she calls again—this life of mine and beckons, "Follow me. We have tarried here too long." And he replies, "Whither are we going, life?"

And life said, "We are going to the sunny slopes of contentment on mount youth to rest your ear from yesteryear."

And the man we honor replied, "Have some pity on me, life. I am weary, and my feet are bruised and the strength is gone out of me on the pathways to the summit of mount youth."

But life replied, "March on, my friend."

And so the listener of men—the toller of time and teller of men—must march on. To remain forever gazing upon the city of men in the valley of time is folly and the mount of youth is his own beauty and joy to have and to hold from this day forward—and unto the end. We that remain on the upward slopes—look up, think up, and wonder when. For that mount of youth is the cathedral of men—the man we honor today is C. A. "Chris" Christianson—the listener of stirring noises in the city of men.

Time is life and life is time—I am hopeful that as "Chris" the listener bids us farewell that he will enjoy "the time of his life" in retirement and that he will accept my sincere gratitude for permitting me a small piece of his friendship to keep in memory of a mountain of a man among men.

TAIPEI IS PUSHING INTERNAL REFORM?

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FRASER. Mr. Speaker, we are all familiar with the false dawn, the faint light that appears on the eastern horizon sometime before the dawn itself breaks.

I hope that a Sunday, December 12, New York Times report of Kuomintang-sponsored internal political reform in Taiwan is a harbinger of real reform, just as the false dawn heralds the actual dawn. Given the record of the Kuomintang, I remain skeptical.

But, Mr. Speaker, the reform moves outlined in the Times story are welcome. For many Americans, myself included, support for continuing the U.S. commitment to Taiwan may turn upon the degree of democratization achieved on that Island.

[From the New York Times, Dec. 12, 1971]

TAIPEI IS PUSHING INTERNAL REFORM—NATIONALIST PLEDGES INCLUDE REVITALIZED LEGISLATURE

TAIPEI, TAIWAN, Dec. 11.—The Government and the Nationalist party have set up a profusion of committees since the Chinese Nationalists' expulsion from the United Nations to study means of strengthening national unity through instituting internal reforms.

Among the measures promised by officials of the governing Nationalist party, or Kuomintang, have been the addition of new members to the national parliamentary bodies, which have not had general elections since their formation 25 years ago, the revamping of civil service regulations to permit the absorption of more younger men in Govenment ranks and more zealous efforts to eliminate corruption and ease red tape in Government procedures.

Although many in the minority of the population that takes a close interest in political life are skeptical that any far-reaching, fundamental changes will be made, they still tend to be pleased that the Government is at least showing greater receptivity to new ideas and responsiveness to public opinion. There is also relief in many quarters that the Government's setbacks in foreign affairs have led to attempts to broaden its domestic support rather than to increased reliance on repressive measures.

THREE LEGISLATIVE BODIES

Most of the attention in political circles has centered on the plans for "revitalization" of the three legislative branches—the Legislative Yuan, the Control Yuan and the National Assembly.

A special subcommittee of the Kuomintang central standing committee is considering how many new members should be chosen and whether their selection should be by election, appointment or some combination.

Its proposals, if approved by the full central committee and by President Chiang Kai-shek, who is also director general of the Nationalist party, would be presented for action to the National Assembly when it convenes in late February. To carry out any changes in the make-up of the legislature, the National Assembly would presumably have to add to a series of amendments to the national Constitution known as "temporary provisions in effect during the period of Communist rebellion."

The legislative bodies were formed in 1947, when the Nationalist Government, then in Nanking on the mainland, adopted a national Constitution. In popular elections that year, members were chosen for the Legislative Yuan, which enacts laws and reviews the national budget, and for the National Assembly, which meets every six years to elect the president and vice president and to consider constitutional revisions. The members of the Control Yuan, a "watchdog" agency to check on official efficiency and corruption, were elected indirectly by provincial assemblies.

After its withdrawal to Taiwan in 1949, the Nationalist Government extended the terms of incumbent legislators indefinitely and proclaimed that new national elections could be held only after recovery of the mainland. That position was based on the Government's continued claim to represent all of China.

Today the average age of the legislators is well into the sixties and deaths of members have brought the three parliamentary bodies to about half strength.

U.S. PUBLIC HEALTH SERVICE HOSPITALS

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BOGGS. Mr. Speaker, for more than 150 years, the U.S. Public Health Service Hospital in New Orleans has been providing valuable health services to the merchant marine, Federal employees, and members of the uniformed services in our part of the country.

Similar services are being rendered by U.S. Public Health Service hospitals and field clinics in seven other regions of the United States.

We in New Orleans appreciate the contribution our Public Health Service hospital is making to the health of our people, and we are presently working to expand its role in our community's growing health complex.

While we have been making our plans, however, the Department of Health, Education, and Welfare has been working to abolish the entire system of U.S. Public Health Service hospitals around the country.

It seems incomprehensible to me that, at a time when we face a severe shortage of hospital beds, anyone—least of all the Department of Health, Education, and Welfare—would seriously propose that we close down a system of eight health-care institutions with a proven record of efficient operation.

This view was shared by my colleagues in the House when, on August 2, we voted by the overwhelming margin of 340 to 4 to express the sense of the Congress that these hospitals be kept open.

A few weeks later, while the bill was still in conference, HEW summarily closed down the U.S. Public Health Service narcotics treatment facility in Fort Worth, Tex., the only such facility west of the Mississippi River and one of only two operated by the Federal Government.

It is even more incomprehensible that HEW would contravene the express will of the House and close down a narcotics treatment facility at a time when our country faces a grave crisis in drug abuse. This, however, is precisely what happened.

We in New Orleans are determined to make our Public Health Service Hospital an even more important component of our growing health complex. Other cities share our view that the Public Health Service hospitals should continue their outstanding record of health care services, and should not be closed down or otherwise subverted.

A recent interim report of the Department of Health, Education, and Welfare, however, indicates that the Department is still determined to circumvent the will of the Congress and to achieve indirectly what the Congress has said should not be done.

Mr. Speaker, many of us have been working to keep these hospitals open. I would be remiss, however, if I did not express my personal gratitude to the gentleman from Florida, Congressman PAUL ROGERS. He and his Subcommittee on Public Health and Environment have been doing an outstanding job to keep the Public Health Service hospitals open. In doing so, he has been serving both the Congress and the cause of better health for the American people.

I am inserting a copy of the interim report of the Department of Health, Education, and Welfare and a statement by Congressman ROGERS:

SECRET HEW MEMO UNDERMINES HEW CREDIBILITY

For some time now, more than a year in fact, I have been concerned over the Administration's attempts to close the eight Public Health Service Hospitals and the 30 clinics under PHS control.

The House and the Senate have both passed resolutions stating that each body wants these very valuable facilities open and operating under the control of PHS.

But despite this, I have come across information in the form of a confidential memorandum stating that the hospitals in Boston and San Francisco are scheduled to be taken out of the system this year.

This in itself is cause enough for concern in light of the expressed wish of the Congress.

But to add to this situation, the memo, sent by the Assistant Secretary and Comptroller of HEW, Mr. James B. Cardwell, directly says that HEW's policy in regards to the Congress will be to hide all meaningful information. I would like to quote from Mr. Cardwell's memo:

The enclosed transmittal letter is designed to be as innocuous as possible. You will note that it does not propose any formal briefing of Congressman Rogers, et al. It is quite clear that we will eventually have to go up and explain both the proposals and our decisions concerning them to Rogers and other key Members and/or Committees. Primarily at Steve Kurzman's suggestion, we decided that the better part of valor at this time would be to offer them as few materials as we can get away with and hold off for as long as possible a confrontation concerning what we will or will not do vis-a-vis each of the hospitals.

There has been a growing creditability between HEW and the Congress for some time now. But this obvious policy of withholding information in an attempt to keep the Congress from acting is the most arrogant form of contempt for the legislative branch of government I have seen.

This conspiracy leads me to believe that HEW's attempt to pervert the law in this situation by secretly withholding information most probably is carried throughout the Department on many other situations and completely undermines any information which the Congress receives on other matters. I can only wonder what other legislation the Congress has acted on based on such tainted information.

The legislative branch will be hard put to accept as factual any information or guidance from HEW after this shocking discovery of deceit. The Subcommittee on Public Health and Environment will hold hearings Friday on this matter and expects to determine what steps HEW plans to take on the hospitals and what corrective measures will be taken with regards to the deceptive practices this memo represents.

LETTERS TO KEY MEMBERS OF CONGRESS REGARDING PHS HOSPITAL CONVERSION PROCESS—ACTION MEMORANDUM

ISSUE

We promised a number of Members of Congress that we would brief them and employee and beneficiary unions this fall on the PHS Hospital conversion. Some, if not all, of these Members know that, in addition to the actual proposals, we have consultant reports on the proposals and have asked for both.

FACTS

As a result of the discussion with you on October 28, we have decided to send the Congressmen and the unions summaries of the proposals and summaries of the consultants' recommendations with an offer of the actual proposals on request. We would not release the actual consultants' reports if there is any way to avoid it because they include unsolicited comments which would tend to open up the larger policy question again. Drs. DuVal, Wilson, and Zapp have participated in the development of these materials.

The enclosed transmittal letter is designed to be as innocuous as possible. You will note that it does not propose any formal briefing of Congressman Rogers, et al. It is quite clear that we will eventually have to go up and explain both the proposals and our decisions concerning them to Rogers and other key Members and/or Committees. Primarily at Steve Kurzman's suggestion, we decided that the better part of valor at this time would be to offer them as few materials as we can get away with and hold off for as long as possible a confrontation concerning what we will or will not do vis-a-vis each of the hospitals.

Meanwhile, we believe it is very important to move ahead and make prompt decisions concerning the two hospitals that seem to have the best potential for conversion (Boston and San Francisco). Hopefully, decisions about these two cases will be made prior to any further detailed discussion with key elements of the Congress. We will do everything we can to urge Vern Wilson to proceed quickly with respect to these two cities.

It is also important to demonstrate to OMB that we are definitely going to do something about the two cities in question—this year—here and now. As you can appreciate, OMB is hesitant to base their employment ceiling policy on an assumption that the hospitals will be converted. It would seem to be to our advantage to do everything possible to make such an assumption a part of the final employment ceiling decision. In short, all this means that we cannot postpone for very long identification of Boston and San Francisco for early conversion. This means, of course, that we have to round out the proposals affecting those two cities immediately.

Meanwhile, our idea is to submit the enclosed material and wait for Rogers, et al, to make the next move, hoping, in the meantime, that we can make further progress concerning Boston and San Francisco.

RECOMMENDATION

That you sign the enclosed letter (Tab A) and authorize the signing of identical letters to the Members of Congress and unions on the enclosed list (Tab B). Please have Mr. Rogers' letter returned after signature, to be sent out along with letters to addressees on Tab B.

JAMES B. CARDWELL.

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., November 15, 1971.

Hon. HALE BOGGS,
House of Representatives,
Washington, D.C.

DEAR MR. BOGGS: The Health Services and Mental Health Administration has completed its review of proposals to convert the Public Health Service hospitals to community management and use. These proposals were solicited from each of the eight communities in collaboration with the Area-wide Comprehensive Health Planning Agencies.

In keeping with our earlier promise to keep you informed of significant developments growing out of our review of the Public Health Service hospitals, enclosed are resumes of the various proposals submitted by the Area-wide Comprehensive Health Planning Agencies. Also enclosed are resumes of comments and suggestions made by special consultants employed by the Health Services and Mental Health Administration for the purpose of reviewing and evaluating the submissions made by the Area-wide Comprehensive Health Planning Agencies.

The various proposals are now under review, both in the Health Services and Mental Health Administration and in my own office. None of the proposals is at this time sufficiently well spelled out to provide us with all the data and information we would need to take final action, hospital by hospital. In each case, specific issues remain which must still be resolved. These have to do with the availability and assignment of manpower—including both local and Federal manpower—and more information about community resources and financing. Our next step will be to refine the proposals and develop the full range of data needed to reach a final conclusion.

We will continue to keep you informed of further developments as they occur.

With kindest regards.

Sincerely,

ELLIOT L. RICHARDSON,
Secretary.

SUMMARY OF RECOMMENDATIONS FURNISHED TO HEW BY THE REVIEW COMMITTEE OF NON-FEDERAL CONSULTANTS ON THE FEASIBILITY OF SPECIFIC PROPOSALS TO CONVERT PHS HOSPITALS TO COMMUNITY CONTROL AND USE

During Hearings last winter and spring on the future of the PHS Hospitals, the Congress was advised that the Administration would conduct a study to determine the feasibility of converting the hospitals and their programs to community management and operation. The study was to be done through the 314(b) Area-Wide Comprehensive Health Planning Agencies in each community. The (b) agencies were requested in work with community groups who expressed an interest in developing proposals, review and comment on the proposals, and forward them to HSMHA by September 1, 1971.

The proposals were screened by a preliminary review; certain proposals were selected for further evaluation. Non-Federal consultants were requested to visit each of the communities and to assess the feasibility of the individual proposals for each of the communities. The review committee was asked to make specific recommendations to the Administrator, HSMHA, concerning what further steps should be taken. Those recommendations follow.

BOSTON

Three of the five proposals were eliminated due to lack of demonstrated resources and capability to carry out the basic beneficiary care responsibilities. In the Boston Metropolitan area, there is a need for chronic, long-term beds rather than acute short-term care beds. Saint Elizabeths Hospital and Tufts Medical School jointly possess the administrative and fiscal capability to fulfill the program's responsibilities. Although both Boston University Medical Center and Saint Elizabeths had offered acceptable preliminary proposals, Saint Elizabeths was considered to be ahead due to its physical location, capacity to extend its services, and the overall plan. A consortium of Saint Elizabeths, Tufts Medical School and St. John of God Hospital, would constitute the optimum for an HSMHA contract. The committee recommended that Tufts Medical School, in collaboration with Saint Elizabeths Hospital, be encouraged to take the leadership in developing a new proposal, involving other community agencies, as well as the (b) agency. Four months' time was recommended for the submission of a detailed proposal.

STATEN ISLAND

Two proposals were identified as having potential. These are HIP and the New York Medical College. HIP is preferred in view of its demonstrated competence to deliver comprehensive medical services on a prepaid basis and has community support. The Staten Island Coalition's proposal was rejected due to the lack of any capability to deliver health care. Because of its isolated geographic location in New York City, the consultants found that the Staten Island PHS Hospital per-

forms a special role in the community, and enjoys the goodwill and support of all sectors as a Federal institution.

It was agreed that HIP has submitted a suitable proposal for transfer of management. However, if such a decision were made, the consultants recommended a lease arrangement rather than the transfer of title because of the high value placed on the property by the citizens of Staten Island.

NORFOLK

The consultants determined that none of the proposals from this community were worthy of consideration in their present form. The NAMCA proposal, although appearing technically feasible, is deficient in several important areas, one of which is the lack of interest in direct responsibility for patient care. Norfolk General Hospital did not, in the consultants' opinion, meet the guidelines set by HEW. The recommendation, therefore, was to continue operation of the hospital under existing PHS auspices, at least until a stronger application was received.

BALTIMORE

The consultants observed that detailed community health care planning had been conducted by the Regional Planning Council of Baltimore in collaboration with the North Baltimore Consortium which has a broad base of community support. However, the Consortium did not have time to prepare a formal proposal by September 1. The consultants were convinced that, given sufficient time, the Consortium could meet the requirements of the HEW guidelines and the PHS program in addition to community needs. Consequently, it was unanimously recommended that, in collaboration with the (b) agency, the Consortium be encouraged to proceed with a proposal for the transfer of managerial responsibility, delineating the stages and time frame for full implementation and submitting the proposal within four months.

NEW ORLEANS

Two of the three proposals received were given serious consideration. Tulane University has the managerial and professional capability to fulfill the responsibilities to PHS beneficiaries, but it is dependent heavily on Federal financial support for facility construction. Charity Hospital has the patient care capability but there are major problems relating to personnel transfer and priority of PHS beneficiaries for medical care in a State institution. The consultants recommended that Tulane University be requested to submit a more detailed proposal within four months in cooperation with the (b) agency. This would not preclude consideration of a revised proposal from Charity Hospital.

GALVESTON

The consultants considered that the proposals from the University of Texas Medical Branch and the Galveston County Medical Foundation, if combined, would represent a more viable and non-controversial approach to meeting the needs of PHS beneficiaries. There are important issues, not unresolvable, which appear to separate the two applicants. There was some question as to the extent of community involvement in the overall approaches. The remaining three proposals (Hospital Affiliates, Medical Investments and Consulting Associates, Inc., and Moody House, Inc.), were considered unresponsive to the HEW guidelines. The final recommendation was that UTMB and the Medical Society be encouraged to submit a combined proposal.

SEATTLE

Seattle, once a prosperous area, has become a depressed area. There is no shortage of acute short-term hospital beds, physicians, or dentists. The Medical Society opposes takeover by the University and considers closure of the PHS Hospital the preferred course of action. Although the University of Washington's proposal—the only one received—is responsive to the research, patient care and training programs of the hospital, it is considered unrealistic. The University cannot assume responsibility, at this time, for the program's operation without heavy reliance on additional Federal support. Several issues in the proposal remain unclarified despite the site visit. Since only one proposal has been received from this community, the consultants recommended that the University be requested to review, revise and expand its proposal within four months.

SAN FRANCISCO

The surplus of community hospital beds was appropriately recognized by several proposals in terms of the purpose to which the PHS facility could be put. Of the five proposals submitted, the Consortium of Pacific Medical Center and St. Francis Hospital is considered to have maximum feasibility. The recommendation of the consultants was essentially in two parts: (1) that the care of beneficiaries and the ultimate use of the facility be separated and treated as separate issues, in which case other corporate entities within the Bay Area should be encouraged to submit proposals; and (2) that if this separation is not appropriate, the Consortium be recognized as having the capability to assume responsibility for the Federal program. A period of four months was recommended to develop a definitive plan.

GENERAL COMMENTS AND RECOMMENDATIONS

1. Upon completion of the total review process by the (b) agencies and the review committees and consultants, there was a general finding that none of the proposals contain sufficient data and information upon which to make a final decision. In addition, it appeared that all of the communities need additional opportunities to participate in planning and discussion of our next moves, if a smooth transition is to be effected.

2. It was agreed by all participants that, without a suitable proposal or alternative which can be implemented, the Federal Government should continue to support and operate the existing programs.

SENATOR McGOVERN AND THE POSTAL SERVICE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. LANDGREBE. Mr. Speaker, reports in the press indicate that Senator GEORGE MCGOVERN has been using the Postal Service in such a way as to update his campaign fund-raising mailing lists at taxpayer expense. No one is sure—not even the Postal Service—how long this practice has continued, nor exactly how much it is costing the taxpayers, but these and other mail schemes must cease forthwith. A conservative estimate that I have seen indicates that for one mailing alone, Senator MCGOVERN has cost the Postal Service several thousand dollars.

According to published reports, the Senator has on at least one occasion made a huge mass fund-raising mailing of close to half a million pieces. Although the letters were stamped, they were marked "address correction requested." This means that if the party to whom the letter is sent has moved, the Postal Service will mark the new address on the envelope and return it to the Senator's office. The fact that the return address was to the Senator's official office led the Postal Service to the conclusion that it was official business.

The address correction service would cost the ordinary citizen approximately 10 cents per letter—for Senator MCGOVERN, it cost nothing. Estimated cost to the taxpayer of MCGOVERN's mailing: several thousand dollars.

This kind of shenanigan must not be permitted to continue. I call upon all presidential candidates to refrain from mail trickery during the upcoming campaign regardless of how great the temptation. The American taxpayer is already burdened enough with the expenses of Government without being required to support the private fund-raising activities of presidential or other political aspirants.

The Postal Service must be vigilant to prevent future abuses such as the one visited upon us by Senator MCGOVERN. The Senator should account to the Postal Service for every penny he has attempted to extract from them or be prepared to answer to the American people.

The article follows:

SENATOR MCGOVERN AND POSTAL SERVICE

WASHINGTON.—Sen. George McGovern of South Dakota has agreed to reimburse the U.S. Postal Service for what amounts to an updating of one of the mailing lists used to raise funds for his Democratic presidential campaign.

The service was provided free because the McGovern organization had been using his Senate office as the return address on fund-raising mail.

A McGovern spokesman said the sum involved is not known. It will amount to 10 cents for each letter returned with a corrected address from a mailing of more than 300,000 fund-raising letters.

The solicitation went out from Chicago beginning about three weeks ago. The McGovern organization paid the six-cent bulk-mailing rate for each letter.

The postage itself is not at issue. The service involved is address verification, which the Postal Service offers on request, and under which a forwarding or corrected address is sought on letters returned incorrectly addressed.

The charge for that service is normally 10 cents per returned letter, but it is provided free on mailings sent out by Members of Congress as official business.

The McGovern mailing did not qualify, since it was political, but the Senate return address led the Postal Service to make no charge.

Spokesmen for the Postal Service and for McGovern said they did not know how the discrepancy was discovered, but suggested a postal inspector might have spotted it in Chicago.

The Postal Service said McGovern has agreed also that on future mailings, his political correspondence would carry the return address of his presidential campaign headquarters.

The amount of the reimbursement will depend on how many of the fund-raising letters were returned for address verification.

WOMAN-TO-WOMAN TALK IN HANOI

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ICHORD. Mr. Speaker, I would like to insert in the RECORD today a very

moving letter written by Mrs. LaVonne Lauderbaugh, an active member of POW–MIA International, Inc., a group made up of friends and relatives of American fighting men captured by the North Vietnamese, the Vietcong, and other Communists in Southeast Asia, or men missing in action there.

Mrs. Lauderbaugh's letter is in response to a recent story that appeared in the Los Angeles Times concerning a group known as the Women Strike for Peace.

I place Mrs. Lauderbaugh's letter in the RECORD as it is my understanding that the Los Angeles Times has declined to print her letter.

Mr. Speaker, I feel that this letter is extremely well done and I believe that it speaks for itself. Therefore, at this point I include both the original story in the Los Angeles Times and the letter by Mrs. Lauderbaugh:

WOMAN-TO-WOMAN TALK IN HANOI

(By Jean Murphy)

Three American women have returned home after 10 days in North Vietnam, bringing with them the conviction that peace in Indochina depends solely upon the U.S. government.

They also brought letters from 32 prisoners of war, including nine Californians, to their families, but they were not allowed to visit the prisoners.

And they returned with a desire to talk about the women of North Vietnam.

The three are Mrs. Amy Swerdlow and Mrs. Irma Zigas of New York, mothers, housewives and leaders of Women Strike for Peace, and the Rev. Willie Barrow of Chicago, also a mother and director of special projects for Operation Breadbasket, Southern Christian Leadership Conference.

CAN'T BE DEFEATED

"In my opinion, these people (the North Vietnamese) can't be defeated," Mrs. Swerdlow said during a stopover in Los Angeles on their flight from Hanoi to the East Coast. "They are fighting, as they fought the French for years, for their own country."

She said Hanoi officials "told us that if President Nixon would set a date for withdrawal, all the POWs could be home by Christmas."

The American women said that North Vietnamese, "tough, resilient, determined, courageous and well-disciplined," are certain that they will win but that they are prepared for 10 more years of war.

"However, they seem to set great store in the peace hopes of the American people," Mrs. Swerdlow added. "Their hope is in the American public," Mrs. Barrow agreed.

The trio traveled to Hanoi as guests of the Vietnamese Women's Union. (In Washington, a spokesman for the State Department said that "we tend to frown on travels in countries with which we have no diplomatic relations but, as a practical matter, there is nothing we can do legally, no way we can discourage it.")

A FIRSTHAND LOOK

According to Mrs. Mary Clarke, Southern California coordinator for Women Strike for Peace, the three women "were invited to North Vietnam because the women there felt it was important for our women to see at first hand that the war is being escalated rather than wound down, as President Nixon claims, and to see the effects of continued U.S. bombing."

After seeing the effects of aerial bombardment, not as professional skeptics nor as trained military observers but as women and mothers, the three expressed disbelief.

"I can't believe that this is the will of the American people," Mrs. Zigas said, referring to injured civilians."

"You just can't believe our pilots know what they're doing," Mrs. Swerdlow echoed.

The WSP representatives said that they had "applied pressure" to see American prisoners of war but were refused permission because of "security reasons" and the continued American bombiing.

They did not know if any of the POW letters were from men previously listed as missing in action. They released the names of the nine Californians and said the others would be made public in New York City today.

The nine names released were Paul H. Schulz, San Diego; Robert L. Stirm, Foster City; John Ferr, San Pedro; Edward H. Martin, Coronado; George P. McSwain, Montrose; Everett Alvarez Jr., Santa Clara; Hugh A. Stafford, San Francisco; Edison W. Miller, Tustin, and one which Mrs. Swerdlow said was almost illegible but appeared to be Hubert Fisher, Rancho Cardena. No ranks or branches of service were announced.

Mrs. Swerdlow said the principal reason they accepted the invitation to North Vietnam was that "we feel very strongly we have to keep in contact with the women there. We defy the idea that these women are our enemies."

Mrs. Barrow believes the visit's major accomplishment was "the direct human relationship with the women. As a black person, I found an identity of spirit because of the identity of struggle." Mrs. Zigas and Mrs. Swerdlow reported that North Vietnamese women have obtained many of the goals sought by the women's rights movement in the United States.

LETTER TO THE EDITOR

POW–MIA INTERNATIONAL, INC.,
Tustin, Calif., November 2, 1971.

LOS ANGELES TIMES,
Times-Mirror Square,
Los Angeles, Calif.

Attention: Mr. William F. Thomas.

DEAR MR. THOMAS: Hoo-rah! Women Strike for Peace (WSP) has struck another blow for victory—Hanoi's not ours! Your feature story (November 1st), on three of their members recent trip to Hanoi and the 32 letters from POW's they brought back to give to the families was a delight to read, if you don't mind succumbing to an acute case of nausea. Surely your readers rate an antidote, allow them to read the views of the overwhelming majority of families and friends of the prisoners and missing in Southeast Asia.

Your reporter states that these women "returned with a desire to talk about the women of North Vietnam"—out of a total of 115 lines of the story, 16 were devoted to the Vietnamese Women's Union invitation; 2 lines on their desire "to talk about" the North Vietnamese women, and 8 lines actually talking about the women. The rest of the interview was given to castigating the United States, praising North Vietnam, and naming 9 Californians who are POW's.

One woman said, "In my opinion, these people (No. Vietnamese) can't be defeated." They certainly can't—as long as we have the WSP, et al, in the United Statese, continually mouthing the propaganda that Hanoi feeds them. Truong Chinh, leader of the North Vietnam Assembly, said in 1970, "As we won in 1954 thanks to our friends in France, so shall we win this time thanks to our friends in America."

The women said that after seeing the effects of aerial bombardment, they expressed disbelief; that they couldn't "believe that this is the will of the American people," referring to injured civilians; that "you just can't believe our pilots know what they're doing." Horsefeathers! They said they were in Hanoi—our planes have not had any missions over Hanoi since 1968! Just where did they see all this damage and these injured civilians? Perhaps they smoked a little too long on the "Hanoi peace-pipe" and were on a trip to where we have made air strikes, such as the Ho Chi Minh Trail—that's a pretty good trip from Hanoi.

They "applied pressure" to see U.S. POW's but couldn't because of "security reasons" and "continued U.S. bombing." They should have resented the "security reasons" bit, after all, what would Hanoi have to hide from "their friends"? And besides, when our government won't allow some things to be seen or released to the public because of "security reasons," the WSP and all the rest of their ilk are the first ones on the battle line screaming that they have a "right to know." As for the "continued U.S. bombing"—again, Hanoi hasn't been touched for years. What "pressure" did these women apply?

They "deny that these women (North Vietnamese) are our enemies"—since when? They may not be enemies of WSP, but any woman who assists in the production of war materials that are used to maim and kill even one U.S. serviceman is an enemy of ours! Sure, we have women in the U.S. who are doing the same thing, but incredible as it may seem to WSP, Hanoi and her allies are our self-proclaimed enemies, not just in Vietnam, but everywhere in the world!

Mrs. Barrow "as a black person," feels "an identity of spirit because of the identity of struggle" with North Vietnamese women; can she give us the name of one black person who is in the hierarchy of North Vietnam? We dare her to face Generals "Chappie" James and Ben Davis and tell them how wonderful the North Vietnamese are to blacks—or ask George Schyler whose daughter, a renowned and accomplished musician, was killed by a North Vietnamese attack while she was trying to save some Vietnamese children!

The real capper to the whole story you saved for the end—these women saying that "North Vietnamese women have obtained many of the goals sought by the women's rights movement in the U.S." Wow! They have one woman, a negotiator at the Paris 'peace talks'—how many women do they have in positions equal to that of a U.S. Senator, Congressman, Mayor, Judge, U.S. Treasurer, etc.? Do they have the equivalent to a Margaret Chase Smith, a Chisholm, a Priest, an Abzug, a Lilly?

Your story implies that these women of WSP were going to deliver these letters to the POW families themselves—wrong! They were taking them to New York, where they then turn them over to—surprise!—Cora Weiss' group, the Committee of Liaison with Families of Servicemen Detained in North Vietnam (COL). The clever use of the word 'Detained' precludes their having to use 'held as prisoners', but then, Mrs. Weiss and her group are very clever people. For instance, her co-horts of WSP apparently were careful not to mention that she, not they, would deliver the letters to the families, along with anti-American propaganda and exhortations to denounce our government and join with COL in its work. There is no mention of Mrs. Weiss or COL in the article. Is it possible that these women of WSP are smart enough to know that the real purpose of their trip would become crystal clear to the American people if they mentioned COL and its co-chairmen, Mrs. Weiss and David Dellinger, that sterling character, one of the 'Chicago 7' and a leader in nearly every radical movement in the U.S. today? Is it possible that WSP does not want it known how closely associated with COL they are; COL, a front for the "New Move Committee"; COL, who operates at the specific bidding of the communists in Hanoi; COL, whose leaders are almost identical to those of WSP? The very same COL who issued an information sheet in January, 1970, specifically stating that "COL has now been established . . . at the request of the North Vietnamese"; who is blessed with the support of one William Kunstler, attorney at (or is it 'against') law!

As to the motives and purposes of WSP, the old saying, "Birds of a feather flock together" is relevant—some of the "Birds" WSP flock with are: Communist Party, USA, W.E.B. DuBois Clubs, Socialist Workers Party, National Lawyers Guild, SDS, Progressive Labor Party, the New Mobe Committee, SNCC, Black Panther Party, et al., just about every group that is dedicated to destroying our way of life.

What we have given you are documented facts, not personal opinions, but hard, unadulterated facts! Isn't it about time that loyal American citizens be given their "day in court," that the newspapers give as much space to the hard-working, law-abiding, honest-to-God American citizen, as they give to the rabble-rousing crowd of revolutionaries who disrupt our campuses, places of business and government; who denounce, tear down and defile, with the basest kind of obscenities, everything our country has always stood for? We think so, and anytime a member of WSP or COL wants to take us on, we are eager and waiting—and even more, when our men finally are released from Hanoi and her allies, we challenge these "Ladies" and their followers to "tell it like it is" to our men, face-to-face! But then, such a confrontation is unlikely, they don't have the guts to face a real American!

We regret that it has taken so many words to express our viewpoint, yet, in the interest of fairness, we do now urgently beg you to print it; in its entirety or not at all. Please, do not print just excerpts as we feel this would destroy the entire purpose and meaning of its objective.

Most sincerely,

LAVONNE LAUDERBAUGH,
POW/MIA International, Inc.

A CONVINCING CLOUD

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DINGELL. Mr. Speaker, for the information of those who express the view that our air and water pollution control programs are too stringent, I commend to their reading an editorial which appeared in the Washington Evening Star of December 14, 1971, under the heading "A Convincing Cloud." I insert the text of the editorial at this point in the CONGRESSIONAL RECORD:

A CONVINCING CLOUD

Just as the anti-environmentalist counter-crusade is getting cranked up, along comes something like that recent transcontinental belt of air filth to show that the environmentalists aren't dopes after all. Somes members of Congress who are solicitous of big industry and of divers earth-gouging schemes have been emboldened lately to murmur that indictment, saying in effect that the anti-pollution kick has gone too far when it begins to interfere with economics.

Such protestations have been undone for awhile by the great Birmingham cough-in—by that putrid man-made cloud that stretched all the way from Alabama to Massachusetts. New York was under an air-pollution danger advisory, and in Pittsburgh (which is still one of the most polluted cities despite its vaunted clean-up) 29 industries were ordered to cut their emissions.

But the hardest blow from the thousand-mile temperature inversion fell on Birmingham, which looked more like Birmingham, England, in a pea soup. It was there, in this instance, that emergency powers of the 1970 Clean Air Act were invoked by federal authorities for the first time. With the danger index insufferably high, a federal judge ordered 23 major industries employing 25,000 workers to close down. An Environmental Protection Agency official blamed Birmingham's heavy industries for slowness in controlling emissions.

This was a picture of what the future might be without adequate air-pollution laws, and it was convincing. Moreover, this trial run for the new law demonstrated the economic costs that can be suffered by waiting until a crisis develops. But the EPA and the federal judiciary dealt quickly and firmly with this one, and perhaps that will be a strong incentive to quick industrial compliance in the future. Perhaps this jolt also will inspire manufacturers to begin spending more for emission control fixtures and research, as they contemplate the prospect of future shutdowns.

Even more inspiration in that regard would obtain from imposition of a federal tax, by volume, on smokestack emissions of some of the more noxious kinds.

There has been much progress in a short time, though, and this strict implementation of the Clean Air Act at Birmingham indicates that brighter days are ahead.

MERRY CHRISTMAS FROM THE ACLU

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HOSMER. Mr. Speaker, it has come to my attention that the American Civil Liberties Union has taken it upon itself to protect our schoolchildren from Christmas.

Specifically, the ACLU has issued guidelines for the public school observance of Christmas, which, in short, decree that Christmas should be a "no-no" on the constitutional grounds that it violates the first amendment.

Commentator George Putnam, on his syndicated radio program, "One Reporter's Opinion," discusses the ACLU and its Christmas greeting to America.

His commentary exhibits a strain of common sense which is sadly lacking in the ACLU's UKASE. Mr. Putnam's commentary follows:

CHRISTMAS AND THE CIVIL LIBERTIES UNION

It had to happen! The assault on religion in public places, was bound to mushroom into a controversy over Christmas. And organizations such as the Civil Liberties Union, handed out warnings to schools that the holidays were not to be used (indirectly) as a means of religious indoctrination.

Some areas received Constitutional guidelines for public school observance of Christmas and other holidays. The guidelines warned school officials that any direct or indirect program of religious indoctrination in the public schools, or with public resources, is a violation of the Constitutional principle of separation of church and state. These so called guidelines also caution censorship of Christmas carols, which have brought joy to so many generations of people—young and old—regardless of their religious persuasion.

Among the carols which would not be permitted, according to the Civil Liberties Union, would have to be "Silent Night, Holy Night" since the Christmas carol makes reference to religion. There are suggestions that the use of the word "Christmas" may also be unconstitutional, because it carries with it a religious connotation. The preferred terminology for the holiday, according to those objecting, would be—Winter Solstice. Religious music or any symbols which might be secular in nature, are also considered against the guidelines, as is A Christmas Carol, by Charles Dickens. (No mention yet concerning the paintings of Rafael, or the music of Bach.)

Well now—it is this reporter's opinion that we are no longer dealing with the separation of church and state, but instead with a determined destruction of the traditions that have built this country. All of this breast beating about what would happen to the United States if we allowed prayer and Christmas in our public places, represents a grotesque excursion from reality.

What these alarmists have chosen to forget, is that this nation has permitted all of these traditions for almost 200 years. And our forefathers fled Europe because, in many instances, they were not allowed such freedoms. It is only recently that court cases have invaded these areas. During the time they have been permitted, there never was any danger that a state religion was going to take over. To the contrary, we've had a continuing multiplicity of beliefs—as the years have come and gone.

But on the other hand, with the gradual elimination of religious influence, we have witnessed the proliferation of lawlessness, immorality, disregard for the welfare of our fellow citizens, and the growth of a dangerous sense of irresponsibility toward our obligations to society. There is room for criticism. But it should be aimed at how the beautiful spirit of giving has been all but forgotten in the rush to profiteer.

Perhaps the Civil Liberties Union, and others, would like to encourage the American people not to purchase Christmas gifts. Perhaps the Civil Liberties Union would like to suggest that department stores eliminate any suggestion of the spirit of Christmas in their displays or advertising—close their doors, and use that last week before the new year for inventory. I'm sure that would be a crashing suggestion, that would send the department stores right up the chimney.

In 1776, James Madison authored the Declaration of Rights for Virginia, which contained a Sunday sabbath law. It was challenged in the courts as religious in nature. But the Supreme Court upheld this and similar legislation, reasoning that it had become a way of life.

It is this reporter's opinion that Christmas and Christmas carols are also a way of life in the United States, and that those who insist upon carrying separation of church and state to such extremes will—if successful—ultimately destroy both.

Yes, Virginia, there is a Santa Claus—it is the Civil Liberties Union, not Santa, who have stubbed their toe.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 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?

HE IS NOT "WHAT'S HIS NAME" IN THE BUFFALO AREA

HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DULSKI. Mr. Speaker, names no longer in the news or close to our daily lives are likely to get away from us no matter how familiar they may have been in the past.

This is true in every way of life, including politics.

The Wall Street Journal recently printed an article about the Republican Vice Presidential candidate in 1964 whom they referred to as "what's his name" in the headline.

I would like to assure one and all that our distinguished former colleague in the House, the Honorable William E. Miller, is no "what's his name" in the Buffalo, N.Y., area.

He is very well known and, indeed, is continuing in active public service as chairman of the Niagara Frontier Transportation Authority. This is in addition to his return to the law profession as senior partner in a Buffalo firm.

So, while he may be "what's his name" to the Journal and others who reside elsewhere, his name continues to be well known in his home area of Buffalo and western New York.

Over the years he has served well his country, his State, and his home county with his current accent on the latter.

Mr. Speaker, as a part of my remarks, I include the text of the Journal article:

WHAT EVER HAPPENED TO WHAT'S HIS NAME OF GOLDWATER TICKET?

(By Barry Kramer)

LOCKPORT, N.Y.—"Barry Goldwater's running mate in 1964 was ———."

This fill-in-the-blank poser is Question 7.b. of a "Sixties Aptitude Test" appearing in the December issue of Esquire magazine. And if the pencils of Esquire readers are pausing more than momentarily over 7.b.'s blank space, it will come as no surprise to William E. Miller, whose name ("Of course!" you say) is the question's answer.

"Lots of people say hello who I don't know personally," Mr. Miller says. "In New York, I get in a cab or go to a restaurant, and I can see people looking at me trying to remember if they saw me in 'Gunsmoke' or 'Gone With the Wind.'"

But such is the transitory nature of the political arena. For Bill Miller was more than a flash in the 1964 Republican pan; prior to the Goldwater campaign, he spent 14 years in the U.S. House of Representatives, directed Republican congressional campaign strategy in 1960 and was Republican National Chairman for three years before his vice-presidential bid.

Then came November 1964. The Goldwater-Miller combination lost the election to Lyndon Johnson and Hubert Humphrey by almost 16 million votes. Sen. Goldwater, of course, was subsequently reelected to the Senate by his Arizona constituents. But Mr. Miller, whose term as Representative had expired coincidental with his defeat, retired from national politics to Lockport and the almost instant obscurity accorded retiring vice-presidential also-rans. (Who, for instance, ran with Richard Nixon in 1960? With Adlai Stevenson in 1952 and in 1956?)

MANY SPEAKING INVITATIONS

And is Bill Miller yearning to get back on the hustings? "I wouldn't run for the board of directors of the country club," Mr. Miller says. In fact, the man who was noted in political circles for his ability as a crowd-pleasing speaker is now almost invariably refusing all speaking-engagement invitations. "What for?" he shrugs when asked why. "I'm not running for anything."

Indeed, Mr. Miller says he doesn't miss politics at all. And as another election year looms, and other also-rans from past contests are resurfacing to compete for the prizes of national office, Mr. Miller has other pursuits. "I play a lot of golf," he says. "That keeps me in shape."

That it does. At 57, the five-foot-seven-inch Mr. Miller still weighs between 135 and 140 pounds—the same weight he carried back in the late 1930s as a student at Notre Dame. What's more, the years since 1964 have taken little discernible toll, and Mr. Miller looks almost exactly as he's pictured in the three-dimensional color transparency campaign picture (lit from behind) that hangs in the family den. He also continues to wear the dapper dress of his political years, including homburg hats and European-style suits.

The natty dress might be called a necessity. For while Mr. Miller relishes his moments on the green, much of his time is also spent in his capacities as a senior partner of Miller, Farmelo & Knoll (a Buffalo law firm), chairman of the Niagara Frontier Transportation Authority, director of one bank and trustee of another. "I'm paying more in income taxes now that I made as salary when I was a Congressman," he says. (In those days, a Congressman's salary was $22,000 a year.)

FREEDOM OF SCHEDULE

There are more advantages than salary. "I get up when I want to, go to work when I want to, play golf when I want to," Bill Miller says. Whether it be one of work or play, his day begins in a large, white colonial-style house on a tree-shaded Lockport street. Behind the house are two acres of lawn dotted wtih poplar and fruit trees and a garden. And sharing the house are his wife, Stephanie (like her husband, a native of Lockport), and the two youngest of the Miller's four children: William E. Jr., 12, and nine-year-old Stephanie. (The Millers have two older daughters: Elizabeth Ann, 27, is married with two children and lives in Virginia; Mary Karen, 24, is working and studying in Europe.)

If the present seems happy and prosperous for Bill Miller, it doesn't obscure the fact that the pace is far from forgotten. The Miller den, for example, is filled with Republican mementos: signed photographs of President Eisenhower, a Goldwater-Miller victory picture (at the 1964 GOP convention in San Francisco), consolation telegrams from President Johnson and Vice President Humphrey, and representations of elephants—24 in all—in wood, ceramic, paintings and cartoons.

Mr. Miller also shows no reluctance to reminisce about his political years—and not long ago, along these lines, he agreed to sit down with a reporter to discuss his past and present. And while the public might be inclined to regard the 1964 campaign as the apex of Bill Miller's career, the former vice presidential contender recounts his public life as if every event were no more than an interruption in his law practice.

Mr. Miller's first involvement with the government came in World War II, when he was drafted as a private. He subsequently became an officer and served for a time as a special prosecutor at the Nuremberg war-crime trials. Public service continued after the war when he accepted the job of assistant district attorney in New York's Niagara County and then progressed to become district attorney.

HAD NO PUBLIC CAREER PLANS

"I never went into the state retirement system—much to my (later) chagrin—because I never expected to stay in public life," Mr. Miller says. Indeed, he says he considered his district attorneyship as temporary until he built up his private legal practice.

National political involvement was also considered temporary. The Republican Party, Mr. Miller says, prevailed on him in 1950 to run for Congress from the district that then included Niagara and Erie counties. (His Republican affiliation began during the Depression as a protest against President Roosevelt's policies; Mr. Miller's father, a Lockport janitor, and his mother were lifelong Democrats.) "I thought, well, the prestige of being a Congressman won't hurt and then after a couple of years I'll come back to the law practice," he says.

Perhaps his easy win (a margin of more than 20,000 votes) changed his mind. In any case, Mr. Miller ran again in 1952. In fact, he ran every two years through 1962, maintaining a comfortable margin until 1960, during which campaign he led the Republican Congressional Campaign Committee. While the GOP picked up an impressive 22 House seats in 1960, Mr. Miller's own plurality slimmed to 20,000 votes and was further pared to 7,000 votes in 1962.

Mr. Miller says the progressive disenchantment of his constituents was caused by his role as Republican National Chairman in 1961. The job made him chief of President John F. Kennedy he says, and thereby alienated a large group of voters; the chairmanship, furthermore, kept him away from his district for long periods of time.

EXIT WAS SPECTACULAR

Whatever the reasons behind his declining margins, some political observers say Bill Miller's retirement was sparked by his near-loss in 1962. Mr. Miller disagrees. "Actually, it all went according to schedule," he says, "except I just retired a little more spectacularly than I thought I was going to."

The spectacle began unexpectedly. "Right until the convention, I never considered Bill Miller to be one of our team," wrote F. Clifton White, who led the movement to draft Barry Goldwater. Bill Miller himself says he hadn't "the remotest idea I was being considered for Vice President by Barry." His own choice, he says, was William W. Scranton, then governor of Pennsylvania.

It's political history that Gov. Scranton removed himself from consideration for the Republican ticket's second spot with an anti-Goldwater pronouncement at the outset of the convention. "It was at this point in San Francisco—while Barry never said boo to me—that some of Barry's supporters and friends indicated to me that my name had come up more than once in discussions," Mr. Miller says.

Barry, of course, finally did say boo. "He called me up on the phone," Mr. Miller recounts, "and said, 'Look, I'm going to be nominated tomorrow . . . and I'd like to have you go with me.'" And Mr. Miller's reply, as he recalls it, was, "You can do a hell of a lot better, but if you want me with you then I'll go."

Go they did—in a campaign that was as strenuous for its participants as it was monotonous for its followers. According to Mr. Miller, the opposition's success in painting Sen. Goldwater as a "warmonger" and an "atom-bomb dropper" put the Republicans on the defensive "and when you get on the defensive you can never win."

"Seven or eight times a day for a month, I had to say that Barry wouldn't start a war," Mr. Miller recalls. "Now how the hell do you win an election like this?"

You don't. "In retrospect," Mr. Miller says, "I'm sure there were many candidates who

could have been nominated for President and Vice President on the Republican ticket who would have done far better. But I'm also convinced that no Republican could have won that year."

KEEPS TABS ON ISSUES

Perhaps not. In any case, San Francisco was Bill Miller's political swan song. It was not, however, the end of his interest in politics. Indeed, he has numerous observations on the forthcoming (some might say current) presidential campaign.

"I would rather suspect that Vietnam will not be an issue," the former vice-presidential aspirant says. Rather, Mr. Miller maintains, the main issue will be economics "and Nixon will win if what he's doing works. If it doesn't work, he won't."

Concerning the economy, Mr. Miller says, "I've always been one who's opposed to any more government intervention in the free processes of the economy. (But) I kind of think that maybe we've come to the point where we've got to accept a certain amount of government restraint in the marketplace—just as we accept Social Security—because I just don't think it can be on a voluntary basis."

But if some of Bill Miller's views have changed since 1964, others have solidified—not the least of which is his opinion of New York City's erstwhile Republican, and now Democratic, Mayor John V. Lindsay. "An articulate ambulatory disaster," Mr. Miller says of his onetime House colleague—a not very surprising statement, since the mayor was quoted by a news magazine in a post-election story as referring to "Goldwater and what's-his-name."

Mayor Lindsay and others may quickly forget, but some remember. Mr. Miller says a teacher at his son's school earlier this year announced to the class, "I want you to know that Billy's father ran for Vice President. He lost, but that's nothing to be ashamed of."

THE SERVICE CONTRACTS ACT—WHO MAKES THE LAW?

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'HARA. Mr. Speaker, in the Wall Street Journal for today, December 17, there appears an article by Mr. Elliot Carlson, outlining the background of a growing confrontation that has been developing between the Congress and the Department of Labor.

The dispute involves the Service Contracts Act of 1965, and Mr. Carlson's article explains it in considerable detail. Summarized, it is the belief of a great many Members of the Congress—and they come from both sides of the aisle, that the Labor Department—and I would not wholly limit the fault to the present administration—has deliberately sought to misinterpret the Service Contracts Act in direct and unmistakeable derogation of the intent of the Congress in enacting it.

Mr. Carlson's article begins by stating that—

One of President Nixon's new economic policies may be undercutting one of Congress' older ones.

It is perfectly true that the President's "new economic policy" has been cited by the Labor Department as one of its reasons for failing to perform its clear duties under the act, but the confrontation is not between a new "policy" and an old one. The confrontation is between what the law instructs the Labor Department to do—and what the Labor Department continues to do in flagrant disregard of the law. The Department's disregard of the logic and the letter of the law predates the "new economic policy" by a long time, and it continues in spite of a unanimous, bipartisan finding by a Subcommittee of the Education and Labor Committee that the law was not being observed as it was written.

As the Carlson article indicates, the Department's persistence in its misinterpretation of the law has resulted in the introduction by the able and distinguished gentleman from New Jersey (Mr. THOMPSON), chairman of the subcommittee which issued the unanimous report of last June criticizing the Department's attitude and actions, of a bill designed to make the clear and unambiguous language of the Service Contracts Act even clearer—clear enough, if possible, for a bureaucrat to read and understand what the intention of the Congress is.

As I have suggested, this is not a partisan controversy, nor an ideological one. Businessmen and honest Government contractors—the vast majority of such contractors would agree, I believe, with the labor movement that the conditions under which Government contracts are awarded should be the conditions the law prescribes, so that competition for such contracts may be under ground rules known to all and applicable to all. Democrats and Republicans alike would agree, I think, that it is the function of the Congress to make the law and the executive branch to carry it out—and if the law as written causes some inconvenience to the executive agencies, then they may ask that it be changed—not seek to change it by regulation, practice, or simple inaction.

Mr. Carlson's article is a valuable background piece on what could become a major constitutional issue, far outweighing the very important substantive matters involved. The Congress intended the Service Contracts Act of 1965 to be carried out in one way and the Labor Department intends, in the full awareness of the intent of the Congress, to carry it out another way. I hope we will soon come to a resolution of this challenge to the Congress legislative powers. The article follows:

[From the Wall Street Journal, Dec. 17, 1971]

SINKING WAGE FLOOR: UNIONS, LAWMAKERS CHARGE ADMINISTRATION UNDERCUTS PAY OF CONTRACT SERVICE WORKERS

(By Elliot Carlson)

WASHINGTON.—One of President Nixon's new economic policies may be undercutting one of Congress' older ones.

Bent on holding down pay boosts, the Nixon administration is being accused of failing to keep the sturdy wage floor the lawmakers intended under service employes—such as guards and janitors—working for government contractors.

This pay-propping mandate was enacted by Congress six years ago as the Service Contract Act. It requires that such employes be paid at least the prevailing wages and fringe benefits for similar work in their localities. It also empowers the Secretary of Labor to determine these rates and publish them so that bidders for government contracts for service and support work may incorporate the amounts in their bids. Such determinations create wage floors below which contractors can't go in labor payouts.

But more and more lawmakers and labor leaders charge that Labor Secretary James D. Hodgson is ignoring these provisions as part of a concerted drive to hold down government costs. Specifically, they gripe that Mr. Hodgson's handling of the act favors bidders who do the best job slashing labor costs, even if it means refusing to recognize existing wage rates or pay boosts negotiated by unions with previous contractors.

Result: The Labor Department is faced with increased congressional scrutiny of the way it's administering the act, and legislation already has been proposed that would curb the department's role in interpreting it. What's more, two unions recently have sued the department for allegedly undermining the service-contract law and a third one is threatening to do so.

THE ONLY RECOURSE?

"Legal action may be our only recourse," grouses James G. McGahey, president of the United Plant Guard Workers Union, who vows he'll sue Mr. Hodgson if he fails to issue a "wage determination" for about 6,000 workers at Cape Kennedy's Eastern Test Range. "The department is reverting back to the old days when contractors used workers as pawns in competitive bidding."

Today Secretary Hodgson is expected to decide whether to issue a determination spelling out wage floors for the test range. His decision may well portend the Labor Department's position in similar cases arising next year, observers say. For both labor and the government, the stakes are sizable.

Service contractors currently employ roughly 220,000 workers, mostly laundry workers, bus boys, dishwashers, guards and janitors, on contracts worth about $3 billion. Concerned about rising costs, federal agencies have begun opening up to competitive bidding contracts that for years were simply renegotiated from time to time by the government and a single contractor.

Union men fear that wage and benefit gains negotiated over the years may be wiped out in those cases where new bidding isn't accompanied by wage determinations, and they cite the Eastern Test Range as a case in point. Pan American World Airways has provided maintenance, custodial and other services since 1953. But the Air Force early this year decided to seek new bids on the $78-million-a-year contract.

Controversy developed when Mr. Hodgson, as he has in similar cases recently, said he would establish prevailing rates covering only janitors and porters. Thus there wouldn't be published figures to guide bidders as to the prevailing rates for other service occupations at the range.

PUSH FOR NEW LEGISLATION

As a result, bidders would be free to estimate future labor costs at a lower level than now paid by Pan American, whose labor costs are dictated largely by various negotiated wage agreements. And, while a new contractor at the range would have to bargain with the same unions, there isn't any law compelling federal contractors to recognize a predecessor's labor terms.

Incensed, Mr. McGahey and other unionists attacked the Labor Department before a congressional subcommittee in October and called for new protective legislation. Mr. Hodgson compromised somewhat, agreeing to make a separate survey of Cape Kennedy's Brevard County wage rates that would help decide whether a formal "determination" is warranted.

With bids expected next month for a con-

tract beginning in June 1972, the Labor Secretary can't delay his decision. If he rules out establishing rates generally, "we'll go to the courts and seek an injunction to block the awarding of the contract," warns Mr. McGahey.

Meantime, other unions already have taken legal steps. The International Brotherhood of Electrical Workers recently asked a federal court here to void a $26 million contract the Navy awarded to Dynalectron Corp. for operation and maintenance work at a missile range in Hawaii. The union contended the award was illegal because the department failed to issue a wage determination. A U.S. district judge dismissed the suit; the union plans to appeal.

For identical reasons, the International Association of Machinists is asking the same district court to nullify a $20 million contract between the National Aeronautics and Space Administration and Boeing Co. The suit claims Boeing, bound only by a determination limited to janitors, was thus able to base its bid for a contract to provide support services at Florida's Kennedy Space Center on labor costs substantially lower than those paid by Trans-World Airlines, which has held the contract for seven years.

WAGE CUTS FOR WORKERS

Consequently, the union asserts, the contract went to Boeing, which allegely slashed wage rates by as much as 35% in some job classifications. Boeing doesn't deny that many wages were cut. Some examples: A storekeeper, earning $4.45 an hour from TWA, was asked by Boeing to stay at his old job at $3.32 an hour; a painter, making $5.45 an hour, was offered his old job back at $3.79 an hour.

Boeing says it instituted cuts averaging about 15% for most of the roughly 2,000 employes covered by the service contract. The company claims some of the reductions were dictated by a previous agreement with the Machinists union, the others by a survey showing wage rates at the space center were "not consistent with those paid in the industry" generally.

Primarily, the squabble is over how the Service Contract Act should be interpreted. The unions maintain the act's language makes it mandatory for the Labor Department to issue wage determinations in all cases. Not so, retorts Labor Secretary Hodgson. He argues that one section allows reasonable variances, tolerances and exemptions from the act when it's "necessary and proper in the public interest."

And this is the case at the Eastern Test Range, according to Mr. Hodgson. In a letter this fall to inquiring Congressmen, he contended that a wage determination there "might be prejudicial to the public interest in the success of the President's economic program to combat inflation."

Moreover, he asserted, wage rates paid service workers at Cape Kennedy "continue to be equal to or greater than" those paid workers elsewhere in Brevard County, where the cape is located. This is so, he added, because such rates "in the aerospace complex historically have been bargained and many rates were 'imported' to Brevard County from other higher-wage localities where the government contractors were operating."

PROSPECTIVE BOOSTS IGNORED

Courts presumably will decide whether wage determinations are mandatory. Meantime, some union men gripe that the act's intent is often subverted even when determinations are issued. They complain that a new trouble developed in 1969 when the comptroller general ruled that prospective wage boosts couldn't be included in such determinations. Thus, the government's own prevailing rate figures don't reflect increases that have been negotiated, but aren't due to take effect until the existing contract expires.

"This makes it impossible for some service employes ever to get a pay raise," grumbles Robert Connerton, top lawyer for the Laborers International Union. The reason: Most contracts are for one year and, at the end of the year, change hands. "New contractors are free to ignore boosts in pay bargained by the previous contractor," says Mr. Connerton.

In testimony before a House subcommittee last spring, he explained how this system works out in practice. He noted that in 1970 the Laborers' Union organized the Beltsville, Md., employes of Frugal Co., which had a service contract, and negotiated a 14% pay raise to $2.22 an hour. But the Labor Department refused to recognize the raise and set the rate at $1.94 an hour in its determination. Thus, Mr. Connerton said, Frugal lost the contract to a concern that submitted a bid based on the lower rate.

To meet such objections, 20 Congressmen are co-sponsoring a bill that would require prospective wage boosts to be incorporated in prevailing wage-rate determinations. It also would require public hearings anytime the Labor Department wanted to avoid making such determinations.

For its part, the department insists its administration of the Service Contract Act has been fair. "The comptroller general has told us we can't include these prospective increases in our determinations," a spokesman says. "We feel we're bound by that ruling."

THE DAY LABOR INDUSTRY MOVES TO CLEAN ITS OWN HOUSE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MIKVA. Mr. Speaker, in October hearings were held before the Special Labor Subcommittee to look into allegations of exploitation of day laborers by their employers. A number of witnesses testified as to abuses suffered by day laborers, and supported legislation to license and regulate temporary help services.

Representatives of the temporary help industry also appeared before the subcommittee. They denied that the alleged abuses of workers were as widespread as the day laborers charged, and opposed regulation by the Department of Labor.

Subsequent to the hearings, I received a copy of a memorandum sent to all offices of Manpower, Inc., one of the largest nationwide temporary help services, from the president of the corporation. In the memo, the president warns the franchisees that Congress is scrutinizing their industry, and he urges them to be sure that illegal practices are discontinued. He goes on to suggest that organizations be established in the various cities, consisting of all temporary help services, to initiate a lobbying campaign against the Day Laborer Protection Act (H.R. 9282).

Mr. Speaker, I am pleased to see that Manpower, Inc. has taken up the spirit of reform. If the day labor had exercised responsible self-regulation in the past, there would have been no need for legislation and congressional hearings.

I sincerely hope that Manpower, Inc. is successful in cleaning up the conditions and practices in the day-labor industry. As the Special Labor Subcommittee continues its investigation of temporary help services, it will no doubt be interested in whatever self-improvement is achieved.

I would like to insert in the RECORD at this point a copy of the memorandum referred to earlier:

MIKVA BILL (H.R. 10349)

I am sure you are interested in knowing what happened in Washington at the Mikva bill hearings before the Special Subcommittee on Labor.

The first day (Wednesday, October 20) there were a number of witnesses who presented very serious charges against Manpower, Kelly and other temporary help services. The case that was made out against our industry, if true, was a very disagreeable one. We kept asking, as did the congressional subcommittee members, for hard facts and proof. Most of the allegations and claims were not supported by data. However, there was enough presented to cause several of the congressmen to be very concerned about the practices in our industry. If the facts bear out the allegations that were made against our industry, we can find ourselves in the position where we may well be regulated by the U.S. Department of Labor in a bill similar to the Mikva bill. Senator Walter Mondale of Minnesota has now introduced a similar bill in the U.S. Senate.

I testified in considerable length the second day (Thursday, October 21) on behalf of Manpower and our industry. I am enclosing an outline of the arguments which I made and which you will be asked to use in connection with your contacts with your congressmen and your local Chambers of Commerce. I am also enclosing a copy of Mikva's bill and his comments as to why he felt the bill was necessary. I would ask that you read very carefully the comments of Congressman Mikva. He testified before the congressional subcommittee and elaborated on these remarks. We have asked for firm evidence, but there is not much that has been forthcoming up to this point.

In my remarks, I made the statement that in our Industrial Divisions we had eliminated the 90-day clause about a year ago. Unfortunately, after I made this statement, I was confronted with a Manpower time slip that Chairman Thompson presented to me. This time slip was dated two months ago and contained a 90-day clause and was signed by a customer of ours. After I admitted that it was our time slip, the chairman stated that he felt that by my admitting that this was a current Manpower time slip I was casting doubt upon my testimony to the effect that we were no longer using this time slip. I replied that I did not accept the chairman's inference and that what I had said was correct. We have a policy that eliminated the 90-day clause from the Industrial Division and I was not aware that any office was still using it. I gave my assurance that I would check this out.

I would ask that you immediately check your supply of Industrial Division time slips. If you are using any time slips in the Industrial Division that contain the 90-day clause, please destroy them. It is our policy, as has been previously announced to you, that we do not use any 90-day restrictive clause in our Industrial Division.

On balance, I would say that we are faced with a very serious problem. I visited with a number of congressmen. The feeling seems to be "there is considerable smoke and yet they cannot see the fire, but they cannot conclude that there is no fire." I am sure that those who oppose our industry will produce hard facts. We have a great deal of work ahead to prove that our operations comply with existing laws and there is no need for our industry to be regulated by the U.S. Department of Labor.

It was my position, in my argument, that if there are violations of existing laws the States are in a better position to regulate them than the Federal government. I am not

sure that this argument has too much strength, since Congress has now moved into many areas of regulation that formerly were handled by the States.

Where do we go from here? I say to you, as I said to the Board of Directors of the National Association of Temporary Help Services, "This is a serious matter and deserves our highest priority." I am issuing a call to arms. I am issuing a call to you to do everything that you possibly can in your community to help defeat this legislation. It is not only the licensing that we object to, but the payment of travel time and waiting time, as required in the bill. Legislation of this type, if it is passed, will be expanded, in my opinion, to cover markup, new minimum wages, etc. I believe it is to the best interest of all of us to resist this bill. This means that you will be asked to do the following:

1. Make the contacts with your congressmen. Meet them in their offices when they come back home. Go over the bill with them. Use the outline of arguments that I have presented to you with this memorandum.

2. Call your local temporary help service association together. If you do not have one, this is the time to get one started. At the local association meeting, go over the Mikva bill and the outline of the arguments which oppose the bill. Decide on a strategy as to how you will make the contacts with your local Chamber of Commerce to gain their support, and how you will make known the wishes of your group to the local congressmen. Ask that your association appoint one person to be in charge of carrying out the strategy that the association will develop to bring about the defeat of the Mikva bill, as well as the new Mondale bill.

Review with your association members the following subjects:

a. Are any of the Industrial Divisions in your city using a time slip that contains a 90-day clause? If so, try to prevail upon them to abandon it.

b. Ask that a small group be appointed to go to the Industrial Division offices early in the morning to see what conditions exist. Are the offices in poor condition? Do they meet the minimum standards that we should have for an Industrial Division? I am enclosing a copy of the Code of Good Practices of our national association. Discuss each of these items in your association. Discuss each of these items in your association to find out whether there is full and 100% compliance. If there is not, then you need to get your group to move in that direction.

c. One of the biggest problems we have is the fly-by-night operator who does not belong to any local association and is guilty of violations. You simply must know who these people are. You must get your group to call on them and to use all the influence you have to get them to subscribe and follow the Code of Good Practices for the association.

d. You must set up a committee, in my opinion, to police the industry in your city. Violations must be brought to the committee's attention and acted on quickly. If any member is running without Workmen's Compensation insurance, then that should be reported immediately to the State Insurance Commission. If anyone is violating the minimum wage law, that should be reported. You simply cannot condone any violations by anyone in your industry in your city. We are being tarred with the same brush as they. We have been referred to as the Cadillac in our industry, but the violations of the bad guys put us in the same category—subject to regulation. Your association and you must make it your business to see that our type of business is conducted properly.

e. I am enclosing a copy of a form I would ask you to fill out and return to me as quickly as possible so that we know what is happening in your city. We have to do a lot of work. We have to know our strengths and our weaknesses.

f. A number of groups are sending people into our offices supposedly applying for jobs and they are reporting back on any abuses that they find in Manpower or our competitors' offices. You can expect that this will happen to you. I would suggest that your association hire a person who, once a month, will go to the offices that you think are the worst offenders and have him report back on what he finds. I am enclosing a form of questionnaire that will be helpful in checking this type of procedure. If your association does not wish to do so, I would suggest that you have someone do this on your behalf.

We simply must know what is going on in our industry. The person selected to do the investigating for the association should also report on the major companies as well. They may well find some surprises that they were not aware of.

What will happen to the legislation? It is my guess that there has been enough evidence produced by the proponents of the Mikva bill for the congressional committee to hold hearings in some of the cities. This will bring about some unfavorable publicity where violations are found to exist. The best way to get our industry's house in order is to get busy now and get 100% compliance with the Code of Good Practices by all who operate a temporary help service in your city. I know it's difficult to control the little guy who tells you to mind your own business, but some how or other you and the association have to make it your business to get the violators out of business, or make believers of them.

What if your association is not strong? Then, I say to you that it's your job to make it strong. The national organization can carry on its work at the national level in Washington, but the story is written in the local communities by you and your competitors. If you haven't been active in your local association, become active. This does not mean that you have to get involved with a number of programs relating to credit, marketing, etc. that your association might be involved with. Your main interest, as I see it, at this point is to develop a strategy in two areas: (1) Defeat the Mikva and Mondale bills, and (2) Clean up our industry, if there are abuses that prevail.

Don't think that because national firms, including Manpower, have a good overall image that all is right in your office. Use the checklist in your office and make mighty certain that if the congressional committee called you or one of your employees to testify that you could stand up and answer properly any criticisms of the type that have been made by Congressman Mikva. You and the others in our industry should approach this from the standpoint of having to get up on the witness stand before a congressional committee in your city to answer some rather penetrating questions of the type that were put to me.

Manpower has been in business for twenty-three years. We have worked hard to build a good reputation as people who are serious and have an interest in our employees and customers. I don't want, after all these years, to see any of us do anything that will destroy what we have all worked so hard to build.

Consider this your personal responsibility. I have done that for our company at the national level. I want to see this industry be able to hold its head up high and say that not only Manpower, but all of the temporary help services, operate in a legitimate manner, and that we are following all of the laws carefully and fully. This is the charge that I make to you.

Will you please return to me quickly the questionnaire on the status of your association activities?

P.S.—In connection with the regulation of our industry, you may also hear reference made to H.R. 9282 and H.R. 10608. These bills are the same as H.R. 10349 enclosed.

MANPOWER'S OUTLINE OF ARGUMENTS IN OPPOSITION TO H.R. 10349

It is the position of Manpower, Inc. that H.R. 10349 should be defeated for the following reasons:

1. The bill would duplicate coverage of six different federal laws for our industry. We are now governed by each of these six laws. These laws are now enforced by at least four different agencies. The bill would add an unnecessary enforcement dimension to laws already being enforced.

2. The bill would duplicate existing state laws already requiring our industry to provide workmen's compensation. Here again, H.R. 10349 adds another unnecessary enforcement aspect to a uniform system of state regulation.

3. The bill would make our temporary employees' travel and waiting time compensable. This unique levy—not asked of any other industry—would effectively eliminate a substantial portion of our industrial business, and the job opportunities we are able to offer.

4. Like any other employer, we are subject to federal and state laws which protect the rights of employees. Our industry does not enjoy any exemptions from these laws. Any abuses, if true, would be violations of these existing laws. None of the alleged abuses have any unique relationship to our industry or how it operates. These are not reasons why our industry should be singled out for licensing.

5. There are no precedents for Federal licensing of an industry such as the temporary help service industry. A look at history shows that licensing has been a state concern and there is no predicate for treating temporary help services differently from doctors, lawyers, nurses, employment agencies, collection agencies, detective agencies, T.V. repair shops, real estate brokers, nursing homes and a host of other service businesses.

STATUS OF ASSOCIATION ACTIVITIES OF (CITY, STATE)

I would like to report on the status of our local association of temporary help srevices.

1. We have a temporary help service association. Yes or no.

If no, why?

2. How do you evaluate the activities of your local association?

Very active.

Fairly active.

Inactive.

3. Are you an officer in your local association? Yes or no.

If yes, what office do you hold?

4. When was the last meeting of your association that you attended?

5. Have you attended a meeting where the Mikva bill and a strategy for defeat has been discussed? Yes or no.

If no, do you plan to see that such a meeting is called? Yes or no.

When?

6. Of the national firms, which of your local offices would you say have shown no interest in your association? (We will try to get the national offices to contact their local people to get them involved in the association.)

7. What *local* temporary help services operating Industrial Divisions in your community have not been interested in your association?

8. What alleged violations have been brought to your attention by some of the temporary help services in your community that have not been corrected and could be a cause of considerable concern?

9. Have you contacted any congressmen in an effort to present our position against the Mikva bill (please list the names of the congressmen and enclose a copy of any correspondence that you have sent)?

10. What additional material do you need from us to help you in this project?

11. What additional thoughts do you have as to how we can be more effective in:
a. The defeat of the Mikva and Mondale bills.
b. Putting the temporary help service offices in proper order if abuses exist.
Date.
Signature.

QUESTIONNAIRE FOR AN INVESTIGATOR

I, (name), certify that the following facts are true and correct.
1. I made application for employment at ---------- at ____ o'clock on ----------.
2. I was offered an assignment at ____ o'clock, after waiting ____ minutes for an assignment. I was assigned to work at ____ ---------- located at ----------.
3. It would take ____ minutes to get to the job by public transportation. I was offered the following arrangement for travel time: ----------.
4. I was offered $____ per hour for the job. The job was to consist of ----------.
5. The job was to last for ____ days, I was told that I would be paid on ---------- for my work. It was explained that there would be the following deductions made from my paycheck:
Social Security.
Withholding Taxes.
State or City Taxes.
Other (please describe).
I received a draw of $____ for car fare and travel.
6. The time slip which I was asked to sign contained a clause restricting my working for the customer. Yes or no.
If yes, the restriction covered ____ days and $____.
7. I was treated in a friendly and courteous manner. Yes or no.
8. The dispatcher asked that I pay for the job. Yes or no.
If yes, $____ were asked for.
9. When I reported to the job, the job was as explained to me. Yes or no.
10. I was paid the exact amount that was on the time slip. Yes or no.
The following deductions were made:
Social Security.
Withholding Taxes.
State or City Taxes.
Other (please describe).
11. I was paid for my work in the following manner:
a. My check was mailed to me.
b. My check was given to me at the office of the temporary help service.
c. My check was given to me at some other place (please specify).
12. My work was over at ____ o'clock. I came back to the office for my check. Yes or no.
If yes, I arrived at ____ o'clock. I received my check at ____ o'clock.
Signature.
Date.

RESOLUTION TO ESTABLISH THE AGRICULTURAL HALL OF FAME AND NATIONAL CENTER

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WINN. Mr. Speaker, an idea has been launched which, if enacted into law, would benefit the citizens of America. I am speaking of the resolution introduced by my Kansas colleagues, JOE SKUBITZ and KEITH SEBELIUS, to establish the Agricultural Hall of Fame and National Center as a National Cultural Park within our system of national parks.

It is particularly fitting that these two members of the Kansas congressional delegation start the ball rolling, as they both serve on the National Parks Subcommittee of the House Interior Committee.

Congressman SKUBITZ, by the way, serves most ably as the ranking minority member of that subcommittee.

It is now time to add my voice and support to this endeavor. The Agricultural Hall of Fame lies just 12 miles west of Kansas City, Kans., which I represent as part of the Third District of Kansas. I am very much aware of its impact on the Nation as a whole as well as on the Midwest region.

What is the Cultural Park concept and why should the Hall of Fame and National Center be made one?

Basically, the concept is intended to preserve and interpret an important part of our national heritage and culture. The idea of the Cultural Park is to be able to perform these functions in a partnership between private, public, and local entities.

American agricultural achievements have been the hallmarks by which all the other nations of the world measure their progress in feeding and clothing their citizenry.

American agriculture is more than machinery. It is a way of life which has helped considerably toward building a strong and vigorous and high-minded people.

Once an agrarian society, America is now endowed with the blessings and the challenges of technological advancement. There is much to be learned from our agricultural heritage; and, a great need to preserve it.

The Agricultural Hall of Fame and National Center has made great strides toward this goal. But, the assistance of the Federal Government, the expertise of the National Park Service, and cooperation of State and local government and private citizens can help assure continued preservation, expansion, and interpretation of our agricultural heritage.

TIME FOR THE POSTAL SERVICE TO LOOK AT CERTAIN MAILING PRACTICES

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BRAY. Mr. Speaker, I quote from a recent AP wire service dispatch:

Senator George McGovern of South Dakota has agreed to reimburse the U.S. Postal Service for what amounts to an updating of one of the mailing lists used to raise funds for his Democratic presidential campaign.

The service was provided free because the McGovern organization had been using his Senate office as the return address on fundraising mail.

The postage itself is not at issue. The service involved is address verification, which the Postal Service offers on request, and under which a forwarding or corrected address is sought on letters returned incorrectly addressed.

The charge for that service is normally 10 cents per returned letter, but it is provided free on mailings sent out by members of Congress as official business.

The McGovern mailing did not qualify, since it was political, but the Senate return address led the Postal Service to make no charge.

This public disclosure of alleged misuse of the U.S. mails for the purpose of soliciting campaign funds demands immediate and thorough investigation. It is bad enough that the Democratic presidential candidates tried to raid the Federal Treasury for campaign spending money through the tax-checkoff provision of the tax bill, without now attempting to raid the Postal Service.

I believe a public accounting of this is required, from those responsible. I also believe the U.S. Postal Service should keep a close watch on the mailing practices of all leading presidential candidates, both announced and unannounced, to determine if any other such gimmicks are being employed.

Public confidence in the American political system demands that candidates for high public office not abuse the privileges and prerogatives enjoyed in their present public positions. It also demands that campaigning for such office be done without subsidy from the U.S. Postal Service.

INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DINGELL. Mr. Speaker, there has raged a dispute over the past few months over the adequacy of a draft convention on the protection of certain species of animals and plants which may be in danger of extinction. It is expected that there will be an international meeting in this city in April of next year for the purpose of discussion and approval of such a convention.

The convention in question was drafted by the International Union for Conservation of Nature and Natural Resources—IUCN. That organization has worked long and hard on the proposal. It has also carefully considered several alternatives to the draft which it has prepared, in view of the alternatives which have been proposed.

In order to have the elements of the controversy exposed to public view, for comment and reaction, I have asked for a copy of the IUCN notes on the convention and the alternative proposals, with a view to having these documents reproduced in the RECORD. In view of the fact that they have not received widespread distribution, I include them in the RECORD at this point:

INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES

(Explanatory notes on convention on the export, import and transit of certain species of wild animals and plants. (Revised draft (2) text of Convention dated February/March 1971.))

OBJECTS

The Convention is designed to regulate traffic in threatened and declining species of wild animals and plants. Information gathered by various bodies throughout the world and correlated by the Survival Service Commission of IUCN shows that a considerable number of species of wild animals and plants will become extinct unless urgent conservation action is taken. The principal reasons for this situation are over-exploitation of these populations and modification of their habitats. The Convention is concerned with species of animals and plants threatened or declining because of over-exploitation, particularly those that enter international commerces. Two categories are distinguished: those species that are already threatened with world-wide extinction, and those which are approaching this condition.

Regulation is primarily at the point of origin through the institution of export permits for both categories, with control exercised by the competent authority designated in the exporting country, which will limit the number of permits granted so as to avoid over-exploitation. In the case of threatened species, a further control is included by the pre-requisite of an import permit, issue of which is controlled by a scientific authority in the importing country and authorized only when adequately justified and then only for a scientific purpose. By the very nature of this category, it is not expected that a large number of permits will be issued.

Over-all supervision is undertaken by an International Advisory Committee appointed by representatives of the Contracting States.

Although border checks on permits at exist and entry are important elements in the regulatory mechanism, it is implicit that internal checks at various points in the marketing chain will also be involved. Much of the regulatory mechanism will presumably be the concern of the authority concerned with conservation in the country concerned.

The present draft differs from the second of the earlier drafts in a major reorganization of its arrangement into Articles to group related topics more effectively. The opportunity has been taken to effect other improvements in drafting, including points raised by various countries after examining the earlier draft. The Food and Agriculture Organization of the United Nations, the Customs Cooperation Council, the GATT Secretariat and the Special Committee on Antarctic Research have made valuable contributions.

The following notes indicate the general substance of the various Articles of the Convention:

PREAMBLE

This gives reasons for the Convention, namely to regulate traffic in threatened and declining species of wild animals and plants. A necessary pre-condition is that hunting, killing, capture and collecting of species covered by the Convention should be subject to national control.

Article I: Definitions

Definitions are given to facilities drafting of later Articles. In particular the term "specimen" means a representative of any species (alive or dead) listed in Appendices I and II, but animals bred in captivity and cultivated plants are excluded.

Furthermore, "product of specimen" means any part or product of a specimen, except seeds, and it includes all articles or substances derived from such parts. Clothing and jewelry carried as personal effects are excluded.

Article II: Fundamental principle

1. Contracting States undertake to regulate trade in species listed in Appendices I and II.

2. Appendix I lists species which are threatened with worldwide extinction and the export, import and transit of which are to be permitted only for scientific purposes (see Articles III, IV, and V and VI). (These are species listed in the IUCN Red Data Books that are adversely affected by international traffic in specimens or their products.)

3. Appendix II lists species which are in danger of being threatened with world-wide extinction and the export, import and transit of which are to be subject to regulation by Export Permits (see Articles III, IV, V and VI). (These are species the numbers of which are declining and which are affected by international traffic.)

Article III: Export of specimens and products of specimens

Specimens and their products may only be exported to another Contracting State and must be covered by Export Permits. (It is intended that appropriate means will be instituted to check that shipments have the necesary permits. Article IX requires that qualified persons will be available to check identification when this is in question, and furthermore that the onus of proof is on the exporter.)

Article IV: Export permits

1. Export Permits are to be issued only for specimens which have been lawfully killed, captured, or collected or products of such specimens, or in the case of re-exempt, after proof of lawful import has been provided.

2. Export Permits for species in Appendix I can be granted only for scientific purposes (this to be certified by a Scientific Authority, see Article VIII) and if an Import Permit exists.

3. Export Permits must conform with Appendix III and be issued by a competent authority of the Contracting State (to be notified to the Depositary Government). Separate Export Permits are required for each specimen or product of species in Appendix I. (This links with the similar requirement for Import Permits and will facilitate internal transfers and checking, e.g., in relation to any system of registration of such material, and re-export if this should become necessary later.)

4. Descriptions and marks must enable the Export Permits to be linked with the specimens or their products.

5. Copies of all Export Permits issued are to be submitted to the bureau (see Article XIII) every six months.

Article V: Import of specimens and products of specimens

1. Import of specimens and their products is to be permitted only when they originate in another Contracting State (see however paragraph 3 of this Article) and must be covered by Export Permits. For specimens or their products of species in Appendix I, an Import Permit is also needed. Permitted imports are to be marked where appropriate or feasible.

2. An exemption provides for waiving of permits for a specimen being returned to its place of origin or sent to a rescue centre (see Article IX).

3. An exemption provides for the import of specimens and their products for scientific purposes from a State not adhering to the Convention.

Article VI: Import permits

1. Import Permits are to be issued when specimens or their products are to be imported for scientific purposes and are subject to approval by a Scientific Authority (see Article VIII). They can only be issued to the person or institution that is to use the specimen or product for the scientific purpose in question. (The last provision is linked to potential abuses by traders.)

2. Imports Permits must conform with Appendix III and be issued by a competent authority of the Contracting State (to be notified to the Depositary Government). Separate Import Permits are required for each specimen or product of species in Appendix I (see also note on paragraph 3 of Article IV).

3. Copies of all Import Permits issued are to be submitted to the bureau (see Article XIII) every six months.

Article VII: Transit and exhibitions

1. The provisions of this Article have effect despite the all-embracing provisions of paragraph 1 of Articles III and V.

2. As long as the requirements of Article V are met in respect of import into the Contracting State of final destination, additional permits and inspection of consignments is not required in States through which they pass in transit to the final destination. (This provision aims to reduce formalities needed for consignments in transit across the territories of States other than the original exporting State and the final importing State.)

3. Specimens in a travelling exhibition including a circus or menagerie can be exported or imported without permits provided that proof is furnished that acquisition took place before the Convention was in force or was in accordance with the Convention (i.e. the animal was imported in accordance with the Convention) if the acquisition took place after that date. (This provision aims to simplify border formalities for travelling exhibitions. Its inclusion is not intended to imply endorsement of such exhibitions.)

Article VIII: Scientific authorities

1. National Scientific Authorities are to be designated to rule on requests for import or export of specimens and their products of species in Appendix I. (Contracting States are free to choose any appropriate national body or person.) Requests are to be approved only when adequately justified and when import or export will not be detrimental to the survival of the species concerned. The advice of the Advisory Committee (see Article XI) is available in this connection.

2. Names and addresses of Scientific Authorities are to be notified to the Depository Government.

Article IX: National measures

1. Contracting States are to prohibit and penalize trade in specimens and their products in violation of the Convention. Exhibition and offering for sale of material illegally imported are to be prevented, and provision made for confiscation of such material. (Those measures are of special importance if the Convention is to have any meaning. It is expected that a suitable system of inspection and administration will be treated to give effect to the legislative measures.)

2. Appropriately qualified persons are to be involved in implementing the measures called for under the Convention.

3. Clearance of specimens through border formalities is to be carried out with the minimum of delay. For this purpose, States may designate ports of exit and ports of entry (at which adequate staff and facilities will exist) if they so desire.

4. When claims are made that material is not covered by the Convention because it is an animal bred in captivity, or is of a species not in Appendices I or II, or that it was imported or acquired before the Convention came into force (e.g. this may relate to an animal in a travelling exhibition), the onus of proof is on the person so claiming. States may, if they wish, issue certificates of origin or other documents, or institute a registration system to provide such proof. (Some States are apparently already contemplating some form of registration of certain animals.)

5. Scientific Authorities are charged with the return of living specimens to their place of origin or to a rescue centre.

6. The advice of the Advisory Committee is available in connection with the matters covered in paragraph 3.

Article X: Meetings of representatives of contracting States

1. The representatives of the Contracting States are to meet every three years.

2. They are to review the operation of the Convention and to recommend measures to improve its efficiency, and to examine matters submitted by the Advisory Committee (see Article XI).

3. Decisions are by a simple majority. A majority of the Contracting States must be represented if decisions are to be valid.

Article XI: The Advisory Committee

1. An Advisory Committee is to be established by the first meeting of representatives. Members are to be chosen because of their competence in matters pertaining to the Convention.

2. These paragraphs cover election of the Advisory Committee.

3. And filling of casual vacancies.

4. The Advisory Committee holds office from one meeting of representatives to the next.

5. The Advisory Committee regulates its meetings and may work by correspondence.

Article XII: Functions of the Advisory Committee

1. The Advisory Committee may arrange for studies relating to the Convention. It is to review species listed in Appendices I and II, to report to the representatives, and provide Contracting States with scientific and technical information.

2. Contracting States make annual reports to the Advisory Committee on listed topics, and the Committee can request further information.

3. The Advisory Committee can send comments to Contracting States on the reports and information sent to it.

Article XIII: Continuing bureau duties

1. An organization, yet to be named, is to carry out the continuing bureau duties until other arrangements are made by a two-thirds majority of Contracting States. (IUCN has offered to undertake these duties and it is hoped that Contracting States will agree to accept this offer.)

2. The continuing bureau duties are to provide a secretariat for meetings of representatives and work of the Advisory Committee.

Article XIV: Implementation

1. If the Advisory Committee considers that the Convention is not being respected by a Contracting State or that too many Export Permits have been issued for a species, it can consult with the State concerned.

2. If as a result of such consultations it seems to the Advisory Committee and the State concerned that an enquiry on the spot will be useful, the enquiry shall be carried out by persons appointed by the Advisory Committee in cooperation with the authorities of the State concerned.

3. If the Advisory Committee considers an enquiry is essential but it fails to reach agreement with the State concerned, it can make a formal request for an enquiry to the State concerned.

4. If the State agrees, the enquiry is to be held as in paragraph 2.

5. If the State does not agree, or does not reply within four months, the Advisory Committee will inform the Contracting States. The next meeting of representatives may decide to recommend that all Contracting States will cease trade in specimens and thier products with the State concerned.

6. If the enquiry shows that the Convention is not being observed, and, after consultations, the State concerned does not remedy the matter, the Advisory Committee is to inform the Contracting States. The next meeting of representatives may decide to recommend that all Contratcing States will cease trade in specimens and their products with the Contracting State until the matter is remedied.

7. If the enquiry shows that restrictions should be made on the export of certain species from the State concerned, the Advisory Committee will so recommend to that State. If it does not comply, the Advisory Committee is to inform the Contracting States. The next meeting of the representatives may decide to recommend that all Contracting States will cease trade in specimens and their products of the species in question with the Contracting State.

Article XV: Effect on national legislation and international conventions

1. The Convention does not prevent Contracting States from imposing under their own legislation, stricter measures affecting trade in specimens or their products than under the Convention, or from applying the Convention provisions to additional species, or extending Appendix I conditions to species listed in Appendix II.

2. The Convention does not affect national legislation or international conventions covering other aspects of trade in specimens and their products, or related matters including customs, public health, veterinary or quarantine aspects.

Article XVI: Signature

All member States of the United Nations and associated bodies may sign the Convention up to a date to be specified. (It is proposed to hold the Convention open for such signature for a period of one year.)

Article XVII: Ratification

Ratification of the Convention is necessary. (Ratification is to be in conformity with the constitutions of Contracting States.) Instruments of ratification are to be deposited with a Depositary Government.

(The Government of the Swiss Confederation has agreed to accept the duties of Depositary Government and it is hoped that Contracting States will endorse this.)

Article XVIII: Accession

States in the categories specified in Article XVI can adhere to the Convention at any time, by depositing instruments of accesion with the Depositary Government.

Article XIX: Designations

Designations of the names and addresses of the competent authorities concerned with the issue of Export and Import Permits (see Articles IV and VI) and of the Scientific Authorities (see Article VIII) are to be deposited with the Depositary Government at the same time as the instruments of ratification or accession.

Article XX: Territorial application

1. The Convention applies to all territories of a Contracting State for which the State has responsibilities for international relations.

2. Contracting States can limit the territorial application;

3. Of the Convention by notice to the Depositary Government.

4. The area covered by the Antarctic Treaty is specifically excluded, but Contracting States agree to abide by the various measures adopted under that Treaty in respect of material exported from the area.

Article XXI: Entry into force

1. The Convention comes into force four months after the deposit of the tenth instrument of ratification or accession.

2. For Contracting States ratifying or acceding after this date, the Convention comes into force four months after their instruments are deposited.

Article XXII: Reservations

No reservations are permitted when ratifying or acceding to the Convention.

Article XXIII: Amendments to appendices I and II

1. Proposals for amendments to Appendices I and II may be made;

2. By the Advisory Committee on its own or at the request of a State. They come into force four months after notification to Contracting States.

3. If objections are raised, the coming into force of the;

4. Amendment is delayed for four months and then comes into force for all non-objecting States unless a majority of States oppose it.

5. Objecting States may withdraw their objections.

Article XXIV: Amendments to appendix III

1. Proposals for amendments to Appendix III may be made by;

2. The Advisory Committee on its own or at the request of a State. They come into force three months after a majority accept them.

Article XXV: Revision

1. Proposals for revision may be made after the Convention;

2. Has been in force for three years and, if a third of the;

3. States so request, a Conference shall be convened to discuss the revision.

(These provisions enable Conferences to be held outside the territory of the Depositary Government.)

Article XXVI: Denunciation

Any State may denounce the Convention subject to twelve months notice.

Article XXVII: Depositary

1. Describes the functions of the Depositary Government; and

2. Obliges it to register the Convention with the United Nations.

Article XXVIII: Final provision

The Convention texts are to be in English and French, both being equally authentic.

Appendix I

Lists species threatened with world-wide extinction, the export, import and transit of which must be subject to particularly strict regulation and only authorized in exceptional circumstances in order to ensure their survival. (See also note on Article II, paragraph 2. The list has been prepared by the Survival Service Commission of IUCN in collaboration with other authorities. It is not an exhaustive list but includes those animal species which appear to be generally approved as requiring strict control. Lists of species of flora are still under review.)

Appendix II

Lists species not yet threatened with world-wide extinction, but the export, import and transit of which must be subject to control in order to avoid undue exploitation incompatible with their survival. (See also note on Article II, paragraph 3. The list has been prepared on the terms listed under the note on Appendix I.)

Appendix III

Patterns for Export and Import Permits.

NOTES ON CONVENTION ON THE EXPORT, IMPORT AND TRANSIT OF CERTAIN SPECIES OF WILD ANIMALS AND PLANTS

(Revised Draft (2) dated February/March 1971). Prepared by IUCN in light of comments received to December 1, 1971.)

GENERAL

The draft Convention is designed to regulate international traffic in wild animals and plants. It is concerned with those species which are affected by international trade to the extent that their populations are declining or are even threatened with extinction.

It does not deal with reductions of populations from causes other than international trade, such as habitat destruction or causes operating at the national level. Other treaties, including the International Convention for the Protection of Fauna and Flora of Africa, the Convention between the United States of America and other American Republics respecting Nature Protection and Wildlife Preservation in the Western Hemisphere, and the African Convention for the Conservation

of Nature and Natural Resources, cover such aspects.

Furthermore, the Convention avoids interference with legitimate international commerce in those species which are withstanding rational uses and which make valuable contribution to the economies of developing countries.

BASIC MECHANISM OF SECOND REVISED DRAFT

Regulation is primarily at the point of origin through the institution of export permits. Exporting countries are left in control of their resources and able to restrict the number of permits, including complete bans on export of species as they deem necessary.

Importing countries agree to prohibit importation of material not covered by export permits.

Control is at two levels. A general control, as already outlined, of species with decreasing populations, and a virtual ban on trade in species which are threatened with extinction.

The general control is exercised on species listed in Appendix II, which is broadly based and would include all species whose populations are declining and are threatened by international trade.

Informal comments received have suggested that Appendix II would not include populations which a particular country wishes to protect since that species would be abundant elsewhere. However, experience shows that most, if not all, decreasing species which are affected by international trade are suffering population decreases throughout their range. It is a matter for decision by the Contract States which species shall be included in this Appendix.

As has been indicated, export of species in Appendix II are to be covered by export permits and import will be refused unless a valid export permit exists. Furthermore, export permits are to be issued only after proof of the lawful nature of the killing, capture or collection of the animal or plant has been provided, or, in the case of re-export, only after proof of the lawful import has been provided (Article IV.1).

A continual survey of population status of decreasing and threatened species is now maintained by IUCN. The number of export permits issued will be reviewed periodically by IUCN and if it appears that the number of export permits issued for any species is such as to adversely affect its populations, the matter will be brought to the attention of the Advisory Committee which can then consult with the State concerned with a view to remedying the matter (Article XIV).

Appendix I covers species which are now threatened with extinction and which are affected by international trade. In these cases export and import are to be permitted only for scientific purposes (as defined in Article I). In order to have the closest checks, it is envisaged that the importer will be the person or institution that will use the specimen for the scientific purpose in question (Article VI–1) and that an import permit will be issued only after being approved by the designated Scientific Authority in the importing country (Articles VI.1 and VIII).

Here, the issue of an Export Permit by the exporting country will depend on the prior existence of a valid Import Permit, and again approval by the Scientific Authority of the exporting country is also required.

These very restrictive measures are invoked only where the species is threatened with extinction, and although the procedure appears complex, the number of cases for which it will be invoked should by the nature of the cases be extremely infrequent.

Products

The draft Convention envisages controlling international trade in "specimens" (defined in Article I as any representative, dead or alive, of a species of wild animal or plant included in Appendice I or II, but excluding animals bred in captivity or cultivated plants) or "products of specimens" (which is also defined in Article I).

The UK suggests restricting the types of product to those which are listed in relation to the species in question on the grounds of difficulty in identification. The CCC also took note of the practical problems in identifying products of specimens.

Accordingly, it is considered that the draft might be amended in line with the UK proposal.

Wild animals and plants

The draft Convention, as has just been indicated, is restricted to wild animals and plants with specific exemption for animals bred in captivity or cultivated plants (Article I). The U.K. suggests bringing the latter under the provisions of the Convention on the grounds of difficulty of distinguishing them from wild specimens. This view is also supported by the CCC.

Clearly this point needs discussion. There is considerable merit in the UK and CCC proposal. The draft Convention attempts to deal with the identification aspect by placing the onus of proof on the importer (Article IX.4) or the issue of certificates if origin (Article IX.4) (some States are apparently already contemplating some form of registration of certain animals).

Scientific purpose

The draft Convention includes a definition of "scientific purpose" (Article I) in relation to the issue of Import and Export Permits for species in Appendix I. This states that "scientific purpose includes educational purposes".

The UK suggests that "scientific purpose" be defined as "scientific purpose includes conservation, breeding and research", and has pointed out that "breeding" is intended to refer to the setting up of breeding units outside the country of origin and that "research" is intended to include scientific and medical research. The UK further indicates that "educational purposes" should be deleted or defined; it should not be construed to allow trade for exhibitions solely. Japan also notes that the term "educational purpose" needs further clarification.

In this connexion it is recalled that an earlier draft defined "scientific purpose" as including zoological, botanical, educational and propagational purposes.

Again, this is clearly a matter for further discussion and decision.

PROPOSALS AFFECTING THE BASIC MECHANISM

UK proposal

The UK proposes one single appendix in place of Appendices I and II and indicates that trade in the listed species should with few exceptions be permitted for a scientific purpose only. This list would be restricted to species in immediate danger of extinction. The UK goes on to indicate that the range of control might later be extended, by agreement, to some of the less critically endangered species.

This suggestion would eliminate regulation of trade in decreasing species and hence would remove a major objective of the Convention.

Kenya proposal

The Kenya Proposal would effectively substitute for the basic mechanism of the draft Convention relating to control of trade in species listed in Appendix II, a procedure whereby importing countries would refuse to import any wild animals or plants, the export of which is restricted by protective measures in the State of origin unless the legality of the export has been verified. It further envisages agreement between Contracting States on a list of species already threatened with world-wide extinction trade in which is to be prohibited except for scientific or propagative purposes (i.e. a list similar to Appendix I).

In implementing the first aspect of this proposal, Kenya suggests that all Contracting States shall convey to the Depositary Government[1] a list of nationally restrictive export measures affecting export of wild animals and plants (except for some specifically excluded under a proposed exemption) which they believe may be entering international trade. Provision is then made for this list to be up-dated annually.

The use of export permits is also proposed, along similar lines to those of the second revised draft, with import permits also being required in the case of species on the "threatened with world-wide extinction" list.

This mechanism warrants careful examination as a potential alternative to that proposed in the second revised draft. It is a long-sought objective of IUCN (e.g. Resolution No. 10 of the IUCN 10th General Assembly) and has already been incorporated in the US Lacey Act. It was not adopted as the basis for the second revised draft because many principal importing countries indicated that they were not yet ready to accept the more complex administrative measures that the Lacey Act has involved in the US.

TRANSIT

The draft Convention involves the import/export controls applying during transit. Some amelioration of the regulatory mechanism is permitted under Article VII in that the original permits suffice for material in transit and the normal marking requirements are waived during transit. This provision aims to reduce formalities needed for consignments in transit across the territories of States other than the original exporting State and the final importing State.

The UK and the CCC both propose that transit provisions be dropped. They point out that existing international customs transit controls are limited to the transit operation itself. Any substantial increase in transit controls would probably result in a severe impediment to trade. If adequate controls exist at the initial point of import, no further controls should be necessary.

This point appears well grounded and it would appear desirable to eliminate transit control from the Convention.

EFFECT ON NATIONAL LEGISLATION

The draft Convention specifically states that its provisions shall in no way affect the right of a Contracting State to impose in national legislation stricter measures for controlling export or import of wild animals and plants (Article XV).

IMPLEMENTATION

The draft Convention has laid down procedures for dealing with non-compliance with its provisions (Article XIV). The UK has suggested a simplification of the wording which effectively leaves the determination of the detailed procedure to the representatives of the Contracting States and the Advisory Committee. There would be merit in adopting this suggestion.

AMENDMENTS

The draft Convention lays down procedures for relatively easy amendment of the lists of species contained in Appendices I and II. (Article XXIII). The UK suggests a simplification by adopting one procedure only for all amendments (both to the Convention itself and all three Appendices). This suggestion warrants close examination.

APPENDICES I AND II

No detailed comments have been received in respect of the species listed in Appendices I and II. The lists were compiled by IUCN

[1] This may need modification since it would involve the Depository Government in which is in effect bureau duties not normally assumed by a Depository Government.

with the close assistance of its Survival Service Commission, in the light of comments received earlier from a variety of sources.

It is in mind that they should be amended as follows:

1. *Lencopsar rothschildi*—Rothchild's minah and *Lutra platensis*—La Plata otter should be transferred from Appendix II to Appendix I.

Four species of turtles should be added; namely:

Testudo geometrica—Geometric tortoise.
Testudo yniplíora—Madagascar tortoise.
Eretmochelys imbricata—Hawks bill turtle.
Lepidochelys kumpii—Atlantic ridley turtle.

2. The following species should be added to Appendix II:

Canis lupus—Grey wolf.
Panthera onca—Jaguar.
Lepidochelys olivacea—Pacific ridley turtle.

OTHER MATTERS

A number of other matters are included in the summary of comments received. These will all need examination and discussion but none of them appear to have the same degree of impact on the second revised draft as those dealt with above.

INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES

(Summary of comments on the convention on the export, import and transit of certain species of wild animals and plants (Revised draft (2), February/March 1971) Received by IUCN up to December 1, 1971).

INTRODUCTION

1. In September 1967 and August 1969, IUCN sent to Governments communications covering a first formal draft and a first revised draft, respectively, of a proposed Convention on the Export, Import and Transit of Certain Species of Wild Animals and Plants.

2. Some 40 Governments commented on the two drafts and these comments were taken into account in preparing a second revised draft which was sent in March 1971 to all Governments eligible to adhere to the proposed Convention. At the time Governments were asked to indicate if they were prepared to sign the Convention in the terms of the draft presented or, alternatively, whether they would prefer to take part in an intergovernmental conference to conclude the Convention. It was further indiacted that the Government of the Swiss Confederation had agreed to act as Depositary Government and IUCN had offered to undertake the continuing bureau duties under the Convention. It was indicated that further comments on the text submitted would be welcome.

3. The second revised draft was also sent to the Customs Cooperation Council in following up earlier contacts; and the Council undertook to obtain from its members comments on the Customs aspects of the proposed Convention.

4. The second revised draft was also submitted to the Intergovernmental Working Group on Conservation convened by the United Nations at the suggestion of the Secretary-General of the UN Conference on the Human Environment (Stockholm, June 1972), and was considered by the IWG at its meeting in New York, 14–17 September 1971. On that occasion some comments in writing were submitted by the Delegates from Japan and Kenya. The meeting did not consider details of the draft since the Delegation of the United States of America announced that the Government of the United States would convene an intergovernmental meeting to discuss and conclude a convention using the second revised draft as the basic document in April 1972.

RESPONSES

5. As of 1 December 1971, formal responses have been received from twenty-three Governments to the formal note sent to them in March 1971, and informal contacts were made by officials from four others.

6. The following eleven Governments have indicated that they are prepared to empower their representatives to sign the Convention in accordance with the text of the second revised draft:

Cambodia, Cyprus, Finland, Greece, Iran, Madagascar. Panama, The Philippines, Switzerland, Thailand, and Viet-nam.

In this connexion the Government of Viet-Nam indicated its wish to add certain species to Appendices I and II.

7. In addition, it is to be recalled that the following Governments that have not yet responded to the formal note of March 1971, had earlier indicated that they were willing to sign the Convention in the terms of either the first or the first revised drafts of 1967 and 1969 respectively:

The Federal Republic of Germany, Mauritania, Morocco, Senegal, and South Africa.

8. Detailed comments affecting the text of the second revised draft have been received from the Governments of:

Kenya—Submitted at the Intergovernmental.

Japan—Working Group on Conservation.

The United Kingdom.

9. Such comments were also received from the Customs Cooperation Council (CCC), embracing discussion by its Permanent Technical Committee of replies received by CCC from:

*Austria, Belgium, Finland, *France, *Luxembourg, Netherlands, New Zealand, Roumania, *The Federal Republic of Germany, Hungary, Iran, *Spain, Switzerland, and The United Kingdom.

Comments affecting the text were received from those marked with an asterisk.

10. The comments from these various sources that affect the text of the second revised draft are summarized in the following section, in relation to the various Articles affected.

General

11. The United Kingdom starts its observations by warmly supporting the general aim of the draft Convention, namely to safeguard endangered species of animals and plants by regulating traffic in them. It therefore wishes to ensure that the measures would be effective and enforcible so that all States would be prepared to support them and put them into effect. It considers that the Convention should concentrate on essentials, but points out that this would not preclude countries undertaking to work towards safeguards (not necessarily statutory) of a broader kind appropriate to their own special circumstances.

12. The UK believes that regulation should be primarily at the point of origin, i.e. export control should be exercised by the country to which the species is indigenous. These export controls should be reinforced by import controls for an agreed (single) list of endangered species. Trade in these species should with few exceptions be permitted only for a scientific purpose. There should be some form of international supervision of the operation of the Agreement.

13. At the same time, the UK considers that these controls should only be applied to those species known to be threatened with extinction, i.e. they believe that there should be only one schedule to the Convention, based on the present Appendix I. Furthermore, the UK feels that it would not be appropriate for the Scientific Authority to exercise control in regulating exports or imports, and that its role should be advisory. The UK also considers that control of intermediate points in the marketing chain would be nearly impossible to make effective, so that maximum effort should be centered on the original export and the ultimate import. The UK also points out that control of transit traffic in the United Kingdom (and in most other countries) is kept to a minimum. Its extension therefore to animals and plants covered by the Convention would impose an added burden on carriers, Customs and others, and could lead to delays which would cause distress to animals in transit. For this reason, the UK would not envisage introducing transit control and proposes that reference to transit control should be deleted from the draft.

14. As the object of the Convention is to conserve rare animals and plants, the UK feels that this should apply to animals and plants bred under controlled conditions as well as to those from the wild. They point out that control at a point of exit or entry would not be able to distinguish between bred and wild specimens and therefore suggest omitting the word "wild" in the title of the Convention and substituting the word "rare."

15. The UK feels also that is hardly possible that trade in all products of endangered species could be controlled, mainly because of difficulties of identification. For this reason, they consider that "products of specimens" as a general category should not be included in the control measures, but that provision should be made to enable trade in specified products to be brought under control.

16. The UK further points out that plants are included in the scope of the Convention, but because of practical difficulties of identification, etc., none have been listed in Appendix I.

17. The CCC discussed the draft from a purely technical standpoint, namely the Customs aspects. During the discussion it was pointed out, however, that is might be difficult for the Customs who may have to enforce the part of the draft Convention dealing with import, export and transit, to contribute substantially and effectively to the implementation of these provisions.

18. During the discussions the possibility of some form of control along the lines of that used in the case of narcotic drugs, where export and import permits could be compared, was raised. However, it was felt that such a procedure would be impracticable in the field under consideration. Moreover, an overall control would not be compatible with the increasing trend towards simplified procedures and the limitation of physical examination of goods to spot checks.

19. No general comments were submitted by the Government of Kenya in writing but an alternative draft of the Convention was tabled at the meeting of the IWG on Conservation.

20. The Government of Japan believes that the majority of the importing countries should participate in the Convention, because, if a country importing a considerable quantity of wild animals and plants does not participate in the Convention and consequently does not adhere to the regulations of the Convention, it is to be feared that the most important objectives of the Convention may not be realized. It is advisable for as many developing countries as possible to participate in the Convention and also for advanced countries to give technical and other assistance to those developing countries so that the latter can carry out the objectives of the Convention.

Title

21. The UK proposes deletion of the word "transit" and also the substitution of the word "wild" by the word "rare" in the title, making it read: "'Convention on the Export and Import of Certain Species of Rare Animals and Plants".

22. Kenya proposes that the title should read: "Convention on the Export, Import and Transit of Wildlife".

Preamble

23. The UK proposes the substitution of the word "rare" for "wild" in paragraph 1 of the Preamble, and the deletion of the word

"transit" from paragraph 3. They further propose that "products of specimens" as a general category should not be included in the control measures, and that instead, provision should be made to enable trade in specified products to be brought under control. This would also affect paragraph 3 of the Preamble.

24. Kenya proposes the substituting of the following three paragraphs for the present Preamble:

"Recognizing that the wildlife of the earth in its many beautiful and varied forms is an irreplaceable part of the life-sustaining ecology of the earth which must be protected for this and the generations to come;

"Recognizing that the people within the sovereign nations are and should be the best protectors of that wildlife which occurs within their own national borders, such wildlife being precious to them most particularly.

"Recognizing, however, that no nation has any means of effectively policing its exports and so has no means of protecting its wildlife from excessive commercial use in international trade without the cooperation of importing nations;"

Article I: Definitions

25. The UK proposes that the definition of "specimen" should be expanded to include products of endangered species if specifically listed. This would also involve deleting the words "and products of specimens" throughout the Convention.

26. The UK feels that the criteria for the inclusion of specific products of endangered species already listed in the schedule should be that they are readily identifiable by competent authorities, such as Customs officials, that there is a significant international trade in the products, and that this trade is adversely affecting the status of the species.

27. The CCC also agrees that there would be great practical problems in identifying "products of specimens" as the range of goods in which they could be contained seems to be extremely wide.

28. The UK comment already referred to in paragraph 23 about substituting the word "rare" for "wild" will also affect the definition of "specimen".

29. The Kenya draft proposes omitting the definitions of "specimen" and "product of specimen" and substituting the following three definitions:

"Wildlife" shall mean any representative of any animal or plant species, except seed, normally found in a wild state, whether or not raised in captivity, dead or alive, or any part or product thereof, raw or in any state of manufacture, except an article of clothing, jewellery or household effects being used by a private person for his or her personal needs which is not for resale;

"Country of origin" shall mean country of birth or germination; "country of export" shall mean any country to which a shipment is destined other than the country of origin;"

30. Japan points out that, since the identification of specimens which have lost their original shape would be difficult, the present definition and especially the exemptions should be carefully studied and clarified as soon as possible.

31. The UK further proposes that the definition of "scientific purpose" should be amended to read: "scientific purpose" includes conservation, breeding and research;". They point out that "breeding" should include setting up breeding units outside the countries to which species are indigenous and that "research" should include not only scientific research but also medical research.

32. Kenya proposes the introduction of definitions for "export permit", "re-export permit", "restricted" and "prohibited" as follows:

"Export permit" shall mean an official permit which serves to permit the departure of wildlife from a country which has accented the importation of shipment;

"Re-export permit" shall mean that same export permit as it serves to permit the entry of wildlife into an importing country;

"Restricted" shall mean the exercise of export control for wildlife protection purposes;

"Prohibited" shall mean the total prohibition of export and import by all the Contracting States, with the exception of specimens for scientific or propagative purposes."

33. Japan points out that the term "educational purposes" requires further clarification.

Article II: Fundamental principle

34. The UK proposes that reference to transit and products of speciments be deleted for the reasons set out above. They consider that regulation of trade by international Agreement should be restricted to species in immediate danger of extinction. This concentrates attention on the immediate conservation problem and also limits the controls to those which must be seriously enforced. As experience is gained, and when the controls are seen to be effective, the range of the controls could be extended, by agreement to, for example, some of the less critically endangered species. And there is nothing to prevent individual countries taking their control of trade further if they wish.

35. Kenya proposes a different approach in that it asks Contracting States not to permit the import of any wildlife, the export of which is restricted as a wildlife protection measure by any other Contracting State. Furthermore, Kenya suggests that because some wildlife forms are already threatened with world-wide extinction, the Contracting States should agree on a list of such forms and that the export, import and transit of these forms would be prohibited except for scientific or propagative purposes.

36. To give effect to their proposals, Kenya suggests that the present three paragraphs of Article II be deleted and be replaced by the following three paragraphs:

"1. In order to enable the enforcement of wildlife protection measures not otherwise enforceable, the Contracting States agree not to permit the import of any wildlife the export of which is restricted as a wildlife protection measure by any other Contracting State or States without verifying the legality of the export.

"2. In order to facilitate such vertification with least delay, possibility of error, and expense, the Contracting States will regulate the import and export of restricted wildlife in accordance with the procedures outlined in this Convention.

"3. Because some wildlife forms are already threatened with world-wide extinction, the Contracting States shall agree on a list of such wildlife forms, the export, import and transit of which shall be prohibited, with the exception of specimens for scientific or propagative purposes."

37. Kenya also suggests the introduction of two further Articles (their Articles III and V) which relate to the provisions of Article II of the second revised draft:

"Article III: The provisions of this Convention shall apply only to national export measures designed to reduce or eliminate the killing of wildlife or its removal live from a nation; the provisions of this Convention shall not apply to national export measures designed to discourage or prohibit the export of wildlife in one or more states of manufacture only, so as to foster its export in other states of manufacture."

"Article V:

1. Within four months following the effective date of this Convention, all Contracting States shall convey to the Depositary Government a list of nationally restrictive wildlife export measures not excluded from the provisions of this Convention under Article III and with respect to wildlife which they have reason to believe may be entering international trade. Such list shall include scientific and common names, together with a short description of the wildlife alive and, to the best of their knowledge, of the form in which the wildlife may be entering international trade.

2. Annually thereafter, on or before January 31st, all Contracting States shall convey to the Depositary Government a list of additions or deletions to the list outlined in paragraph 1 of this Article.

3. Three months from the date of consequent publication by the Depositary Government, all Contracting States shall allow further export of such wildlife, including trophies secured through licenced hunting only with a valid export permit issued in accordance with the provisions of this Convention."

Article III: Export of specimens and products of specimens

38. The UK points out that the object of the Convention is to conserve rare specimens in the countries to which they are indigenous. They propose that the export provisions should be limited to States "to which the specimens are indigenous". They state that this would not prevent other countries controlling re-export by legislation but they do not consider it essential to the objects of the Convention that they should necessarily do so. They further point out that it may be argued that the introduction of the qualifying phrase creates a loophole, in that by smuggling specimens to a Contracting State to which they are indigenous, the control is evaded. In their opinion, whether this would be significant is debatable, but they would be prepared to consider closing the loophole, if it can be shown to exist, by rewarding the Articles concerned with imports.

39. The UK's proposals involve deleting the words "and products of specimens" after the word "specimens" and adding the words "from a State to which they are indigenous after the words "shall not be permitted" in Article III.

40. Kenya envisages a somewhat different mechanism for regulating trade. Its suggested rewording for the broad area of provisions covered by the present Article III of the second revised draft is as follows:

"Article IV: The export of restricted and prohibited wildlife shall be permitted only to a destination in a Contracting State; the import of restricted and prohibited wildlife shall be permitted only from a provenance in a Contracting State."

41. Delegates to the CCC meeting were unanimous in the view that the major control effort should be concentrated at the point of export. The presentation to the Customs of an export permit issued by the competent body and authorizing the exportation of the animal, product, etc. was considered to be workable in practice. However, Customs services might in certain cases not be in a position to determine whether an animal, product, etc. should be accompanied by a permit. It would therefore be necessary to consider arranging for certain Customs offices to specialize in this kind of control or using the services of the appropriate national agency. It was also suggested that, since export control had been abolished in many countries, action by the Customs should be limited to endorsing the permits produced. Some delegates held the view that if export permits were issued by the appropriate authorities in the exporting country, no further controls should be necessary. These comments relate to both Articles III and IV.

Article IV: Export permits

42. The UK, as has already been mentioned earlier, proposes that only those States to which specimens are indigenous should be required to exercise export control. They further point out that, if transit traffic

is not to be regulated under the Convention, then re-export would also not need to be covered.

43. Furthermore, the UK points out that, if its suggestion was followed that there be only one Appendix to the Convention, then Appendix I specimens would not need to be given special treatment. They further consider that export for purposes other than scientific purposes should be allowed exceptionally, for example, domestic pets travelling with their owners, animals in travelling circuses, or in the fur trade, where the capture of the animal has been authorized by the country to which it is indigenous.

44. In line with its general comments, the UK proposes that the scientific authority be purely advisory. Under these circumstances, its endorsement of a specimen would not be appropriate, since the ultimate responsibility for control would be vested in the appropriate "competent authority". Again, the UK believes that it is not necessary to make the grant of an export permit conditional on the receipt beforehand of the import permit itself, but it would have no objection to making it conditional on evidence that an import permit is likely to be issued. Having these comments in mind, the UK proposes that paragraphs 1 and 2 of Article IV of the second revised draft be replaced by a new paragraph 1 reading as follows:

"1. Export Permits referred to in the preceding Article shall be granted by the State to which specimens are indigenous only:

"(a) After proof of the lawful nature of the killing, capture or collection of the animal or plant has been provided, and

"(b) Where the specimen is to be exported for scientific purposes; or such other exceptional purpose as may be considered warranted in the circumstances, and

"(c) On condition that satisfactory evidence is produced that the Import Permit referred to in Article VI will be issued."

45. The UK believes that a separate export permit will be required for each species (should this read "specimen") but considers that this need not be stipulated in the text since the form as set out in Appendix III determines this. Accordingly, the UK proposes deletion of the last sentence of paragraph 3 of Article IV.

46. The UK further suggests, apart from the deletion of the words "or product of specimen" in Article IV, some minor rewording, namely by substituting the word "distinguished" by the words "appropriately identified".

47. The UK points out that the possibility exists of abuse of an export permit (for example, by re-using it after the article it certifies has been exported or by diverting the article to a different destination from that declared) and this should be prevented by requiring the permit to be surrendered to (or controlled by) the importing country on completion of the transaction and by having it made out to a named destination. Accordingly, the UK proposes the addition of a further paragraph to Article IV reading:

"4. The Export Permit shall be surrendered to the State to which the specimen is exported."

48. In relation to paragraph 5 of Article IV, the UK points out that the details of application for and granting of a permit are primarily confidential among the applicant, the issuing authority, and the authorities in the country of importation, and that there seems no need for copies to be sent to the Central Bureau if the precautions suggested for surrender of permits are taken. But general particulars of them could be sent with an annual return under the provisions of paragraph 2 of Article XII and paragraph 2 of Article XIII. Provided statistical returns are made, the UK doubts whether there is any benefit to be gained from lodging copies of the permits themselves; this would doubtless make the operation more expensive.

49. In a further comment, the UK states that, since transit traffic is not to be controlled, where re-export is involved, it may be necessary to provide for some form of certification, e.g. by a Chamber of Commerce, as evidence that the original export/import satisfied the terms of the Convention.

50. Kenya proposes a somewhat different usage of an export permit and suggests the introduction of a series of Articles (their Articles VI to IX) in substitution for Article IV:

"Article VI: Export permits shall not be valid unless:

"1. If granted by a Country of Origin, proof has been shown that the wildlife was not taken, killed, possessed or transported in violation of national or regional law.

"2. If granted by a Country of re-export, verified with the entry export permit under which the wildlife first entered the Country; the export permit showing in the appropriate place the number, date, and name of issuing State of the entry export permit, as well as such information relating to any previous export/re-export permits that may be found on the entry export permit.

"3. If granted for the export of prohibited wildlife, the number, date and name of the issuing State of an import permit is shown.

"4. Issued by the appropriate government authority in the Country of Shipment in conformance with the model set out in Appendix —."

"Article VII: The provisions of paragraph 2 of article VI shall go into effect in the Contracting States with respect to any given wildlife one year following national notice of restriction to its citizens and nationals with respect to that wildlife, and not before."

"Article VIII: Export permits shall not be issued:

"1. For wildlife seized or otherwise acquired by the Government of a Country of Origin as a consequence of violation of either national or regional law and subsequently sold.

"2. For wildlife seized or otherwise acquired by the Government of a Contracting State as a consequence of violation of national laws to enforce this Convention and subsequently sold.

"3. For prohibited wildlife except:

"(a) for scientific or propagative purpose; and

"(b) upon receipt of a copy of a valid import permit directly from the appropriate government authority in the importing nation."

"Article IX: Upon issuance of an export permit in conformance with the foregoing Articles:

"1. The original and two copies shall be given to the exporter who shall either carry the export permit with the item or send the original and one copy to the importer at the shipment's destination. A third copy of the export permit shall be sent directly to the appropriate government authority within the State of destination.

"2. If granted by a Country of Export, the entry export permit shall be indelibly stamped "Exported", together with the date and number of the export permit and returned to file, together with a copy of the export permit. If the wildlife to be exported composes only a portion of the quantity shown on the entry export permit, then that portion shall be shown as exported. If the wildlife to be exported consists of manufactured goods, and the entry export permit shows raw goods, then the exporter and the appropriate government authority shall agree on the portion of raw goods shown on the entry export permit that is represented by the manufactured goods to be exported and that shall be shown as exported."

Article V: Import of specimens and products of specimens

51. As was pointed out in the general comments, the UK suggests that the Article be applied to import from countries to which specimens are indigenous. Again, in line with the UK's earlier comments, as there would be only one list instead of Appendices I and II, the species listed in Appendix I would not be given special treatment. Furthermore, under these circumstances, further marking by the importing country would not need to be provided for, since transfer is authenticated by the exporting country's mark (where practicable), and transit trade is not to be controlled. Accordingly, the UK proposes that paragraph 1 of Article V be amended by deleting the words "a provenance in" from sub-paragraph (a) of this paragraph, the deletion of the words "where a species is listed in Appendix I" from sub-paragraph (c) of this paragraph, and the deletion of the last sentence of this paragraph.

52. The UK also suggests the rewording of paragraph 2 to make it clear that import would only be allowed under this provision to a country to which the specimen is indigenous or that has an appropriate rescue centre. The suggested amended paragraph reads:

"2. Notwithstanding the provisions of paragraph 1 of this Article, importation shall be permitted to the State to which a specimen is indigenous or to any other State for despatch to a rescue centre in accordance with the provisions on Article IX."

53. The UK further considers that a Contracting State importing a specimen from a non-contracting State may not know the latter's exporting laws but would have to act on the best knowledge available. Accordingly, the UK suggests that paragraph 3 be amended by deleting the words "or products of specimens whose origin is in" and substituting the words "specimens which are indigenous to", and adding the words "the Contracting State is satisfied that " after the words "provided that".

54. The CCC made a general comment on this Article that only in special circumstances could import controls be effectively operated. Whilst Customs officers at frontiers would be familiar with the regulations in force in their own country, they could not reasonable be expected to have a full knowledge of those in force in other countries. As in the case of exportation. it would be desirable to provide for the appropriate agencies to determine whether the animal, product, etc. presented at importation should be accompanied by a permit or whether, when a permit was produced, the permit and the animal, product, etc. matched.

55. Kenya proposes that a new Article (their Article X) be substituted for Article V of the second revised draft as follows:

"Article X:

"1. Contracting States shall, with the aid of appropriate institutions, familiarize their importation authorities with the names and appearances of restricted wildlife together with the names of such nations as restrict, and with the names and appearances of prohibited wildlife.

"2. Four months from the date of publication by the Depository Government of the restricted and prohibited lists, importation shall be allowed:

"(a) only upon presentation by the importer of a valid entry export permit. Importation authorities shall be instructed to be alert for irregularities and to verify species and quantities with a copy of the entry export permit that shall have been centrally received directly from the appropriate government authority in the Country of Shipment, if such is suspected;

"(b) if prohibited wildlife, only upon presentation of a valid import permit, as well as a valid export permit."

Article VI: Import permits

56. The UK makes further comments on import permits in line with the comments made on export permits. They believe that

in addition to permitting imports for a scientific purpose, provision should be added to permit import for exceptional circumstances. The UK also believes that it would be satisfactory to permit the issues of an import permit to a dealer, provided the user of the specimen is named and known, although they would not allow imports to an unspecified person, i.e. as stock-in-trade.

57. Again in line with its earlier comments, the UK considers that there is no need to provide for the scientific authority's agreement, since the issuing authority will have taken its advice Accordingly, the UK proposes that paragraph 1 of Article VI be amended by deleting the words "or product of specimen" from sub-paragraph (a) of this paragraph, and adding the words "or such other exceptional purpose as may be considered warranted in the circumstances, and" after the words "scientific purpose" in this sub-paragraph; and that the words "the applicant for the permit is" be deleted from sub-paragraph (b) of this paragraph, as well as the words "or product of specimen"; and that the words "is named" be added after the words "in question" in this sub-paragraph; furthermore, that sub-paragraph (c) of this paragraph be deleted

58 The UK sees no need to impose a standard form of import permit, since these permits are of significance only to the importing country itself It also believes that import permits should be confidential between the importer and the issuing authority and that, as in the case of export permits, statistical returns should be adequate. Accordingly, the UK proposes that paragraph 2 of Article VI be amended by deleting the words "conform to the model set out in Appendix III and if they" from the first sentence of the paragraph, and that the last sentence of the same paragraph be also deleted For the same reason, the UK would propose that paragraph 3 of Article VI be deleted

59. Kenya proposes the substitution of five new Articles for Article VI of the Convention as follows:

"Article XI: Import permits for prohibited wildlife shall not be valid unless:

"1. Issued for scientific or propagative purposes only.

"2. Issued to the person or institution that will use the prohibited wildlife for the scientific or propagative purpose stated.

"3. Issued by the appropriate government authority conforming with the model set out in Appendix—."

"Article XII: Upon entry of the wildlife in accordance with the foregoing, the entry export permit, and the import permit, if any, shall be taken, indelibly cancelled, and centrally filed for reference in the even of subsequent re-export and for other purposes."

"Article XIII:

"1. Notwithstanding the provisions of Articles V through XII, permits shall not be required when prohibited wildlife is imported or exported to be returned to its place of origin or to be sent to a rescue center in accordance with the provisions of Article—.

"2. Notwithstanding the provisions of Articles V through XII, permits shall not be required for wildlife being transported as the property of a circus, menagerie or other traveling exhibition, provided the exporter or importer is able to provide proof that the animal was required before this Convention came into force or in accordance with the provisions of this Convention after that date."

"Article XIV: Notwithstanding the provisions of Article IV, Contracting States may import from a State not a party to this Convention prohibited wildlife whose origin is in such State for scientific or propagative purposes, provided that the exportation is in accordance with the laws of that non-contracting State."

"Article XV: Wildlife seized in transit or otherwise acquired by the Government of a Contracting State as a consequence of violation of the national laws enacted to enforce this Convention shall be:

"1. If living prohibited wildlife, returned to its place of origin, or, should this prove impracticable or likely to endanger the animal's survival, sent to a rescue center, or

"2. Offered to a recognized scientific or educational institution, or

"3. Destroyed, or

"4. In the case of live animals only, undesired by an educational or scientific institution, sold.

"5. Notwithstanding the provisions of paragraphs 2 and 4 of this Article, live animals shall be neither sold nor offered for medical research."

Article VII: Transit and exhibitions

60. The UK believes that transit trade should not be controlled by the Convention. It further believes that there is no need to exclude circuses from the provisions of the Convention, since the UK experience suggests that it would be impracticable to exempt them on the basis of when or how the animals were originally obtained as has been proposed. There would be less temptation to transfer a specimen illegally if a declaration had to be made to obtain a permit. But the permits would be temporary only, and require the animals to be transferred again within a stated time. Accordingly, the UK proposes that Article VII be deleted.

Article VIII: Scientific authorities

61. The UK states that responsibility for controlling (licensing, etc.) exports and imports will usually rest with an executive government department, responsible to a Minister. This responsibility could not be passed, particularly in the case of the UK, to a purely scientific body. The role of the Scientific Authority must therefore be advisory to the executive body; it should, however, have flexible terms of reference to enable it to advise domestically on any aspect of the operation of the proposed controls. Provision should be made in the Convention for changing the Scientific Authority. The "Advisory Committee' dealt with in Article XI would, however, be recognised as the international guide to policy and practice.

62. Accordingly, the UK proposes that paragraph I of Article VIII be amended by substituting the word "advising" for the word "ruling', and deleting the words "and products of specimens" from the first sentence of this paragraph; substituting the words "give its advice with the general object of ensuring" for the words "approve requests before it only when it considers that they are adequately justified and that the import or export in question will not be detrimental to" in the second sentence of this paragraph; and substituting the words "giving its advice" for the words "ruling on the requests before it" in the third sentence of this paragraph. The UK would also add a new paragraph 3 to Article VIII reading:

"3. If a Contracting State changes its Scientific Authority the Depositary Government shall be notified."

Article IX: National measures

63. The UK has considerable doubts about the acceptability or practicability of making possession or selling of endangered species an offence, so this provision should be omitted. The UK would prefer to concentrate effort on preventing illegal export and import and penalising this sufficiently to prevent possession being worthwhile. This violation (i.e. illegal import or export) would constitute the offence to be identified and proved.

64. Accordingly, the UK proposes to amend paragraph 1 of Article IX by substituting the words "make it an offense to export, or import, or attempt to export or import" for the words "prohibit and penalize any export, import or transit, or attempted export, import or transit of specimens or products of" in sub-paragraph (a) of this paragraph; and by deleting sub-paragraph (b) of this paragraph, renumbering sub-paragraph (c) as sub-paragraph (b), and deleting the words "and products of specimens" and the words "and (b)" from this sub-paragraph.

65. The UK further suggests that, whilst the advice of experts should be taken in implementing the Convention, the implementation itself should be by the executive authority. Accordingly, it would propose that paragraph 2 of Article IX be amended by substituting the words "they have the advice" for the words "the measures called for under this Convention are implemented by" in this paragraph, and by adding the words "in implementing the measures called for under this Convention" at the end of this paragraph.

66. The UK does not feel that breeding in captivity should be a reason for exemption. Further, it points out that it hardly seems necessary to stipulate that onus of proving that an export or import should not be subject to permit should fall on the exporter/importer; in practice, the UK has found that queries can be resolved on the basis of an exchange of information between the exporter/importer and the controlling authority. Although it might be desirable to have a registration and marking system for animals, etc., bred in captivity, to relieve owners or dealers of the suspicion of having imported/exported them illegally, it would be impracticable to include this in the Convention at present. Accordingly, the UK would propose the deletion of paragraph 4 of Article IX.

67. The UK considers that the return of specimens to the place of origin or to a rescue centre should be permissive, not obligatory, since the best interests of the animals, etc. should be the prime consideration, and might not be served by either alternative. And it is possible that neither alternative might be acceptable, because funds could not be found to implement them. The executive authority must be responsible for making any decision concerning return or rescue. Accordingly, the UK proposes that paragraph 5 of Article IX be amended by substituting the words "the competent Authority of the State concerned, may" for the words "it shall be entrusted to the Scientific Authority of the State concerned, which shall" in this paragraph, and similarly, that paragraph 6 of Article IX be amended by substituting the words "the competent Authority" for the words "the Scientific Authority" in this paragraph.

Article X: Meetings of representatives of contracting States

68. The UK believes that provision should be made for extraordinary meetings to be called. Accordingly, they propose that a new paragraph be added after paragraph 1 of Article X, as follows:

"2. The representatives of the Contracting States may also meet at other times at the request of a majority of the Contracting States."

69. The UK also points out that representatives may have to decide matters other than reviewing the Convention, for which different majorities may be needed. For this reason, they suggest the addition of the words "except where otherwise provided in this Convention at the end of the first sentence of paragraph 3 of Article X.

70. The UK also assumes that decisions can be taken between formal meetings (provided the necessary majority can be obtained) by vote cast by correspondence but considers that there is no need to make express mention of this.

Article XI: The Advisory Committee

71. The UK suggests that it may be necessary to limit the size of this Committee to avoid its becoming unwieldy.

Article XIII: Continuing bureau duties

72. The UK indicates that it would be content that IUCN should take over the continuing bureau duties under the Convention. It points out that IUCN would have to accept

these obligations in some formal way and that its Members, in deciding, would presumably have to consider the financial implications.

Article XIV: Implementation

73. The UK believes that most of this Article can be considered as guidance on the procedure which the Advisory Committee should adopt in dealing with a Contracting State which appears to be in breach of the intentions of the Convention and hence need not form part of the Convention itself. This applies particularly to paragraphs 2 to 6. Accordingly, the UK proposes the deletion of paragraphs 2 to 6 of Article XIV. Some minor consequential changes to paragraphs 1 and 7 of this Article would also be necessary to bring it in line with the other changes proposed by the UK.

Article XV: Effect on national legislation and international conventions

74. If the proposals of the UK are accepted, there would be one list of species only and hence measures depending on transfers from one list to the other would not have to be provided for.

Article XIX: Designations

75. The UK points out that, since it may be necessary to change authorities from time to time, the designations at the time of accession will be the initial designations. Accordingly, the UK proposes that the word "initial" be added before the word "designations" in this Article.

Article XX: Territorial application

76. In view of the large number of territories for which it has responsibility, the UK would prefer a contracting-in provision to the contracting-out arrangements proposed in this Article.

Article XXI: Entry into force

77. The UK feels that ten accessions is a small number if a reasonable spread of countries which will be genuinely affected by the Convention is to be covered by the time it comes into force.

78. Japan points out that, to enforce the Convention effectively and appropriately, it is necessary that each participating country should consolidate its domestic organization, and in view of the situations of exporting countries, it will be necessary to provide a provisional period of one year, or one year and a half, before the Convention takes effect.

Article XXII: Reservations

79. The UK considers that whether to include a clause making reservations impossible is a matter of policy for individual countries. The UK would prefer to see the general objects of the Convention adopted by all. Whether such a clause will eventually prove necessary will depend on the outcome of discussions of the substance of the proposed Convention. The UK would accordingly propose that this Article be deleted.

Articles XXIII and XXIV: Amendments to appendices I, II, and III

80. The UK considers that some tightening of the amendment procedure seems essential. The aim should be to ensure that all Contracting States continue to work to the same international rules. So sometimes more than a simple majority is necessary. But unanimity would be impossibly tight. So two-thirds majority with provision for opting out in the last resort, seems the correct solution.

81. Accordingly, the UK proposes that these Articles be deleted and a new Article substituted as follows:

"Article XXIII: Amendments:

"1. The Advisory Committee may, on its own initiative or at the request of one or more Contracting States propose amendments to the text of this Convention or to Appendices I and III.

"2. Amendments to the provisions of this Convention, other than the Appendices, shall become effective four months after acceptance by two thirds of the Contracting States in respect of those Contracting States which have accepted it and thereafter for each other Contracting State on acceptance by it.

"3. Amendments to Appendices I and III shall become effective for all Contracting States four months after acceptance by [two thirds] of the Contracting States [except that it shall not become effective for a Contracting State which so notifies the Depositary Government. Such a notification may be withdrawn at any time]."

This redraft provides for amendments to both groups of Appendices to be dealt with in the same way, since the UK does not wish to be committed to an amendment to Appendix III by a majority vote of other countries. The redraft also provides for the amendment to the text of the Convention itself (Article XXV deals with reviewing the Convention but not with amendments resulting from the review).

82. The UK assumes that Contracting States would not wish to be committed to amendments to the Convention itself without express concurrence, but would be willing to accept changes to the Appendices unless they expressly dissent. The original procedure for amendments to Appendix I envisaged a waiting period, if any obligations were raised, but as the amended procedure envisages a two-thirds majority, and allows individual opting out, the lengthier procedure does not seem necessary.

Article XXV: Revision

83. The UK proposes that this title be amended by substituting the word "review" for the word "revision" because the former is probably what is intended. Consequently, the same substitution would be made in the first sentence of paragraph 1 of this Article.

Appendices I and II

84. The UK accepts Appendices I and II as a combined Appendix with two minor additions.

85. Japan considers that further clarification appears to be required regarding the criteria of selection in Appendices I and II. For example, in Appendix II, certain genera of Reptilia and all of Flora are referred to as "All species of . . .", and consequently, even species that need not be protected by regulation are included in the list. In selecting the species to be placed in the Appendices, care should be taken that only the species requiring protection on the light of the purpose of the Convention will be selected. Moreover, in some cases, specification by species might make identification difficult. In those cases it would be necessary to revise the lists either by specifying by region or by the degree of the necessity of protection.

CBS ANALYSIS OF "THE SELLING OF THE PENTAGON" CONTROVERSY

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. REID of New York. Mr. Speaker, on December 15 I inserted in the RECORD the first part of a detailed analysis of the controversy surrounding the Columbia Broadcasting System's production "The Selling of the Pentagon." This analysis which was presented to me by Chet Casselman, president of the Radio-Television News Directors Association, was prepared by the staff of CBS. I enter the second and final installment in the RECORD today:

DEFENSE FILMS

A number of questions deal with the broadcast's references to films produced by the Defense Department.

1. Cost of defense films

The Defense Department pamphlet raised the following question:

"Viewers of the program heard references that the Department of Defense spends $12 million for its 'own pictures.' The immediate inference is that this amount is spent on films intended for public release."

The pamphlet added that the $12 million expenditure includes films for troop information, research development, recruiting, medical and religious use and public information, and that the money spent on public information films is negligible—$30,000 in 1970.

There was no intention to create the inference drawn by the Department of Defense. On the contrary, the broadcast states:

"Over 300 films are made by the Pentagon. *Most of them are meant originally for troop information,* but a large number is later released for public showing" [emphasis added].

In reply to Congressman Hébert, who asked about the $12 million for films, the Pentagon responded that this is a "reasonably accurate" estimate if "one includes *all* films made by *all* services for *all* purposes." There seems to be some confusion, however, as to the annual expenditures for Pentagon films. As an example, Arthur Sylvester was the Assistant Secretary of Defense for Public Affairs for a period of six years (1961–1966)—the assignment Mr. Henkin now has. In a CBS News broadcast on April 18, 1971, entitled "Perspective: The Selling of the Pentagon," he stated "I would guess that the amount [spent for Pentagon films] in the time I was there, spent throughout the Pentagon, we sat down and figured out, I would guess at about 500 million dollars easy." That represents approximately $83 million per annum. CBS News has no information as to the accuracy of this guess.

2. Availability of films to public

The Pentagon pamphlet said that "only a very small percentage of all the films included in the $12 million figure are even cleared for public release." The reply to Mr. Hébert said "very few" of the films are cleared for public release and "almost none" is made specifically for the public, and that any contrary implication is "grossly inaccurate and misleading."

CBS News does not know the total number of Department of Defense films now available for public exhibition. It is informed, however, that one library alone, the library at Norton Air Force Base in California, includes approximately 6,000 films, that approximately 750 of these films (12½ percent) are available for public exhibition, and that many other Army and Navy films in other Department of Defense libraries are also available for public exhibition.

Congressman Hébert raised the question whether any film, once cleared for release, could be withdrawn from the public:

"Would it be possible under the Freedom of Information Act, as voted by the Congress, for the Defense Department to withhold from the public any films which have been cleared for public release in past years? How many of the Defense Department films used as illustrations in the programs were initially made for internal information programs, and how many were initially made solely for public release?"

Mr. Henkin states in reply that the Defense Department "does not feel it can withhold or suppress any films requested by the public which have been previously cleared for public release."

It is not at all clear that the Freedom of Information Act bars the withdrawal from public circulation of films which reflect outdated cold war concepts. In fact, the Defense

Department seems to be proceeding on the assumption that such withdrawal is not barred. UPI reported April 9, 1971, that

"The Defense Department acknowledged Friday that the CBS documentary, 'The Selling of the Pentagon,' which it has criticized as distorted and unfair, has resulted in some beneficial reforms in the military's public information program. 'Times do change and we try to learn from them,' Pentagon spokesman Jerry W. Friedheim told reporters, 'and from time to time we learn something from suggestions that you make.' For one thing, he said, the controversial television program led Daniel Z. Henkin, Assistant Defense Secretary for Public Affairs, to order commanders to stop glamorizing judo and other types of hand-to-hand combat during open house demonstrations on military bases. Friedham said *Henkin also had ordered a review of films that the Pentagon makes available to the public to weed out those reflecting outdated cold war foreign policy concepts"* [emphasis added].

Moreover, the Defense Department has confirmed that it has withdrawn films from public circulation. As one example, Major Ralph Anderson, an officer in the Audio-Visual Division of the Pentagon, informed CBS News in October 1970, during production of "The Selling of the Pentagon," that a film entitled "Communist Target: Youth" had been withdrawn from circulation in September 1970. Mrs. Elaine Finnell of the Audio-Visual Division confirmed, in an article in the *New York Post* on July 28, 1971, that a group of films had been withdrawn.

Mr. Henkin reports that only one of the "seven films addressed specifically in the show" was made "specifically for public release. All the rest were made for internal troop information and cleared for public release by prior administrations." The broadcast makes no statement to the contrary.

In any event, the purpose for which the films were originally intended is irrelevant. The issue is whether the films which are eventually released to the public comply with the Defense Department directive * that "propaganda has no place in the Department of Defense public information programs."

The Pentagon pamphlet, in discussing presentation of Defense Department films on TV, said:

"CBS states that 'at least 356 commercial and educational television stations' presented DOD films 'during the 1960's.' How do the stations get the film, and who decides that they will be aired?"

The pamphlet answered that the films are requested by the stations and that they decide what will be aired.

The broadcast states nothing to the contrary. It is apparent, however, that the willingness of a large number of stations to utilize the free programming made available to them by the Pentagon at sizable government expense constitutes an effective extension of the Pentagon public relations arm.

3. Vietnam camera teams

The CBS News broadcast stated:

"The war is covered extensively not only by the civilian press but also by the Defense Department's own camera crews in Vietnam. Their product is distributed to American TV stations and networks . . . It is intended to supplement regular network news coverage. But the Defense Department can hardly be said to be a disinterested observer in Vietnam. Recently, there have been charges that some of the Pentagon's footage was staged. . ."

Congressman Hébert asked:

"Has CBS or the other major networks made use of the film prepared by the military camera team in Vietnam? How much?"

Pentagon Answer:

"[A]n average of 90 percent of Vietnam originated newsfilm releases made in 1970 were used [by networks and newsfilm syndicates] . . . on network news programs or . . . passed on by the networks or syndicates to their affiliates for possible use on local news programs. Our records show that CBS used 24 releases in 1970, either on the network or their affiliates (ABC 13, UPITN 58, NBC 64, Fox Movietone 17)."

Film stories prepared by the military camera teams in Vietnam were used by CBS News selectively, relatively infrequently, and in reliance on their seeming accuracy. Approximately 22 such stories were used during 1970 in the CBS News syndication service. The last such use was on October 6, 1970. Although the CBS News records are not complete, it would appear that none of such stories was used in the network news broadcasts.

Congressman Hébert asked:

"Former Sergeant Demitor discusses what he called a 'staged' story about South Vietnamese forces. Who was in charge of the film team? Did the fact sheet sent forward from the film team advising the persons in charge of the film team indicate the film was 'staged'?"

Pentagon Answer:

"First Lieutenant John Beeler was in charge of the film team. The fact sheet received with the footage did not say that the film was 'staged'."

Mr. Demitor states in the broadcast that his film team staged a number of stories of the Vietnamese. One of these stories is included and discussed in the broadcast. Mr. Henkin's answer does not throw doubt on the accuracy of Mr. Demitor's statements.

4. Narrators of defense films

Congressman Hébert asked:

"Does the Department of Defense know why the producers of the program chose to single out particularly Mr. Chet Huntley and Mr. Walter Cronkite for approbrium in that they were allegedly used by the Department of Defense in certain films? Have either Mr. Huntley or Mr. Cronkite requested the Department of Defense to withdraw the films in which they appeared from Defense Department use?"

Mr. Henkin replied that he does not know "why the producer singled out Mr. Huntley and Mr. Cronkite for specific mention and that he knows of no request from Mr. Huntley or Mr. Cronkite that these films be suppressed or withdrawn from use."

Mr. Cronkite and Mr. Huntley were not "single[d] out for opprobrium." The broadcast refers to "well known journalists and movie stars" who serve as narrators of Defense Department films. Mr. Huntley and Mr. Cronkite are prominent examples of well-known journalists. The broadcast also makes reference to services performed for the Pentagon by such well-known journalists as Edward R. Murrow, John Daly and Lowell Thomas.

Congressman Hébert asked about the film narrated by actor Robert Stack:

"CBS showed a film of actor Bob Stack, quoting Stack as saying 'speaking of guns and far away places, I have just come back from a trip to Vietnam where guns are used for an entirely different purpose.' What was the name of the film from which that opening sentence was clipped, and what was it about?"

Mr. Henkin explained:

"The clip is from an Air Force training film, 'Alone, Unarmed and Unafraid—Tactical Reconnaissance in Southeast Asia' . . . originally made to train tactical reconnaissance pilots . . . subsequently cleared for public release." He contended the clip is used "out of context" and "implies" that the film from which it is taken deals with "weapons involved in the shooting war in Vietnam. In fact, the film is about reconnaissance pilots why fly over North Vietnam unarmed."

The broadcast includes the following excerpt from the Stack film:

"Hi, I'm Bob Stack. As you may know, one of my hobbies is collecting guns. I've hunted on and off all my life from California to Mexico to safaris in Africa. Speaking of guns and far away places, I've just come back from a trip to Vietnam where guns are used for an entirely different purpose."

This excerpt was used, in conjunction with other excerpts, merely to substantiate the statement in the broadcast that "movie stars often serve as narrators" of Department of Defense films. There was no intention to create the implication described by Mr. Henkin, and no such implication was created.

Mr. Witze commented that an excerpt from "Road to the Wall" was included in the broadcast—but no mention was made of the fact that CBS Films Inc., a CBS division, produced this film for the Pentagon in 1962 and "was paid about $100,000 of the taxpayers' money."

The broadcast includes excerpts from a total of eight films. The producers of none of them are named in the broadcast because CBS News thought their names were irrelevant. Any inference that the failure to identify CBS Films Inc. as the producer of one of these films was intended to protect CBS as precluded by the fact that the broadcast (a) mentioned the participation of Walter Cronkite and Edward R. Murrow in the Defense Department films and (b) described how CBS News was unwittingly used by an Air Force information officer during the production of a documentary on the air war over North Vietnam. Clearly, CBS was not sparing itself. But CBS News is now persuaded that the broadcast should have identified CBS Films Inc. as the producer of "Road to the Wall"—if only to avoid a controversy over so diversionary and nonsubstantive an issue.

MILITARY DEMONSTRATIONS

Critics have raised a number of questions about portions of the broadcast concerning military demonstrations before civilians, particularly a tour of military installations by the Joint Civilian Orientation Conference, a group of 63 prominent citizens.

1. Composition of audiences

Congressman Hébert asked the Pentagon:

"Was there anybody else in the grandstands at the fire power demonstrations besides the Joint Civilian Orientation Conference members? And have any of them complained that they were brainwashed?"

Mr. Henkin replied that, in addition to the JCOC group, there were more than 800 students, civilians and military personnel "at the *Fort Bragg* exercise where CBS filmed" [emphasis added].

The broadcast makes no statement to the contrary. But CBS News also filmed, and included in its broadcast, fire power demonstrations and other demonstrations at *Camp Lejeune*, North Carolina, which were presented before audiences consisting *solely* of the JCOC participants.

Mr. Henkin states "there have been no complaints of 'brainwashing.'" The broadcast does not report that there has been any brainwashing. It merely reports, *in their own words*, the reaction of the JCOC participants to what they have seen. The only reference in the broadcast to "brainwashing" is this statement by one of the JCOC participants who denies its existence.

"I think that one part of this tour is that you won't find a George Romney statement about being brainwashed."

Congressman Hébert also asked:

"The program did show, in at least one case, small children observing demonstrations of killing tactics used by professional military personnel. I agree with the inference of the program that showing such things to small children is objectionable. Is it possible

* Public Affairs Principles of the Secretary of Defense, March 4, 1969.

for the Department of Defense to take steps to prevent reoccurrences of this kind of action?"

Mr. Henkin states that the Department of Defense "has initiated a review and will take corrective action."

2. Purpose and costs of demonstrations

The Defense Department pamphlet stated:

"After seeing CBS's program, many viewers had the impression that thousands of troops staged an exercise and demonstration expressly for the Joint Civilian orientation Conference group, that the Department of Defense furnished items of clothing for the group, and that high-ranking generals accompanied the civilians from installation to installation."

In one of his questions to Mr. Henkin, Congressman Hébert asked:

"Is the use of ammunition at fire power demonstrations, such as that for the Joint Civilian Orientation Conference members, part of the regular practice firing of troops and units or is it an additional use of ammunition for which additional funds have to be provided?"

Mr. Henkin in a reply to Mr. Hébert said that "use of ammunition at these demonstrations is a normal training expenditure. JCOC tours, such as that we assisted CBS in filming at Fort Bragg during Exercise Brass Strike are scheduled to take advantage of previously scheduled training activities." The Pentagon pamphlet stated that Brass Strike was not conducted specifically for the JCOC tour and would have occurred whether or not the guests attended.

The broadcast does not state that (i) Brass Strike was other than a training exercise or that (ii) it would not have occurred if the JCOC were not in the audience or that (iii) the audience for Brass Strike was limited to the JCOC group. (As previously noted, however, the JCOC was the sole audience for the Camp Lejeune demonstration.)

With regard to the firing of weapons, one of the JCOC participants reports in the broadcast that:

"At Fort Hood we [the JCOC participants] all were seated in the gunner's seat of the M–60 tanks, and we fired the rifles, and were told what excellent shots we were and were taken over to the recoilless rifles and fired rounds at armored personnel carriers and again told how good shots we were, and we fired grenade launchers and drove tanks and so on . . ."

The cost of the ammunition fired by the JCOC participants would not seem to be a "normal training expenditure." A study by the General Accounting Office entitled "Joint Civilian Orientation Conference" and dated June 29, 1971, reported that the participants fired 18,700 rounds of ammunition from weapons ranging from the M–16 rifle to the 105-millimeter tank gun. The GAO concluded that the public affairs tour for the 63 civilians cost the Department of Defense $80,000, compared to $14,000 estimated by the Pentagon in Senate testimony. "Use of weapons" alone cost $20,000, which was not counted in the Pentagon estimate, the GAO said.

The broadcast indicates nothing to suggest that individual members of the JCOC group did not pay for their clothing as well as their other personal expenses. It states, instead, that "the 63 civilians themselves paid part of their own costs . . ." Reference is made to "part" because military travel costs, for instance, were not included among the personal expenses paid by the civilians. The GAO states that military transportation for the participants cost the Defense Department $12,000.

In any event, the basic question raised by the broadcast is not the personal expenses of the civilians but rather the likelihood of added and sizable expenditures involved in the planning, rehearsal and implementation of the demonstrations. The GAO, for instance, estimates that services provided by 337 military and civilian personnel cost the Defense Department $37,000 which was not included in the Pentagon cost estimate.

3. Denial of permission to film civilians firing weapons

In a letter to the *Shreveport Times*, published March 14, 1971, and reprinted later in the *Army Times* and the *Congressional Record*, Major Raymond E. Funderburk said, "To my knowledge, CBS made no real attempt to film the JCOC conferees as they were shown the various Army weapons systems and permitted to fire many of them." In the letter, Major Funderburk identified himself as the Army escort officer assigned to the JCOC trip. He quoted the following purported excerpt from the broadcast: "We (CBS) were not permitted to film the JCOC activities at Fort Hood—but we later learned what happened . . ." Major Funderburk stated this indicates an "obvious intent to (show) the viewer that CBS had uncovered some secret and elusive activities . . ."

The purported quotation from the broadcast is inaccurate. The statement in the broadcast which Major Funderburk seems to dispute is:

"The Defense Department did not permit CBS News to film what many regarded as the highlight of the tour [weapon firing by the JCOC group]. But the civilians were not shy in talking about it."

CBS News did, in fact, make a "real attempt" to film these activities. Before the tour started, CBS News asked the Department of Defense for permission to have a film crew accompany the tour across country from the naval station at San Diego, to Vandenberg Air Force Base, to the NORAD Base in Colorado Springs, to Fort Hood, Texas, to Camp Lejeune and Fort Bragg in North Carolina and to the Pentagon in Washington. That permission was denied. Instead, CBS News was given the limited permission to film the demonstrations at the two North Carolina installations only, i.e., at Camp Lejeune and Fort Bragg. The weapons firing by the civilians took place at Fort Hood, Texas.

4. Selective interviews

Major Funderburk also charged:

"CBS tried to take the very positive remarks of JCOC conferees interviewed on the show and refute them with the mumblings of a former Air Force public affairs officer. Why did CBS not interview several former public affairs officers rather than stick to the negativeness of one man?"

CBS News did not, as Major Funderburk charges, "stick to the negativeness of one man." On the contrary, an interview with the chief public affairs official of the Defense Department, Assistant Secretary Daniel Henkin, is included in the broadcast and other interviews were conducted with a number of active public affairs officers who were critical of the military public affairs efforts but did not wish to appear on the broadcast. Subsequent to the broadcast, CBS News received letters laudatory of the documentary from present and former military personnel, including public affairs officers. These are representative excerpts:

"My personal experience in psychological warfare and press information, on a high level with the U.S. Army in the Pacific, gives me the authority to back your network's accusation without reservation. Frankly, you exposed only a fragment of the most sophisticated image-making organ ever to exist."

"I viewed with great interest the CBS program, 'The Selling of the Pentagon' and your post program remarks. As a former Air Force Information Officer, I believe the program was fair in its portrayal of the military public relations activities."

"I would like to congratulate you on 'Selling of the Pentagon.' It was a fine documentary that definitely needed made. It was run on AFVN–TV here in Vietnam and by popular request is being repeated. Speaking for myself and for many of my associates and friends, programs like 'Selling of the Pentagon' keep the troops going over here. Someone needs to stop the runaway armed services information program. What you did was a start—I hope you, and others, are able to follow it up. We realize the risks involved, especially financially, from producing a documentary like 'Selling of the Pentagon.' But from those of us caught in the midst of the whole thing, the risk of not speaking out obviously will only serve to let the half-truths and deception spread even further. CBS should be proud for standing up and being counted. For myself, and for many, many others here in Vietnam, I thank you." (From a first lieutenant stationed in Vietnam.)

"Congratulations. I viewed your documentary, 'The Selling of the Pentagon' and as a former Army and Air Force Information Officer, I endorse completely the approach you took. I worked closely with your Saigon Bureau while I was in Vietnam and at times was ashamed and embarrassed at the information policies that governed the so-called 'free-flow.' The only thing I can add is this: I'm grateful that CBS not only had the courage but felt strongly the obligation to reveal to the American public the dangerous incursions that have been made into their right to know."

"As a former Army officer familiar with the public relations and information activities of the military, I very strongly commend you for your outstanding program 'The Selling of the Pentagon.' Your most vocal critics attack inconsequential details without challenging at all the substantive issues which were raised—I thank you for your efforts and I encourage you to continue to present such programs which reveal the extent of the influence of the military in the formulation of public policy and the national image."

"I was a DoD Information Officer for several years on Okinawa. Your 'Selling of the Pentagon' was factual and restrained. I know a helluva lot of much worse things that will not be told soon, if ever."

"For three years, from June 1968 to March 1971, I was a Navy Public Affairs Officer aboard the attack aircraft carrier USS *Oriskany* . . . To put it succinctly, your report, based on my three years experience as a full time public affairs officer, was accurate and in proper perspective . . . I feel your organization has been unfairly maligned by the administration. Your documentary was objective, fair, and most importantly, correct."

MISCELLANEOUS

Questions have been raised about a miscellany of subjects treated in the broadcast, including press briefings and the relationship between reporters and public information officers.

1. "No comment"

Mr. Witze charged:

"CBS News filmed a Defense Department press briefing conducted by Jerry W. Friedheim. Thirty-four questions were asked. Mr. Friedheim answered 31. In three areas he was unable to be responsive. The broadcast used six of the 34 questions including all three of the ones that could not be answered."

The broadcast did not use *all* of the questions that "could not be answered." At the press briefing which CBS News filmed, at least 56 questions were asked. Mr. Friedheim was unable, for varying reasons, to answer 11 of these questions completely. As will be demonstrated below, only one flat "no comment" answer was used.

The purpose of the sequence used in the broadcast was to emphasize the give-and-take of the briefing and to suggest the atmosphere in which newsmen operate there. It was a fair and accurate picture. The fol-

lowing is the entire sequence (six questions and eight answers) as broadcast*:

1. "FRIEDHEIM. Dr. Foster has discussed the three different kinds of SS–11s.

"REPORTER. These are MRVs, not MIRVs?

2. "FREIDHEIM. That's correct, these are MRV, not MIRV. We're not able to discuss—

"MUDD. Every morning at 11:00 o'clock, in pursuit of Defense Department news, Pentagon reporters get a crack at a careful and respected adversary, Deputy Assistant Secretary of Defense Jerry Friedheim. He does not, of course, tell all he knows; he wouldn't have his job long if he did.

3. "FRIEDHEIM. I can't discuss that at all.

"REPORTER. What about the size of the warhead?

4. "FRIEDHEIM: I just don't have anything I can give you on that. We'll pursue that question.

"ROBERT GORALSKI, NBC News. When did you last have three carriers on station in the Med?

5. "FRIEDHEIM: We'll have to check back and find that date for you.

"REPORTER. Has the Guam chopped to the Sixth Fleet?

6. "FRIEDHEIM. Negative. It has not.

"REPORTER. Would she normally just be going to replace one of them; is that it?

7. "FRIEDHEIM. That has been the normal operations in the past. We've observed some nineteen Soviet combat vessels there in recent days. The Sixth Fleet strength is roughly comparable, slightly larger.

"REPORTER. Slightly larger?

8. "FRIEDHEIM. Correct."

Answer No. 1 merely introduces the sequence; the camera catches Mr. Friedheim in the process of completing his answer. The first sentence of answer No. 2 is a complete answer to the preceding question. In the opening words of the second sentence, Mr. Friedheim volunteers his inability to furnish information in addition to that called for by the question. These words ("we're not able to discuss . . .") are used as a transition to the following sequence with Mr. Mudd. As Mr. Friedheim speaks, the camera leaves him, his voice diminishes and becomes indistinct and Mr. Mudd's voice comes on. Answer No. 3 is a "no comment"—*the only one included in the broadcast.* In answer No. 4, Mr. Friedheim indicates that the requested information is not then available for release but promises to "pursue" the question. In answer No. 5, he indicates that he does not have the requisite information but that he will try to get it. The remaining three answers give the requested information.

This is a fair representation which does not reflect adversely on Mr. Friedheim. The broadcast describes him as "a careful and respected adversary." It is made clear that he cannot tell "all he knows."

The portrayal of a briefing in Saigon also was questioned, in this instance by Congressman Hébert:

"CBS runs a 'no comment' answer from the U.S. military briefer at Saigon. How much of the briefer's session did CBS film? How many questions were asked which were not answered 'no comment'? Why would a MACV briefer reply 'no comment'?"

Mr. Henkin replied that: "This briefing [on November 21, 1970] followed the announced Sontay search and rescue operation seeking to free American prisoners of war in North Vietnam. The operation had taken place that weekend." The briefer read a statement from the Secretary of Defense about the "protective reaction" strikes on November 20 and November 21. Both the briefer and the Secretary of Defense stated that further comments about these strikes would "jeopardize" the safety of Americans.

Mr. Henkin continued:

"Nevertheless, the Saigon press corps continued to press for details of the operation. Although there is no transcript of this particular briefing, notes taken by this office indicate that at least 12 questions were asked regarding protective reaction. The briefer responded six times that he could add nothing to the statement, as he should have. There was one other 'no comment' response given on another subject. On other subjects, the briefer responded to at least 8 questions with answers or explanations. Yet CBS selectively used the 'no comment' type answers as an expression of a 'typical' Saigon briefing."

This is the pertinent statement in the broadcast:

". . . 'Military Assistance Command Daily Press Briefing' means this scene right here, which is popularly known among newsmen in Saigon as the Five O'Clock Follies. The most popular phrase at these sessions, however, needs no explanation.

"ARMY BRIEFER. No comment. Nothing further to say.

"FIRST REPORTER. Maybe you can answer my question.

"ARMY BRIEFER. I have nothing further to add to the statement that has been read. I repeat, I have no comment.

"SECOND REPORTER. Why can't you comment?"

The Sontay search and rescue operation was not "announced" prior to the November 21, 1970, briefing. It was announced by Washington on November 23, two days after the briefing. It is a fact that the military briefer in Saigon customarily adheres with a considerable degree of rigidity to the official statements released by him and that he volunteers very little by way of clarification, amplification or explanation.

CBS News does not have a complete record of the briefing. It did film, and has a transcript of, a portion of the briefing by the "U.S. military briefer." During this portion, there are at least 19 answers by the briefer. Seventeen of these answers fall into either the "no information" or the "no comment" categories.

The point is made, in Mr. Henkin's answer, that further comments by the briefer would have "jeopardize[d] the safety and security of Americans." This reference is not clear. If it deals with the safety and security of the military personnel involved in the Sontay raid, the information available to CBS News indicates that all of the personnel involved in that raid had returned safely to their bases at least ten hours before the briefing.

The point is also made that "the Saigon press corps continued to press for details," despite Mr. Laird's statement that the security of military personnel was involved. This criticism should be considered in the context of these additional facts: The statement by Secretary Laird, which was read by the briefer, announced "protective reaction air strikes" south of the 19th parallel. At the time of the briefing, the Saigon press corps had been apprised of Hanoi radio claims (subsequently confirmed) that the United States was also bombing north of the 19th parallel. It was this discrepancy at which some of the questions, which Mr. Henkin criticizes, were unsuccessfully addressed. Six days after the briefing, on November 27, the Pentagon confirmed officially for the first time that the United States had, in fact, bombed north of the 19th parallel.

2. Pentagon-media relationship

Congressman Hébert inquired about the relationship between Mr. Friedheim, who meets daily with reporters, and the regular Pentagon news corps:

"Mudd says that 'each day the press and the Pentagon have a formal confrontation' with the newsmen's 'adversary' Deputy Assistant Secretary Friedheim. Does the Department of Defense regard these daily news briefings as a 'confrontation' and the participants as adversaries?"

Replied Mr. Henkin:

"No. The daily news briefings here are regarded as one important way to provide the American people with maximum information about the Department of Defense, consistent with national security. . . . It is necessary that information which is classified, for example, must be protected. . . ."

The pertinent statement in the broadcast is:

"Once each day, the press and the Pentagon have a formal confrontation. . . . Every morning at 11:00 o'clock, in pursuit of Defense Department news, Pentagon reporters get a crack at a *careful and respected adversary,* Deputy Assistant Secretary of Defense Jerry Friedheim. He does not, of course, tell all he knows; he wouldn't have his job long if he did" [emphasis added].

Mr. Friedheim himself has used phrases equally strong or stronger than this description by CBS News. Mr. Friedheim has referred to "the built-in *conflict* between the need to release and yet protect military information," the conflict between "the public affairs function of releasing information and the security requirement to protect information," and the *"collision"* between "principles of freedom of information and security of information" * [emphasis added]. It is the resolution of this basic conflict that creates the confrontation, the thrust and parry question and answer sessions which are so typical of the daily press briefings in the Pentagon.

In a profile of Mr. Friedheim, written for the April 11, 1970, issue of *Armed Forces Journal,* its Pentagon correspondent writes:

"Every day at 11 a.m. a small combat zone known as the 'Audio Visual Studio' fizzles into action at the Pentagon. It's a different kind of war: the daily press briefing, usually presided over by a mild-mannered Deputy Assistant Defense Secretary, Jerry Friedheim. Invariably, Friedheim, who is diligent in keeping the nation's secrets, becomes a target. In recent months he has been charged by newsmen with a variety of offenses including: 'Bobbing and weaving,' 'mumbling,' and—just the other day—'Pentagon doubletalk.'"

The same article reports that Secretary of Defense Melvin Laird has used the term "wolf pack" to describe the press corps in attendance at these daily briefings.

It is clear that, for eminently valid reasons, the daily Pentagon briefings do involve a "confrontation" and an "adversary" relationship between the press and the Pentagon representatives.

3. Classified information

Congressman Hébert also asked:

"Would answers to any of the questions from that briefing [the Friedheim press briefing], which were carried on the show, have involved classified national security information?"

Mr. Henkin answered:

"Yes, to discuss sizes of possible multiple nuclear warheads on the Soviet SS–11 ICBM would disclose information damaging to the Defense interest of the United States."

There is no suggestion in the broadcast that Mr. Friedheim should have answered any questions differently than he did or that he should have discussed matters involving "classified national security information." The sole purpose of this sequence in the broadcast was to suggest the atmosphere of the daily press briefing in the Pentagon.

Congressman Hébert:

"Mudd says, 'What the press wants to reveal the Department of Defense often wants to conceal!' What does the Defense Department want to conceal?"

Mr. Henkin replies:

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* The answers have been numbered for convenience of reference.

* Article by Mr. Friedheim entitled "Security vs. Freedom of Information" in the February 1970 issue of *Direction,* a publication of the Naval Office of Information.

"Information that might adversely affect the national security, and information that could endanger lives of Americans."

Classification procedures are used, of course, to protect sensitive information for the reasons mentioned by Mr. Henkin. But they are also used for other purposes. It is an accepted fact that there is "massive over-classification of materials." *

"Certainly, the government's security classification procedures pose a serious obstacle to the free flow of news and information. The regulations derive their validity from the need to keep military secrets, troop and weapons deployment, strategic plans, and other sensitive material out of the hands of hostile governments or persons. But these regulations have over the years become translated into broader and broader inhibitions on traffic in legitimate—i.e., nonsensitive or nonsecret—information . . . *As the simplest mechanism for blocking public exposures or discourse, over-classification is widely employed by civilian as well as military authorities"* ("The Military Establishment," The Twentieth Century Fund, pages 212–213) [emphasis added].

"A former Air Force security expert said today that of at least 20 million classified Pentagon papers, 99½ percent did not qualify for even the lowest confidential rating. William G. Florence, a Pentagon deputy assistant Secretary for security until the end of May, told a House Government Operations sub committee that stamping papers secret had 'become a way of life' in the Pentagon." (*New York Post*, June 24, 1971)

4. Pentagon offices

Mr. Witze commented:

"Narrator Mudd has a line referring to '30,000 Pentagon offices.' There are only a few more than 26,000 persons employed in the Pentagon—an educated guess is that there may be 5,000 offices in the building."

CBS erred in referring to 30,000 offices, in the following sentence in the broadcast: "Going into and out of the 30,000 Pentagon offices each day are 200,000 phone calls and 129,000 pieces of mail." The figure of 30,000 was drawn from a Defense Department publication of October 1968, still current when the broadcast was being prepared, which said that the Pentagon houses "30,000 employees engaged in the world's biggest business." However, this figure referred to people, not offices.

5. Public information offices

Congressman Hébert raised questions regarding the interview with Jack Tolbert, a former Air Force public information officer, and the assistance which such officers provide to newsmen. Mr. Tolbert describes in the broadcast how, as the public information officer in charge, he misled CBS News in connection with its production of a documentary on the air war in North Vietnam.

Mr. Hébert asked:

"Why wasn't the former Air Force officer [Tolbert] who bragged about deceiving CBS when he was serving in Vietnam fired for doing that?"

Mr. Henkin states that he does not know whether CBS News was "actually deceived," that Mr. Tolbert is no longer with the Air Force, and that "there is no place in the Department of Defense for any official . . . who deliberately deceives or dupes news media . . ."

CBS News was, in fact, "actually deceived." It may be pertinent to note the circumstances of Mr. Tolbert's separation from the Air Force. He received an honorable discharge, a medal for meritorious service and a letter of commendation from Mr. Henkin's assistant, Julian R. Levine. His last efficiency report was "outstanding—almost never equalled."

Congressman Hébert:

"The Mudd-Tolbert interview discussed the fact that information officers assist broadcast by networks by selecting 'articulate' pilots for on-camera interviews. Has CBS ever asked an information officer to arrange an interview for them with an inarticulate pilot not knowledgeable about his job?"

Answer by Mr. Henkin:

"Not necessarily, except that by insisting on a 'name' or a well-known interviewee, which is common practice among the Networks, there is no assurance that the MOST articulate and knowledgeable interviewee is requested . . . [T]here was difficulty in getting any pilots to discuss their flights over North Vietnam, because of harassment many of their families were going through in the United States . . . from anti-war groups . . . In the case of 'Air War in the North,' the information office at Da Nang attempted to locate and provide pilots who would volunteer for on-camera interviews, and who fitted general qualifications outlined by the CBS producer."

Although, presumably, this is intended to answer the following statements in the broadcast, it does not contradict the basic criticisms implicitly in those statements:

"MUDD. Often the press is an unwitting partner in its own deception. Former Information Officer Tolbert once took great pride in utilizing the media. He's not so proud of the record anymore.

"TOLBERT. A network was coming over to cover and do a documentary on the air war over North Vietnam. They were going to film it out of DaNang, where I was the information officer. So in preparing for them we tried to pick out the most articulate, the best-looking pilots that we could, to be able to describe through their eyes what the air war was all about. *We briefed the pilots so that they would understand that we were trying to present our views in a one-voice concept; we didn't want divergent views coming from a variety of the different pilots that might raise questions concerning whether they understood, or whether they were satisfied with the way the air war in the North was being fought.*

"MUDD. And the cast of characters that you made available to those network men was such that they never heard any dissension or criticism about the bombing mission?

"TOLBERT. No, no, never. You know, being an insider, knowing fully what was going on, if I was absolutely candid with them, and opened all of our closets to them, yes, they would have come out with a lot more balanced report. I could have helped them do that" [emphasis added].

Again, Congressman Hébert:

"Mudd quotes Tolbert as saying 'it is extremely difficult for a Pentagon reporter, even a regular, to establish sources outside the Public Affairs Arm.' How many interviews by newsmen with Pentagon officials outside the 'public affairs arm' were arranged by your office during the eleven months that CBS worked on its show?"

According to Mr. Henkin:

"During the eleven months that CBS worked on its show the *'Public Affairs arm' of the Defense Department arranged* more than 1,100 interviews between newsmen and other media representatives, and Pentagon officials outside the 'public affairs arm.' Needless to say, Pentagon newsmen have their own independent sources of information developed through their professional skill" [emphasis added].

The point of the statement (actually voiced by Mr. Tolbert rather than Mr. Mudd) is that it is "extremely difficult" to gain direct access to Pentagon officials "outside of the Public Affairs arm." And this is, in fact, supported by Mr. Henkin when he emphasizes, in his answer, that it was the " 'Public Affairs arm' of the Defense Department that *arranged* more than 1,100 interviews between the press and Pentagon officials over an 11-month period" [emphasis added]. A reporter who is required to work through a public relations representative can hardly be said to have established an independent source of information.

6. Defoliation

Congressman Hébert questioned the broadcast's characterization of defoliation in Vietnam:

"Mudd said 'defoliation means nothing will grow there any more.' Is that right? Why is defoliation used around U. S. firebases? Is the current Administration reducing the defoliation program?

Mr. Henkin's answer:

"Defoliation does not mean that 'nothing will grow there any more.' When one defoliation application occurs, tree leaves fall off; in a few months the leaves grow back again. Where heavy, repeated applications are used, trees can ultimately be damaged or killed, but new plant growth occurs after a short time." Defoliation reduces casualties by preventing the enemy "from using the heavy foliation to launch attacks."

The broadcast does not assess the merits of, or the military need for, the defoliation program in Vietnam. It merely characterizes ("nothing will grow there any more") the overall impact of that defoliation program. While this characterization may be too broad in that it seems to imply permanent destruction in all situations, Mr. Henkin seems to be stating that the impact of defoliation is *always* short-lived.

The duration of the damage caused in Vietnam by the defoliation program was the subject of an investigation by a Herbicide Assessment Commission appointed in December 1969 by the American Association for the Advancement of Science. The Commission, which was chaired by Harvard biologist, Matthew S. Meselson, submitted a "preliminary report" in December 1970. The report was discussed in the January 8, 1971, issue of *Science* magazine, page 43:

". . . he [Matthew S. Meselson] and his colleagues reviewed the pertinent literature, consulted with numerous experts, and made a 5-week inspection tour of South Vietnam this past summer. Their formal reports to the AAAS annual convention were guardedly conservative in tone, but their findings added up to a charge that the military use of herbicides has been considerably more destructive than anyone had previously imagined. Among the assertions:

"One-fifth to one-half of South Vietnam's mangrove forests, some 1400 square kilometers in all, have been 'utterly destroyed,' and even now, *years after spraying*, there is almost no sign of new life coming back.

"Perhaps half the trees in the mature hardwood forests north and west of Saigon are dead, and a massive invasion of apparently worthless bamboo threatens to take over the area decades to come" [emphasis added].

7. Bombing strikes

Congressman Hébert questioned the accuracy of the broadcast's statement regarding bombing strikes in North Vietnam.

"Mudd says 'protective reaction means the U.S. resumed the bombing of North Vietnam.' Has the bombing campaign carried out by the former Administration been resumed?"

Mr. Henkin's answer:

"No. *The bombing campaign carried out prior to November 1968*, has not been resumed. Protective reaction is a description of those actions which involve the inherent right of self-defense for the unarmed reconnaissance missions undertaken over NVN to insure the safety and security of our troops inside SVN . . ." [emphasis added].

* Statement by Solicitor-General Erwin Griswold to the U.S. Supreme Court during the oral argument of the appeals involving *The New York Times* and *The Washington Post* as reported in *The New York Times* on June 21, 1971.

When bombing in North Vietnam ended in November 1968, North Vietnam and the Soviets understood clearly that reconnaissance flights over North Vietnam would continue and would be protected, Mr. Henkin said.

Mr. Henkin denies that "the bombing campaign carried out prior to November 1968" has been resumed. But the broadcast does not state that it has been. The only statement in the broadcast is that "the U.S. resumed the bombing of North Vietnam" after it ended in November 1968. This is correct. Mr. Henkin, in his answer merely explains the nature of the bombing and the circumstances under which it was resumed.

A PLAN TO REDUCE VOTER APATHY

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McCLORY. Mr. Speaker, my friend, Ed DeMar, a free lance writer, has composed a thought provoking article "A Plan To Reduce Voter Apathy" which appeared in the Thursday, December 9, 1971, issue of the Chicago Tribune.

I am pleased to call this article to the attention of my colleagues and all to whom this issue of the CONGRESSIONAL RECORD comes:

A PLAN TO REDUCE VOTER APATHY

(By Ed DeMar)

It has been said with some authority by political commentators that many voters cast their ballots for a candidate to vote against his or her opponent.

Notwithstanding Positive Mental Attitude faddists, most would agree that the right to say "no" is one of the more highly cherished of all individual rights. And, apparently, a majority of persons of voting age in America choose this route: to not vote at all to say "no" to the forced-choice system which is a condition of participation in our elective democracy.

The Census Bureau estimates that 53.3 per cent of Americans old enough to vote did not do so in the last Presidential election.

NOT ALL COPOUTS

It is true that not all of these nonvoters are copouts, that is, registered voters who are no-shows in the election booth. Some don't have the option to cop out because they aren't registered.

Still, since early this century, of those who were duly registered, a shocking one-third of those eligible—even in Presidential years—did not bother to vote.

Voter turnouts overseas, where in many cases registration is easier, and next door in Canada, generally put our voting habits to shame. Italy, better than 90 per cent in each of four recent national elections; West Germany, 78 to almost 88 per cent over a 15-year span; Canada, averaging 80 per cent, and Russia and Iron Curtain countries, regularly 97 to 98 per cent. The latter, of course, mock the whole idea of free elections by placing only one candidate on the ballot for each office.

Next time you see a headline about the victor in a U.S. election "sweeping" into office, keep in mind it may have been with a dust-cloth instead of a broom. In each of Franklin D. Roosevelt's unprecedented four elections as President, never did more than 60 per cent of voting age Americans make it to the polls. Even in 1936, when he made his strongest showing, only one of every three citizens over 21 actually voted for F.D.R. A mandate? A landslide?

If Americans who don't bother to vote or who cast blank ballots are trying to say something, why not let them say it? How about a safety valve on the ballot that would allow a voter to say: "None of the above, thank you," a write-out instead of a write-in.

If one candidate is a foul ball, a voter can pick from among his opponents—if there's one sufficiently better. What happens, tho, when both or all are unacceptable to a voter?

Or how about electing a dead man or one who is indicted before the election but after the ballots are printed? Even worse, suppose in the month before the election, when the ballots cannot be changed, one man dies and the other is exposed as morally unfit for office? Under present election laws, one of them will be elected whether or not he can or should serve.

A "none of the above" option could serve as preventive recall in the hands of the people on election day to combat hanky-panky and to resolve impossible dilemmas.

Here's how the proposal would work, in the rare instance when "none of the above" got more votes than each and every candidate on the ballot for the same office:

The election would be declared null and void and another election would be set for as soon as possible with new candidates. An interim officeholder would be appointed when the new election could not be held before the end of the retiring incumbent's term. Such an appointment likely could be made under existing statutes regulating vacancies—with one important change.

REJECTS NOT ACCEPTED

A rejected candidate could not be named caretaker. If an incumbent were rejected in a re-election bid, he or she would not be eligible for the caretaker appointment; furthermore, if a rejected candidate were in the statutory line of succession, he would be passed over and the next in line appointed caretaker.

I doubt that many election contests would result in rejection of slated nominees. For one thing, party leaders would be put on notice by "none of the above," consequently, fewer party hacks and dog candidates would be foisted on the public. A conventional election defeat, unhappy tho it may be to the loser, isn't dishonorable. On the other hand, rejection by instant recall would carry a scorching stigma.

If political parties were given this incentive to pick better candidates, that alone would bring more people to the polls. And, instead of "throwing the rascals out," voters would make the more sensible decision of whether or not to let them in to start with.

While "none of the above" might appear to be a new and radical concept, there are precedents. Judicial retention is an Illinois procedure that gives judges the privilege to run unopposed for reelection. They run only against their records, about which most of us are completely and understandably uninformed.

A member of Congress, by voting "present," can avoid taking a stand on a specific issue. Yet his "present" vote tells his constituents that he was on the job, not away fishing.

A NONVOTE VOTE

The opposite happens when a member of Congress is "paired," which means he's indicating for the record which way he would have voted were he there to cast a vote. Absent legislators find colleagues who also will be absent but whose vote, it is understood, would have been the other way. In other words, a nonvote vote.

"None of the above" is not a new tool of dissent but a means of more meaningful assent. It provides no advantage to the nihilists of the radical right or revolutionary left but offers new participation for the many apathetic and unconcerned moderates.

How full and complete is our democracy when nonparticipation disenfranchises and alienates citizens?

If we do not insist upon the right to use "none of the above" some of the time, then without question we must accept the nondemocratic fact that the system is less than whole, is strictly some of the above, all of the time.

ASPIN REQUESTS AID FOR CAMBODIAN REFUGEES

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ASPIN. Mr. Speaker, a still unreleased report of the Government Accouning Office reveals that the bombing of Cambodia by the United States and South Vietnamese has created 2 million refugees. Press reports indicate—New York Times, December 5—and the State Department has confirmed, that the United States does not provide humanitarian relief to these refugees. In answer to requests for medical supplies our Embassy in Cambodia has advised the Cambodian Government to seek aid from the Soviet Union or Japan.

While the United States drops bombs on Cambodia and pays the South Vietnamese to do the same, we refuse to help the innocent victims of our senseless policy.

I have written to Secretary of State Rogers asking him to justify this policy. I have also called upon him to reprogram funds or provide new funds to aid the 2 million refugees who have been driven from their homes by our bombs. The letter follows:

DECEMBER 15, 1971.

WILLIAM ROGERS,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. ROGERS: I understand that the General Accounting Office has completed a study of the effects of the Air War on Cambodia. That study reveals that an estimated two million Cambodians have been made refugees by bombing since March 1970. I also understand that the United States is not providing medical and other forms of relief for the estimated two million refugees.

I am shocked to learn that out of $341 million in aid for Cambodia, we cannot provide one penny of humanitarian relief for the two million innocent refugees our bombs have created.

I have noted press reports (The New York Times, December 5) that the United States has told the government of Cambodia to seek help from other governments. Officials of the Department of State suggested that the Cambodians turn to the Soviet Union or Japan for aid. That gives some indication of the kind of friend we really are to the people of Cambodia.

How does the Administration justify to the American people or to the people of the world, our refusal to provide humanitarian relief to innocent Cambodians?

Since March 1970 the United States has flown almost 30,000 missions over Cambodia—dropping an estimated 900,000 tons of bombs. The Administration finds ample funds to bomb innocent people, driving them from their homes. But it refuses to offer any relief for those innocent victims.

I am requesting, therefore, that you reprogram or provide new assistance funds to alleviate the unnecessary human suffering of millions of Cambodian men, women and chil-

dren, who through no fault of their own, are the victims of our misguided policies in Indochina.

I sincerely believe that it is the very least that we can do.

Sincerely,

LES ASPIN,
Member of Congress.

SEVENTY-FIFTH ANNIVERSARY OF FIRST FORD RECALLS HENRY FORD'S CONTRIBUTIONS TO AMERICA

HON. J. IRVING WHALLEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WHALLEY. Mr. Speaker, much has been said and written about the life of Henry Ford and how he started his business by tinkering with gasoline engines and built it into the industrial giant it is today. But little has been said about what he did for others—about how his life has affected America and Americans.

He once said:

It is not good business, unless both buyer and seller gain by it.

And Henry Ford lived and worked by this principle.

He took unprecedented steps to help those working for him to live better lives. In 1914, he raised the pay of his workers from $2.34 to $5 a day. This made celebrities out of the men who worked at the Ford plant because such a wage was unheard of at that time.

Ford was also the first to hire social workers to help his employees improve their living conditions. He gave his foreign workers free courses in the English language. He set up a subsidiary company to build low-cost housing for his workers. And he paved the way for company hospitalization by actually building a hospital for his employees.

Henry Ford gave the little man a chance at every opportunity. Once, when his plant manager was looking for a metallurgist, Ford told him to hire a man sweeping the floors nearby. "Teach him the job," Ford said. They did, and that man became the top metal expert at the plant.

Henry Ford believed that helping others was more important than making money. Before he bought them out, his stockholders filed a court suit to keep him from lowering the price of his cars and raising wages.

Probably the most significant thing that Henry Ford did was to make it possible for nearly every American to own his own car. He innovated the assembly line process to bring the price of an automobile within reach, and changed the whole life-style of America and Americans.

The industry, itself, provides a livelihood for millions of Americans. One out of every six American workers is involved in the automotive industry.

On this 75th anniversary of Henry Ford's first car, let us reflect for a moment on how he changed the lives of all of us. This was his real contribution to America.

PROTECTION OF U.S. INTERESTS IN THE PANAMA CANAL

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. PRICE of Texas. Mr. Speaker, I wish to share with my colleagues the text of my statement during the recent hearings before the House Committee on Merchant Marine and Fisheries on the protection of United States right in the Panama Canal and Canal Zone. The text follows:

PROTECTION OF U.S. INTERESTS IN THE PANAMA CANAL—THE CONGRESS MUST ACT

Mr. Chairman, I consider it an honor as well as a duty to appear before the Inter-American Affairs Subcommittee today to present my views concerning the vital issue before us—that of the protection of United States rights in the Panama Canal and Canal Zone.

Let me begin by making it clear at this time that it is not the intention of those who oppose the giveaway of the Canal and its protective Zone to drive a wedge in our long-standing close relationship with the Panamanian people or their government, nor is it our intention to arouse or alienate that nation through unjust practices on the part of the United States. We in this nation value our traditional friendship with Panama and wish to see it continue in an atmosphere of mutual respect and understanding.

However, as has been reiterated many times in the history of the Panama Canal dispute, it is the duty of the United States Government, in this and in every other international matter, to put this nation's interests first. We should never attempt to win the friendship of other nations by making unreasonable and unjustifiable concessions, which, above all, threaten the essential security of the United States. Appeasement for appeasement's sake has never been a valid policy in the relations between nations.

Let's take an objective look at the situation: In November 1903, the United States and Panama signed a treaty which granted the United States the "use, occupation and control" of the Canal Zone territory, "in perpetuity." Since then, and in accordance with our treaty obligations, we have dredged the jungles and swamps of Panama and constructed a canal linking the Atlantic and Pacific Oceans. We have operated, maintained and defended the Canal which has, since 1914, been open to the ships of all nations at all times, on equal terms. To date, we have paid the Republic of Panama almost $50,000,000 in gratuities and have invested a total of $5,000,000,000 in the waterway. We have done all that—not from altruistic motives—but in order to safeguard our national security.

The Panama Canal has proven to be a vital link in our strategic defense network and indispensable to U.S. trade and commerce. Through two world wars, the Korean war, the Cuban crisis and the conflict in Southeast Asia, the Panama Canal has served as the shortest and most efficient route for the flexible deployment of military forces and for the accelerated transport of military materiel and vital raw materials. Furthermore, the Canal has played a primary role in hemispheric defense. The U.S. presence in the Canal Zone has acted and continues to act as a deterrent against the ambitions of powers hostile to the United States; it serves as a constant reminder to those nations of U.S. determination to prevent subversion in Latin America.

In terms of U.S. trade, approximately 70% of the 12,000 ships transiting the Canal each year are en route to or from U.S. ports. Especially at a time when this nation is striving to improve its competitive position in the world market, access to an economical and efficient transport route is of the utmost importance.

To give up control or sovereignty of the Panama Canal Zone now could have disastrous results for the U.S. and for the rest of the free world. Since Panama became a republic sixty-seven years ago, there have been 58 changes of government. There have been 11 changes of government in Panama in the past ten years. The situation remains unstable and there are likely to be additional regimes which would come to power by extra-legal means. And what would happen if a Castro-like Dictatorship came to power there? It is not hard to imagine that our naval forces would be denied access to the Canal; American commercial shipping might be limited or even stopped. Such a government would, furthermore, be in a position to allow the transit of traffic harmful or even dangerous to our national security.

I don't want to imply here that we should not be willing to make any reasonable concessions to the Republic of Panama. So far, Panama has greatly benefitted from the Canal which we have built, maintained and operated. To give you some figures cited on November 29, 1971, by Ambassador John Mundt, Special Representative of the United States for Panama Treaty Negotiations: "Of Panama's gross national product in 1970 of approximately $992 million, nearly ⅓ is directly and indirectly attributable to the canal and its military bases; Of Panama's total foreign exchange earnings from export of goods and services in 1970 of $367 million, $162 million or 45% comprise direct payments from the canal and its military bases; Of Panama's employment nation-wide, nearly ⅓ is directly or indirectly due to the presence of the canal. Within 30 miles of the Canal Zone more than ⅔ is canal oriented; Panama's per capita income of $693 is the highest in Central America and more than twice the average. It is the fourth highest in Latin America as a whole, exceeded only by that of Argentina, Venezuela and Uruguay."

Let's make it clear that we are willing to make concessions and to fulfill any reasonable demands which Panama might make—as long as those demands don't compromise our national security. If Panama should ask for an increased share of canal revenues, for better employment opportunities for Panamanians in Zone operations or for the opening of the Zone to Panamanian commercial enterprises, these are reasonable requests that should be negotiated. But to cede control or absolute jurisdiction over territory which is vital to our national interest and security is nonnegotiable. I hereby would like to put on record my opposition to any treaty which would cede any part of U.S. sovereignty over Panama and the Panama Canal Zone.

RETIREMENT OF HOWARD G. MINIER, DIRECTOR OF WASHTENAW COUNTY ROAD COMMISSION

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ESCH. Mr. Speaker, I would like to take this opportunity to pay tribute to a most able and dedicated public servant from Michigan on the occasion of his retirement. Howard G. Minier, managing director of the county road

commission for the past 21 years, will leave his position at the end of December.

A graduate of Michigan State University in civil engineering, Mr. Minier has had a long and distinguished career in engineering and road construction. During his career, Mr. Minier has served as a director of the County Road Commission Association of Michigan; president of the Association of Road Commissioners of South Michigan; director of the American Road Builders Association, and president of that organization's county division.

Mr. Minier has done an outstanding job for the Washtenaw County Road Commission and I know that everyone in the county joins with me in thanking him and wishing him the very best of luck in his retirement.

ABORTION-ON-DEMAND POLICIES

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HOGAN. Mr. Speaker, I have continually tride to point out one of the lesser noticed ramifications of abortion on demand; namely, that acceptance of such a policy inevitably places nurses and doctors in terrible crises of conscience that no one should be forced to endure.

Wherever abortion-on-demand policies have been implemented, men and women who have spent their entire working lives trying to save lives are told to destroy lives as part of their "jobs."

There is a grave danger that growth of abortion on demand will drive some of our finest medical personnel from the obstetrics wings of our hospitals and from their loving service of new life, because they cannot in conscience participate in abortions.

A military nurse has written me voicing just such a fear and I include at this point her letter in the RECORD:

DEAR SIR: I am writing to you in gratitude for a service you have rendered for those of us in the nursing profession who are as dismayed and disheartened over "abortion on demand" as you. As most of us who work on obstetrical wards of public or government hospitals know, abortion patients could well outnumber labor patients if "abortion on demand" were sanctioned by law.

I am a military nurse stationed at Kimbrough Army Hospital, Fort Meade, Maryland. Obstetrical nursing is a great area of nursing. However, few nurses like to be involved in helping to deliver a dead fetus, especially one forced to die by the hands of those who think they have a right to decide to destroy an innocent life. It seems to me that if anyone has a right to life, so must the unborn child. And yet he has no rights, as far as many are concerned. He is often sacrificed more for a woman's convenience than a *bona fide* medical reason.

In the years to come, I am afraid that some of us will be forced out of obstetrical areas of hospitals because of our "narrow" attitude concerning abortion. Perhaps the real problem with us is that we have always been taught to preserve and not to destroy life.

Again, thank you for your efforts concerning this important issue.

BETRAYAL OF HOLY CROWN OF ST. STEPHEN OF HUNGARY SEQUEL—CARDINAL MINDSZENTY WARNS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. RARICK. Mr. Speaker, in the Extension of Remarks of the CONGRESSIONAL RECORD of December 2, 1971, I quoted an informative article by Paul Scott protesting the projected betrayal of the Holy Crown of St. Stephen of Hungary by officials of the U.S. Department of State. As this crown is the symbol to Hungarians of legitimacy of government, its surrender would serve to undermine the morale of that great people by recognition of their enslavement.

The latest information on this matter is a warning in the respected weekly, Twin Circle of New York, by Josef Cardinal Mindszenty that the Nixon administration intends to hand over the crown to the present illegal Hungarian regime.

The article quoting Cardinal Mindszenty identifies Henry Kissinger as the proponent of this plan and describes the surrender of the crown to the Red government as a gross betrayal. Certainly the least that the United States can do is to retain possession of the crown safely in our country until it can be returned to its rightful owners and not Communist usurpers.

The indicated report from the Mindszenty Foundation that follows merits reading by every supporter of freedom. I insert the article at this point in the RECORD:

WILL REDS GET HOLY CROWN?

On November 6, 1971, exiled Hungarian Cardinal Jozsef Mindszenty sent this confidential message from his new home in Vienna to President Nixon: "Sir: From Western press reports and from other serious sources, we received the information that the present administration in Washington intends to hand over the Holy Crown of St. Stephen to the atheistic, illegal Hungarian regime or to Moscow. I don't easily believe these rumors, spread by the press, because Mr. President promised me in 1970 not to hand over to these followers of Satan our holiest and greatest national relic and pride."

HISTORY

On Christmas Day in the year of our Lord 1000, Stephen I was crowned King of Hungary. His Crown was sent from Rome by Pope Sylvester II who also bestowed upon Stephen I the title "Apostolic King."

This most scared of all Hungarian relics was kept until World War II under the constant supervision of a Crown Guard in a special building. In order to keep it out of the hands of advancing Russian armies in the closing months of World War II, Hungarian patriots entrusted it to American troops under General George Patton. The Hungarians wanted and intended the Crown to remain safely in America until Hungary is free again. A replica of the Crown is on display in the Vatican Museum.

NATIONAL TREASURE

The Crown is a national treasure of immense historic and symbolic significance to Hungarians and Hungarian Americans who believe that government power is inherent in the Holy Crown. To many Hungarians, the Holy Crown means that Hungary will always be a Christian nation.

Red Hungary has its secret ambition, to persuade President Nixon to give them the Crown of St. Stephen. This beautiful crown has been the symbol of authenticity for the Hungarian Government ever since the year 1000—and the Communists are determined to get it.

NEW POLICY

Since the new policy of the Nixon Administration is to seek rapprochement with Communist governments—as evidenced by asking for an invitation from Red China, seeking trade with the Soviet Union, and entertaining Tito at the White House—the Hungarian Reds have been encouraged to think they can succeed in their objective.

MEANING

If President Nixon carries out a plan reportedly proposed by Henry Kissinger to give the Crown of St. Stephen to the Hungarian Reds, here is what this would mean:

(1) A betrayal of the solemn promise made by President Nixon to Cardinal Mindszenty in 1970.

(2) A betrayal of the People of Hungary who proved in 1956 how eager they are to be freed from the Communist captors.

(3) A betrayal of the Captive Peoples in the Soviet bloc and a repudiation of the official U.S. Captive Nations Resolution signed by President Eisenhower. One Congressman described it as a breaking of a sacred trust, and added, "The return of the Holy Crown would be a symbol that the United States believes Communist rule will go on indefinitely in Hungary and the other Eastern European nations."

(4) An alliance of the Nixon Administration with the Communist bosses of Eastern Europe. It would prove the accuracy of a statement in the press on September 20, 1971 when an intelligence officer asked the question, "What would the Administration's policy be if workers strikes and riots in Poland should in the future force the collapse of the Commnuist government there?" A White House official is reported to have replied: "We would help the Russians establish a new Communist government. If we are to achieve a generation of peace, we will need stability behind the Iron Curtain."

THE PROBLEM OF WATER POLLUTION

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. PRICE of Texas. Mr. Speaker, during the hearings on water pollution before the House Committee on Public Works, I submitted a statement of my feelings on this serious problem facing our Nation. Because of the magnitude of this issue, I include my remarks at this point in the RECORD:

STATEMENT OF CONGRESSMAN BOB PRICE

Mr. Chairman, members of the Public Works Committee, I deeply appreciate this opportunity to discuss my contribution toward a solution of a most significant problem of this nation: water pollution. The importance of unpolluted water to America can hardly be overstated: the continued prosperity of these United States depends on a reliable source of water. Every human being depends on water—not only to drink and to use in the home, but also as an essential constitutent in many industrial processes, power generation, and food production. American water requirements for 1980 are projected at approximately 700 billion gallons, but only some 650 billion will be available, making reuse a necessity.

We can delay no longer. So important a resource cannot be taken for granted or accorded a low priority, as once was done. Mr. Train, Chairman of the Council on Environmental Quality, and Mr. Ruckelshaus, Administrator of the Environmental Protection Agency, have both said cleaning up water pollution is the highest priority need.

Continuing a long history of action for improving water resources, Congress is now preparing to establish a comprehensive, long-range policy for control and abatement of water pollution, a policy which will provide every person and ever local and State government realistic guidelines, standards, and procedures to work with as they address this problem.

You have before you much hard work in perfecting this legislation, but also a useful foundation on which to build. The Senate has unanimously passed a bill, S. 2770, which establishes the basis for such a policy; I stand before you today to speak in favor of the bill I have sponsored, H.R. 11741, which uses the Senate measure as a foundation, but which corrects what I believe are certain important defects.

The basic thrust of this new legislation is to set up a mechanism by which effluents polluting the rivers, lakes, and marine waters of this nation will be identified and subject to control through permits, with coordination, minimum standards, and permits established by the Federal Government. It provides for control of pollution to the maximum feasible extent by 1981; for the elimination of toxic pollutants; for the development and implementation of waste treatment management programs in each State; and for the expansion of research necessary to achieve the objectives of the Act.

There are five Titles to H.R. 11741, as well as to the Senate passed bill, and their general objectives are as follows:

Title I states the objectives of the Act, and provides that the Administrator of the Envronmental Protection Agency shall "prepare and develop comprehensive programs for eliminating pollution of navigable waters and ground waters." Provision is made for giving financial assistance to planning agencies. The Administrator is authorized to conduct extensive researches into the sources and extent of pollution and the development of technologies to end pollution, including the establishment of demonstration projects and assistance to the States.

Title II provides for Federal grants "to require, and to assist the development and implementation of, plans for public waste treatment works." Federal assistance to local governments for the construction of waste treatment facilities is not a new activity, but the research and the permit system provided for in this Act will serve to place waste treatment in perspective. Previously, some communities and States have lagged in the construction of waste treatment plants, and a major cause has been the lack of any comprehensive plan or policy by which such construction could be coordinated.

Title III makes it unlawful for any person to discharge any pollutant, except under the terms of the Act. By 1976 effluents from point sources (except public treatment wastes) shall be limited by the best available control technology. By 1981 effluents will be further reduced or eliminated, if practicable. In addition, for the first time, provision is made for the identification and possible restriction of non-point source pollutants.

Title IV establishes the permit system, in which the applicant must submit to the Administrator certification from the State (or interstate) agency that any discharge he might make will comply with the provisions of this Act.

Title V provides for the administrative mechanism to implement the Act. The key terms are defined. Notable provisions are those for scientific advisory bodies, for citizen suits, and for protection of employees who may report pollution by their employers.

A brief summary cannot do justice to such a complex and lengthy bill, but this review does indicate the scope of what is intended and what must be done to abate this insult to the environment and to this crucial resource.

In the actual processes of implementation of these provisions, however, great care must be taken that what is provided for will in actuality fulfill the intent. Mechanisms which are too complex or details which are not thought out may lead to inefficiencies and confusions which will undermine the best of intentions. While H.R. 11741 follows the framework of the Senate bill—indeed many sections are verbatim—I believe that certain specific provisions of the Senate's bill are in fact likely to be counterproductive. I have therefore in H.R. 11741 sought to correct these deficiencies which, I fear, could actually do harm to the cause of preventing water pollution.

In particular, I believe three changes are essential if this 1971 Federal Water Pollution Act is to be effective in meeting the nation's needs. These changes are basically technical; they are in no way derogatory; they are to perfect this instrument, and I hope you will find them useful.

First, the language of the Senate bill is potentially confusing. It opens (Sec. 101(a)) with the words, "The objective of this Act is to restore and maintain the natural chemical, physical, and biological intergrity of the Nation's waters"; and it says it shall be national policy that—"the discharge of pollutants into navigable waters be eliminated by 1985."

I fear that this ideal could give rise to unattainable expectations and could, if too fervently sought, divert funds and resources from other critical problems, including the abatement of air and land pollution. Elimination of the discharge of pollutants is an ideal to be striven for; but a realistic goal must be set, capable of attainment, recognizing both the essentiality of clean water and the other demanding social needs of the nation. Perfection, the elimination of the last drop of pollutants into all waters, is impossible. But a realistic goal need not be less impressive.

H.R. 11741, Sec. 101(a) states:

"The objective of this Act is to the maximum extent practicable to enhance the quality and value of our water resources, establish a national policy for the prevention, control, and abatement of water pollution, and restore and maintain to the maximum extent practicable the natural chemical, physical, and biological integrity of all waters in order to attain a level of water quality that provides for the propagation and protection of a balanced population of shellfish, fish, and wildlife, and allows recreational activities in and on the water."

Actually, such phrases as "to the maximum extent practicable" appear in the body of the Senate bill; placing them also at the beginning, as I have done, makes it clear just what the goal of the Act is, just what can be expected. And certainly these goals, realistically stated, are a most remarkable commitment to our environment and our health.

The second critical change I have made is to maintain the present 55 percent level on federal financing of waste treatment facilities, whereas the Senate bill would raise it to 70 percent. Retention of the lower figure is important, I believe. In the first place, the Federal costs at the 70 percent level would unduly divert funds from other essential Federal obligations, and by maintaining the lower figure, the authorization of Federal funds can be reduced from $12 billion in the Senate version to $7 billion in mine. Furthermore, at the 70 percent level, States and local governments will have so little responsibility that necessary local assessments of needs for waste treatment will be superficial. Local responsibility will follow from local investment. And there is no reason to believe that more assistance will speed up construction, since 13 States have never established standards qualifying them for the 55 percent level.

The third defect in the Senate bill which I have endeavored to correct involves the balance of Federal and State responsibilities. Once again we find the rhetoric in the bill—that it is Congress' policy "to recognize, preserve, and protect the primary responsibilities and rights of States to prevent and eliminate water pollution . . ." (Sec. 101(b))—contravened by the substance of the Act. In the Senate bill, the Administrator initiates and compels State action, he sets standards, and he reviews permits. Under Sec. 209 of the Senate bill, the Administrator is given extreme powers to compel the States to plan and implement waste treatment in certain ways.

I have deleted Sec. 209, and have developed in a completely revised Sec. 302, "State Implementation Plans," a system by which the States can fulfill their responsibilities within the context of the goals of this Act. I believe that this careful and deliberate attention to the processes of State activity is most important: no plan can succeed without the active and responsible cooperation of those local governments which encompass local needs and watersheds. Moreover, the Administrator will be entirely buried under the workload unless the States perform much of the required administration.

This, then, is what I present to you: a bill establishing a comprehensive, long-term and achievable policy to protect and enhance the quality of the nation's waters so that they can be maximally productive as sources of drinking water, fish and wildlife, recreation, irrigation, and all the other irreplacable benefits clean water bestows.

Again, Mr. Chairman, I express my gratitude for the opportunity to make this statement, and I extend my best wishes for your success as you seek a viable solution to this most urgent problem.

INDIA AND THE UNITED STATES

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FRASER. Mr. Speaker, I received the following letter December 15.

It was written in India the evening of December 6. Events that have occurred subsequently certainly have not made my correspondent's views less pertinent.

I was struck by the comments of the Indian friend quoted in the letter:

> America seems to feel that democracy is too precious to be wasted on other countries.

As I have observed the evolution of U.S. policy toward governments in Greece, Spain, Portugal, South Africa, and now Pakistan—to mention a few examples—the idea behind this quotation often has occurred to me, as it has to my constituent: Why do we insist on supporting political Neanderthals while undermining democratic elements in so many societies? Correct diplomatic relations do not demand fulsome praise and generous economic and military aid for oppressive regimes.

[Letter from constituent presently in India—Dec. 6, 1971]

DEAR DON: I write by candle light during an air raid alert. This morning Mrs. Gandhi announced the recognition of Bangla Desh—and the mood here is of enormous confidence and exultation.

Front page coverage has been given to the American position in the U.N.—and to the Soviet veto. Also to the "unnamed" State Department official who stated that the U.S. is reviewing the question of foreign assistance to India.

It appears that we are about to sacrifice our relations with the only democratic government in Southern Asia for the current detente with Communist China. I find our policy impossible to defend or even explain to my Indian friends.

The argument that we wished to remain in a position of effective influence with President Yahya Khan no longer makes sense. Clearly there was little influencing done, and that at the cost of our relations with India. But why we persisted in alienating India by heavy handed threats—when we should know that such threats would only make the Indians more persistent—is beyond my understanding. And we have succeeded in giving the Indians a handy but harmless "big power" to be mad at. China gets off lightly compared to the vitriolic comments made against the U.S.

What has our "diplomacy" gained? Have we stopped the oppression of East Bengalis? Have we convinced India to negotiate? Have we made any gains with either side? Even the British come off better. What have these gratuitous remarks made by State Department sources accomplished? What possible explanation exists for our government's unwillingness to at least recognize publicly that the Pakistan government has acted with great lack of regard for democratic values and human life, not to speak of political wisdom?

So I find myself "shocked and amazed." Indeed, if I were an Indian citizen I would use stronger terms. Anything that our Congressional leaders can do—including yourself—to bring to bear pressure on this administration to achieve a change in policy in South Asia will be strongly supported by those of us in the scholarly community who care deeply about Indo-American mutual friendship. Why do we insist on supporting—in the name of stability—political Neanderthals the like of Ayub and Yahya? As an Indian friend told me, "America seems to feel that democracy is too precious to be wasted on other countries." We have rejected both political realism and moral principle in our stance towards this conflict. Such a policy must be changed—along with the Administration which has perpetuated it.

Yours sincerely,

———.

AN APPEAL: OUR SCHOOLS OF HEALTH FACE A MASSIVE CRISIS THAT THREATENS A BREAKDOWN IN DELIVERY OF HEALTH CARE

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, the Comprehensive Health Manpower Act of 1971 and the Nurse Training Act of 1971 have now been signed into law by the President. It is my privilege to serve on the subcommittee which produced this legislation, and I am confident that many of our Nation's health manpower problems will be substantially alleviated by these new laws.

The excellence of this new health manpower legislation would not have been possible without the advice and support of many individuals and organizations outside the Congress. I would like to especially commend the National Committee to Save Our Schools of Health. The committee, under the leadership of its chairman, Dr. Arthur M. Sackler, provided a valuable service in making the public more aware of the health manpower crisis facing this country.

For the information of my colleagues, I insert in the RECORD a list of the members of the committee and a sample of the informational material produced and disseminated by the committee:

AN APPEAL: OUR SCHOOLS OF HEALTH FACE A MASSIVE CRISIS THAT THREATENS A BREAKDOWN IN DELIVERY OF HEALTH CARE

U.S. House of Representatives Report No. 92-258, June 9, 1971: "If the serious shortages of health professions personnel are to be alleviated, it is imperative that the essential viability of the health professions schools be maintained."

U.S. Senate Report No. 92-251, July 12, 1971: "The prospect is for a more severe shortage of health manpower unless Congress acts now."

Towards a Comprehensive Health Policy for the 1970's, U.S. Department of Health, Education, and Welfare, May, 1971: "The penalty for *not* acting to increase the supply of health manpower could be very high."

Fact: The nation has over 100 medical schools. Most of them are in deep financial crisis. Some medical schools are in the red more than a million dollars this year alone, and have been forced to cut back educational programs.

Fact: The need for health professionals is staggering. Yet the production of health professionals requires years of training. If we don't begin our training now, we can never make up the time lag.

Fact: Health professions schools' costs are rising rapidly. Labor, medical materials, construction of additional facilities, and inflation are biting deeper into funds than ever before.

Fact: With population growth and increased demand, the shortages can only *grow worse* unless immediate action is taken.

Fact: Our medical schools graduate less than 9,000 new physicians a year. Congressional reports say we need an additional 50,000 physicians right now!

The same reports state that we need 150,000 more nurses *right now!*

Authoritative reports indicate that the U.S. has a current shortage of 17,800 dentists, 8,700 optometrists, 12,900 podiatrists, 9,300 veterinarians, and thousands of public health specialists.

A total of 266,000 more allied health professionals are needed *now.*

Fact: A drive is on to produce some form of national health insurance to provide adequate health care for everyone who needs it. Medicare and Medicaid have already strained the health manpower pool to the breaking point. If this new program is enacted without an increase in health manpower, the result will be catastrophic!

Congress, with both Houses voting *overwhelmingly* in favor, has just passed the two most far-reaching health manpower bills in history.

These bills, now the policy of Congress, *authorize* the funds to solve the crisis; the Administration and Congress *must now act* to appropriate the funds.

Simply put, without sufficient funds, the crisis will continue.

LIST OF COMMITTEE MEMBERS

Chairman: Arthur M. Sackler, M.D., International Publisher, Medical Tribune, Chairman, International Task Force, on World Health Manpower for the World Health Organization.

Executive Secretary: John T. Grupenhoff, Ph.D., Chairman, Science & Health, Communications Group, Former Deputy Assistant Secretary for Health Legislation, Department of Health, Education, and Welfare.

Co-Chairmen: Honorable George W. Ball, Senior Managing Director, Lehman Brothers Inc., Former Under Secretary of State.

Joseph A. Beirne, President, Communications Workers of America and Vice President, AFL–CIO, Former Member, National Advisory, Commission on Health Manpower.

Honorable Karl R. Bendetsen, Chairman, Chief Executive Officer, U.S. Plywood-Champion Papers Inc., Former Under Secretary of the Army.

James H. Bond, Chairman of the Board, Bank of Services & Trusts, President, Investment Bankers Inc., Dallas Texas.

Kenneth B. Clark, Ph.D., President, Metropolitan Applied Research Center, President, American Psychological Association.

Honorable Clark M. Clifford, Clifford, Warnke, Glass, McIlwain, and Finney, Former Secretary of Defense.

John T. Connor, Chairman, Chief Executive Officer, Allied Chemical Corporation, Former Secretary of Commerce.

Nelson H. Cruikshank, President, National Council of Senior Citizens, Member, Health Insurance Benefits, Advisory Council (Medicare).

James Farmer, Former Assistant Secretary, Department of Health, Education, and Welfare, Former Executive Director, Congress of Racial Equality.

Dorothy M. Ferebee, M.D., Chairman, D.C. Commission on the Status of Women, Past President, National Council of Negro Women.

Clark Kerr, Ph.D., Chairman and Executive Director, Carnegie Commission on Higher Education, Former President, University of California.

Mathilde Krim, Ph.D., Associate Sloan-Kettering Institute for Cancer Research.

Walter F. Patenge, President, Wohlert Corporation, Lansing, Michigan, Chairman, Health and Safety Committee National Association of Manufacturers.

Nathan S. Stark, Senior Vice President, Hallmark Cards Inc., Member, Liaison Committee on Medical Education of the American Medical Association.

Honorary Cochairmen: Honorable Wilbur J. Cohen, Dean, School of Education, University of Michigan, Former Secretary, Department of Health, Education, and Welfare.

Honorable Lister Hill, Former U.S. Senator.

Honorable Philip R. Lee, M.D., Chancellor, University of California at San Francisco. Former Assistant Secretary for Health and Scientific Affairs, Department of Health, Education, and Welfare.

William H. Stewart, M.D., Chancellor, Louisiana State University Medical Center, Former U.S. Surgeon General.

Luther L. Terry, M.D., Vice President for Medical Affairs, University of Pennsylvania, Former U.S. Surgeon General.

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Peter L. Andrus, M.D., Intern, Department of Community Medicine, University of Pennsylvania, Former Regional Vice President, Student American Medical Association Representing the Coalition of Student Professional Organizations.

James E. Bates, D.P.M., President, American Association of Colleges of Podiatric Medi-

cine, President, Pennsylvania College of Podiatric Medicine.

Abraham B. Bergman, M.D., Director, Outpatient Services, The Children's Orthopedic Hospital and Medical Center, Seattle, Washington, Associate Professor, Pediatrics and Health Services, University of Washington.

James C. Cain, M.D., Professor of Medicine, Mayo Clinic, Former Member, National Advisory Commission on Health Manpower.

Gordon Chase, Administrator, Health Services Administration, New York City.

Michael M. Dacso, M.D., Dean, Institute of Health Sciences, Hunter College, Chairman, Committee on Allied Health Education, New York Academy of Medicine.

Spurgeon B. Eure, O.D., President, Southern College of Optometry, Memphis, Tennessee, President, Association of Schools and Colleges of Optometry.

James G. Haughton, M.D., Executive Director, Health and Hospitals Governing Commission of Cook County, Former First Deputy Administrator, Health Services Administration, New York City.

John C. Hume, M.D., Dean, The Johns Hopkins University School of Hygiene and Public Health, Forcer President, Association of the Schools of Public Health.

Carl E. Morrison, D.O., Former President, American Osteopathic Association, Member and former President, AOA Council on Public Education in Health.

George C. Poppenseik, V.M.D., Dean, New York State Veterinary College, President, American Association of Veterinary Medical Colleges.

Howard A. Rusk, M.D., President, World Rehabilitation Fund, Director, Institute of Rehabilitation Medicine.

Marguerite J. Schaefer, D.Sc., Dean, School of Nursing, University of Pittsburgh, Vice President, American Association of Deans of College and University Schools of Nursing.

George A. Silver, M.D., Professor, Yale University School of Medicine.

Lawrence C. Weaver, Ph.D., Dean, College of Pharmacy, University of Minnesota, Member, Executive Committee, American Association of Colleges of Pharmacy.

Membership (partial list):

Audra Pambrun, R.N., P.H.N., Director of Community Health Aides, Community Action Program, Browning, Montana.

Adam Yarmolinsky, Chief Executive Officer, Welfare Island Development Corporation.

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Frank A. Seixas, M.D., Medical Director, National Council on Alcoholism.

Eileen M. Jacobi, R.N., Ed.D., Executive Director, American Nurses' Association.

Joshua Lederberg, Ph. D., Stanford University.

William C. Fitch, Executive Director, National Council on the Aging.

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Neil L. Chayet, Chief Counsel, Committee for Effective Drug Abuse Legislation.

Louis Stulberg, President-General Secretary, ILGWU.

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Maurice A. Ferre, Miami, Florida.

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William K. Coblentz, Regent, University of California.

John L. Gaffney, President, Association of Independent Colleges and Universities of Michigan.

George S. Cozma, D.O., Cleveland, Ohio.

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Holt McPherson, Editor, the High Point Enterprise, High Point, North Carolina.

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David W. Jasper, Treasurer, Areawide and Local Planning for Health Action, Inc., Syracuse, New York.

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Melvin Lukens, President, Southeastern California Conference of Seventh-day Adventists.

Robert J. Prokop, M.D., Ph.D., University of Nebraska Board of Regents.

W. Keith Wilson, O.D., Director, Education and Research, California Optometric Association.

Bob Simon, Vice Chairman, Nebraska Comprehensive Health Council.

Malcolm Carron, S.J., President, University of Detroit.

Homer Hendrickson, O.D., Treasurer, Los Angeles College of Optometry.

Merlin D. Bishop, International Representative, UAW.

Rhea M. Eckel, President Emeritus, Cazenovia College.

Lewis H. Rohrbaugh, Director, Boston University Medical Center.

Henry J. Cianfrani, State Senator, Philadelphia Pennsylvania.

Robert B. O'Connor, M.D., Vice President-Personnel & Health Services, United States Steel Corporation.

Millard E. Gladfelter, Ph.D., Chancellor, Temple University.

Reynold E. Burch, M.D., Member, Board of Trustees, New Jersey College of Medicine and Dentistry.

A. R. Baralt, Jr., Dean, School of Dentistry, University of Detroit.

Edwin G. Middleton, Chairman, Board of Trustees, University of Louisville.

THE GUN LOBBY STRIKES AGAIN

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MIKVA. Mr. Speaker, last month I had the honor of appearing on "The Advocates." The issue discussed was whether Congress should enact strict controls on private ownership of handguns. At the conclusion of the show, as is customary, viewers were asked to write in and express their views.

The average total number of letters received in response to "The Advocates" is 6,000. An example was the show aired shortly after the tragic uprising at Attica State Prison in which a number of inmates and hostages were killed. The question debated on that October 12 show was "Should the State refuse to negotiate with prisoners for the release of hostages?" The total viewer response numbered 3,927.

By way of contrast, 5,261 viewers wrote in after the November 16 show to express their support for strict handgun controls. The magnitude of that spontaneous outpouring is matched only by the magnitude of the counterassault produced by the gun lobby—25,690 people wrote in to oppose gun control legislation. This is the second largest total response ever recorded in the history of the show. I checked with the producers of "The Advocates," and they informed me that a substantial number of the responses opposing gun controls were clearly discernible as the result of an organized write-in campaign. It was a similar lobbying effort which produced 70,000 responses to the debate over U.S. support of Israel.

Mr. Speaker, no one knows better than the Members of this House how easy it is to detect an organized write-in campaign. We have all been deluged at one time or another by form letters or identical telegrams, obviously the result of an organized lobby which had aroused its members and provided them with a sample communication.

I do not mean to suggest that there is anything improper or sinister about such lobbying. It is a perfectly honest and proper way for an interested group of people to make their voices heard with an effect out of all proportion to their actual numbers.

I do object, however, to claims on the part of the letter writers that the volume of mail thus generated is evidence of the sentiment of the Nation, or of any other group beyond the lobby itself.

There is no doubt in my mind that the gun lobby can persuade many thousands of its members to copy a sample letter and send it in, when they fear that the open season on buying and selling and toting handguns may be brought to an end. The responses received by "The Advocates" confirms that fact.

I am much more impressed however by the fact that more than 5,000 viewers took it upon themselves to write in spon-

taneously and register their belief that the Government should act to get the guns off the streets. No one lobbied them. Nor did anyone lobby on behalf of the 200,000 people who have been murdered with handguns in this country since 1900.

There are millions of unorganized people in America who justifiably fear for their lives when walking the streets of their communities. They understand that is is no mere coincidence that 52 percent of all murders are committed with handguns. Mr. Speaker, I do not believe that those millions intend to be put off by the 25,000 letter-writing gun enthusiasts who apparently place their sporting pleasure ahead of the lives of the more than 8,000 Americans who will have died this year at the muzzle of a handgun.

STRUGGLES TO CLEAR HIS NAME

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. KEMP. Mr. Speaker, I am enclosing an article from the October 2, 1971, issue of the Buffalo Evening News. I think the story of Phil Pollutro should be called to the attention of my colleagues.

Ray Hill, author of the article, has done a carefully documented story. He points out that Mr. Pollutro, in the twilight of his life, would like to have his name cleared.

Furthermore, I will call this to the attention of the Treasury Department in order that the comments of Ray Hill are not casually dismissed. At this point, I include the article:

STRUGGLES 22 YEARS TO CLEAR HIS NAME

(By Ray Hill)

For 22 years, Felix J. Pollutro, 74, has walked and, lately, limped through a bizarre bureaucratic maze in an attempt to clear his name.

Like a modern-day Diogenes in search of an honest man. Felix Pollutro's personal crusade to prove his own honesty has resulted in the compilation of hundreds of pages of documents and documentation which he has turned over to The Buffalo Evening News.

The "Pollutro Papers" tell how Mr. Pollutro, a deputy collector for the Bureau of Internal Revenue in Buffalo, was—in rapid succession—charged with a crime, fired from his job, acquitted when the prosecution said it had no evidence against him, and then was left for 22 years in a sea of promises that he would be restored to his old job.

Felix Pollutro's odyssey began at 4:30 PM, Jan. 28, 1949.

The work day was about over when three special agents of the Treasury Department arrived at the office of George T. McGowan, collector of Internal Revenue, Buffalo, and Mr. Pollutro's immediate superior.

Summoned to Mr. McGowan's office, Felix Pollutro was to hear the last cordial and comforting words he would ever hear as a government employe.

"Sit down, Felix," Mr. McGowan said, "these men want to ask you some questions."

"The whole atmosphere in the country was bad at that time," says Peter J. Crotty, former chairman of the Erie County Democratic Committee and a man who says frankly that he felt that Mr. Pollutro was "jobbed."

"The whole Internal Revenue Service Department was under attack from Washington on down. Someone up there was being accused of taking an ice box (a deep freezer) and somebody else was accused of taking a mink coat.

"It was like the McCarthyism that came later. Even though a man was innocent, the climate was such that he could never get a job back once he had been charged—rightly or wrongly.

"Phil" Pollutro was charged with soliciting a bribe, accepting a bribe, and accepting a gratuity in connection with helping a friend of a friend make out his income tax.

Robert M. Hitchcock, a corporation attorney, was a member of the U.S. Justice Department when Felix Pullutro was indicted. As a member of the department, Mr. Hitchcock wrote later, he respectfully kept his silence.

But after leaving the department, Mr. Hitchcock, in a poignant and compelling commentary, wrote:

"I followed the trial and was amazed that there had been an indictment as no evidence was introduced legally admissible before a court or a grand jury. . .

"Both he (Pollutro) and his family enjoy, apart from the injustice of the trial, excellent reputations and properly so."

To say that Felix Pollutro and his family were stunned by the indictment would be a gross understatement. But there were other events in the making, the trial for one, that would shock the Pollutros even more.

On Feb. 10, 1949, Mr. Pollutro was handed a form on the stationery of the Treasury Department, Bureau of Internal Revenue.

In the space designated: "Nature of Action (Use Standard Terminology)", someone had typed the word "Suspension." It was further noted that the suspension was to apply pending investigation of charges against him.

After 9 years on the job, "Phil" Pullutro would never again work for Internal Revenue.

On May 15, 1949, Felix Pollutro, after waiving his Constitutional rights against self-incrimination, sat down before a federal grand jury and proclaimed his innocence.

In a moving, eloquent plea, he spoke of his Italian father who, 80 years before, came to America with little luggage but with the conviction that hard work and a good name would bring about realization of the American dream.

It was here that Felix Pollutro, under oath, vowed that his father's good name would, in time, emerge without taint of scandal.

Months later, trial was to begin.

In substance, the Government accused Pollutro of attempting to collect $800 from a Kenmore physician as a payoff for "fixing" his income tax.

From the official transcript of the trial, Dr. Herbert S. Coe, the complainant, said he reported to Mr. Pollutro that he had been approached by someone about making a payoff.

Michael J. McMorrow, then an assistant U.S. attorney prosecuting the case and now an assistant district attorney, then asked Dr. Coe what Mr. Pollutro had said in response. Dr. Coe replied:

"Mr. Pollutro said, 'I and I alone, am taking care of your 1945 income tax. I know nothing about any such negotiations. Did I not leave you with an understanding that you owed only approximately $150 or $200 in this matter' . . ."

Then Mr. McMorrow asked the doctor what Mr. Pollutro's additional reaction was after the doctor told him that someone had tried to get him to make a payoff.

Dr. Coe said Mr. Pollutro emphasized to him that he could clear up the income tax matter by paying Internal Revenue what he owed. Dr. Coe continued:

"Mr. Pollutro then stated further, 'Did I in any way act as if or offer as if I was taking a bribe from you?' and I said, no you did not.

"He (Pollutro) said, 'Did I even take a cigarette or a cup of coffee? Well, if you had offered me a piece of candy I might of taken a piece of candy, but did I in any way infer that I was trying to bribe you or was involved' and I agreed with him."

Thus, did Dr. Coe, the Government's witness, clear Felix Pollutro.

And so, after hearing 565 pages of testimony, the late Federal Judge John Knight dismissed the charge.

When the jurors returned to the courtroom, Judge Knight told them:

"I have granted a motion to dismiss these charges against Pollutro, so you will understand why he is not here, and you are not to consider any of these charges against him."

On May 29, 1950, more than a year after he had been charged and suspended from his job, Felix Pollutro sat in the same courtroom when Mr. McMorrow appeared before the same judge and asked that all other charges against Felix Pollutro be dismissed without trial.

At that time, Mr. McMorrow made this statement:

"The facts of the case are such we cannot look ahead to any chance of success in the prosecution of this because we do not have the evidence."

The charge was dismissed. Mr. Pollutro supposedly was then free to seek his old job.

Today, 21 years later, Mr. McMorrow looked back.

"When we found we had no evidence against Pollutro we did our duty and moved to have the case dismissed.

"From everything here, it seems that he should have been reinstated and I would not quarrel with that if the powers that be saw fit to reinstate him," Mr. McMorrow said.

"In the administrative way of things, it would seem that justice was not done."

At mid morning, May 29, 1950, Felix Pollutro began his epic fight for reinstatement. From that moment to this, his footsteps have been dogged by confusion, false promises and by a 19th century bureaucratic jargon that says one thing and means another.

Typical of Washington's response was the one written by S. T. Adams, director of personnel, Treasury Department: "Whether you shall be reinstated in the Buffalo district is a matter for decision by the district director, Buffalo."

What was the reply of the late George T. McGowan, the district director, Buffalo? An affidavit sworn by former Congressman Anthony Tauriello and given to Mr. Pollutro to help him with his case is somewhat illuminating as to Mr. McGowan's response:

"This deponent further says that on or about April or May of 1950 I had a conference with Mr. McGowan relative to the reinstatement of Felix J. Pollutro and Mr. McGowan promised me that he would reinstate Felix J. Pollutro as a deputy collector and assign him to the Dunkirk office of the Bureau of Internal Revenue. But this promise was never carried out.

"As a member of Congress, I had a lengthy conference in Washington with the assistant commissioner of Internal Revenue and he stated to me that if the collector of Internal Revenue, Buffalo office, would recommend the reinstatement of Mr. Pollutro, the Washington office would not have any objection whatsoever."

In 22 years Mr. Pollutro enlisted scores of persons in the crusade.

"I can remember a meeting in the Walbridge Building about this matter," recalls William B. Mahoney, a Buffalo attorney.

"U.S. Senator James M. Mead was present,

so were the late Charles Diebold, George D. Doyle and Samuel C. Market. We all felt that justice would be done by reinstating Mr. Pollutro.

"I remember talking to his immediate superior in Buffalo, the late George McGowan and he told me he was going to reinstate Felix and put him in the Jamestown office. Nothing ever came of it."

Mr. McGowan's only known official position was stated in a letter to Mr. Pollutro dated Aug. 15, 1949. It reads:

"Inasmuch as the action for your removal originated in the Bureau at Washington, D.C., I am forwarding your letter (for reinstatement) to them for reply."

From Robert Ramsbeck, chairman of the United States Civil Service Commission came this reply:

"By applying direct to the officials of your former employing agency, you have followed the proper procedure to seek further employment with that establishment.

"However, since you have been unsuccessful in obtaining reemployment with that agency, it is suggested that you consult the telephone directories for a list of Federal Agencies in your vicinity to which you may also apply for appointment."

In what Peter Crotty calls "the vast labyrinth that is Washington," there were forces at work, however, attempting to right the wrong done to Felix J. Pollutro.

In a memorandum dated Aug. 4, 1955, Ruth N. Chertkov, a ranking staff member of the U.S. Senate Post Office and Civil Service Committee, wrote to Julius C. C. Edelstein, the administrative assistant to the late New York Senator Herbert Lehman.

"A member of the committee indicated he felt that Mr. Pollutro had been given a raw deal . . . He doesn't know yet what, if anything, can be done to help the man."

Guy M. Gillette, counsel to the Post Office and Civil Service Committee, wrote to Mr. Pollutro and said, in part:

"Your file was referred to an investigator on our staff for attention and I have before me today the file together with the report of the investigator. The particular investigator who took up your case states:

" 'Having examined several witnesses who say they know Mr. Pollutro and are conversant with his case, are convinced he has been caught in a run-around, but it would definitely appear that this case does not come within the purview of the subcommittee investigating the security program, rather it should be referred to the Post Office and Civil Service Committee which deals with suitability cases.' "

The file, Mr. Gillette wrote, bears the following notation: "This appears to be out of our jurisdiction."

Over the years, in his unending battle to clear his name, Mr. Pollutro has suffered severe attacks of acute frustration.

When Rep. Thaddeus Dulski (D.-Buffalo) reviewed the case of Felix Pollutro with the district director of the Internal Revenue Service, he was surprised to learn that IRS' response was to send Mr. Pollutro a job application form. Mr. Dulski wrote to Mr. Pollutro:

"This is not in agreement with my thinking because I feel you should be reinstated and it is my every hope that we will be successful."

At Rep. Dulski's urging in 1961, the late Robert Kennedy, attorney general, looked at the Pollutro case and concluded that his department had no authority.

Due to infirmities, the Pollutro's are pretty much confined these days to their home in North Collins. They have lived there for 51 years.

Mr. Pollutro says that a day never passes when he fails to recall his ordeal.

He frequently pores over his files, looking for the possibility of a missed opportunity.

"I don't want reinstatement," he insists, "I want to be restored."

A mathematician by nature, Felix Pollutro calculates that the loss of his job cost him $24,606.80 in wages.

Over the years, he has done income tax work and he has also worked for the Board of Elections. His earnings have ranged from $425 in 1950 to $8170.51 in 1966.

At 74, Felix Pollutro realizes that he is beyond the age of returning to the Treasury Department.

But there is a precedent for the Treasury Department reinstating Mr. Pollutro.

In 1942, 29 members of the department were indicted. Of these 19 pleaded guilty; 10 pleaded innocent.

All 10 were acquitted and four of them returned to their positions.

Mr. Pollutro, is beyond the legal age of holding a Civil Service position. But his long-time ally in his fight, Rep. Dulski, says if Mr. Pollutro was restored, Congress would have to vote the funds to make up his back pay and his pension since age 65.

In his nine years in the department, Mr. Pollutro did contribute to his pension fund and based on those contributions, he draws what he calls "a very small amount," about $50 a month.

He will not resort to the courts because, he feels, the injustice was done by the department in denying him a hearing which he feels was mandated by law.

"I loved the work. . . .

"I gave it everything I had. I never took a dime in my life and no one has ever said so," he said.

Mr. Pollutro is now recovering from surgery. When he is better, he says he will resume his search for justice.

QUESTIONNAIRE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DON H. CLAUSEN. Mr. Speaker, I would like to take this opportunity to relate to our colleagues the results of a questionnaire that I sent to my First District constituents in California during the summer congressional recess.

This questionnaire is, in my judgment, unique in that it was not of the multiple choice type that is so widely used these days. Rather, it presented my constituents the opportunity to respond on an individual basis on what they considered to be the important issues of the day, not what their Congressman thought should be of primary concern. It was, in effect, an essay type questionnaire which was mailed to over 150,000 households in the First District.

Quite frankly, I was overwhelmed by the tremendous response to this poll, which is indicative of the deep interest and concern First District residents have on issues facing the Nation and our congressional district.

I am grateful to the news media for providing the kind of coverage that has assisted in making First District residents aware of economic programs and trends in our area as well as on issues of national concern.

Obviously, attempting to tabulate and evaluate the responses has proven to be a formidable task, but one that will, I am sure, provide valuable guidance and insight as to what is on the minds of the people I am endeavoring to represent in the Congress.

The format was simple. The questionnaire asked what the individual felt were the most important issues facing the Nation and our congressional district and how, in that person's opinion, these problems could best be solved.

The free form approach embodied in the questionnaire does not permit easy or precise tabulations of the responses but we have attempted, for informational purposes, to select the issue deemed most important by each individual who responded.

My staff has now completed the compilation of the results of the questionnaire and I would like to furnish our colleagues with a breakdown of the responses.

On a national scale, the economy proved to be a major cause of concern with 51 percent of those responding indicating they felt that the current economic situation was of prime importance to them. This included references to unemployment, inflation, underemployment, loss of buying power, et cetera.

Of those who placed the economy at the head of the list, 73 percent indicated agreement with President Nixon's controls on wages and prices while 15 percent called for some permanent form of wage and price controls.

The second most mentioned item in the responses was welfare. Comments on this issue ran the gamut from those who wished to eliminate welfare programs completely to those who indicated a desire to increase significantly these assistance programs.

One item appeared with great consistency on these responses; namely, the necessity of putting welfare recipients to work on public projects, such as cleaning up our parks, forests, and highways. Over 70 percent of those responding on this issue felt that persons receiving public assistance should be required to provide some public service to either local, State, or Federal governments or be denied further assistance.

The third most mentioned item in the responses was crime, with a large majority calling for stricter enforcement of laws and stiffer penalties for criminals. The fourth item was drug abuse. And, the fifth was the Vietnam war. Opinion was almost evenly divided between those who favored immediate withdrawal and those who supported the President's phased withdrawal of American troops. The overall interest in the Vietnam war is waning consistent with the President's positive withdrawal of American forces.

Number one on the list of major problems in our congressional district was again the economy, with the major emphasis on the problems of unemployment and underemployment. Over two-thirds of those responding placed this at the top of the list.

The majority of those who listed this as the primary problem in our area called for an all-out effort to create new job opportunities, primarily by the introduction of new business into the region.

There was widespread recognition of the need to revitalize and diversify a re-

gion that is consistently economically depressed and disaster prone. I have long been advocating this point of view and the responses suggest that the word is getting through to our constituents and the Nixon administration has established budget policies that reflect a responsiveness to this point of view.

The second most mentioned area of concern proved to be the environment with most of those responding calling for areawide land use planning to prevent the urban sprawl that has victimized other areas of California.

I was pleased that these comments tended to tie-in with my own, previously stated views on land use concepts. Land use coordination and planning is necessary for each Redwood Empire county and in each of their political subdivisions.

This year's questionnaire was both interesting and helpful to me and I am deeply pleased with the open format which permitted a more expensive consideration of the concerns of residents of the Redwood Empire.

SOVIET BAPTISTS, DEFYING KREMLIN, BUILD PRINTING PRESS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. SCHWENGEL. Mr. Speaker, in the December 16 issue of the Washington Post was an interesting article entitled "Soviet Baptists, Defying Kremlin, Build Printing Press." This, Mr. Speaker, is a story of the determination of some of the dedicated religious leaders of Russia to have an opportunity for freedom of worship.

This is one of the basic great freedoms that is necessary for any society to survive, progress, and become a part of an orderly society.

It is true that religion and morality are indispensible to political prosperity. Any nation that expects to build a successful society that can serve its people must have freedom of religion. The Baptists, of course, have had a great tradition in this regard. They ought to be protected in their right to worship God as they see fit and to propagate under fair rules and regulations their faiths and their beliefs.

Mr. Speaker, we are always concerned about the religious liberty and human dignity of all men regardless of their religion or political ideologies. We believe in the God-given right of every human individual to worship God and to witness to his faith.

The story published in the Washington Post indicates that the religious liberty and the dignity of the Baptist people in the U.S.S.R. is being threatened. In light of the fact that the Soviet Constitution promises religious freedom to all its citizens, we hope the Soviet Government will look into this matter and see that religious freedom is guaranteed in fact to all her citizens.

Because this story of the Baptist independence and determination is so important, I insert it in the RECORD where all may see and read it.

Further, Mr. Speaker, I challenge the U.S.S.R. who profess to be for the freedoms to be aware of their responsibility and, indeed, their opportunity to extend freedom and the welfare and well-being of their people by allowing this group or any other religious group the freedom they desire and should have for the propagation of their faith.

Following is the Washington Post article:

[From the Washington Post, Dec. 17, 1971]

SOVIET BAPTISTS, DEFYING KREMLIN, BUILD PRINTING PRESS

(By Don M. Larrimore)

GENEVA.—In an unusual act of defiance, Soviet Baptist volunteers have informed the Kremlin that they have built and are operating their own secret printing press.

This and other startling developments in the little-known story of the persecuted Baptists in the Soviet Union are revealed in documents recently smuggled to the West.

In a declaration run off on their new press and addressed to Premier Alexei Kosygin, a group of reform Baptists announced that they have formed a publishing house because Soviet authorities had repeatedly refused their requests for facilities to print church material.

"We were confronted with the necessity, without the help of government institutions, of finding a way to construct machines to print necessary spiritual literature," the declaration said. "Our efforts were crowned with success."

The clandestine publishing house was named "Khristyanin" (Christian) and is being operated at an undisclosed location by Baptist volunteers. It was sponsored by a reform Baptist group known as the Council of Churches.

The reformers' movement has flourished and grown increasingly bolder, despite Soviet efforts to suppress it, ever since it split from the officially approved All-Union Council of Evangelical Christians and Baptists 10 years ago.

The reformists' leader, Gennadi K. Krychkov, who was released in 1969 after a three-year prison term, is currently in hiding, and documents reaching the West report that Soviet police are conducting a nationwide search for allegedly "spreading literature of a slanderous character" and leading "illegal groups of Evangelical-Baptist believers."

The documents, which reached Radio Liberty, the U.S.-supported station which broadcasts to the Soviet Union from Munich, contain about 200 Baptist texts, including books, handwritten petitions, samizdat (self-printed) material as well as the declaration to Kosygin and a printed copy of "Bratski Listok," a bi-monthly magazine of the reformist movement.

Under Soviet law, no printing press can operate in the Soviet Union without explicit government permission.

The declaration to Kosygin said: "We no longer ask you for cooperation in publishing our necessary literature of the faith, but we do ask you not to place any obstacles in the way of our work and to consider literature under the 'Khristyanin' imprimatur legal."

"For our part," the Baptists said, "we pledge not to print anything but Christian literature purely for internal church consumption, and not to pass on to anybody the technical knowledge of how to print, or the designs of the machines."

The document urged Kosygin to order Soviet security organs to return about 700 copies of the New Testament and hymnals illegally confiscated in various cities over the past two years.

"We are subjected to surveillance, threats and oppression by the organs of power, although our activities do not harm the interests of the state," the Baptists said.

They told Kosygin that by fulfilling their wishes he would "give the faithful the possibility to avail themselves of their rights under the U.S.S.R. constitution and the Universal Declaration of Human Rights."

Finally, the reformists wrote that they were not signing the declaration, since Soviet authorities never wrote back anyway, and that "every previous attempts at legalization (of their movement) began with a list of signatures and ended with the repression of those on the list."

Reliable statistics do not exist about Soviet religious communities, but it is currently estimated that there are nearly 3 million Baptists.

The reform Baptists are thought by Western specialists to have about 1,000 unregistered congregations throughout the country; one document asserts that 75 per cent of the Baptist congregations in the Byelorussian Republic are reformist.

Dr. Albert Van den Heuvel, Director of Communication for the World Council of Churches in Geneva, said that official Soviet figures on the Baptists vary widely "according to whether it's the atheist line being put out that there are very few believers, or the security line that there are many and thus represent a threat."

One concession permitted the officially-approved Baptist group is to send delegates to assemblies of the Protestant-dominated world church body which it joined in 1961. The reformists have no formal links with the World Council and are not permitted to travel outside the Soviet Union, although they are said to have appealed for permission.

"The World Council regards the reformists as Christians in good standing, as we do the officially approved congregations," Van den Heuvel said.

The new Baptist printing press is a striking innovation in the development of samizdat which heretofore has functioned by hand or typewritten copies or, at best, by primitive hectograph reproducers.

Among the 200 documents is a letter which a group of 70 reformers of the Uzlovaya church in the Tula region near Moscow sent to U.N. Secretary General U Thant on Aug. 22.

The group asserted that Soviet authorities intended to destroy their church and they deplored the manhunt for their leader, Kryuchkov, the 45-year-old father of nine.

Wanted posters on Kryuchkov have appeared in some towns and his wife has been threatened, the group said. "The liberty and possibly the life of Kryuchkov is in serious danger. It would not be surprising if he should share the same sad fate of Martin Luther King."

The letter asserted that there are now about 200 Baptists imprisoned in Soviet labor camps. Other documents report cases of torture of jailed Baptists, destruction of churches and kidnaping of believers' children, and a large number of corroborating photographs has reached the center for the Study of Religion and Communism in Sidcup, England.

The reformists have also established the Union of Christian Baptist mothers which gathers and publicizes information on Soviet maltreatment of children on religious grounds. Two years ago 1,453 mothers from 42 towns and villages signed and sent to party leader Leonid Brezhnev an appeal against the regime's "illegal tormenting of our children."

The appeal, copies of which went to 25 other Soviet officials, organizations and newspapers, demanded an end to interrogation of minors about their family's religion, beating and slander of Baptist children in schools, and threats and actual kidnaping of children.

One case cited continues today: two teenage daughters of Mr. and Mrs. Ivan Sloboda of Vitebsk were forcibly taken away in 1965, fled back home again from an orphans' asylum, and were again dragged off by police.

After showering the regime with petitions, the Slobodas were tried and jailed. Mrs. Sloboda remains in a labor camp. Since his release her husband has continued to petition Brezhnev and Kosygin not only for the return of the two girls, but also his three other children who were taken away last year on the grounds that with their mother in prison they were not receiving a proper upbringing.

Another reformist operation, a council of Baptist prisoners' relatives, prepares lists of prisoners in labor camps with such details as date of trial, sentence and address of their place of confinement.

The forerunners of today's reform Baptists were a nonviolent milk-drinking sect called Molokans who lived in the Caucasus last century and opposed the excesses of the better-known Dukhobors.

Since 1917, Russian Baptists have lived under almost constant harassment, the notable exception being during and after World War II when Stalin relaxed restrictions on churches to generate popular support for the war effort.

The Baptist church in 1961 was given new statutes and a "letter of instruction" designed to facilitate its own selfliquidation. This letter said children were forbidden to attend church services, baptism of people between 18 and 30 must be kept to a minimum, and the pastor "must remember the main task of divine services is not the enlistment of new members, his duty is to check unhealthy missionary tendencies . . . nor should he become too involved in preaching."

The Baptists who accepted the new dictates were officially recognized and have continued until now to be tolerated by the regime. This group and the Russian Orthodox patriarchate are the only religious bodies in the Soviet Union permitted to issue a publication.

Baptist pastors and laymen who could not agree to the government-imposed instructions formed a group called the "Initiators" and began agitating for free worship, the essential Baptist right to preach and educate their children in the church, and separation of church and state as proclaimed in the Soviet constitution. Under different names and through relentless persecution over the past decade, the breakaway Baptists have kept up their campaign.

In 1966, some 500 reformists from 130 towns across the U.S.S.R. came to Moscow and staged a demonstration at the headquarters of the Communist Party central committee. They delivered a petition before being beaten in the street and taken away. Like their new printing press, that demonstration was almost unthinkable in the Soviet Union.

ROBERT S. ALLEN, AN OUTSTANDING AUTHORITY ON WORLD MILITARY AFFAIRS AND INTERNATIONAL POLITICS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DORN. Mr. Speaker, Robert S. Allen is an outstanding authority on world military affairs and international politics. I commend to the attention of the Congress and the people of our country, Mr. Allen's timely and superb column:

INDIA SUFFERS ONE CRASHING DEFEAT

(By Robert S. Allen)

WASHINGTON, Dec. 7, 1971.—Whatever the military outcome of India's piously calculated aggression against Pakistan, India already has suffered one crashing defeat.

Its deliberately provocative attacks on its smaller and weaker neighbor have resoundingly debunked for all time two great myths India has sedulously propagandized for years:

"That is is a loftily peace-loving and nonmilitary nation that meticulously does not meddle in the affairs of other countries, and sternly disapproves of others doing so.

"That it is firmly "neutralist" and "uncommitted", and righteously not beholden to either the East or West."

To informed authorities, these two sanctimonious claims have long had a hollow ring. Realistically, they have had no illusions about India and its selfrighteous pretensions. Their crass falsity has been too glaring to knowledgeable insiders.

Time and again, India has proved herself a liar, hypocrite and a fraud.

Example: A few years ago when millions of Indians faced outright famine and the U.S. gave and sold (for Indian currency that has remained in that country) immense quantities of grain and other products, Delhi pulled a typically deceitful act:

On one hand, it stentoriously sided with the Arabs and with equal fervor championed the Vietcong; on the other, India excoriated the U.S. for supporting Israel and intervening in Vietnam against the communist aggressors.

Example: While incessantly proclaiming its alleged "neutralism", India irately threatened to crack down on its small neighbor Nepal when that isolated Himalayan country proposed to modernize its currency. For years, Indian currency was Nepal's legal tender. As a modernization move, King Mahendra instituted a native currency—to India's vehement indignation.

In retaliation, it threatened to stop the U.S. using its hundreds of millions in counterpart funds in India (accumulated from sales of food to avert famine) as economic aid to Nepal. That amounts to only a few million dollars a year, but India proposed to block it and was deterred only by strenuous Washington protests.

DOUBLE-DEALING

Example: In the past 20 years, India has received more economic aid from the U.S. than any other country in the world—and shown the least appreciation. In fact, about all the U.S. has gotten in return for more than $7 billion poured into India is snooty disdain and censorious reproof—and often outright animosity and hostility.

At the same time, while self-righteously proclaiming its "neutralism", India has been armed to the teeth by Russia. Hundreds of millions in late-model Soviet planes, guns, and other military hardware have gone to India in recent years. Thousands of Indian pilots and other combat personnel have been trained in Russia.

Militarily, India today is as much a Kremlin satellite as Cuba, Egypt and the other Arab countries.

But it is the U.S. that has poured billions of economic aid into India, much of it in the form of grain and other food.

Clearly, India, playing both sides to the middle—billions in economic aid from the U.S. and billions in armaments from Russia—is uncautiously designated "neutralism".

This double-dealing drew scathing fire from Senator Vance Hartke, D-Ind., ranking member of the Finance Committee, when he learned Delhi was covertly sounding out members of Congress and others on taking expenses-paid trips to view the "heart-rending" camps of East Bengal refugees. Purpose of these junkets was to promote hostile propaganda against Pakistan, and indirectly, the U.S. for shipping arms there.

In this calculated backstage lobbying, Indian diplomats carefully did not mention, of course, that their country, while piously professing to be "neutralist," gets virtually all its weapons from Russia. Said Hartke indignantly:

"We have spent billions to keep India's masses from starving, and the Soviet has spent huge sums to arm them. If that isn't breeding war, I don't know what is. If the Kremlin can arm India, then I say it can also feed India. It's time our country took a realistic look at such glaring and expensive inconsistencies and act accordingly."

In the long-pending, highly controversial multi-billion dollar foreign aid authorization bill, India is earmarked to get $184,530,000 in economic assistance in the current fiscal year.

That is one of the number of similar reasons so much opposition now prevails in Congress against continuing large-scale foreign give-aways—in the guise of economic aid.

ANOTHER CHINESE VISITOR

Cuban dictator Fidel Castro dropped an intriguing hint during his three-week sojourn in Chile—He wants to visit Peking!

Carefully, he didn't say outright he is actually going there. But he left no doubt he is very eager to—and will if he can possibly arrange it.

That's a very big IF because the beefy Cuban ruler is completely beholden to Russia for his economic, military and political existence. Without a steady flow of Soviet supplies, Cuba not only would be bankrupt but downright hungry and in chaos.

It is now costing Russia more than $1.5 million a day to support Castro's bumbling dictatorial regime. That's around $650 million a year—and patently the Kremlin is not going to let Castro get out of line.

If he does, he'll be junked very quickly.

That's why it is highly doubtful the bombastic dictator will do any traveling to Red China—much as he would like to. He may propose, but the Soviet disposes.

Castro dropped his hint about a possible Peking visit during a conversation with Chile's Marxist President Allende. He was commenting on President Nixon's announced plans to go to Peking, when Castro remarked:

"I'm thinking of doing something like that myself. I have a very high regard for our comrades in China. They have done great things, and we can learn much from them. They have been very friendly and helpful, and I would like to express my thanks to them personally."

Maybe so, but if Castro knows what's good for him, he will first check with Messrs. Brezhnev and Kosygin.

WHO IS GETTING 3 MILLION TONS OF U.S. GRAIN?

(By Robert S. Allen)

WASHINGTON, DEC. 11, 1971.—Who really is getting the 3 million tons of U.S. grain recently sold to Russia?

Is the Soviet the actual destination or, in some guise, its close ally India?

Military and Intelligence authorities, who were not consulted when this huge grain sale was authorized, are raising this highly moot question in view of two indisputable facts—the close ties between Russia and India, and the latter's pressingly urgent need for additional large-scale food supplies.

India is not self-sufficient in food production even in normal times. Of the more than $8 billion in economic aid the U.S. has poured into that country—more than anywhere else in the world—approximately half has been in grain and other food.

In the past several decades when, due to drought and other disasters, millions of Indians faced famine, the U.S. gave and sold (for Indian rupees that, in the form of so-called counterpart funds, remained in that country) immense quantities of wheat and

other products. As a result of such aid, the U.S. has more than $1 billion in counterpart funds in India—which will never be recovered and are constantly depreciating due to the steadily declining value of the rupee.

Parenthetically, it is noteworthy to point out that the Indian government did absolutely nothing to publicize this country's huge famine-averting supplies of food. In direct contrast, a relatively small amount of grain provided by Russia was propagandized to the skies.

Certain to compound India's inherent food deficiency is its crass aggression against Pakistan and seizure of East Pakistan—with its impoverished 75 million people eking out a bare subsistence. The U.S. has given more than $4.5 billion in aid to Pakistan, much of it food for East Pakistan.

Feeding and caring for these hungry and poverty-wracked millions will now devolve on India. It will be up to India to provide their "daily bread".

WHERE'LL IT COME FROM?

This inescapable responsibility will greatly complicate and intensify India's own already difficult food problem.

Prime Minister Indira Gandhi's piously self-righteous government not only will have to make up the "normal" food shortage for its own people, but also take care of the 75 million destitute East Pakistani being "liberated".

In this dire situation, Madame Gandhi unquestionably will turn for help to her great good friends in Moscow.

They provided her with the planes, tanks and other combat hardware to attack and batter her weaker and smaller neighbor. With U.S. food and other aid cut off, Madame Gandhi will seek grain and other food supplies from her staunch Soviet allies.

They can hardly turn her down under the circumstances. The Kremlin actively abetted and supported Delhi throughout its devious and sanctimonious plotting to attack Pakistan. Russia is just as guilty of bald and vicious aggression against Pakistan as India.

This is where the 3 million tons of U.S. grain come in.

But Russia, too, has food problems. That's why it sought this grain—chiefly corn, barley and oats. Its last big purchase of wheat was during the Kennedy Administration.

The Soviet grain crop this year was not exceptional; certainly not of bumper proportions. Additional quantities are needed to meet increasing feed grain requirements. The imported U.S. grain is presumably primarily for this purpose. Instead of diverting homegrown grain to produce more cattle (meat), the U.S. grain will be used.

But Madame Gandhi will be stridently pounding on Kremlin doors in clamorous quest for grain.

Whether they want to or not, the Soviet rules will have to respond.

The ambitious goals set for expanding Russian meat supplies may have to be curtailed or delayed. But in one way or another unctuous Madame Gandhi will get grain.

That's why knowledgeable authorities are convinced that is where the U.S. grain will eventually wind up. Not directly, of course, but circuitously very probably. The grain is being shipped to Russia, and most likely will be used there.

But Soviet grain it will replace will go to India.

And that is where the 3 million tons of U.S. grain, costing upwards of $125 million, will ultimately go—in a typically Eastern roundabout manner.

Some authorities are even betting that despite this country's indignant condemnation of India's rapacious aggression against Pakistan, Madame Gandhi will have the consummate gall to appeal to the U.S. for large food shipments and other supplies for "the starving women and children" of East Pakistan.

It would be just like her—piously calculating and sanctimonious.

FOREIGN FLASHES

French Ambassador Charles Lucet is slated to be replaced next spring—probably by Olivier Wormser, a governor of the Banque de France. His wife is noted in Paris for her modish wardrobe and as a top-rung hostess. The Lucets have been relatively restrained in their entertaining in the several years they have been in Washington.

The India-Pakistan war crisis was a real hardship for Secretary of State Rogers. It shattered his weekend. The former New York corporation lawyer is accustomed to taking his ease on weekends; with his staff under strict orders not to disturb him "unless absolutely essential." With the President spending the weekend at his Florida White House, Rogers was compelled to come to his office both Saturday and Sunday—and that greatly distressed him. Not only was he unable to sleep late, but had to call off two golf engagements. And compounding it all was that both days had ideal weather.

Representative Dante Fascell, D-Fla., scrappy chairman of the subcommittee on Inter-American Affairs, is digging into charges that recent airline hijackings are due to a "Cuban-based conspiracy." This accusation was made by John Masefield, head of the British agency that controls major airports. Fascell's subcommittee has been closely studying hijackings to Cuba ever since they started. Says the Floridian:

"While some of the hijackings may have been carried out with the advance knowledge of the Castro government, there is no evidence so far to sustain the Masefield charges. However, Castro now has a perfect opportunity to demonstrate to the world that he does not encourage hijacking. He can do this by immediately returning to the U.S. the three escaped murderers who hijacked a plane from New Mexico to Havana a week ago. These criminals cannot by any stretch of the imagination be considered political refugees. They are killers and should be treated as the outlaws they are."

YUGOSLAVIAN UNITY THREATENED BY CROATIAN NATIONALISTS

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. JAMES V. STANTON. Mr. Speaker, over the past several days, I have received many communications from Croatian-Americans in Cleveland who are deeply concerned about the present situation in Croatia. Among the citizens and the organizations who have contacted me are Nick Strmac, president of the American Croatian Cultural and Education Society; Nikola Franic, president of the Cleveland branch of the United American Croatians; Ivan Miljak, vice president of the Croatian Guardians of Liberty; the American Croatian Veterans; and the American Friends of Croatian Resistance. They quite correctly state that the American news media and official Washington have for the most part neglected to report and comment upon the turmoil and conflict now going on in that troubled land. I feel that these events should be fully reported so that the American people might be able to pass judgment on the activities of the Tito regime in this matter. I was pleased to note that this morning's Washington Post carried an article on the Croatian situation and, in order to promote knowledge of this crisis, I would like to insert the article in the RECORD.

The article follows:

[From the Washington Post, Dec. 17, 1971]

CROATIAN NATIONALISTS THREATEN YUGOSLAVIAN UNITY

(By Dan Morgan)

BELGRADE, Dec. 16.—The major political purge now sweeping Yugoslavia's second largest republic is jeopardizing President Tito's effort to preserve national unity by decentralizing power.

The sudden ouster of separatists and states-rights nationalists in the republic of Croatia, and the recent disturbances in the republic's capital of Zagreb, are provoking calls for restoration of strong central authority. Tito's decentralization program is unique in the Communist world.

The Croatian purge is the biggest upheaval in Yugoslavia since 1966, when Tito kicked out police boss Aleksander Rankovic to clear the way for a program of democratic internal reform throughout the country.

There seems no likelihood that Rankovic himself would return to power to restore central authority. But circles in this federal capital believe that the Croatian troubles have "given a new chance" to those Communists who would like Yugoslavia to return to a generally more orthodox ideological line.

CONSTITUTIONAL CHANGE

Greater sovereignty for Croatia and the other five ethnic republics that make up Yugoslavia was rooted in constitutional amendments approved last summer, but this has not stilled nationalist fervor, particularly among the Croats.

No serious violence has accompanied the political changes in Croatia so far.

[Police today arrested 234 persons at a student hostel in Zagreb and confiscated an unspecified quantity of brass knuckles, unregistered pistols, knives and iron bars, Reuter reported.]

In Zagreb last Monday night 3,000 to 5,000 young demonstrators clashed with police, singing the Croatian national anthem and chanting the names of their leaders who had been forced to resign. Sporadic nightly clashes have occurred since then.

Four students who led a 10-day student strike, in which 30,000 participated in late November, have been arrested for advocating "violent anticonstitutional change"; at least two dozen other students have been charged with lesser offenses.

An army general has been suspended, and publication of the main weekly organ of the Croatian states' rights movement has been halted.

The student strike was triggered by an economic issue. The strikes demanded that Yugoslav laws be changed to allow regional governments to keep the foreign exchange earned by their local enterprises. Croatia is Yugoslavia's biggest earner of foreign currency, but because foreign exchange is considered an all-Yugoslav resource, it must be traded in for local currency. The federal government then decides how to distribute it.

Just as in 1929, when nationality rivalries and intrigues resulted in a royal dictatorship, economic matters have become inextricably linked with regional jealousies and are a catalyst for tensions.

The purged Croatian leadership paid the price for "weakness" in tolerating these outbursts of nationalism and separatist sentiment, and were even accused of "counter-revolutionary activities."

Communists loyal to Tito's concept of Yugoslav federal unity are now in power in

Croatia, and the movement toward further decentralization has been checked.

They and their supporters elsewhere in Yugoslavia generally believe that the time for action was overdue, and that in the absence of a crackdown Yugoslavia was in danger of disintegrating, with the emergence of an informal alliance of Croats, ethnic Albanians and Macedonians against the once-dominant Serbs.

In a speech to parliament today, Tito said that the purge in Croatia was "of tremendous significance for our international position" and necessary to refute speculation about the country's ability to preserve unity, to promote democratic internal development and to maintain an independent foreign policy.

ECONOMY DAMAGED

Yugoslav leaders who seek to check decentralization have also argued that the policy has damaged the economy, which is already afflicted with unemployment, migration of workers, delinquent factory payrolls, inflation and a slowdown in growth and productivity.

Since establishment of the policy on greater autonomy for the republics, Yugoslav Communists have regarded centralism as the greatest danger, and a close kin to Stalinism. A sharp reversal toward centralism at this time would almost certainly stiffen Croat resistance to the unpopular ouster of their local leaders, and it could possibly rekindle the ethnic tensions that wracked pre-war Yugoslavia. For this reason, Yugoslav leaders have spoken out against a "witchhunt."

Three conclusions are being drawn from the crackdown in Croatia:

Tito, who some thought had lost his grip on the centrifugal forces in the Yugoslav Communist Party, has demonstrated his continuing authority.

The party itself acted with more authority than many thought it could. Croat party activists lined up quickly behind the party's central command to outmaneuver the states-rights faction.

The myth that Tito's Yugoslav federation had solved the nationalities problem has been destroyed.

The Croat "movement" had the support of other groups in Yugoslavia which have traditionally felt suppressed by the Serbs, the largest national group in the country. For instance, Croat leaders had indulged in informal flirtations with the million-strong Albanian minority, located mainly in the autonomous province of Kosovo, and with the Macedonians.

The Yugoslav vice president, Krste Crvenkovski, a Macedonian, was sharply criticized this week by a member of the Yugoslav War Veterans Association for "nationalistic speeches."

Another sign of a campaign to level "nationalist" political deformities came when a Communist from Kosovo, where frictions with Serbs exist and where Albanians have been strongly asserting their rights to more sovereignty, warned that "Tito's criticisms don't apply only to Croatia."

Only the industrious Slovenes in the north seem to have avoided getting deeply entangled in the nationality intrigues.

MAJ. GEN. WILLIAM REDDELL RECEIVES EEO AWARD

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. GONZALEZ. Mr. Speaker, there are few career officers of the Armed Forces of our country who can equal the outstanding record of achievement of Maj. Gen. William Reddell, who is currently the commander of the San Antonio Air Materiel Area located in my home city.

General Reddell has distinguished his work in San Antonio by being particularly sensitive and aware of the needs and goals of the community, and it was therefore not surprising when he was honored this year with the 1971 Air Force Distinguished Equal Employment Opportunity Award.

I count General Reddell as a personal friend as well as a friend of the district which I represent in Congress, so I can testify as to the appropriateness of his being singled out for such an award.

Mr. Speaker, the San Antonio Express published an article which was particularly good in describing the EEO effort which has been made by General Reddell at SAAMA and Kelly Air Force Base. I would like to share with you and my other distinguished colleagues the contents of this article which is as follows:

GENERAL REDDELL RECEIVES AWARD FOR OUTSTANDING EEO EFFORT

Maj. Gen. W. H. Reddell, commander of the San Antonio Air Materiel Area, has been awarded the 1971 Air Force Distinguished Equal Employment Opportunity Awards.

The plaque—given annually for management of the best overall EEO program in the Air Force—was presented to the SAAMA commander by James P. Goode, deputy assistant Secretary of the Air Force for Personnel Policy and director of the USAF Equal Employment Opportunity Program.

In receiving the award, Gen. Reddell was recognized for his command's comprehensive program which has "contributed to the advancement of the national goals of equality and employment opportunity and betterment of economic conditions" in the San Antonio area.

Gen. Reddell assumed command of the giant Kelly industrial complex, with its approximately 30,000 employes of varied ethnic, racial and social heritages, in April 1969.

Gen. Reddell initiated a series of meetings with community groups representing ethnic and racial minorities to obtain their views on what should be done to provide greater opportunity with more equity and understanding.

He developed and personally selected an EEO work group at Kelly, tasked the personnel with implementation of his program, then gave them his full support.

Ethnic balance in the Kelly work force now parallels the city population (48 per cent Mexican-American; 7 per cent black; and 45 per cent Anglo-Saxon and others) and minority-group representation at the higher-grade levels has doubled in the past 18 months.

The SAAMA commander emphasized, however, that "much remains to be done" to meet the full objectives of the EEO program.

According to the citation accompanying the award, the dedication of top management at the base to the advancement of the program is believed and understood by the work force—and there has been significant improvement in cooperation and understanding between management and labor.

Additionally, the federal women's program—a part of the overall EEO effort—is organized and functioning at Kelly.

The inter-dependence between Kelly and the community has been emphasized and demonstrated by both SAAMA and community action programs.

Gen. Reddell in March was honored for his leadership in equal employment by the San Antonio City Council at a formal session of the council, and with a testimonial dinner by representatives of minority civic organizations in the community.

NO ROOM FOR MORAL VALUES?

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. CRANE. Mr. Speaker, the American society is under increasing attack both at home and abroad. It has been said that our society is a repressive one, and men and women who should know better have seemingly accepted this false appraisal.

Speaking at the University of Virginia, Solicitor General Erwin Griswold, former dean of the Harvard Law School, declared that there is greater freedom and less repression in America than in any other country. What other society, for example, would allow the Chicago Seven, while out on bail, to preach revolution across the country? What other society would permit its citizens to consult and negotiate with the enemy in time of war? These may be signs of foolishness and weakness, but they are hardly signs of repression.

Despite the facts, critics of our society and of our traditional moral standards find themselves unanswered. The very "establishment" they so bitterly attack as being repressive and all-powerful, hesitates to make any response.

Discussing this situation, Paul H. Jacobson, a businessman from Shawnee Mission, Kans., wrote an article for the Wall Street Journal, asking whether or not there was room for moral values in modern America.

He described part of the problem this way:

What is central to the dilemma, and at the same time explains to a large degree why the Establishment seems unwilling or unable to confront squarely the moral challenge directed against it, is a mode of thinking which, for want of a more precise term, could be called "scientism." By this is meant the appropriation of more-or-less scientific methodology to the study and manipulation of all events and, more importantly, the adopting of this methodology as the keystone of a pervasive world view, which leads to an inability to view any phenomenon, including human and social, in other than empirical terms.

Mr. Jacobson justifiably laments the fact that decisions made in Washington with regard to the future of the country are often made with something other than the best interests of the majority of citizens as the major consideration.

He notes that—

The primary wellspring of moral guidance for government is increasingly the empirical data of election results or public opinion polls, for business—it is the pragmatism of the market survey, in all its formal and informal variations—In each case, the Establishment reacts to what is on a largely ad hoc pragmatic basis, rather than attempting to transcend what is and actively propose what should be.

We ask, Mr. Jacobson states, the wrong questions. We ask "Can we do it?" rather than "Should we do it?" and the results of this kind of approach are evident for all to see.

I wish to share Mr. Jacobson's thoughts with my colleagues, and request the insertion of this article, which appeared in the Wall Street Journal of November 30, 1971 in the RECORD at this time.

The article follows:

NO ROOM FOR MORAL VALUES?

(By Paul H. Jacobson)

The values of an entire generation of adult Americans, roughly defined as the Establishment, have been challenged vigorously, in ways ranging from riots and bank bombings, deviant life styles in cooperative communities that reject consumption as a way of life, to the ecology movement and the consumer advocacy of Ralph Nader. Such challenges in themselves are hardly new.

What seems unprecedented, though, is the often helpless, faint-hearted rejoinder of the Establishment. Outside of scattered outcries from "conservative" quarters, which often come off as simplistic reaction founded on the remnants of a traditional, dogmatic morality, the challengers have often found themselves confronted with a moral straw man, which they have proceeded to bully into sometimes timorous acquiescence. Witness the conciliatory attitudes of so many university officials toward student demands and protests, or the rush of business organizations to publish advertisements avowing that they are really public benefactors after all.

The challengers are ever quick to point out that the debacle of the war in Southeast Asia and the existence of pollution and poverty are clear evidence that the values of the Establishment are at best obsolete, and probably ill-conceived from the beginning. Whatever the justice of such charges in themselves they do little to explain why the Establishment in so many cases has had little more than a moral soft underbelly to turn to the attack.

A PROFOUND DISTRUST

Part of the explanation can be found by openly recognizing that there has long been a profound and widespread distrust of moral thought, especially among educated, "free thinking" people who make up the Establishment elite. How often, in this "age of objectivity," do we hear the epithet "subjective" or "biased" applied, in a distinctly pejorative way, to any assertion not firmly embedded in a matrix of "facts," preferably rendered in statistical format. How often do we hear the statement "It's all relative," or "I can't judge, I don't know the facts"—facts that may be hidden away in the drawers of some Byzantine bureaucracy or are simply intellectually inaccessible to the untrained mind.

Another perspective can be gleaned from the corpus of popular sociology that has emerged in recent years, which focuses on the paradigm personality and posture of the Establishment "type": He has sacrificed his individuality to organization and institutionalization and has made a complete life style out of the forms of behavior condoned by a bureaucratized meritocracy; he is dedicated to the techniques of rational administration of life, and is oriented toward reductionist "problem solving" in all affairs; above all, he is thoroughly "pragmatic" and "activist," and views with suspicion speculative thought not grounded in "facts" and that does not lead to a "program" for action.

Still another viewpoint might be summed up in the fashionable shibboleth "impersonal technology," which conjures up the vast network of machinery created by modern man as well as the cold-blooded technicians who manage it. Thus it becomes possible to find satisfaction and comfort by blaming it all on the machines and the men who are dedicated to them.

The trouble with all these popular approaches is that at best they provide only superficial, symptomatically descriptive hints of the underlying moral dilemma of our time, and at worst, (as in the case of "impersonal technology") simply supply diversionary totems.

What is central to the dilemma, and at the same time explains to a large degree why the Establishment seems unwilling or unable to confront squarely the moral challenge directed against it, is a mode of thinking which, for want of a more precise term, could be called "scientism." By this is meant the appropriation of more-or-less scientific methodology to the study and manipulation of all events and, more importantly, the adopting of this methodology as the keystone of a pervasive world view, which leads to an inability to view any phenomena, including human and social, in other than empirical terms.

The category of "value," the foundation of all moral thought, has unlike the category of empirical "fact," no recognized, carved out place in this scientistic world view, which purports to be, in its pure sense "value free." The value-free aspect of scientism has been articulated by some 20th century philosophers, most notably the logical empiricists of the Vienna School, who maintained that the notion of value was a metaphysical fiction. But this value freeness really requires no such articulation, for it is contained inherently in the scientistic world view. Scientistic consciousness by its very nature inhibits moral consciousness, and its methodologies provide no intellectual tools to promote creative moral development.

Scientism is no longer the exclusive property of the natural or physical sciences where moral questions are truly extraneous to the disciplines themselves. It has entered into, if not taken over, virtually all the social sciences and penetrated deeply into the management of business and government affairs, where moral questions persist despite all attempts to be "objective."

Along with the rise of scientism in human affairs has come the well-known role of the "expert," the one who has taken command of affairs and events by being the possesser and analyzer of the "facts" deemed relevant to them. What is less often acknowledged, however, is that the expert has also been handed, by default, the domain of moral pronouncement in these affairs and events. But the scientific expert lacks the intellectual tools for dealing openly with the moral problems inherent in his area of expertise, so these problems are relegated to an intellectual netherworld as disguised assumptions.

This gives rise, especially in the present highly imperfect state of social science, to seemingly endless and inconclusive debates over our human affairs, which have all the appearance of antinomies—arguments that appear equally logical and grounded in fact, but which nevertheless lead to diametrically opposite conclusions about a given problem.

Thus we can listen to one expert expound on the propriety of wage-price controls, marshalling logical argument and historical incident to their defense; on the other hand, another spokesman will argue, with seemingly equal logic and reference to facts, that such measures are doomed to failure.

However, once we identify the underlying moral assumptions, the mystery quickly falls away. In the former case, the value of social and economic security and harmony obviates almost any new coercive controls of the state; in the other case, the value of freedom from state coercion is so paramount that some social risk, insecurity and discord is a justifiable price to pay for it. In this light the facts and the logical arguments by which they are processed, begin to take on the appearance of being largely a foil for advancing essentially moral assertions.

OVERDRAWING OUR MORAL CREDIT

The rise of a scientistic Establishment that has worked hard to present itself as "objective" and amoral has in many ways brought about—let us say it out—a condition of moral bankruptcy, in which we have overdrawn the accounts of moral heritage from the past without replenishing them from the products of creative intellectual endeavor designed to meet modern needs. It would be difficult to find a better example of this in modern times than the shifting sands of rationalization applied to American involvement in Southeast Asia, which cannot help but feed the suspicion that the involvement may have been, after all, mainly a willy-nilly outgrowth of the scientistic world view, with the rationalizations primarily serving obeisance to the remnants of moral consciousness.

Further credence to this viewpoint comes from the influence of personalities epitomized by Robert McNamara, certainly the apotheosis of scientism in the management of everything (at least until his own apparent moral reawakening toward the end of his service as Defense Secretary), and from the narrow empirical reductionism of body counts, planned population movements and preoccupation with the hardware of weaponry.

It is the rationalizations themselves, though, that are most telling. First it was "defending freedom around the world" (remember, we "would go anywhere, pay any price" to achieve this"). But when it seemed the Vietnamese were less enamored of our "freedom" than we, it became protecting the South Vietnamese from the "invasion from the North," and then "protecting American security interests in the Pacific." Finally, when it became apparent that our "protection" of the Vietnamese had really little to do with the "protection" of any reasonable American security interest, the rationale was reduced to an analog of the answer given by a mountain climber when asked why he had wanted to climb Mount Everest: "Because it is there."

However callow its intellectual foundations may sometimes be, however destructive and senseless some of its acts and impulses may appear, the energy of recent radicalism in America might be expected to at least force the Establishment out of a state of scientistic complacency to once again take account of man as a moral being. To be sure the anti-Establishment forces seem oftentimes simply anti-rational, but this is mainly an overcompensating pendulum swing away from the jejune, amoral rationality of scientism.

On the other hand, these forces have been taking some of the vital steps in breathing life into human values—among them the spontaneous fashioning of a kind of mythology of people and events (from Woodstock, rock stars and Ken Kesey's bus to the Nader legend and the various forms of underground literature), which, even at its worst, seems only a little less lofty than the grim social determinism of the Establishment, born out of a lingering fear of depression and fear of ourselves.

THE ESTABLISHMENT RESPONSE

The Establishment's current response to the moral challenge of our times makes it clear, unfortunately, that it remains bent on a largely scientistic course. The primary wellspring of moral guidance for government is increasingly the empirical data of election results or public opinion polls; for business, despite all its pretense in placating critics with gestures of "social responsibility," it is the pragmatism of the market survey, in all its formal and informal variations.

In each case, the Establishment reacts to what is on a largely ad hoc pragmatic basis, rather than attempting to transcend what is

and actively propose what should be. It continues to ask implicitly "Can we do it?" instead of "Should we do it?" To dissidents it seems always to be saying our concessions are primarily to get you off our backs, or don't make us think about these things, implying once again we don't really know how to think about these things.

This posture of defenses—one could say posture of retreat—is deeply disturbing. If the mature and experienced members of our society cannot be goaded into transcending their own narrow self-interest, their reputations and positions as well as their scientistic world view to come squarely and courageously to grips with the moral challenge of our time, then there is reason for serious concern about the future of our civilization.

CONGRESS ENACTED AID TO INDIA AND PAKISTAN

HON. PAUL N. McCLOSKEY, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McCLOSKEY. Mr. Speaker, today, as our last act in 1971, the Congress has enacted an appropriation bill for the assistance of refugees in India and Pakistan.

In view of the fact that the Nixon administration today is continuing to pursue power politics in the Bay of Bengal, and particularly in view of the administration's deliberate concealment over the past 9 months of the facts surrounding the systematic execution of East Pakistani political leaders, I think it incumbent upon us to recommend a change of direction in U.S. foreign policy to accompany this appropriation.

I would, therefore, recommend a three-point U.S. Christmas program for the people of East Pakistan.

First. We should recognize the new nation of Bangladesh, with the hope that the survivors of the freely elected East Pakistani leaders of a year ago can continue with their announced program of creating a democratic government for the new nation.

Second. Instead of sending a task force to the Bay of Bengal, we should be sending in food and hospital ships to assist the people of Bangladesh. At the present time, the hospital ship, U.S.S. *Sanctuary*, is berthed at Mare Island in California awaiting overhaul. I suggest that we send the *Sanctuary* to Bangladesh to replace the nuclear carrier *Enterprise* and the other ships of its strike force.

Third. We should exert all possible pressure on Pakistan to release Sheik Mujib and other East Pakistani leaders in return for the repatriation of the West Pakistani troops who have just surrendered.

Instead of complaining about Indian aggression in a war in which our own silent acquiescence in savage repression and genocide by West Pakistan helped initiate, we should be trying to support a new democratic government and the exchange of all prisoners on both sides without further bloodshed. Instead of sending warships, we should be sending food and medical supplies and facilities, particularly in view of the Christmas season where we in America have such immense affluence for which to give thanks.

Finally, we should advise the administration that the Congress will no longer acquiesce in the administration's concealment of factual information which is necessary to our own congressional responsibility under the Consttiution. The continued refusal of the State Department to provide Congress with the respinsibility under the Constitution. The genocide which started in East Pakistan last March caused a tragic delay in the change of a U.S. policy which was and is indefensible.

THE RIGHT TO HEALTH

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DICKINSON. Mr. Speaker, at the recent White House Conference on Aging, one of my constituents, Rubin Morris Hanan, of Montgomery, presented a speech to the income maintenance section of the conference. Mr. Hanan is president of the Alabama League of Aging Citizens and, in this capacity, is acutely aware of many of the problems facing the aging.

I insert in the RECORD the full text of Mr. Hanan's remarks, entitled "The Right to Health," and I commend his comments to my colleagues in this body.

Thank you, Mr. Speaker.

The speech follows:

THE RIGHT TO HEALTH

Fellow Delegates, Ladies and Gentlemen:

The health of the American people is the basic foundation upon which all their happiness and their security rests. Regardless of a person's wealth or his freedom or independence, he cannot truly be happy or secure without good health and good health care. Although America is a country of unlimited wealth, offering great personal freedom and possessing the highest standard of medical technology in the world—America still has great problems providing adequate health care to all its citizens.

We find ourselves living through dramatic hours; hours which demand of each of you, as delegates to the White House Conference on Aging, and as Americans, a determined and unwavering course in support of the right of health care for all Americans.

One of the great unresolved issues of the Conference is whether or not a national health system of some type should be adopted. Before going any further, I want to make one point very clear. America cannot solve its national health problem by sovietizing its people and socializing its medicine

The type health care program made available to our citizens is something that should be examined in depth in order to safeguard quality and quantity of medicine. In my opinion, Senator Edward Kennedy's Health Security Plan has many flaws, and this and other similar plans must be studied in detail before Congress forces them upon the American people.

It is often said and agreed by many in the health field that at its best, American medicine is the best in the world. I know that because I have visited Europe and most recently the Middle East countries. I know what socialized medicine is: half slave and half man. No American who truly prides freedom can really wish to see himself and his fellow citizens plagued by unreasonable health taxation, unwarranted government interference in his health, and unfair restriction on the exercise of individual rights. But in a society governed totally by bureaucracy, there is no such thing as total freedom. I believe the Federal Government can improve health care in America without Federal domination of the healing arts profession and the patients.

The Federal Government could rectify the shortage of medical manpower, medical schools facilities and equipment, regional cancer, heart and diabetes hospitals and research centers. The Federal Government, through its great wealth, can assist in establishing more medical schools and can create a resource distribution pattern which will assure access to health care for all Americans.

In attempting to solve America's major problems, Congress has forgotten the need to improve financially our medical colleges, our regional research centers, and centers for many other areas of service.

I am Chairman of the joint City and County of Montgomery Health Clinic. We are charged with the responsibility of providing health care service to the indigent population of the city and county. I can verify that approximately 40,300 persons live in families which earn less than $3,000 per year in our area. Our present clinic of 9,072 square feet has overflowed into four mobile trailers in order to better serve the 10,755 patients who made over 24,000 visits to the clinic last year. Our facilities are being taxed beyond all reasonable limits. Add to this the average of 300 new patients who visit the clinic each month and it becomes obvious that either services must be curtailed, new eligible patients refused, or additional facilities must be provided. The same situation exists all over America today.

The social and economic problems of America's poor, are directly related to the solution of their health care problems. Major diseases do not respect national boundaries, neither do they respect age, sex, race or economic levels. There can be no regional conflicts over health care in this country.

What America needs is to launch an all-out attack on the causes of disease. Medical colleges and research centers and clinics need hard cash in order to conquer cancer, heart disease, diabetes, and the many crippling diseases, and to make health care and medical research in America second to no other nation.

What we don't need, is Federal control of the doctor-patient relationship, and socialized medicine.

In 1968 I, and a few other ordinary citizens of Alabama started one of the largest public fund drives in the State's history to build a cancer hospital and research center as a lasting memorial to Alabama's only woman governor who died of cancer. What makes this memorial unique however is that unlike other memorials, it will provide life. The Lurleen B. Wallace Memorial Hospital and Tumor Institute will be more than brick and mortar. It will be the embodiment of a comprehensive concept for the care of cancer patients which will be available to all the people in the Southeastern part of the United States.

This great hospital will become part of the University of Alabama Medical Center in Birmingham, under the leadership of Dr. Joseph Volker, Dr. S. Richardson Hill, Dr. John Durant, and Dr. Clifton K. Meador, Dean of the Medical College of Alabama.

If we supply each citizen with a form of national health insurance, but we do not proivde enough doctors, and fail in our research of major diseases, then we have taken the wrong approach to health care. Our citizens should not look to government first for

all health care. I have traveled widely to participate in planning and the acceleration of research programs against dread diseases. Wherever I have gone, I have seen human beings reacting much the same way. Whatever the claims of nationality, the peculiarities of religions, the color of skin, or political practices, they have the same human reactions. The anguished cry of a mother who has lost her child or the grief of one marriage partner after the death of the other is basically the same everywhere. Giving these people health insurance is little help, if the dread diseases are not conquered in the research centers and medical schools of the nation.

I make the following recommendations:

1. We must urge adequate Hill-Burton appropriations for constructing medical colleges and for construction and improvement of regional medical centers, research centers dedicated to conquering cancer, heart disease, diabetes, and the major crippling diseases.

2. The Federal Government must target all health resources assistance on bringing health care to all people who are sick with the dreaded diseases. We must focus our primary concern—not on expanded research for the sake of publishing more technical monographs—nor improving hospitals for the greater convenience of doctors or nurses alone—but on regional medical research and treatment centers.

3. The number of medical personnel is growing less every day in relation to the population. We must urge the administration and Congress to reinstate the financial assistance to medical schools, and must assist individual students with scholarships and tax incentives in order to bring doctors into the areas most needed. The time has come when America must recognize that for millions of people the financing of educational costs is more than a mere personal problem. It is a vital national problem, and should be recognized as such in our tax laws.

4. The present shortage of health manpower is in part due to maldistribution. It is concentrated in middle class suburban America. The total supply of health personnel to all citizens is more important than a national health insurance program.

5. We must expand the range of health education opportunities, particularly for youths of lower income families. This can be done through expanded and improved medical schools and streamlined curriculum by placing greater emphasis on the para-professional fields. We recommend screening programs in a limited number of regional and community clinical centers, equipped with the latest in instrumentation and communication systems. It could become the cornerstone for a genuine national effort to prevent or reduce chronic diseases by detecting them in their early stages. In other words, doctors treat disease when it occurs. It has been said that the American doctors do not attempt to put obstacles in the path of disease. The American people give disease a head start, then we run to catch up with it, after it has already begun to cause real damage to the body.

6. We must permit admissions directly to nursing homes rather than only via hospitals, so that persons who are too sick to remain in their homes, but not eligible for hospital care could not be denied service.

7. We should recommend "Fall Tune Up" Programs to provide free medical tests for people 55 and over.

And finally, just as we have a Federal system of guaranteeing bank accounts, I recommend the same type system to guarantee the insurers, the physicians, nurses, and hospitals of their rights to receive fair and just compensation for their services.

I believe that every person at this conference is a humanitarian, attending today to seek a means to better man's life. Then, let the conference embrace with fatherly love, all those who suffer—the sick, the poor, the disabled.

In closing, I want to read a prayer which I hope this conference will adopt:

"Dear God, give us an understanding heart,
Clear thinking to find the essential good,
Purpose to find true goals for lasting values,
Honesty to hold and do what's right in God's sight,
Humility to know our weakness and mistakes,
Strength to meet the increasing daily demands,
Recognition to see the words of our colleague's sincere plan,
Confidence to always press forward when the cause is just,
Independence if needs to stand alone when our conscience says we must,
Gratitude for this great privilege to serve America and mankind,
Spiritual Awareness of our Nation's pledge "In God We Trust",
And now we pledge with grateful hearts our loyal service to man and God.

Thank You.

THE RELATIONSHIP OF RESEARCH TO TEACHING

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, as the costs of education at all levels and areas continue to increase, an issue which has become increasingly important is the relationship between college teaching and faculty research.

Does participation in research make the college or medical school professor a better or a worse teacher? The Congress, State legislatures, college presidents, faculty and students have all wrestled with this problem at one time or another. Now, with the increase in Federal aid for education in universities and in medical schools, this question is again of concern to the Congress.

My own special interest in higher education and health affairs has made me sensitive to the importance and complexity of the problem.

I was pleased, therefore, to learn of a thoughtful and stimulating analysis in an address given by Mr. Gerald Graze before the annual meeting of the National Council of University Research Administrators. Mr. Graze is associate director of the Research Foundation of the City University of New York.

I believe that these remarks should be carefully considered, especially by the executive agencies and the universities themselves, as well as my colleagues. For that reason I include it in the RECORD at this point:

THE RELATIONSHIP OF RESEARCH TO TEACHING

(By Gerald Graze)

This discussion centers on the relationship of research to teaching in institutions of higher education.

Many will recognize this as a familiar topic. There are, however, new and very practical aspects which make it desirable to take another look.

Although the performance of research in colleges and universities and the resulting value to society are widely accepted by the academic community, others have a somewhat different viewpoint.

Undergraduate students have long felt bitter about what seems to be a concomitant neglect of the education process. In complaints about poor quality of teaching, not infrequently the finger has been pointed at overemphasis on research as the culprit. Much of the student unrest in the late 1960's was directly related to discontent with the quality of education received. While overt manifestations have lessened, we cannot be complacent about present student feelings.

According to Bayer (1970), studies showed that *in students' perceptions*, higher faculty involvement in research was associated with less concern for students as individuals. He concluded that, in fact, a concentration of so-called high quality faculty who were heavily in research and came from prestige institutions had a debilitating effect; for institutions it led to student strikes, violence and disruption and for students it led to depressed aspirations, estrangement and increased dropping out.

Not only students but faculty also have criticized an alleged detrimental effect on teaching caused by emphasis on research. Desmond (1969), for example, states that "the career interests of the faculty are pitted squarely against the educational interests of the students, especially the undergraduate." He includes departmental chairmen, deans and presidents (who usually come from faculty ranks) as neglecting the needs of the individual students, and for the same reason.

Now another aspect.

State legislatures in New York and elsewhere, faced with financial trouble, have been pressing public universities for an increase in productivity on the part of college faculty and have been setting minimum requirements. However, "productivity" is usually measured in credit hours and the standards proposed often would leave practically no time for research. The implied assumption is that at best research is of secondary interest and at worst may well be injurious to education of undergraduate students.

Therefore, in time of stress, research can readily be discarded.

With the passage of legislation for massive aid to higher education now apparently imminent, a new era in Federal support will probably begin. It is reasonable to assume that if and when significant amounts of money are given to universities and colleges for teaching purposes, Congressional attention will focus on questions of productivity similar to those considered by state legislatures. The recent Carnegie Commission report on productivity may even serve as a further stimulus for such legislative examination.

There are, of course, many issues raised by the attempts to measure and prescribe productivity for college teaching, including especially the matter of quality. The ramifications, too, are many, as witness the proposal to link pay increases to productivity increases under the Federal price-wage control program. These aspects are beyond the scope of the present analysis but do indicate the extent of the "productivity" problem.

Thus the questions of (a) whether productivity is defined to include research and (b) whether research activity benefits the educational process are of critical importance.

Graduate education as related to research has presented few problems. The close relationship between the two has been recognized, and faculty who are engaged in research tend to emphasize graduate education.

Medical education is another matter. The American Medical Association Report of the

Commission on Research (1967) had mixed feelings about the effects of the research programs. On the whole, it was felt that medical school programs had been enriched through support of research activities. However, imbalances had developed among the areas of research, teaching and patient care. Specifically the report said that the heavy infusion of research dollars had glamorized research activity and contributed to a "flight from teaching" of individual investigators.

These conclusions were verified by symptoms of unrest among medical students in the succeeding years.

It is on college undergraduate teaching, however, that the greatest interest has centered. Orlans (1962) presented findings of a study of the effects of federal programs upon the quality of higher education, particularly at the undergraduate level. Liberal arts education at 36 universities and colleges were covered in this project, which was sponsored by the Office of Education.

Orlans found that on the whole, the effects were decidedly beneficial. Specifically, federal programs had helped these institutions to improve the quality, increase the number, improve the salaries and reduce the teaching load of faculty in the sciences and some social sciences. Also, by advancing knowledge, the content of instruction in these fields had been greatly improved. Nonetheless, he found there were other less favorable effects, particularly on undergraduate science education. The emphasis on research accelerated the depreciation of undergraduate education at large universities and reduced personal contacts between lower classmen and professors heavily engaged in research. Orlans' investigation indicated that in every major field and in every type of institution included in the study, a high degree of involvement in research was accompanied by a reduction in the time spent teaching undergraduates. He also concluded that research and fellowship programs had enticed the abler graduate students away from teaching undergraduate classes.

In 1965, the House Committee on Government Operations conducted an inquiry into possible conflicts between Federal scientific programs and the nation's higher education goals. (At that time, Federal support of research was mostly in the physical and biomedical sciences.)

Letters of inquiry were sent to 300 selected faculty members, administrators, students and distinguished citizens; over 200 replies were received, following which, extensive hearings were held.

Significantly, among the questions asked were:

"1. Is undergraduate education suffering from overemphasis on research?

It has been charged that teaching is left more and more to inexperienced instructors or second-rate graduate students.

2. Has the Federal research program caused imbalance by encouraging certain schools to become 'research factories' rather than academic institutions engaging in research as a normal and necessary part of the educational function?"

From the investigation, the Committee concluded that while Federal research and development programs had undoubtedly improved scientific higher education in some particulars, there were also many harmful effects.

In the Committee's view, scienfic manpower had been excessively diverted from teaching and research had been overemphasized to the detriment of teaching. The value of teaching at universities had been depreciated and teachers forced into a publish or perish pattern. Undergraduate teaching was all too frequently a thankless chore left to those unable to get research money.

The Committee made recommendations to remedy the diversion of manpower and suggested that grants and contracts be drawn so as to encourage senior investigators to teach as well as to perform research.

Of course, the manpower situation has changed since then but the financial crisis affecting universities has deepened and it is uncertain whether there have been significant improvements in undergraduate teaching.

In October 1967, Representative John Brademas of the House Education and Labor Committee, in a speech before the National Council of University Research Administrators, cited opposing arguments as to whether research had been helping or hindering teaching. Logic and intuition indicated the contribution of research to the timeliness and relevancy of instruction but he noted the persistent complaint from various quarters that the educational process had suffered because of research demands. He stated:

"The need for hard data here, for relevant evidence is clear. While logic is neat and intuition compelling, they cannot continue to be the sole basis of national research policy."

Baker attempted to answer similiar questions but from a different viewpoint. He received replies from 144 biology scientists (who were in teaching, research, or both) on the question of whether research activity was essential in order to be a good teacher. The replies indicated an overwhelming opinion that research was not required for effective teaching. Twelve percent, however, did state that lack of research participation led to teaching deterioration.

Baker, too, was not satisfied with the hard data available and called for new research to test hypotheses. He felt that the answers were sorely needed for educational decision-making in colleges and universities. Baker, in reacting to the apparently widely held view in the biological sciences as to the essentiality of research for teaching, pointed the finger at the vested interests of faculty and administration as the basis for arguments in favor of research emphasis.

Jencks and Riesman (1970) state, "Critics talk about research versus teaching. We have found no evidence, however, that the two are antagonistic." However, they define research rather broadly, i.e., as activity which involves new learning by the faculty member and not necessarily resulting in publication. Nevertheless, they ". . . do not think there are many brilliant teachers who never publish . . ."

Regarding the research-teaching dilemma as a false one, Jencks and Riesman hold that the present system fails to solve the real problem, which is to integrate the two enterprises. Interestingly, they stress the need for professors to work on research problems arising out of the teaching experience. Thus the interests, questions and curriculum needs of the students would stimulate research in certain areas. While Jencks and Reisman do not feel that students complain about academic programs, they do cite legislatures, alumni donors and parents as resenting the supposed preoccupation of faculty with research and other interests.

A few studies of individual institutions have come to notice, each attacking the question of whether or not the researcher is also a good teacher.

At Tufts University, Bresler (1968) drew the conclusion from statistical data that students picked as the best teachers those who led their colleagues in publishing and research. He used three unrelated sets of data. One was the evaluations by more than 1,000 students of 130 faculty members in 155 courses; a second was a Tufts yearly publication listing the number of published articles and books produced by each faculty member; the third was the University's record of grants made to faculty members. He stated that despite some irregularity in the data, in general, those faculty members who were receiving or had received support from government agencies were ranked highest in teaching abilities. Those faculty members who had never received support were classified in the lower ranks. These conclusions were readily evident for faculty in science, engineering and social sciences but there were indications that the same was true for arts and humanities.

In Bresler's article, reference is made to studies by McGrath of 15 liberal arts colleges and by Voeks at the University of Washington. Neither of the investigators found publication to be associated with poor teaching.

At MacAlster College, a private liberal arts institution, Rossman, in the 1969–70 academic year, studied the relationship between teaching effectiveness and publication productivity. He used 122 full time faculty members as subjects and ratings by over 200 students and 93 faculty members to determine teaching performance. Publications output was assessed by three members of the faculty personnel committee, the information being drawn from personnel folders.

He found no significant relationship between publication productivity and rating as a good teacher.

Rossman also cites a 1970 study at Purdue University by McDaniel and Feldhusen. They collected and analyzed information on student ratings of teaching effectiveness and on publication productivity for 76 faculty members. No significant correlations were found.

These studies of institutions have been mentioned not because valid conclusions can necessarily be drawn but rather to indicate a direction of exploration which needs to be followed. It might be noted, however, that none of the five studies verified the supposed adverse effect of research on teaching.

Overall there seems to be insufficient data to support valid conclusions as to the positive or negative relationship of research to post-secondary teaching. Neither is there enough evidence to show and convince students, legislators and the general public that support of research is a desirable and needed component of support of teaching.

A suitable approach might be for organizations such as American Council on Education, Association of American Medical Colleges and faculty associations to sponsor jointly, at various colleges and universities, studies of the impact of faculty research on the teaching-learning process. These studies should be intra-institutional, along the lines of the inquiries at Purdue, Tufts and MacAlester institutions, but perhaps broader and in greater depth. Two recent publications by Eble and by Cook and Neville on measuring teaching effectiveness should be of help.

Hopefully, one of the results will be an answer to the question of how faculty who are heavily in research compare as teachers with those who are not researchers. This would be helpful but light also needs to be thrown on the causes for any significant relationships.

As an ancillary step, explorations could well be made by institutional and faculty associations to see if guidelines can be developed for a suggested division of faculty workload among teaching, research, administration and other components. This might have to be by various disciplines and faculty ranks. Such guidelines, whatever the quantitative results, would at last present a general agreement on the need for and extent of faculty involvement in research. This in turn would strengthen the hands of institutions in dealing with legislative bodies and others who tend to regard classroom teaching as the only "productive" time for faculty members.

Finally, the Federal Government should be asked to make special provisions in grants to encourage the use of undergraduate students

in faculty research projects.[1] To the extent that large numbers of students are involved in such programs, a better understanding of the relationship of research to society's needs may be attained. Student horizons can be broadened and a supply of future manpower for these fields may be increased. The National Science Foundation in its Undergraduate Research Program and in other ways has fostered such experience, but on a limited scale and for a rather selective group of students.

Wherever possible, colleges and universities should weave such undergraduate involvement into the educational process and allow academic credit. This would be in line with the increasing trend towards recognition of the educational value of student nonclassroom and off-campus activities.

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[1] The value of undergraduate participation in research projects is discussed in some detail by Voertmann (1970) and a description of arrangements at several colleges is given by Pitkin and Beecher (1965).

IN MEMORY OF THOMAS A. BURKE: CLEVELAND MAYOR, U.S. SENATOR

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. VANIK. Mr. Speaker, the entire Greater Cleveland community was saddened on Sunday, December 5, by the death of one of its leading citizens, the Honorable Thomas A. Burke.

Tom Burke became mayor of the city of Cleveland on January 4, 1945, and served in that post for 8 years and 10 months—longer than any other man in the history of Cleveland. Shortly before his last term was over, Mayor Burke was appointed to the U.S. Senate to fill the vacancy created by the death of Senator Robert A. Taft. Senator Burke ran for election for the remainder of the unexpired Senate term in 1954, but lost in an extremely close election—one that was so close that the outcome was not known for a month after election day.

I knew Mayor Burke well. In fact, I had the honor of running against him in the Democratic mayoralty primary in 1951—a good and fair race which Mayor Burke won. From this experience, and from all my other contacts with this distinguished citizen, I knew him to be a dedicated public servant. He was a good man, a man concerned for the welfare of his community, his State, and his Nation.

I am sure that the entire community joins me in extending sincere condolences to his wife and family.

Mr. Speaker, I would like at this point to enter in the RECORD an editorial from the Cleveland Plain Dealer of December 6, 1971, in eulogy of Thomas A. Burke:

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 carefree 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 degrees 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.

SAMUEL KAUFMAN, NEW JERSEY SELECTIVE SERVICE OFFICIAL, RETIRES

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. RODINO. Mr. Speaker, the Honorable Samuel J. Kaufman, Chairman of Selective Service Appeal Board No. 1 in the State of New Jersey, is retiring from his post after having served with the Selective Service System for more than 30 years. I join with Selective Service Director Curtis W. Tarr and Gen. Lewis B. Hershey, whose letters follow, in commending my good friend for his long and dedicated service and in wishing him in the years ahead an abundant measure of satisfaction and the continued enjoyment of life's blessings.

The letters follow:

SELECTIVE SERVICE SYSTEM,
Washington, D.C., December 3, 1971.

Hon. SAMUEL J. KAUFMAN,
Elizabeth, N.J.

DEAR JUDGE KAUFMAN: I deem it a personal privilege to express to you the gratitude of all members of the Selective Service System on the occasion of your retirement.

You have served many long years with distinction at all levels of the System as Government Appeal Agent, Legal Advisory Board Chairman and as member and chairman of the Selective Service Appeal Board of New Jersey.

The many contributions you have made to the operation of the Selective Service System since your first appointment on October 14, 1940, have been invaluable. I know that throughout these many years you have been a source of inspiration as well as a source of information and assistance to the State Headquarters of New Jersey. The many citations you have received are clear evidence of your dedication to the welfare of our

country and to the highest ideals of responsibile citizenship.

I know that everyone joins me in wishing you well for the many years of happy retirement which are yet to come.

Sincerely,

CURTIS W. TARR.

THE WHITE HOUSE,
Washington, November 29, 1971.

Hon. SAMUEL J. KAUFMAN,
Chairman, Appeal Board No. 1, Panel No. 1, State of New Jersey, Newark, N.J.

DEAR JUDGE KAUFMAN: I understand you are being honored on December third for the outstanding services you have given to the Selective Service System as an Appeal Board Chairman. This service, given without compensation, testifies to your devotion to your nation and is evidence of the fact that America has citizens who dedicate themselves to their government by the acceptance of responsibilities for decisions which make possible the survival of the United States.

Your retirement you have earned and richly deserve, but it will not be easy to find a replacement who has learned by experience the depth of knowledge of the Selective Service operation you possess. The confidence of the public in you can be gained only by long association.

Your nation, your state and the Selective Service System owe you much. These debts will remain a memory to you to give a satisfaction nothing else can provide.

Mrs. Hershey joins me in thanks for the high privilege of association with Mrs. Kaufman and you. We send every best wish for the days to come.

Sincerely,

LEWIS B. HERSHEY,
General, U.S. Army,
Advisor to the President.

LEGION COMMANDER ADDRESSES LABOR CONVENTION

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, December 13, 1971

Mr. PERKINS. Mr. Speaker, on November 22, the Legion's National Commander John H. Geiger addressed the delegates to the AFL–CIO Convention in Bal Harbour, Fla., concerning some of the problems being experienced by our returning veterans, older Americans, and about some of the serious deficiencies in our military establishment.

I am sure all of my colleagues will agree with Commander Geiger that our returning serviceman deserves a better welcome home than he is receiving. Certainly he has a right to look to his community and his country for an opportunity to be gainfully employed and to complete his education without undue financial burdens, and above all he is entitled to all of the respect and gratitude a grateful Nation owes its defenders regardless of how one might look upon the continuing conflict in Southeast Asia. The commander's remarks in other areas are also well taken.

Commander Geiger's statement is relevant to many of the problems we, the American people, must face and overcome if we are to survive as a great nation, and for this reason I commend his timely statement to the attention of my colleagues:

AN ADDRESS BY JOHN H. GEIGER, NATIONAL COMMANDER, THE AMERICAN LEGION

Mr. President, distinguished guests, delegates to this Ninth Constitutional Convention of the AFL–CIO.

May I take this opportunity to express the appreciation of The American Legion for the courtesies you have extended to us through the years, and the opportunity to participate in these biennial sessions of the mighty American Labor movement.

I am particularly delighted to appear before you today because I would like to discuss some areas in which I feel the AFL–CIO and the Legion are much alike.

The American Legion is a service organization. We have no product to sell, no axe to grind, and a single standard by which to determine our programs and our policies and that is by what we believe in our own hearts and minds to be in the best interests of America.

In this respect we have in common—your organization and mine—a fervent concern for the well-being of our country.

We are primarily concerned with the affairs of our veterans. And I must say we of the Legion appreciate greatly the sympathetic interest so many unions have shown in helping disabled veterans find gainful employment and the honoring of reemployment rights of the veteran.

The problems of the young veteran today simply mirror the problems of contemporary America. Drug abuse—an epidemic of national emergency proportions—is his problem and also America's. Joblessness—a particular affliction of the young Viet-time veterans, and a problem with which you are vitally concerned, is an indication of a weakness in our national economy which must be corrected in the near future. The uneasiness affecting the young veteran is symptomatic of the onset of a national illness—an illness being aggravated by deliberate efforts to destroy our national institutions, and one threatening to engulf us if we fail to seek an early cure.

The American Legion is vitally concerned with jobs for veterans, as you would expect us to be. Jobs for Veterans is a priority program of the Legion, initiated over a year ago and reaffirmed at our most recent national convention in Houston, Tex.

Our program concerns the total well being of our Viet-time veterans. These men deserve a better welcome home than being consigned to relief or welfare rolls. This country that asked them to serve in its armed forces is the most affluent in the history of mankind, and that affluence must be made to work for the returning veteran by providing him with the opportunity for suitable employment whereby he can provide for his needs and maintain his dignity as an American citizen.

It is certainly no news to anyone here present that in the space of a few short years—the years of an unpopular conflict—we have witnessed the increasing degradation of honorable military service by those who apparently have the destruction of the American way of life as a primary goal.

We of The American Legion believe, as I am sure all of you here believe, that nothing short of a national disaster is imminent unless prompt measures are taken to restore military service to the position it should and must have in the order of things—not just a moral obligation of citizenship for those called upon to serve, but a matter of unquestioned honor to be so recognized by all Americans.

The truly tragic aspect of this unfortunate matter is the degree of success these individuals have had in selling this alien philosophy—turning our own guns against us so to speak—by using the same constitutional guarantees so many Americans have fought and died for in a cause that can only mean the ultimate destruction of those freedoms.

How often, in recent years, have we heard the story of the young veteran of the Vietnam conflict returning home—not to the heroes' welcome accorded those of prior conflicts—but to ridicule. He is labeled by some to have been a sucker, not smart enough to join his "intellectual superiors" who are sojourning in Canada and Sweden while others carry their responsibilities.

It is not unheard of for these young veterans to stop in the first available airport or bus station rest room to remove the uniform, the once proud symbol of service to country, so that they might be spared this venomous ridicule.

I say to you today that the time has come for those of us who care about America to speak out in the strongest possible terms against those who would have us believe that military service to the United States of America is a dishonorable thing.

We may agree with the apologists, in our midst, that this nation has its shortcomings. Few countries in the history of the world have been faced with so many problems demanding immediate solutions. Despite this fact, I submit that this country, this system of government, has in the past, and will continue in the future, to offer the average man the greatest opportunity for self realization this world has seen, and military service in the defense of this system must command the highest respect.

Another segment of our society which has been touched by the weakness of our national economy is the retiree living on a fixed income. We share with you the concern for the older citizen who has given the best years of his life to his country and to his vocation.

Economic instability plays havoc with the purchasing power of the retiree or his widow. Cost of living increases in retirement pensions have not kept pace with the inflationary spiral of our economy.

Both our organizations actively seek a sound economy, which is not only of benefit to the veteran and the laborer but to the country as a whole. But we would hope that plans to control inflation will succeed so as to preserve the purchasing power of these small, fixed incomes and add new vigor to the economy. Our retirees—the laborer and the veteran—deserve our attention. They have earned the right to a life of dignified retirement. It is up to us to protect them.

Both our organizations act on mandates given to us by our respective membership, mandates which benefit all and not just a few. At our national convention and again at the fall meeting of our National Executive Committee, The American Legion has as a national mandate the job of alerting the general public to the deteriorating condition of our military capability.

I believe members of the AFL–CIO share our concern for this dangerous trend toward dismantling our military establishment. Not in three decades has America faced so bleak a military outlook as she does today. Many American officials have warned of the serious deficiencies in our military establishment. None have been more profound that the "Report of the Blue Ribbon Defense Panel" made public in September of 1970.

I would like to, if I may review with you some of the conclusions arrived at by this distinguished group of Americans during a year long study. The panel concluded that if trends they observed continue, the United States would become a second-rate power incapable of assuring the future security and freedom of its people.

The converging trends to which the Panel referred include "the growing Soviet superiority in ICBM's; the Soviet commitment of greater resources than the United States to strategic offensive and defensive weapons, with continued deployment of these weapons; the possibility that present United States technological superiority will be lost to the Soviet Union; the convincing evidence that the Soviet Union seeks a pre-emptive

first-strike capability; the rapidly expanding Soviet Naval capability; and the mounting hostility of segments of the public toward the military, the defense establishment and the 'military-industrial complex' without due recognition that sustained irresponsible criticism could undermine and weaken the only forces which provide security for the United States."

These conclusions by the Blue Ribbon Defense Panel were contained in a supplemental statement to their report. The concluding statement is a sobering thought and one which I consider of extreme importance to all Americans—it said:

"The most ominous danger of being second rate in the nuclear age is that it multiplies the chances—not of peace—but of nuclear war. Soviet or Red Chinese overconfidence or miscalculation in the employment of, or threat to use, their power may trigger such a war inadvertently or place the United States in a posture from which there could be no retreat. The road to peace has never been through appeasement, unilateral disarmament or negotiation from weakness. The entire recorded history of mankind is precisely to the contrary. Among the great nations, only the strong survive. Weakness of the United States—of its military capability and its will—would be the gravest threat to the peace of the world."

The American Legion and I know members of American labor are painfully aware of the costs in human lives and money that results from unpreparedness. There has been a reordering of priorities which is seriously damaging our security that must be corrected immediately. And, well financed and well directed organizations are working full-time to obstruct our defense planners. We have an obligation to press for defense expenditures commensurate with the magnitude of our role in international affairs.

We can all agree that a goal of peace and harmony with all nations of the world is a desirable obective. I have never known anyone who has endured the agony of deadly combat who has enjoyed that experience. Hopefully, we are now on the road to achieving the peace we all desire, but I can assure you that no lasting peace will ever be gained if the transition from war to peace means a transition from strength to weakness.

How many times must we relearn that costly lesson? Given the established fact that our enemies in the world continue to grow stronger militarily—and continue to flaunt that strength even here in American waters, we have no choice but to continue to demand a strong defensive posture for the United States.

Our survival is at stake—and our *national will to survive* is being put to the severest test. Even assuming an adequately equipped force-in-being for the defense of America in this decade, one which does not presently exist, we cannot assure the defense of this country unless and until the will and character of the American people restore to those who must man this force a basis for the strongest possible sense of honor, dignity and service to the Nation.

And when these men have completed their service, they must be returned with equal honor, and with all due speed to fully contributing and participating membership in their communities. Nothing less will insure that we have the motivated manpower to succeed in the defense of the United States against aggression by our enemies.

I can assure you The American Legion, which has been a principal advocate of overwhelming military superiority, will redouble its efforts to assure that our military establishment is not entirely dismantled. We insist—and I believe members of the great American Labor movement would agree with us—that America must remain militarily strong to avoid the threat of international intimidation and progressive capitulation of our freedom loving allies.

We now commend the Congress for its recent actions to reinstate the many vital Foreign Aid programs.

The American Legion strongly believes that the United States must firmly support our free-world allies, as well as the new emerging nations, with well planned economic aid programs and adequate military assistance. This aid is justified by terms of current defense treaties and as our moral obligation to any friendly, peace-loving, country.

I do not say that improvements in the various aid programs should not be made. We urge a full re-evaluation and reassessment of the recipients, the type, and the amounts of American aid being contemplated.

However, our national image as a responsible leader in the world of free nations has been seriously affected by recent Senate actions, and the Congress must now move quickly to assure our true friends that America has not deserted them.

We believe that human freedom is a God given gift, but one which man must nurture carefully or it will wither and die. To enjoy to the fullest those things that are free, we must resolve to defend with all our strength and courage the greatest of all of our blessings—human liberty—the right of man to toil and sweat and yet to preserve for himself and his loved ones the right to enjoy the full measure of the fruits of his labors.

I have attempted to articulate the collective mind and heart of American Legionnaires. Your spokesmen follow the same practice of speaking out plainly and objectively on issues of national moment. To seek information, to form opinions and state them is more than our right; it is every citizen's duty. History will not forgive us if this duty goes unperformed because of our neglect, our ease or our indifference. As a matter of fact, public expression begins the process through which the American people determine the course of their government.

In closing, I would like to express a personal belief that I have voiced many times. I believe that this is the place, the best age of mankind in the history of man, and I believe that we are on the threshold of an even better world and that America is in the forefront as we strive toward that objective. I am optimistic that modern knowledge, education and communication will continue to succeed in our common attack on the old and the new problems of our world.

We see no easy or swift deliverance. All will not magically come. But, we will be successful through the responsible action of concerned citizens from all walks of life, willing to devote themselves to the cause of peace and freedom and to making America strong. Thank you.

WHAT DID DR. KISSINGER TELL WILFRED BURCHETT?

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ASHBROOK. Mr. Speaker, an Australian publication, the Melbourne Age, carried an article on November 24, 1971, by Bruce Grant, a well-known commentator in that country entitled, "What Did Dr. Kissinger Tell Wilfred Burchett?"

Who is Wilfred Burchett?

The Canberra Times, Australia, issue of March 11, 1970, ran a letter to the editor by a group of Australian journalists and academicians which presents a number of allegations concerning Mr. Burchett's background.

Additionally, the December 1971 issue of Tactics, a monthly devoted to the issue of psychological warfare, featured more material on Mr. Burchett's background. Mr. Edward Hunter, the publisher and editor of Tactics, has an extensive background in intelligence work in several Federal agencies, has testified before congressional committees, and is, incidentally, the author of the term "brainwashing." Interestingly enough, as an intelligence employee of a Federal agency, Mr. Hunter reviewed volumes of testimony by American POW's of the Korean war in which the mention of the name Wilfred Burchett occurred more than once.

If the meeting of Messrs. Burchett and Kissinger, as reported by Mr. Grant, did in fact take place, there are many pertinent questions which may well be posed in the months ahead.

I ask at this point that the three above-mentioned items be inserted in the RECORD.

[From the Melbourne (Australia) Age, Nov. 24, 1971]

WHAT DID DR. KISSINGER TELL WILFRED BURCHETT?

(By Bruce Grant)

A piquant incident to delight connoisseurs of the diplomatic game.

On October 19, the Australian journalist Wilfred Burchett, who is an outlaw in the eyes of the Australian Government, met secretly with the architect of American foreign policy, Henry Kissinger.

The meeting took place at Dr. Kissinger's invitation. Mr. Burchett was at the United Nations, with an American visa which confined his movements within a 25-mile radius of New York. He was told to forget the restriction and come to Washington. What has been described as "a long and detailed talk" took place, over breakfast, in Dr. Kissinger's office.

It is believed in diplomatic circles in Canberra, where accounts of the meeting are circulating, that a report of it was sent to the Department of Foreign Affairs, either from Washington or, as Mr. Burchett later mentioned his discussions with Dr. Kissinger in the presence of diplomats at a reception given by the Bulgarian mission to the UN, from New York. But inquiries at the department could not confirm this.

The fact of the meeting, however, is established and, in itself, is interesting enough.

Although he is officially an outcast in Australia, Wilfred Burchett's reporting, especially from Indo-China, has given him an international reputation as an intelligent and well-informed man, despite his political prejudices.

The Australian Government has refused to issue a passport to Burchett because it alleges that, during the Korean war, he lived behind enemy lines and tried to lower the morale of Australian prisoners of war.

Burchett has always disputed this and, in a marathon effort to get a passport, defied the Australian Government and the airlines and returned to Australia last year without success. Since then he has been busy reporting from China and Indo-China perhaps the most important story in a long career as a foreign correspondent—the changing relationship between America and China.

His value as an observer of politics in Hanoi, Peking and Moscow has now been put to the test by Kissinger, who is more interested in good information than in striking political poses.

This is the kind of intelligence from which the Australian Government has been excluded for many years. We have relied on the siftings of our powerful friends, which are subject on occasion to a fine screen.

With an operator like Kissinger now in charge of the major Presidential moves in American foreign policy, Australia needs more than ever its own sources of information. Burchett could be considered one such source, long neglected.

What did Kissinger and Burchett talk about?

Accounts of the meeting, although varied, concentrate on one topic; a political settlement in Vietnam. October 19 was the day before Kissinger left for his second visit to Peking. He was concerned to hear Burchett's opinion why Hanoi had not responded to Washington's overtures for a settlement.

Burchett's opinion was that Hanoi would not negotiate without a public declaration from Washington that all American forces—not just ground forces—would be withdrawn from Vietnam.

Kissinger replied that President Nixon was now ready to pull out totally from Vietnam, but America, as a great power, with other responsibilities in Asia, could not announce this publicly in advance of negotiations, without appearing to be capitulating to Hanoi and setting at risk its relations with other nations in the region. In this latter connection Japan was mentioned.

Some versions of the meeting stress that a settlement for Indo-China, and not just Vietnam, was discussed at length.

From another corner of the world, Lajos Lederer has reported in the London Observer, quoting East European sources, that Mr. Chou En-lai proposed to Dr. Kissinger, on his second visit, a new international conference on Indo-China, to replace the Geneva Agreement of 1954.

According to Lederer, the Chinese want the conference to reach a settlement which would pave the way for a complete withdrawal of American troops and that China's backing for some such *modus vivendi* was a precondition of the Nixon-Mao talks.

This sounds very much like the proposal which Mr. Whitlam picked up while he was in Peking and which the Chinese Premier, apparently to placate Hanoi, later denied. Mr. Chou is again reassuring Hanoi that no concessions to the United States will be made at North Vietnam's expense, but in view of the Burchett-Kissinger talks, Mr. Lederer's report has the ring of reality.

The official view in Canberra is that the Americans do not intend to withdraw completely from Vietnam or from Indo-China. It is on this assumption, one supposes, that the decision was taken, to leave an Australian military training team in Vietnam after the departure of combat troops.

The Government, of course, has its own judgment to make. However, to adapt an old Oriental proverb: when great powers get together, allies are wise to practise their footwork.

[From the Canberra (Australia) Times, Mar. 11, 1970]

VIGOROUS ATTACK IN LETTER TO PAPERS—"SYMPATHETIC PUBLICITY"

A vigorous attack on left-wing publicist Mr. Wilfred Burchett was launched yesterday by a group of Australian journalists and academics.

The attack was launched in a letter to editors of Australian newspapers.

The group included Mr. B. A. Santamaria, president of the National Civic Council, Dr. Frank Knopfelmacher, senior lecturer in psychology at the University of Melbourne, Mr. Geoffrey Fairbairn, a lecturer in history at the Australian National University, and Professor David Armstrong, of the Department of Philosophy, University of Sydney.

The letter reads:

Sir: The action of the Federal Government in denying a passport to Mr. Burchett may or may not have been legally justified. In terms of practical consequences, it ensured that he obtained an overwhelming volume of largely sympathetic publicity. Whatever the Government's intentions, its policy proved of invaluable assistance to Burchett, and obscured the central issue of his career.

The issue is not whether Mr. Burchett is a Communist. It is simply whether, over a long period of years, he has worked for foreign governments, including periods when these governments have had troops engaged in military operations against Australian soldiers and their allies. If established, this would constitute a major offence which no organised State ought to tolerate.

Facts which Mr. Burchett himself had admitted, together with documented allegations which have been publicly produced, raise this central issue. They also raise the issue of Mr. Burchett's pattern of conduct over the same period as a relevant factor in the credibility of the explanations he has given.

ALLEGATIONS LISTED

As to the major issue, the following allegations have been published:

(1) That in 1952 he was a working member of a Chinese-North Korean Interrogation Group which allegedly extracted forced confessions out of American POWs, including U.S. airmen Quinn and Enoch. His membership of that Interrogation Group was disclosed by Peking Radio, monitored by the Monitoring Service of Radio Malaya (May 18–19, 1952). The Monitoring Digest quotes Peking Radio as follows:

"Wilfred Burchett, the correspondent of the Paris Ce Soir, took part in the work by invitation".

(2) That, in company with the British Communist Winnington, he helped to write a confession forced out of the U.S. Air Force ace, Colonel Mahurin, after the latter had been subjected to long periods of physical and mental torture. That allegation was made by Colonel Mahurin himself in U.S. News and World Report (September 18, 1953). The relevant statement is: "Mr. Burchett and Mr. Winnington were writing our confessions. They were bringing the confessions and making us copy and sign them".

(3) That in Vietnam, he has actively cooperated with the North Vietnamese Government. He himself claims to have participated in its preparations for the Paris talks, to have been the bearer of messages from the Vietcong and to have accompanied Vietcong troops in military operations in South Vietnam.

These allegations relate to periods when the governments concerned, Communist China, North Korea and North Vietnam, had troops engaged in military operations against Australian troops and their allies.

As to his pattern of conduct (as a relevant factor in establishing the credibility of his explanations) the following matters are also on record:

(1) That in the mid-30s he was in charge of the Soviet Intourist Agency in London and was therefore an employee of the Soviet Government.

(2) That in 1949 he was sole Western journalist, given a special visa by the Hungarian Communist Government, to report the trials of Cardinal Mindszenty and of the former Communist Minister of the Interior, Laszlo Rajk. Of Cardinal Mindszenty, Burchett wrote that he was a "miserable, intriguing, ambitious little man". Of Rajk, who fought in the Spanish Civil War and who was executed outside his wife's cell, Burchett described the dead Rajk and his group as "cheap police spies", "miserable bloodthirsty adventurers". Rajk was later rehabilitated by the Hungarian Communists themselves. The statements quoted are from Burchett's book "People's Democracies".

(3) That in the early 50s he went to Korea as an employee of the left-wing French newspaper Ce Soir, and contributed articles to Communist papers throughout the world, especially Humanite. This paper was financed by the French Communist Party, a party which was then, and still is, largely dependent on the subsidies of the Soviet Government.

(4) That in 1955, when Burchett was "tipped off" that if he landed in Singapore he might be arrested by the British authorities, he was saved from this embarrassment by Chou En-lai, the present Prime Minister of Communist China, who gave him personal transport on his private plane and thus enabled him to avoid British territory. Burchett himself makes this claim in his autobiography. ("Passport," p. 281.)

DEBT TO TROOPS

It is understood that the existing Australian law does not cover these situations with certainty, and therefore that prosecution under the Crimes Act is not a satisfactory way of determining the issues.

The Federal Government clearly owes it to the Australian troops who have been sent to serve their country in Korea and in Vietnam, to the Australian people, and, incidentally, to Mr. Burchett himself, to determine these allegations once and for all. If Mr. Burchett is not guilty of co-operation with enemy governments, let him be publicly exonerated. If he is factually guilty, but legally free because of some deficiency in the law, let it be clearly stated and the necessary amendments to the law, to cover future cases, be both recommended and put in the Statute Book.

A covering letter signed by (Mr. Frank Mount, Southeast Asia correspondent for 'News Weekly') says that the signatories "have signed in their personal capacities expressly in order not to involve the institutions to which they belong".

The letter is signed by Professor Armstrong; Dr. Colin Clark, former director of the Agricultural Research Institute, Oxford University; Mr. Fairbairn; Associate-Professor Owen Harries, Department of Political Science, University of NSW; Dr. Knopfelmacher; Professor Peter Lawrence, Department of Anthropology, University of Queensland; Professor James McAuley, Department of English, University of Tasmania; Professor Douglas McCallum, Department of Political Science, University of NSW; Mr. Patrick Morgan, tutor in English, Monash University; Mr. Mount; Mr. John Radvansky, senior lecturer, Department of Education, Monash University; Mr. S. N. Ray, Department of Indian Studies, University of Melbourne; Mr. P. D. Samuel, Canberra correspondent of the 'Bulletin;' Mr. B. A. Santamaria, president of the National Civic Council; and Mr. D. C. Stove, senior lecturer in philosophy, University of Sydney.

[From Tactics, Dec. 20, 1971]

DESECRATION OF WHITE HOUSE OFFICES—KISSINGER AND BURCHETT CONFER

Wilfred Burchett, deprived of a passport by his native Australia because of his aid to the enemy during the Korean War, who seduced captive Americans into treason in the North Korean p.o.w. camps, has just been secretly welcomed into White House offices for consultation. This constitutes unparalleled desecration of the White House, more reprehensible even than an invitation would have been to Lord Haw Haw to come to the Executive Offices for consultation.

Lord Haw Haw broadcast enemy propaganda, but did not personally lure his countrymen and allied soldiers into treason, as did Burchett.

No agent of the President—indeed, no President—has the right to desecrate the White House and the executive offices in this manner. If this is the sort of price we already have to pay for President Nixon to be received in Peking, it is much, much too dishonorable. Surely, American veterans of the Ko-

rean War would have been foremost among those protesting, if this obscene act had not been perpetrated in secrecy.

"YOU'LL HANG . . . YOU'LL HANG!"

Burchett, as a communist operative with the Chinese Reds in the Korean War, exploited his Australian nationality and journalistic skills on behalf of the enemy. British p.o.w.'s, who soon detected this, sang, "You'll hang . . . you'll hang," dangling cords tied like hangnooses, when he entered their prison camps. (See "Brainwashing: From Pavlov to Powers," a book by this writer, and TACTICS of Mar. 20, 1970.)

This was treason in any language, of course. Perhaps his most despicable operation was against American captives, already weakened by physical and mental terrorism. He provided the carrot part of the pressure techniques, while the Chinese reds used the stick. Thus, germ warfare "confessions," edited or written out of the whole cloth by Burchett, were spread world-wide through the mouths of the more or less brainwashed Americans.

He was persona non grata in Australia and not eligible for a U.S. visa after the war, of course, and dared not contest this for fear of persecution. He worked in propaganda warfare for both Peking and Moscow.

He sought this diabolical employment himself. Yury Visilevich Krotkov, who recruited agents for the KGB, gave the details to the Senate Internal Security Subcommittee, which it published in three volumes, entitled "Testimony of George Karlin," one of his cover names.

As U.S. News & World Report said, Feb. 27, 1967, Burchett is "a highly dedicated communist propagandist. He has been working at it for more than 20 years. His goals are consistent: to make America and its allies look evil, and to make the communists look good. He has a knack of getting his views widely distributed in the non-communist world."

Of course! He had the behind-the-scenes help of the red network.

Although he authored some of the most vicious books against the United States, venting his spleen in characteristic communist manner, such papers as the N.Y. Times covered up for him, while giving him a prestige as simply an Australian journalist with good contacts among the communists. He sure had, as their bought and paid for operative!

SEDUCER OF FREE GOVERNMENTS

This processed prestige enlarged his image, at first to that of a knowledgeable contact on communist affairs, and then to a sort of semi-official spokesman for red regimes. The press initially gave him this reputation, by asking him the views of Moscow and Peking, as at Panmunjom and Paris.

This suited the purposes of Moscow and Peking on such crucial military maneuvers as inducing the United States to cease its bombing of North Viet Nam, on the implied promise that Hanoi then would engage in "meaningful" negotiations to end the war.

Burchett's primary role since the Korean War has been in that area, to lull the United States and other free nations into actions that diplomatically or militarily push them toward defeat. He is worth whole red army divisions in this role.

As Counterattack wrote as long ago as Aug. 27, 1965, "What makes him effective is that he understands the extent to which he can depend upon pro-Soviet elements in the State Department to help him achieve the results expected by the Kremlin from the coordinated efforts of its far-flung apparatus."

And, as it correctly added, "There was no excuse for the foreign editor of any press association or metropolitan newspaper not to know who Wilfred Burchett was."

And as might now be added, there is no excuse for Henry A. Kissinger or any other occupant of the White House not to know who Wilfred Burchett was. They certainly should know, too, that to permit him into its offices is an obscenity. To do so, in colloquial language, is to ask to be "taken for a ride." This we are doing.

Significantly, Paul Scott's column of Nov. 12, 1970 said Kissinger "has been deeply involved in secret talks with Hanoi since early 1967 when he set up his own communication link with the North Vietnamese." Two "mysterious" French friends of Burchett were named as go-betweens.

Burchett attended the red hemispheric conference in Montreal in late 1968, where delegates—including Salvador Allende, Chile's present President—competed in pouring vitriol on the U.S.

Burchett was traveling on a Red Cuban passport. Legally, he was ineligible to enter the U.S., but this was secretly maneuvered for him by the State Department and Ramsey Clark at Justice. They granted him a waiver on the basis of his convenient credentials as U.N. correspondent for communist papers.

This scandal in the closing days of the Johnson administration aroused such protest that his visa was not renewed. But Burchett remained in New York long enough to be glamorized by reds and the radical chic at a rock music and propaganda affair attended by such as Pete Seeger, Rap Brown, Herbert Marcuse and Bernardine Dohrn.

Burchett also travels on North Vietnamese and Cambodian "passports." Such incriminating documentation focuses attention on his virtual outlaw status in his native Australia, and is an obstacle to his clandestine operations.

DOUBLE-BARRELED MANEUVER

British libel laws are thorny affairs for the press, much more so than in the U.S. The new generation that has been indoctrinated as much as educated is mostly ignorant about the recent past. So Burchett in 1969 took advantage of an accurate article about him by the Australian correspondent, Denis Warner, to sue for libel.

He brazenly used journalism as a cover, denying his communist connections, depending on the passage of years and the rise of an appeasement climate to deprive the defense of witnesses who could testify to his treason. If he could regain his Australian passport, his use as a red agent would be immensely increased. In addition, the whole, red network would be enormously benefited. If so obvious a communist operative could win a costly libel suit, an invaluable immunity would be conferred on red agents generally. No newspaper would dare identify any such enemy of the state. Indeed, the mere filing of such a suit has such an impact, for it puts the defense to great expense and inconvenience.

What Burchett had not anticipated was that a KGB officer who had participated in his recruiting would defect and lay the details out in the open for all the world to read. This is what Krotkov did. Also, enough ex-p.o.w.'s were located who had personal knowledge of Burchett's activities to verify the worst.

The expectation appeared well grounded that Burchett, confronted by such damning evidence, would not bring the case to trial, but let it fade away. Even a change in government in Australia was insufficient to alter this prospect. Burchett's last effort was a skillfully devised entry into Australia to provide the setting for a trial favorable to him. He wrote a book, "Passport," timed to help create the needed propaganda climate. But it all was to no avail; indignation and an adverse decision by the new Prime Minister, John Gorton, maintained intact the decision not to grant him an Australian passport. This obviously was Burchett's decisive defeat. He left Australia in a short while, his mission unsuccesful. No, there would be no use for him to press his libel suit.

Then President Nixon announced a projected trip to Peking. Kissinger was in Peking! And he went back to Peking when the United Nations was deciding if Free China were to be double-crossed, as it had been at Yalta. Kissinger certainly was saying something by his presence in the Red Chinese capital, and the United Nations clearly read the message.

Such cryptic symbolism can be overdone, or be difficult to control, and so it was in this case. Red China was to be let in, but the expulsion of Free China was to be delayed a year or so, anyway until after the American elections, so that the Machiavellian intrigue not show up so baldly as a deceit in our domestic politics and a betrayal in our international affairs.

The U.N. diplomats, friends and foes alike, reacted like school children when teacher leaves the room during a test. They copied not only the answers they were supposed to give, but some that belonged to a future examination. No wonder Nixon became indignant! The Red Chinese now held all the trump cards on his forthcoming visit to Peking.

HUSHED-UP S.I.S.S. TESTIMONY

Krotkov defected to the British, and told them plenty, although little was released to the press. He then went to the United States, where the alert Senate Internal Security Subcommittee subpenaed him. He was put under intensive questioning, also in secrecy, on Nov. 3, 4, 5, 6, 10, 13, 18, 24, 1969 and on Mar. 9, 1970. Early in January the next year, the testimony was published in three booklets, altogether 258 pages, along with 19 pages of indexes, in each of which Burchett's name appeared.

Burchett's lawyers, having heard of this, were giving every evidence of letting the case be quietly forgotten. But the scare created by the brazen suit was not being forgotten so easily, especially with a press that had been conditioned by the anti-anti-communist propaganda climate.

Krotkov's revelations about Burchett certainly were legitimate news for Australia in particular. A copy of the testimony had been promptly sent there and was in the hands of editors. Australian correspondents in Washington were informed. Yet nothing appeared in any Australian publication.

Nothing appeared in England, either. Burchett had sued there, too. But as the first suit was filed in the Supreme Court of Victoria, against Warner and the Melbourne Herald, the defense argued that the case first should be tried in Australia, and then in London. Burchett preferred London, as a softer push, but the court disagreed with him.

Fortunately, one British paper—the Telegram in Toronto, Canada—was courageous enough to run a story about Burchett, revealing the Krotkov disclosures. The writer was Peter Worthington, one of the country's finest correspondents, with service worldwide, including assignment to Moscow.

Worthington pointed out that Burchett's "country won't let him come home, even to visit," because, as a succession of Australian governments declare, "he had 'severed all connections with Australia.'" Burchett managed a quick trip in early 1970, flying to Noumea, capital of French New Caledonia, where a maverick Australia publisher sent his own plane to bring him in, presenting the government with a fait accompli. Burchett's reception was such that he soon left, again without any Australian identity documents.

This is the man Kissinger honored by receiving in the White House's executive offices.

No man has the right to thus dishonor our

executive offices, irrespective of technicalities. It is an affront to the nation, especially to every man who saw service in Korea. Burchett had no right in the U.S.

Obviously, no Australian newspaper dared print the Krotkov testimony without it being accorded privileged status in that country, too. Finally, late 1971, it was read into the Australian Senate's Record, the Senate being less newsmaking and influential in that land than its House of Representatives.

But by then, Nixon stunned all of Asia by his behavior, and what would have had great impact only a while before caused hardly a ripple. One Sydney newspaper used a few paragraphs; every other daily in Australia ignored this important development.

What appeared particularly incomprehensible to the informed abroad was how the American President "seems to have turned his back on his own advice," to use the words of a knowledgeable Australian contact.

Nixon had talked to the Australian ambassador, Sir James Plimsoll, regarding how important it was to convince the Japanese that they had friends, then had forced Tokyo into circumstances where it could lose all faith in U.S. credibility. The contact wrote:

"Surely, no one in Washington can believe that a 'friendly' Communist China would be more valuable to the U.S. than a friendly Japan."

BURCHETT "INTERVIEWED" IN NEW YORK

One letter from an Australian contact contained this startling statement: "Wilfred Burchett is now interviewed frequently in New York by the Australian Broadcasting Commission, the Australian equivalent of the B.B.C., as the distinguished Australian correspondent. He writes a regular weekly column for a widely read Sunday newspaper—no word, of course, about his past and present connections."

This sounded inconceivable at the time. Burchett did send dispatches regularly to The Guardian in New York, and these might have been meant. Surely some paper would have discovered his presence in the U.S. and reported it, as had been done in the Johnson administration.

Indeed, a Washington Post dispatch by Robert H. Estabrook from the United Nations, published Nov. 30, 1968, reported Burchett's request for a visa to the U.S., pointing out that "his real purpose may be to establish contact with putative officials of the Nixon administration on behalf of North Vietnam." The dispatch added:

"It is suggested that he may have been encouraged by Ambassador Averell Harriman or other members of the American negotiating team in Paris.

"Speculation here holds that Burchett may attempt to be a contact man for the Vietnamese National Liberation Front, or Vietcong."

His appearance at the National Guardian rally "would plainly violate the terms of a restricted visa," the dispatch said.

But law, as is obvious nowadays, is merely a matter of doubletalk and semantics in Washington when communist "accommodation" is involved.

This obviously well-informed correspondent pointed out, too, that Burchett had credentials from the "leftwing Paris monthly magazine," L'Evenement, but: "Some authorities question, however, whether L'Evenement is in a financial position to pay the expenses of a special correspondent here." Of course, it wasn't. Whatever the channels, he was being paid by the red network.

COMMUNIST TAG EVADED

A curious sidelight into the conditioned extremes to which such papers go to avoid pinpointing communism is that this revealing article, in referring to Burchett, describes him merely as "an Australian-born journalist frequently in Hanoi." This fits into Burchett's doubletalk. He admits his pro-communism, but insists he is just a reporter. He is a reporter in the red sense. This is being put across as "advocacy reporting" in the United States, a cover for red propaganda.

When Burchett came, the N.Y. Times said he was "an Australian journalist often regarded as an unofficial spokesman for Hanoi," and that he possessed "a reputation for courage and resourcefulness . . ." No mention of his allout communism and his allout attacks upon the United States!

Confirmation of Burchett's sly entry into the United States, accorded the smooth secrecy by the Nixon administration that the Johnson administration was unable to give him, was not slow in coming. Combat, a semi-monthly newsletter put out by National Review, Inc., in its Nov. 15 issue, referred to Burchett as occupying table 56 at the Oct. 29 meeting in New York of the Fund for Peace. The State and Justice Departments had secretly waived the law that justifiably deprived him of a visa, while the press looked the other way.

Participation in such a program was an obscene act, but Sen. Edward Kennedy and former Chief Justice Earl Warren were among the speakers. Others attending included additional red agents and leading red propagandists from abroad, and—of course—the usual "sick" or knowledgeable coterie of the radical chic. The term used to be "fellow traveler."

KISSINGER THE KEY TO IT

An informed Australian contact on Nov. 24 sent a letter that solved the mystery of the red agent's trip to the United States, in spite of legal barriers. Kissinger wanted it!

The letter enclosed an article in the Melbourne Age of that day, written by Bruce Grant, "regarded as the leading commentator in this country . . . what he has to say has wide acceptance."

The information was leaked by the Department of Foreign Affairs in Canberra, where Burchett has a number of supporters. (How like our State Department!) The article is headlined, "What Did Dr. Kissinger Tell Wilfred Burchett?" Here is its start:

"A piquant incident to delight connoisseurs of the diplomatic game. On Oct. 19, the Australian journalist Wilfred Burchett, who is an outlaw in the eyes of the Australian government, met secretly with the architect of American foreign policy, Henry Kissinger.

"The meeting took place at Dr. Kissinger's invitation. Mr. Burchett was at the United Nations, with an American visa which confined his movements within a 25-mile radius of New York. He was told to forget the restriction and come to Washington. What has been described as 'a long and detailed talk' took place, over breakfast, in Dr. Kissnger's office.

"It is believed in diplomatic circles in Canberra, where accounts of the meeting are circulating, that a report of it was sent to the Department of Foreign Affairs, either from Washington or, as Mr. Burchett later mentioned his discussions with Dr. Kissinger in the presence of diplomats at a reception given by the Bulgarian mission to the UN, from New York. But inquiries at the department could not confirm this.

"The fact of the meeting, however, is established and, in itself, is interesting enough."

SYMBOL OF POW MISTREATMENT

Burchett is a symbol of misuse of Americans in communist captivity, and the incredible honor thus paid him lets the red world know that such criminals can expect immunity, if politically expedient.

While we take a pious stance publicly, secretly the mistreatment of American p.o.w.'s is encouraged. While our true specialists on Asia, such as Walter Judd, are brushed aside, the Burchetts are welcomed.

This scandalous act of receiving such a man in our highest offices already has had important impact in his favor, and might well accord him the prestige he needs to regain an Australian passport. Fifth columnism of the most venial nature would appear vindicated.

American prisoners-of-war would be anyone's fair game, or rather unfair game.

The message conveyed by Bruce Grant's article is plain enough, and could well have been why the news was leaked. If the mighty U.S. considers Burchett so valuable, shouldn't he be likewise regarded in the land of his birth? Here is how it was worded by the Australian commentator:

"Although he is officially an outcast in Australia, Wilfred Burchett's reporting, especially from Indo-China, has given him an international reputation as an intelligent and well-informed man, despite his political prejudices."

[This editor's observation: This is sheer whitewash for a man whose every, so-called news piece is slanted, twisted and has a pro-red political aim, with outright lies interjected when these serve his purpose.

[Communist aggression would be impossible if it were not inclusive of such fifth columnism in the journalistic ranks of target nations. Burchett has the sick intelligence of a skilled counterfeiter. But how does one describe his apologists? Usually as opportunists, when they know these facts, or pro-Marxists themselves.]

"The Australian government has refused to issue a passport to Burchett because it alleges that, during the Korean War, he lived behind enemy lines and tried to lower the morale of Australian prisoners of war.

"Burchett has always disputed this, and in a marathon effort to get a passport, defied the Australian government and the airlines and returned to Australia last year without success. Since then he has been busy reporting from China and Indo-China perhaps the most important story in a long career as a foreign correspondent—the changing relationship between America and China."

[This demands analysis! Burchett did not just try "to lower the morale" of p.o.w.'s; his role in enemy "psywar" in inducing p.o.w.'s to confess to non-existent crimes, such as germ warfare, and to switch over to the enemy's views, to be traitors to their side, has been amply and officially documented. Let Bruce Grant interview some of these unfortunate victims of Burchett's sly deceits.

[His pseudo-reporting from Indo-China is of a similar character, If he deserves praise, it is for his skill in communist psychological warfare that is aimed at distorting the news, and corrupting our reporters the same way he seduced p.o.w.'s. One need only cite the columns of the N.Y. Times and Harrison Salisbury's inglorious, propagandist reporting from North Viet Nam.]

"His value as an observer of politics in Hanoi, Peking and Moscow has now been put to the test by Kissinger, who is more interested in good information than in striking political poses.

"This is the kind of intelligence from which the Australian government has been excluded for many years. We have relied on the siftings of our powerful friends, which are subject on occasion to a fine screen.

"With an operator like Kissinger now in charge of the major Presidential moves in American foreign policy, Australia needs more than ever its own sources of information. Burchett could be considered one such source, long neglected."

[This editor's analysis: Surely we should have learned from our tragic experience with his likes in the fall of Free China, the Agnes Smedleys, Anna Louise Strongs, and others

who were part of such red networks as Sorge's, and who successfully diverted the Japanese war machine against the U.S., as well as other treasonable coups.

[One might just as justifiably urge that Philby should be invited back, possibly by Kissinger, for White House staff consultations. Lord Haw Haw had these qualifications, too; he could have been asked to provide Franklin D. Roosevelt with his advice.]

"What did Kissinger and Burchett talk about?

"Accounts of the meeting, although varied, concentrate on one topic; a political settlement in Viet Nam. October 19 was the day before Kissinger left for his second visit to Peking. He was concerned to hear Burchett's opinion why Hanoi had not responded to Washington's overtures for a settlement.

"Burchett's opinion was that Hanoi would not negotiate without a public declaration from Washington that all American forces—not just ground forces—would be withdrawn from Viet Nam."

[Comment: Remember Burchett's reports that Hanoi would negotiate "meaningfully" if we only put a stop to our bombing of North Viet Nam? He has been playing this salami slicing game since China, and most effectively, thanks to the collaboration of our gullible or conniving press, radio-television and book industry. We now are repeating this catastrophic procedure. The initial results of Nixon's coming journey to Peking is the acceleration of this process.

[So Kissinger needed Burchett to enlighten him on communist terms for our surrender! "Political settlement" is Orwellian language for it.]

"Kissinger replied that President Nixon was now ready to pull out totally from Viet Nam, but America, as a great power, with other responsibilities in Asia, could not announce this publicly in advance of negotiations, without appearing to be capitulating to Hanoi and setting at risk its relations with other nations in the region. In this latter connection, Japan was mentioned.

"Some versions of the meeting stress that a settlement for Indo-China, and not just Viet Nam, was discussed at length."

[Observations: Secret diplomacy apparently has returned, and Americans have to learn vital details from leaks, especially abroad. Canberra obviously had its reasons for leaking this, or the element in the Australian government that wanted to exploit the Burchett-Kissinger affair domestically, for the former's benefit.

[Nixon has two State Departments, one close at hand, run by Kissinger, and the other nearby, operated by Rogers, the Svengali of the administration. Both chiefs reflect the Rockefeller policies, making the Rockefellers a shadow Presidency.

[The administration is attempting to extend Orwellian language and doubletalk to deeds, but life does not work this way. Exactly as the delegates at the U.N. saw through the maneuver to bring in Red China this year and expel Free China the following year, foreign governments realize that what our government is seeking is a formula for surrender that even if it doesn't sound like a victory, at least confuses the issue sufficiently.

[The opportunity is seized to hide away, for our peace of mind, the straitjacket of a no-win policy that simply forbade our military to win, making defeat, in effect, our war objective. The McNamaras, the knowledgeable Gus Hall, and the sick coterie of fake "liberals" and radical chic all had a common goal in this, in spite of varying or contrasting motivations. A shadow coalition came into existence, which still is with us.]

The final paragraph of Bruce Grant's commentary should constitute an alert for Nixon, if this could be brought to his attention:

"The [Australian] government, of course, has its own judgment to make. However, to adopt an Oriental proverb: when great powers get together, allies are wise to practice their footwork."

What this constitutes is subtle pressure on our good friend and fine ally, Australia, to desert us, on the assumption we are deserting it. This is how American policy appears. Otherwise, why don't we reform the State Department, and cease holding cozy chats with those who mean us no good?

The facts related in this TACTICS article constitutes legitimate news. These should be brought to the attention of editors locally wherever this magazine reaches. Readers can become reporters this way, too.

A crisp summary of Burchett's background was provided on Mar. 11, 1970, in a letter to the Canberra Times, with this preface: "A vigorous attack on leftwing publicist Mr. Wilfred Burchett was launched yesterday by a group of Australian journalists and academics. The attack was launched in a letter to editors of Australian newspapers.

"The group included Mr. B. A. Santamaria, president of the National Civic Council, Dr. Frank Knopfelmacher, senior lecturer in psychology at the University of Melbourne, Mr. Geoffrey Fairbairn, a lecturer in history at the Australian National University, and Prof. David Armstrong, of the Department of Philosophy, University of Sydney."

The letter reads: [Quotation marks unnecessary.]

Sir, The action of the Federal Government in denying a passport to Mr. Burchett may or may not have been legally justified. In terms of practical consequences, it ensured that he obtained an overwhelming volume of largely sympathetic publicity.

Whatever the government's intentions, its policy proved of invaluable assistance to Burchett, and obscured the central issue of his career.

The issue is not whether Mr. Burchett is a Communist. It is simply whether, over a long period of years, he has worked for foreign governments, including periods when these governments have had troops engaged in military operations against Australian soldiers and their allies. If established, this would constitute a major offence which no organized state ought to tolerate.

FACTS ADMITTED, DOCUMENTED

Facts which Mr. Burchett himself has admitted, together with documented allegations which have been publicly produced, raised this central issue. They also raise the issue of Mr. Burchett's pattern of conduct over the same period as a relevant factor in the credibility of the explanations he has given.

As to the major issue, the following allegations have been published:

(1) That in 1952 he was a working member of the Chinese-North Korean Interrogation Group which allegedly extracted forced confessions out of American POWs, including US airmen Quinn and Enoch. His membership of that Interrogation Group was disclosed by Peking Radio, monitored by the Monitoring Service of Radio Malaya (May 18–19, 1952). The Monitoring Digest quotes Peking Radio as follows:

"Wilfred Burchett, the correspondent of the Paris Ce Soir, took part in the work by invitation."

(2) That, in company with the British Communist Winnington, he helped to write a confession forced out of the US Air Force ace, Col. Mahurin, after the latter had been subjected to long periods of physical and mental torture. That allegation was made by Col. Mahurin himself in US News and World Report (Sept. 18, 1953). The relevant statement is: "Mr. Burchett and Mr. Winnington were writing our confessions. They were bringing the confessions and making us copy and sign them."

(3) That in Viet Nam, he has actively cooperated with the North Vietnamese government. He himself claims to have participated in its preparations for the Paris talks, to have been the bearer of messages from the Vietcong and to have accompanied Vietcong troops in military operations in South Viet Nam.

These allegations relate to periods when the governments concerned, Communist China, North Korea and North Viet Nam, had troops engaged in military operations against Australian troops and their allies.

As to his pattern of conduct (as a relevant factor in establishing the credibility of his explanations) the following matters are also on record:

(1) That in the mid-30s he was in charge of the Soviet Intourist Agency in London and was therefore an employe of the Soviet Government.

(2) That in 1949 he was sole Western journalist, given a special visa by the Hungarian Communist Government, to report the trials of Cardinal Mindszenty and of the former Communist Minister of the Interior, Laszlo Rajk. Of Cardinal Mindszenty, Burchett wrote that he was a "miserable, intriguing, ambitious little man." Of Rajk, who fought in the Spanish Civil War and who was executed outside his wife's cell, Burchett described the dead Rajk and his group as "cheap police spies," "miserable bloodthirsty adventurers." Rajk was later rehabilitated by the Hungarian Communists themselves. The statements quoted are from Burchett's book, "People's Democracies."

(3) That in the early 50s he went to Korea as an employe of the leftwing French newspaper Ce Soir, and contributed articles to Communist papers throughout the world, especially Humanite. This paper was financed by the French Communist Party, a party which was then, and still is, largely dependent on the subsidies of the Soviet Government.

CHOU EN-LAI SAVES HIM

(4) That in 1955, when Burchett was "tipped off" that if he landed in Singapore he might be arrested by the British authorities, he was saved from this embarrassment by Chou En-lai, the present Prime Minister of Communist China, who gave him personal transport on his private plane and thus enabled him to avoid British territory. Burchett himself makes this claim in his autobiography. ("Passport," page 281.)

It is understood that the existing Australian law does not cover these situations with certainty, and therefore that prosecution under the Crimes Act is not a satisfactory way of determining the issues.

The Federal Government clearly owes it to the Australian troops who have been sent to serve their country in Korea and in Viet Nam, to the Australian people, and, incidentally, to Mr. Burchett himself, to determine these allegations once and for all.

If Mr. Burchett is not guilty of cooperation with enemy governments, let him be publicly exonerated. If he is factually guilty, but legally free because of some deficiency in the law, let it be clearly stated and the necessary amendments to the law, to cover future cases, be both recommended and put in the Statute Book.

Thus ends the Australian summary. This background should be of use to Nixon if he can get around to his promised reform of the State Department. The same clique that nearly put over the elimination of the allegiance section in passport applications, failing only because secrecy was broken (see Nov. 20 issue of TACTICS), was instrumental in bringing in Burchett, to accommodate Kissinger's strange need.

BRONX: THE FORGOTTEN BOROUGH?

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BINGHAM. Mr. Speaker, the New York Post recently carried a series of six articles by Peter Freiberg, called "The Bronx: Forgotten Borough?"

These articles provide a vivid picture of the problems confronting an urban area today, in this case one of New York City's outlying boroughs, a community of 1,471,700 people, with no true government of its own. The articles report on some of the good things that have happened in the Bronx, as well as on areas of discouragement and disappointment.

While I naturally do not agree with all the opinions expressed in these articles, on the whole I believe they are fair.

Because what is happening in the Bronx today is of significance to all those who are concerned about the current urban crisis in America, I am inserting them in the RECORD. The first three articles appear below; the remaining three will appear in a subsequent issue.

[From the New York Post, Nov. 29, 1971]

THE FORGOTTEN BOROUGH?

(By Peter Freiberg)

ARTICLE: 1: A LONG WAY FROM DOWNTOWN

With the help of his six brothers and two sisters, Joe DePace built a two-story brick home on E. 232d St. in the northeast Bronx community of Wakefield 40 years ago. "It was all empty lots then," DePace recalls. "There were cows on my land before I bought it." DePace raised three children in the house, and throughout the years it has remained the center of his life.

DePace says Wakefield has problems today that were absent when he moved into the area. Traffic, for one. "A child was killed right up near the next house six months ago," he says. "They come in on a side street and shoot up this street."

Recreation for another. With a house now standing on every lot, "There's no place for kids to play around here." Taxes, says DePace, "keep going higher and higher."

And while there was little crime in the neighborhod years ago, "There's trouble now," he says. "I still walk out at one or two in the morning, but I've got three dogs with me, and I've got a big bat and something else with me. I'd like to see anyone try anything."

But DePace, now 73, has never considered moving from Wakefield. "I built that house," he says, and that's where I want to die."

DePace's attitude is hardly typical of the Bronx. A long-time borough resident, the New York Giants football team, recently decided to forsake Yankee Stadium for the Hackensack Meadows. With the Yankees also threatening to move, the Lindsay administration has proposed buying and renovating Yankee Stadium. Critics say the city has more pressing needs, but supporters of the proposal say the borough will further deteriorate if the Yankees leave.

In Morrisania, Mrs. Mazelene Johnson has no desire to remain in the Franklin Ave. apartment where she lives with her husband and three children.

"When I first moved here a dozen years ago," she remembers, "it was a family block, everyone knew everyone and I would say trusted everyone. We'd all stand on the block, we'd chat, the mothers with their small children." Today, the addicts terrify the block's remaining residents. "We are literally afraid to come out of the building, believe me."

Mrs. Johnson has a job as a cashier in a nearby supermarket. "I like working in the area," she says, "close to the children going to school, and I like the neighborhood church being right here. But under the conditions now, I would move. I don't feel that a human being should live this way. I really don't."

Morrisania and Wakefield point up both the contrasts and the similarities between many neighborhoods in the Bronx. Wakefield remains one of the borough's more pleasant communities: its streets are lined with trees, most of the housing is in good condition and it is a rare example of a fairly stable, integrated neighborhood.

Morrisania is one of the city's grimmest black and Puerto Rican ghettos. On the block where Mrs. Johnson lives, four private homes were gutted by fire last year, two apartment houses have been abandoned and one is rapidly emptying out. Rates of crime, unemployment and infant mortality are way above the city's average. For many Morrisania residents, a battle for survival takes place every day.

Yet Wakefield, too, as DeFace indicates, has its problems, and some of them, like crime and a lack of parks, differ only in degree from Morrisania's. Residents in both areas complain of inadequate city services and express distrust of "politicians" and all levels of government.

"Last year I worked with the Census," says John Armstrong, a neighbor of DePace. "I ran into so many people who didn't want to answer anything because in their heart they feel that nothing is done with any statistics, that the government won't do anything. They have lost faith." In Morrisania, Mrs. Johnson says simply, "I can't really see where the city is doing too much."

With the possible exception of Riverdale and one or two other neighborhoods—and residents would doubtless challenge their exclusion—every Bronx community has serious complaints. And the Bronx as a whole is a microcosm of New York City—and other cities as well. Paul Davidoff, director of Suburban Action Inc. and a prominent planner, says the Bronx "symbolizes the situation in many of the older cities and in some ways it is considerably worse. Its problems are the problems of Philadelphia, of Detroit, of St. Louis. The problems represent failures of commitment on the part of the nation to help its cities."

Bronx residents frequently use the phrase "forgotten borough" to describe their plight. Few would disagree with the assertion that the Bronx has received insufficient attention from "downtown" most of this century.

The offhand way in which the Bronx has been treated extends to its name. After the city annexed lower Westchester County at the end of the 19th century, the politicians in City Hall decided to look at a map to help them name the borough. "They had to figure out something," says Prof. Lloyd Ultan, president of the Bronx County Historical Society, "and it just happened that right smack in the middle of the map was the Bronx River. So they called it simply the Borough of the Bronx."

From that time on, everyone knew the Bronx existed, but what else was there to say about it? Unlike Manhattan and even Brooklyn, it was the setting for few novels—its writers moved away as soon as they could. Songwriters occasionally threw it a bone, as in "I'll take Manhattan, the Bronx and Staten Island, too," but the name of the song, after all, was "Manhattan." Comedians mentioned the borough more often, because the Bronx could usually be depended upon to draw a few chuckles. Tourist books note that the Bronx is the sole part of New York City attached to the U.S. mainland, but they usually list only four attractions that might make a visitor venture uptown: the Hall of Fame, the Zoo, the Botanical Garden and, while it lasts, Yankee Stadium.

Despite its nearly 1.5 million people, the Bronx remains, in many ways, a bedroom community. Only about 25 per cent of its working residents have jobs in the borough, with about 60 per cent employed by Manhattan firms. Like many suburbs, the Bronx is a cultural desert. Its legitimate theaters folded years ago, and its first art gallery was established only recently in the storefront office of the Bronx Council on the Arts. "The Bronx," wrote Jane Jacobs in "The Death and Life of Great American Cities," is woefully short of urban vitality, diversity and magnetism. . . ."

But if the Bronx possessed none of Manhattan's glamor, it nevertheless has satisfied many residents over the years. Ultan says that the idea of the Bronx as a "better place to live" has persisted throughout the constant flow of new immigrants and the ever-increasing urbanization. The idea first took hold with the arrival of the "Els" in the 1880s and then the subways, which did for the Bronx what the railroads did for the Wild West. In their wake came hundreds of thousands of working class families scrambling along what political scientist Samuel Lubell has called the "Old Tenement Trail."

The trail had begun in cold water flats on Hester St. and on Mulberry St. and in Hell's Kitchen, continued up to Harlem and crossed the river into the Bronx. To the trailblazers, the Bronx seemed like "Shangri-la"—it was the "country," a place where there were trees, fresh air and better housing, even if much of it was tenements. In the film "The Jazz Singer," Al Jolson promised his mother:

"Mama dahlin,' If I'm a success in this show, we're going to move up to the Bronx. A lot of nice green grass up there and a whole lot of people you know. The Ginsbergs, The Guttenbergs, The Goldbergs. Oh, a whole lot of Bergs, I don't know 'em all . . . ."

The aspiring middle class Bronxites wanted entertainment: they got neighborhood movie houses and the borough's showcase, Loew's Paradise. They wanted good shopping areas; they got Fordham Rd., starring Alexander's, and the "Hub" at 149th St. and Third Av. They wanted to watch the national pastime: they got the Bronx Bombers in Yankee Stadium. They wanted greenery: they got a relatively large proportion of the borough's land—23 per cent—for parks.

As the earliest settled sections of the South Bronx became crowded, those who could afford it left for places like Pelham Parkway, Williamsbridge and Wakefield. The tree-lined Grand Concourse became the "social" address for Jews. The migration was a continuation of the northward thrust toward Westchester County. "Having grown like a ladder, rung upon rung," Lubell wrote back in 1948, "the Bronx today actually resembles a rags-to-riches escalator. Slum poor at its southern base, it grows steadily fairer economically as it climbs." Twenty-three years later, perhaps the major change is that the slum areas have grown faster and further.

Like the subway escalators, the Bronx machine was erratic. The Great Depression brought an almost total halt to all building. At midcentury, the cheap tenements put up by speculators in the South Bronx 50 years before were rundown. As vacancies occurred, they were filled by working class blacks and Puerto Ricans from Harlem and El Barrio, attracted to the cheap housing, the proximity to Manhattan and the promise of a better life—the same things that had attracted the earlier Irish, Italian and Jewish immigrants.

Once the suburban housing boom got under way about 1950, whites rapidly emptied out of the older neighborhoods. It might

have been possible to develop integrated neighborhoods through housing construction and rehabilitation programs, but the only new housing consisted of bleak projects barred to the middle class. With the new middle class affluence, as Ultan notes, "People who had never thought of living outside the city felt they could live elsewhere and commute by car."

The migration was encouraged by government policies that poured billions into highways while letting the subways run down and that gave tax benefits to homeowners while denying them to apartment dwellers. Nor was there any substantial government help for thousands of black and Puerto Rican newcomers who had the same hopes and dreams as the earlier immigrants but faced a new, overwhelming obstacle: they were uneducated and unskilled at a time when blue collar jobs were becoming more and more scarce.

When the Bronx celebrated its 50th anniversary as a county in 1964, Ogden Nash was persuaded to apologize for the lines he had written as a "smart alec youth." Said Nash:

"I wrote those lines,
'The Bronx? No Thonx!'
I shudder to confess them.
Now I'm an older, wiser man,
I cry, 'The Bronx? God bless them!' "

The timing was ironic. Years before, most Bronxites would have given a long, loud Bronx cheer to Nash's putdown. But by 1964, it was as if his earlier words had finally taken hold, with the exodus to Jersey, Westchester, Long Island and Queens well under way.

In some ways, the Bronx became even more invisible in the 1950s and '60s. Riots focused attention on Harlem, but the faraway, relatively tranquil Bronx remained out of the limelight. Bronx elected officials and community groups found it more difficult than ever to gain access to the Manhattan news media, especially television. The Vietnam war drained away whatever hope the depressed urban areas had of obtaining a large influx of federal funds.

The total effect of the physical and social upheaval still going on in the Bronx has been to loosen the "sociological glue" that once held the borough together. Much of the entire south-central portion of the borough is in a state of advanced decay, with many other neighborhoods endangered

There is no doubt today that, as Paul Davidoff points out, there must be a "commitment" to help the Bronx and other urban areas. To some, this means simply that much more money must be forthcoming. But growing numbers of neighborhood groups, planners and even politicians are also maintaining that another basic change is needed. They say that if the Bronx is to become a decent place to live, those most directly affected—the people who live in its neighborhoods—will have to wield much greater power over the institutions and agencies that influence their lives than they do now.

[From the New York Post, Nov. 30, 1971]

THE BRONX: FORGOTTEN BOROUGH?

(By Peter Freiberg)

ARTICLE II: A PLACE TO LIVE

Belmont, a predominantly Italian neighborhood, contains about 50,000 people living in tenements or in neat single family houses. Many residents have lived in the area since they were born: "They feel the same way about the fig tree in their backyard as they would if it were in some small town in Italy," says the Rev. Mario Zicarelli of Mt. Carmel Church.

Young couples who moved to the suburbs have been replaced by several thousand new Italian and Albanian immigrants. Arthur Av. and E. 187th St. are still lined with fish and poultry stores, pastry shops, restaurants.

At the Borgatti family store, which specializes in homemade ravioli and egg noodles, Lawrence Borgatti said, "I like it here. The people are nice. It's home, you know. I guess that's the important thing."

In Pelham Parkway, a largely Jewish community in the East Bronx, the old people sit talking on wooden boxes along Lydig Av. Nearby, housewives feel the fruits and vegetables at open stands and the Palace Kosher Delicatessen continues to do a thriving corn-beef-on-rye-with-a-sour-pickle-please business. P.S. 105, the local school, is referred to as "the best school in the Bronx."

Teenagers still hang around on the low railing at Pelham Parkway and White Plains Rd., as they have done for years. Daniel Fuchs, a professor of English at Richmond College, looked back on his Pelham Parkway boyhood recently and concluded, "There was a sense of neighborhood there"—and that feeling survives today.

A visitor could return to Belmont or Pelham Parkway after a long absence and know his way around. There are other neighborhoods like these, such as City Island and Woodlawn, and there is Riverdale, which has changed greatly but remains one of the city's richest and most pleasant communities. But despite these areas of relative stability, the Bronx is in many ways a very different place from what it was 20 or even 10 years ago.

According to the U.S. Census, the Bronx population was 1,471,701 in 1970, a 3.3 per cent increase over 1960 and the highest population in the borough's history. The composition of this population has changed dramatically: final census figures are sure to show that blacks and Puerto Ricans account for more than half the total population, while the percentage of whites has fallen from 76 per cent in 1960 to less than 50 per cent today—the sharpest drop of any of the boroughs.

The central fact about the minority group residents is their poverty. This is not to say they are all poor: there are thousands of middle class blacks and Puerto Ricans living in the homeowning communities in the northeast, in Co-op City and elsewhere, Nor is there any lack of poor whites. A Fordham University study in 1966 found that one out of three white families had an income under $5000.

Rep. Mario Biaggi (D-C) says that in his northeast district, "A lot of people are on fixed incomes. They're just fighting to keep body and soul together."

Overall, however, poverty among nonwhites is much more pervasive than in the white community. Welfare assistance is required by more than 305,000 Bronxites, an estimated 90 per cent of them black and Puerto Rican. "Hard core, long run unemployment is a stark reality in the Bronx," the Fordham study stated. Mayor get discouraged and just quit looking.

Between 1950 and 1970, the city lost more than a quarter-million manufacturing jobs—the traditional stepping stones for unskilled workers with little education. The Bronx itself has only six per cent of the city's blue collar jobs, and the Fordham study held out little hope for new private investment.

Thousands of Bronx residents are among the "working poor"—a 1969 survey turned up more than 250,000 workers in the city earning under $80 a week. Many of these people, like a Puerto Rican mother of three who said she could barely make ends meet on her salary as a hairdresser, are eligible for supplementary welfare assistance, but few apply. In 1970, an estimated 23 per cent of Bronx families had incomes under $3000 and 25 per cent between $3000 and $6000.

Commenting on the demographic and income trends, Rep. Herman Badillo (D-L) noted that the Bronx—and New York City—will become increasingly black and Puerto Rican. "This wouldn't be tragic in and of itself," Badillo says, "except that it will become poor black and Puerto Rican."

Most minority residents are crowded into the slums in the borough's south-central heartland. Residents here call their neighborhoods "Fort Apache" and the "DMZ." "We've got every problem you can imagine here," said Mrs. Aritha Leverette, a Morrisania resident. "We've got to deal with slumlords, we've got a terrible addict problem."

A neighbor said, "I'm afraid to let my daughter out to play, to be honest with you. She's only 11 years old."

But Morrisania also affects many people who don't live there. The City Planning Commission's proposed Master Plan said that a "central corridor of decay, including Morrisania, the South Bronx and Hunts Point, now threatens to engulf adjoining neighborhoods."

The blight within Morrisania, the Plan said, "begins to rub off on neighboring areas . . . This creeping slum syndrome has already affected East Concourse and East Tremont and is beginning to be felt in the western areas of Parkchester and the southern part of University Heights."

The spreading slums prompt those who can afford it to flee the Bronx for the suburbs. "Six people moved out of my building in the last month," said Richard Mack, a 59-year-old retired Transit Authority employe who lives in Highbridge.

Some who leave go to other parts of the borough, such as Co-op City, Kingsbridge and Riverdale. The rolling country estates in Riverdale have given way to high-rise apartments and the population is 85,000, more than quadruple the prewar figure.

But even some neighborhoods considered "safe" are not immune from deterioration. Bronx Borough President Robert Abrams believes that Pelham Parkway and other areas are at "critical point" because of inadequate housing maintenance. Blacks and Puerto Ricans, forced by economics or discrimination to take what they can get, almost always inherit, declining neighborhoods.

A neighborhood in transition is not necessarily a bad neighborhood. Ed Kaufman, a white social worker who lives in University Heights, says, "When I moved here in 1968, it was Italian and Jewish, plus some Irish. Now more blacks and Puerto Ricans are moving in, working class and middle class people. I think it's good. It's a vital kind of thing. I don't think the neighborhood is going down. It's becoming more alive."

Lloyd Ultan, a white professor, considers the Concourse-Yankee Stadium area "an extremely pleasant place to live." And the minority newcomers into these areas usually find them more attractive than their previous neighborhoods.

Yet most "changing neighborhoods" experience a depressingly familiar cycle: housing deterioration, rapid population turnover, declining or inadequate city services and a rise in crime that spurs the exodus.

"A lot of people in the neighborhood blame the city for the decline," says Victor Marrero, administrator of the South Bronx Model Cities program. "They say the city is not collecting garbage, they're not cleaning the parks, the teachers aren't teaching in the schools and the kids aren't learning."

In starting the cycle of deterioration, housing appears to play a crucial role. Speaking of the continuing decay of the lower and middle Concourse area, formerly totally Jewish and nonracially mixed, Badillo says:

"The blacks and Puerto Ricans move in, the Jewish community moves out. The whites will not move back in because of racial fear . . . Then it becomes a total slum. The landlords no longer maintain their property because they are renting to a low income group rather than a middle income group."

A South Bronx Model Cities report noted

that some tenants in slum buildings "air mail" garbage out the windows, that windows get broken and hallways and walls get decorated with graffiti. "Many of these conditions also exist in stable neighborhoods, although to a lesser degree. They can be dealt with by increased maintenance."

According to the report, "The new breed of landlord is either an unscruplous slumlord or a small, struggling operator with a very meager equity and oppressive first, second and third mortgage obligations. In either case, the only formula for making a profit is to collect as large a rent roll as possible, while providing a minimum of services and managerial effort, and cutting out maintenance altogether."

The report describes what happens to more and more buildings. "Comfortable apartments with many rooms are subdivided . . . Large numbers of tenants with severe social problems are sought out as long as the Dept. of Social Services pays generous rent for substandard accommodations. Front door locks are left unrepaired, leaving hallways open to drug addicts and winos . . . Hot water and steam service are interrupted with increasing frequency . . . Stable tenants with initiative begin to move out, more vacant apartments are stripped, a major fire occurs, the building is declared unsafe, everybody is moved out, the tenement is dead."

Landlord spokesmen deny that "unscrupulous slumlords" are a major cause of housing deterioration. Ruben Klein, acting president of the Bronx Realty Advisory Board, says the Bronx is losing housing through abandonment at a "fantastic rate. There isn't a building in the Bronx," says Klein, "that isn't moving into becoming marginal and possibly may work into becoming a slum. There just aren't enough rental dollars to pay for maintenance today."

The inability—or unwillingness—of landlords to keep buildings in repair has meant that, in Badillo's words, "whole areas have become slums primarily because of the failure to maintain housing conditions. Given existing conditions, the slums of the south Bronx will continue all the way up to Mosholu Pkwy. It started at 138th St., went up to 149th St., and now it's up to Tremont. It will become one vast slum."

"It's like a cancer," says Biaggi. "Unless there's some sensible, courageous action taken and meaningful plans adopted, this will continue." State Sen. John Calandra (R-C-Bronx), who says that "In my opinion, the people make their own ghettos," warns that "If they don't put the brakes on the way things are going, you won't find a white person in the Bronx in 20 years."

A Chase Manhattan Bank official said recently the city's housing crisis had reached "disaster" proportions, with a net loss of 15,000 units for the five-year period ending 1970. A 1968 study by the city's Housing and Development Administration (HDA) found that one out of four Bronx apartments was dilapidated or deteriorated.

Most elected officials from the borough say that construction, rehabilitation and building code enforcement are at minimal levels compared with the need. Critics charge the Lindsay administration's housing program has been mired in red tape and sometimes, as in the case of the Municipal Loan program, in corruption.

An HDA spokesman said there were close to 14,000 government-aided housing units under construction in the Bronx. The spokesman said "There's no doubt there isn't enough housing being built," but cited high land and construction costs and insufficient federal funds as the chief reasons.

"In the Administration's view," said a spokesman for Lindsay, "what's needed is a new housing policy in Washington that would do for inner cities what the FHA program did for the suburbs . . ." The HDA said it was "aware" of a breakdown in building code enforcement but that a bill to set up an HDA housing tribunal had been killed by the Legislature.

The slack in suburban housing construction also caused by inflation may slow down the middle class exodus from the Bronx temporarily, but it is unlikely to have a permanent effect. "I'm leaving New York unless there is an about-face on housing and apartments are built at rents people can afford," said Leroy Benton, a Bronx rent strike organizer. "With all the problems we've got in New York, if people don't have a place to live, we're really in trouble."

[From the New York Post, Dec. 1, 1971]

THE BRONX: FORGOTTEN BOROUGH?

(By Peter Freiberg)

ARTICLE III: ADDICTS AND CRIME

Residents of Miniford Place near Crotona Park recently strung several white bedsheets across the street. In huge letters, the banner proclaimed, "Junkies Stay Out. Enter at Your Own Risk."

A middle-aged woman sat in a High-bridge laundromat and said, "It's dangerous. You can't come out after 9 o'clock. We'd like to move but where are you going to go?"

Mrs. Jennie Arciola relaxed on a bench in the sun in Westchester Square Park. She said she fears going home to her apartment in Morris Park. "It's bad enough you're getting old without getting beaten. They're only picking on old people, you know."

In every Bronx neighborhood, street crime is a source of increasing concern. Stores close earlier, heavy iron gates guarding their entrances. Two, three and sometimes four locks are common sights on apartment doors. People hesitate to go out at night, causing empty streets to become even more inviting to muggers.

Parks are used less. In the South Bronx, Puerto Rican mothers are afraid to take their children into St. Mary's Park, while on the Grand Concourse elderly women sit on benches facing the boulevard because they are too scared to venture into Franz Sigel Park.

"Crime is one of the first things that causes people to move out of a neighborhood," said the Rev. John Leonard, the 31-year-old associate pastor of Sacred Heart Roman Catholic Church in Highbridge. "They're afraid to go out at night, afraid for their children. You can't realistically deny it. There are a good amount of muggings and stickups."

Some police, law enforcement officials and residents believe the fear is exaggerated. Bronx District Attorney Burton Roberts, while calling attention to the "large increase in the volume of crime," says that some people who complain of being afraid to go out at night "are telling me this at a night meeting."

A Westchester Square woman says, "My son was playing hide and seek, and someone called the police to tell them he was trying to break in and enter! An eight-year-old boy!"

Michael Berkowicz, a teacher who lives on the Concourse, says, "I think it's more paranoia, not related to the actual incidence of crime. I've heard of a few people being mugged around here, but we live on the first floor, we leave the windows open during the summer and nothing has happened to us. When we had a dog, we walked it at all hours of the day and night without any problems."

Exaggerated or not, people are scared—and the statistics are not comforting. According to the Police Dept., the number of reported rapes in the Bronx rose by 18 per cent between 1967 and 1970, burglaries by 25 per cent, assaults by 28 per cent and robberies by 89 per cent. The picture becomes even grimmer when viewed in the light of the estimates by the President's Crime Commission that the actual rate for major crimes is at least double the number reported to police.

With the highest crime rates existing in the densely-populated ghetto areas, a black man in New York is nearly six times as likely to be a victim of a personal assault as a white man, and a black woman almost eight times as likely as a white woman.

"The mugging situation is very bad," said Mrs. Sylvia Ferdinand, who lives near 174th St. and Southern Blvd. "I got a dog four months ago. Everybody has dogs, everybody has gates, and still they steal a lot. It's the most frightening thing. You're scared to walk—you get robbed."

To many Bronxites, "crime" is purely and simply street crime. They know about police corruption, they read Ralph Nader's assertions that corporations steal many more billions from the public than all the burglars and stick-up men put together and they are aware of the huge profits made by organized crime.

But these crimes, unlike muggings, do not seem directly to threaten their physical safety and are less obvious. As State Attorney General Lefkowitz observed recently, "The white collar criminal always cons you. He's well dressed and well-spoken and has an apparent legitimacy. The burglar lets you know what he's doing, but the white collar thief doesn't."

Nevertheless, some attitudes are changing and people are beginning to look beneath the surface. This is partly because of the oft-stated involvement of organized crime in narcotics addiction, which some police estimate accounts for as much as 70 per cent of all burglaries, assaults and robberies. "Our children are not the big wheels or the big drug dealers," says Mrs. Evelina Antonetty, a South Bronx Puerto Rican leader. "The drugs are brought to them. They are the victims."

Bronx Borough President Robert Abrams estimates the number of drug addicts in the Bronx at 30,000—and the figure could be much higher. Addiction in the ghettos is not difficult to understand. "Bad education, bad housing, low income people not being able to struggle out of the hole they're in," said Albert Rivera, who has worked in Logos, a Bronx drug rehabilitation center.

"Life just becomes such a pressure cooker that a young man or young woman becomes unable to see any light at the end of the tunnel."

Richard Lopez, a 19-year-old NYU scholarship student who grew up on Kelly St., says, "I think I avoided drugs because I saw it happening to people I knew, and when you see someone you love, or a friend, get hooked, it does something to you." But Lopez says that "Of all the people I knew, only two besides myself have made it. All the rest got hung up on drugs. It's the environment. It's very hard to avoid it."

But more white youths are turning to drugs, too. The Rev. John Flynn, pastor of St. Raymond's Roman Catholic Church, which serves Parkchester and Westchester Square, reports five drug-related deaths in his parish in one year. Abrams notes that two young men he knew when he was growing up in Pelham Parkway—"quote, 'nice Jewish boys,' " he said—died of heroin overdose.

The number of whites addicted to heroin and other hard drugs is probably even higher than the figures indicate. "When you get into the middle income group," says Joseph Giordano, a Bronx social worker, "you're able to keep this thing out of the police and the courts. It never becomes an official statistic. It's the poorer person who's nabbed."

Fr. Flynn says, "Some actually hold jobs or go to school during the week and use the stuff on weekends." Joan Stass, a City College student, says, "A lot of kids at school are

taking heroin. They steal from their parents' purses. Sometimes even their parents realize there's something going on, but it's just a horrible thing for them to admit that heroin is not a thing of the ghetto any more." According to Dr. Michael Baden, deputy city medical examiner, blacks account for 55 percent of drug-related deaths, Puerto Ricans 20 percent and whites 25 percent.

White parents are confused. Giordano says they often "close their eyes or give the old recreational type answer—'If only the kids had some place to go' "—to problems like drugs or gangs.

Giordano believes the answer is more complex. "It's sort of an inner-direction thing—where are you going, where is your community, your state, your nation going? I guess you'd tag a fancy word like alienation on it."

Flynn says that "When you question the addicts, many of them give you a rap like, 'What's the sense? I can't stand this place around here.' " Tony Barker, 23-year-old president of the Bronx Council for Environmental Quality, says, "A lot of kids are experimenting with the stuff. The kids see their parents feeling lost, and they feel lost, too."

In view of the anxiety about young people in both the white and ghetto communities, it is not surprising that the schools have become the focus for increasing public pressure. Complaints range from drug pushers in the schools to violence to overcrowding to growing frustration—at present concentrated among blacks and Puerto Ricans—with what is viewed as an antiquated educational system.

With the influx of minority families into the borough, the number of school children rose from 181,491 in 1960 to 237,991 in 1970. Whereas in 1960 nonwhite students made up 42.6 per cent of the total, 10 years later blacks accounted for 34.1 per cent, Puerto Ricans for 39.7 per cent and whites and others 26.2 per cent.

Bronx schools are the most overcrowded in the city. The high schools are in the worst shape, running as high as 210 per cent of capacity last year in Morris HS. A study by a student workshop at NYU's Graduate School of Public Administration concluded that "The public schools serving Highbridge provide neither adequate facilities nor relevant programs to meet the needs of the Highbridge student population. The schools are grossly overcrowded, reading scores are low, dropout rates are high." In South Bronx high schools, dropout rates run as high as 75 per cent.

David Seeley, a former U.S. Commissioner of Education who now heads the Public Education Association, says the city's public schools "never functioned to educate large masses of people at any high level."

When unskilled jobs were plentiful, this didn't matter. "But now everyone's expected to stay in school and the system was not capable of adjusting to the change," says Seeley. "Teachers are paid more, classes are smaller, but the basic relationship between the kids and the schools hasn't changed. In fact, it's deteriorated."

The kids themselves give varying opinions. "I was bored, so I dropped out. Now I'm in construction work," said a 17-year-old Irish youth from Highbridge. "I like it," said a black student attending Stevenson HS. "My classes are interesting."

But a New York State study of 15 high schools, including five in New York City indicated the Highbridge youth was more typical. The study reported that "many students are finding their school experience painful and most are finding it unenjoyable."

Students generally felt, the report said, that teachers did not respect, understand or help them. The study blamed the large size of the schools as well as their authoritarian structure for the students' negative reactions.

Young white parents are also becoming more critical. "My wife taught kindergarten for six years in a More Effective School," says Lawrence Sivak, president of the Co-op City Tenants Advisory Council. "It just seemed that the bureaucracy from Livingston St. restricted the ways in which you had to teach, so that you were not innovating, you could not be attuned to the needs of the children."

Sivak is optimistic about Co-op City's Educational Park, which is to experiment with ungraded classes, but he warns that if the schools don't shape up, "the young people of Co-op City will move out to the suburbs."

Crime, drug addiction, schools—these three major problems, plus housing, provide much of the explanation for the Bronx having difficulty holding those residents who can move out most easily—young, middleclass whites. But there are other reasons, too.

Three college students, who are among hundreds attracted to the Concourse because of low rents compared to Manhattan, laughed loudly when asked whether they intended to remain in the Bronx after graduation. "It's not because it's the Bronx," said Stephen Messer, 20. "It's just because it's New York. It's too dirty. We all want to get out."

Some people mention what Abrams calls the "chamber of horrors"—the subway system. Teacher Berkowicz, 28, says "I don't think anywhere in the city is a good place to bring up children. Pollution is a major factor. But if I had to pinpoint any one thing, it has become just a general feeling that things are going downhill in the city."

The feeling that "things are going downhill," that the "quality of life" is deteriorating rapidly is felt by residents in every section. Fr. Leonard of Sacred Heart Church in Highbridge put it this way. "I'm a bit of an optimist," he said, "but one gets the impression that the city is falling apart, and Highbridge is typical of that. It's a question of too little, too late. People feel they're being left out in the cold."

WATERLOO COURIER PRESENTS A WELL-REASONED STAND

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. GROSS. Mr. Speaker, the Waterloo, Iowa, Daily Courier on December 14, 1971, carried what I consider to be a most thoughtful and well-reasoned editorial supporting President Nixon's veto of the Economic Opportunity Act extension legislation.

It would, in my opinion, be helpful in clearing the air of all the emotional cries that went up following his veto if everyone in the country were to read this editorial.

I include the editorial for insertion in the RECORD at this point:

VETO JUSTIFIED ON BILL SETTING UP CARE CENTERS

The outcries that followed President Nixon's veto of a bill providing for a $2.1 billion federal child-care program revealed some of the problems connected with getting sensible reforms through Congress.

Some of the critics suggested that the Administration does not care about the country's children. Their charges are serious enough that the facts deserve to be re-examined.

The bill provided for a $6.3 billion, two-year OEO extension, and contained the machinery for establishing a nationwide system of federally-sponsored day-care centers for children.

Children of poor families would be eligible for free services and children of middle-income families would be charged a fee based on their annual income.

The Administration's main objections were to the elaborate child-care program, which President Nixon said demonstrated "fiscal irresponsibility, administrative unworkability and family weakening implications."

Administration leaders indicated that they would have objected less strenuously to a modest program confined to the poor.

But past programs have demonstrated that: (1) Too often, money is siphoned away from the poor by bureaucratic machinery, and (2). The people benefitting most by such programs are several notches in income level above the hardcore poor.

The child-care bill very likely would have been faulty on both counts.

It put the government in the child-care business for any family that wanted to use the service.

A family with an income of $4,320 or less would pay nothing. Families could be charged no more than ten per cent on incomes between $4,320 and $5,916, and no more than 15 per cent on incomes between $5,916 and $6,960.

Above that latter figure, no federal assistance would be offered.

President Nixon saw the bill as providing too much incentive for families to raise their children outside the home.

He favors having day-center programs tied to welfare reform—with incentives built-in for families to stay together, and day-care centers provided only for poverty-level people who truly need them.

His approach is more realistic than a sweeping proposal for putting the federal government in the business of financing babysitting services for all America.

HISTORIC YEAR FOR THE AIRLINE INDUSTRY

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ESCH. Mr. Speaker, 1970 was an historic year for the airline industry. However, rather than being one that people will fondly recall, it turned into a macabre adventure that ought to raise some eyebrows and demand answers to very serious questions we should be asking with respect to the future of the airline industry.

Growth in domestic passenger miles outstripped that of the Gross National Product from 1961 to 1967, but today the airline picture is grim. An unlikely combination of strikes, hijackings, rising costs, declining traffic growth, the necessity to pour new money into new aircraft—all these have combined to spell real trouble.

While the regulatory authority for the airline industry on economic questions and routes rests with the Civil Aeronautics Board, I believe that Members of Congress ought to address themselves to these issues which also deeply touch the interests of the general public. I sense, and I know that my colleagues must sense, that we are at a critical point in

airline history, a time that calls for more stability and fewer vicissitudes.

In the last decade the airline industry was able to achieve significant growth in spite of recessions in other industries, because of important technological advancements which helped reduce unit costs and stimulate a large new market of air travelers. An example of this, of course, is the introduction of the new jets which came into their own in the 1960's helping to improve speed and productivity.

A second factor which aided in the growth of the industry was a significant increase in air travel by persons in all walks of life. Air travel has at last become a regular form of transportation. The 1960's emerged as the first decade where families began to plan their vacations by air. The airlines made all of North America and Europe economically feasible and accessible to middle America at a time when these persons were acquiring more leisure hours.

Over the years the airlines have been able to adjust their fares within the broad guidelines of the economic situation and the state of new developments in the industry.

At the beginning of the thirties a passenger could travel for about 10 cents per mile. With the improvement in capacity during the thirties and forties, per mile rates were almost cut in half. As more sophisticated equipment was added to the lines, fares increased. During the 1950's rates increased from 18 to 23 percent. When jets were first introduced the Civil Aeronautics Board allowed the airlines to add a surcharge for jet travel.

The Board held hearings in 1960 and established a fair rate of return of 10.5 percent on investment. This standard was implemented and on July 1, 1960, a fare increase was granted which amounted to about 5 percent across the board. A further increase of 3 percent was granted in 1962 to compensate for declining earnings and a failure of promotional fares to generate increased business.

The industry adapted to changes in demand for service as airline travel became more commonplace. Promotional fares were introduced in the early sixties to stimulate travel. Service designations which had previously paralleled rail and ship classes were revised to accommodate new types of travelers. Youth fares which allowed persons under 22 to travel on a standby basis helped introduce persons to flying who otherwise would not have flown. The excursion fare encouraged persons to fly on vacations. The family plan encouraged parents to take their children along on trips at a reduced rate.

Admittedly there have been problems with the promotional fares, but it is my view that the airlines should be encouraged to experiment with new types of fares, keeping in mind that they are a service industry.

Some readjustments, however, should be made. For example, in the next year it will become cheaper to travel to Europe than to travel to the west coast from the east coast. It is logical to assume that the public should expect a reasonable relationship between distance traveled and fare paid.

A second condition which has contributed to a declining profit outlook for the airlines has been the cost of equipment. The industry is built on two foundations which require that it continuously upgrade its equipment. The pressures of competition and the technological base of the industry require this continual growth. In 1970, the airline industry spent $1.6 billion to upgrade flight equipment. The industy will spend almost $4 billion in the next 2 years to upgrade and replace present equipment.

In other nonlabor expenses the airlines have also had to face higher costs. Since 1968, the cost of meals has risen 26 percent, fuel is up 6 percent per gallon, the cost of a 727 is up 19 percent.

The potential of the new 747's has not yet been realized. The markets will grow but the jumbo jets clearly are not yet paying off. The airlines cannot return the jets to the manufacturers.

The expenses of upgrading to meet the needs of competition have caused imbalances in the debt equity ratios of many of our regular carriers. During the 1960's, the ratio was usually between 1½ and 2 to 1. At the present time some of our lines have debt equity positions which exceed 2½ to 1.

The debt equity ratios can be explained as a representation of the relationship between the debts of a company and its amount of stock outstanding. In periods of inflation the airlines have been forced to finance new equipment through the increase of their debt position and not through the increase of stock equity position. The problem with this type of financing is that it increases the level of fixed costs with which the industry must operate. Debt financing locks the airlines into a pattern of spending regardless of their economic situation. Equity financing provides a greater amount of flexibility to meet the demands of growth and the changing situation.

During the last 5 years airline outlays for new equipment and related systems have risen 163 percent and funded debt has risen 175 percent.

In April of 1969, the repeal of the investment credit became effective so that airlines were no longer encouraged by the Government to upgrade equipment through accelerated depreciation. My colleagues know very well the advantages of the investment tax credit.

The tax credit system gives special help to industries where recurring obsolescence is a continuing problem. Accelerated depreciation helps companies realize their investments in a shorter period of time.

Many of the airlines have started to lease their equipment, because of the lost benefits from the Investment Credit Act repeal. When one includes capitalized leases in the ratios, the position of some of our carriers goes to the dangerous level of almost 4 to 1. Analysts of the industry state that the position of the industry should not exceed 2 to 1.

The Investment Credit Act of 1971, which reintroduces the 7-percent accelerated depreciation bonus on new equipment, should help the airlines improve their equipment and thereby maintain their competitive position as well as their quality of service. The reforms introduced by our tax bill should also help to improve the airlines debt equity position.

The airline industry must live with high labor costs; in fact, almost one-half of cash operating expenses are represented in labor. Although the average airline salary only increased 3 percent in 1966, the problem of airline industry labor costs was aggravated by wage settlements concluded between 1966 and 1970 where increases averaged 43 percent.

The all-industry average for the period was only 27 percent. Labor costs have grown at a rate twice the national average since 1969.

Many of the positions in the airline industry must rely on a skilled labor force. Thus in 1970, the average airline salary was $12,307 compared with $6,248 for the average American worker. The average hourly wage for mechanics was $5.80 or $2.34 per hour higher than the average wage for manufacturing workers. Mechanics wages in the industry have increased 48 percent since 1968.

The importance of wages to the health of the industry can best be understood by the fact that if the average wage rate for airline employees had increased at a rate equal to the rate of increase for the consumer price index, between 1966 and 1970, airline costs would have made $350 million in earnings before taxes. Improvement in wage settlements will help offset increases in other areas so that the industry's growth picture can be stabilized.

The competitive position for our international airlines is especially difficult. Our carriers must compete against the subsidized national lines of other countries. Many of the national airlines operate for prestige and not for profit. Nationally subsidized lines can continue to operate with the assurance that every passenger who lands in their country on their line will generate trade. They can reduce their fares to induce travelers to come to their country.

One international airline, which has been famous for their low-cost air fares to Europe, requires passengers to land in their country en route to Europe. Most nations operate to protect their airlines. The Italian Government, for example, levies no landing fees at all on Alitalia. Yet Pan Am and TWA must pay more than $400 to land a 707 in Rome. Landing fees in general are three times higher than in the United States. Consider that it costs $206 to land a 747 in New York and more than $1,600 to land a 747 in London.

There is every indication that these cost and en route charges levied against American carriers will escalate tenfold in the midseventies.

Landing fees are not the only difficulty with which our international carriers must contend. The problem of access to markets is one which every American industry must face. However, the international carriers can be especially hard hit. Many nations limit the number of airlines which can have routes in their

countries. There are no such limitations placed on airlines coming into the United States.

A third problem which faces our scheduled carriers internationally is the growing market share of nonscheduled and charter companies. These supplemental carriers spend less on scheduling, advertising, and other fixed costs so that their ability to offer discounted fares is tremendously improved in many situations. The original intent of the allowance for supplemental carriers was to encourage these carriers to provide special services which the regular carriers could not normally provide. The impact of the supplemental carriers has far extended over this original intent. In 1971 the supplemental carriers provided transportation to Europe for one traveler in four from the United States.

The airlines should work to serve the needs of the public. Their routes and schedules must reflect requirements for service. Some routes will obviously be more profitable than others but profit cannot be the only determinant for establishing service.

The regulation of routes should be reexamined. When a traveler can choose between three airlines flying to the same location, at the same time, with half-filled airplanes, clearly this is a situation that serves no one's best interests. Routes must be allocated so that, to the greatest extent possible, the needs of the public are served while unnecessary duplication of service is kept to a minimum.

Here the Civil Aeronautics Board has a responsibility—one that it has clearly not lived up to.

Most of the significant problems facing the airlines are beyond their control entirely. The tight economy certainly does not aid the airlines; in fact, air travel decreases significantly in periods of economic recession. The decline in growth rates has been coupled with an inflexible pricing structure which limits the ability of the industry to meet new cost factors caused by inflation. The 1971 level of inflation for the industry is projected at 6.6 percent.

With the decline in our military efforts abroad the airlines have also been faced with reduced military traffic. These reductions come at a time when air travel market growth is declining.

The recent rash of hijackings have increased airline expenses by requiring the installation of security systems. Second, hijackings have raised the level of apprehension for the safety of air travelers.

Combating the hijacker is no simple task. Suggestions for eliminating this menace point more and more toward complex electronic surveillance systems which will detect the hijacker before he boards the plane. The system would be coupled with increased security measures in and around airports. These efforts are costly. In light of the airlines economic constraints they should not have to have this monkey on their backs in the future.

The airlines have not taken this deteriorating position sitting down. They have initiated steps to cut their operating expenses in several ways. Some have limited their advertising budgets. They have also made comprehensive reevaluations of their management systems and their line operations. This has resulted in reorganization and consolidation of functions in many airlines. The airlines have undertaken studies of equipment, routing of schedule systems, and of baggage handling in order to insure that these services are handled in the most efficient manner possible.

During the last 2 years airlines have also been forced to reduce employment. Employment in the industry dropped from 312,000 in December 1969, to 296,000 at the end of June. At least one airline has been forced to reduce its staff by 10 percent.

The airlines are reluctant to reduce their employment opportunities but the severity of their position requires these measures.

These efforts at cost control, better management, and the regrettable reductions in employment have started to pay off. The airline industry predicts a modest margin of profit for 1971. Clearly their efforts cannot do the whole job of helping the industry to recover.

This review of the problems facing the airline industry today brings three types of solutions to mind which will bring new vigor to the industry. These might be categorized as solutions which can contribute immediate assistance to the airlines, solutions which are out of the control of the airlines and solutions which will work for the long-range benefit of the industry.

An immediate remedy which promises to improve the financial position of the airlines is the enactment of the Investment Credit Act. The accelerated depreciation provision of the act will allow the airlines to improve their financial position with new equipment purchased after April 1971. This will permit the airlines continued expansion in meeting the needs of the public and in adding changes in technology that make flying more comfortable.

The second group of solutions are more or less out of the direct control of the airlines. It has been clearly demonstrated that a recession tightens first around service industries such as the airlines. In times of tight money people are not so willing to take the business trips or vacations which they would otherwise take. They drive or they use the phone when they would normally fly. The costs of inflation are also out of the hands of the airlines. These costs have caught the airlines with special intensity in every facet of the industry. Reductions in the rate of inflation will help the airlines grow and prosper.

Our international carriers vitally need assistance in insuring that their position in international markets will be on an equal footing with other lines, like Qantas and Alitalia. We must work to make sure that our airlines can compete against these subsidized national carriers. This means that we must make sure that access to markets is a two-way street.

The final type of solutions are long-range in nature. The airline industry is publicly regulated. This places it in a unique position. At present those who regulate the industry do not always consider the best interests of the public or the industry in establishing policy guidelines. Regulation of routes and fares must allow adequate flexibility to meet changing demands.

If it seems desirable for the overall stability of the industry, healthy mergers should be encouraged.

Wage settlements in the future must be kept in a range consistent with other factors in the industry as a whole.

The balanced transportation system which so many of us have worked for cannot become a reality without a healthy airline industry. When Congress reconvenes, I hope that others who share my concern will address themselves to these issues and thereby contribute to our discussion. The hour is not too late.

SERVICEMEN TO SPEND CHRISTMAS IN COMMUNIST PRISON CAMPS

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DICKINSON. Mr. Speaker, "every American should be important and not just sloughed off"—these words express the sentiments of Mrs. Arthur S. Mearns, wife of an Air Force lieutenant colonel who has not been heard from in over 5 years. In fact, her concern is shared by the wives and loved ones of as many as 1,635 American servicemen who will spend Christmas in Communist prison camps: 785 in North Vietnam, 590 in South Vietnam and Cambodia, 258 in Laos, and two in Communist China

Of these, 1,635 American servicemen, we know that 378 have been captured in North Vietnam—but the North Vietnamese admit to holding only 339 prisoners. We know that 84 men have been captured in South Vietnam and Cambodia—the Vietcong acknowledge holding only one man. We know that three men were taken prisoner in Laos—the Pathet Lao will not admit to holding any. Also, there are two men known to be held in Red China—but the Communist Chinese consider them to be detainees, not prisoners of war.

Mr. Speaker, the hard, cold statistics I have mentioned should remind every American that Christmas 1971 is not getting any brighter for the 1,635 families who wonder when their serviceman will be home, if he is still alive. Nor is it very pleasant for the men held prisoner in Hanoi or the jungles of Southeast Asia. Some of these men, like Navy Lt. Comdr. Everett Alvarez, will be spending their eighth Christmas in Hanoi.

Yes, every American should be important and not just sloughed off. Through the efforts of men who have fought to secure the peace, we have an opportunity—the freedom—to celebrate the holiday season as we see fit. During this holiest of seasons, we should remember in our prayers those American servicemen who have fought gallantly and those who have given the supreme sacrifice that we might live in freedom.

The following is a special prayer writ-

ten by the Armed Forces Chaplains Board for the prisoners of war who cannot be with their families in December:

Our Father God, as you are mindful of our POW's and the daily burden they bear,
Grant them an equal measure of courage and hope in their God and Country. Hasten their release and
Return them safely to family and home.

Hear the prayers of your people
Who ask that even amid the din of conflict
We may keep step with the distant drumbeat of
Your promise of Peace on Earth among men of Good Will.

There is so little any one of us can do in behalf of our prisoners of war. But maybe if all of us did something—if all of us prayed together for these 1,635 men and their families. Maybe, just maybe, Christmas would be a little brighter in Hanoi this December. And maybe, next December.

Mr. Speaker, I ask permission to insert into the RECORD an article which further points to the anxiety and despair faced by the families of American POW's and MIA's. The article by Robert Young appeared in the Los Angeles Times on Thursday, November 25, 1971.

The article follows:

PENTAGON VERSUS HANOI—CREDIBILITY CLASH RISES OVER LIST OF AMERICAN POW'S

(By Robert Young)

Two jet airliners have just emptied their gaunt cargo at a U.S. military air base. The prisoners are on their way home.

In the glare of TV floodlights, the men walk, hobble or are carried to waiting buses. Wives, sisters, brothers, fathers and mothers, strain to count: 337 . . . 338 . . . 339 . . . that's all.

That's the script for a brief, futuristic nightmare stalking Jan Dodge these days.

Her husband, Navy Lt. Ronald W. Dodge, was not among the 339 men figuring in her nightmare—a number Hanoi has represented for nearly a year as the sum total of all Americans ever "detained" in North Vietnam, up through mid-November, 1970.

It has been more than four years since Lt. Dodge's F-8 Crusader jet went down over North Vietnam.

He is listed by the Pentagon as one of 378 POWs in North Vietnam alone—39 more than Hanoi admits are imprisoned on its home soil.

These 39 Americans, in Mrs. Dodge's view, have fallen victim not to enemy bullets or SAM missiles but to slipshod accounting by the enemy.

Of the 39, Hanoi has said 13 are dead. But U.S. military authorities carry them as POWs.

The remaining 26 are men whose names have never surfaced on lists of living or dead American POWs Hanoi has furnished, via the channels of American antiwar activists.

Lt. Dodge is in this special limbo.

While the government claims it has "sufficient evidence" that 39 men like him were in North Vietnam prison camps at one time or another, an activist group—headed by Mrs. Cora Weiss of New York City—discounts these estimates.

Since Jan. 19, 1970, Mrs. Weiss has been chief broker for virtually all of the official Hanoi lists reaching this country. She has done this as co-chairman of a group calling itself the Committee of Liaison With Families of Servicemen Detained in North Vietnam.

A fundamental credibility clash, paid little heed by the American public, has arisen between the Pentagon and Mrs. Weiss' group over these lists.

Caught in the crossfire are the families of 1,136 Americans lost from view within Indochina—the missing-in-action (MIAs)—plus the 39 men unaccounted-for in North Vietnam.

(The enemy has ignored insistent U.S. pleas for information on prisoners taken in Laos, Cambodia and South Vietnam. All told, evidence suggests that 463 men are captive.)

The lists which came through the committee's New York offices last fall and winter were sworn to be a "full, complete and final" accounting before a congressional subcommittee by Mrs. Weiss.

CREDIBILITY GAP

"We have no reason to believe the North Vietnamese would withhold names," Mrs. Weiss said in a telephone interview. "There's no conceivable reason for them to do that."

Mrs. Dodge, however, feels those lists are full of ambiguities, omissions and distortions.

For she has good reason to believe her husband survived his plane's crash and perhaps is still alive in North Vietnam.

On a coffee table in the Dodge home near San Diego, a copy of the French magazine Paris Match provides all the proof she needs.

A full page photo in that issue, dated Sept. 9, 1967, depicts an anguished young flier with his head and a hand bandaged. He is well guarded.

BELIEVE IT'S DODGE

POW wives and Pentagon officials believe the picture is of Dodge. Mrs. Dodge says, "there's no doubt in my mind."

The picture caption reads: "A SAM missile has knocked down the craft of this pilot of the 7th Fleet."

As further corroboration that Lt. Dodge survived the crash, his wife cites a radio conversation he had with his wingman after he was on the ground.

"He said 'I'm moving up the hill and I'm being surrounded,'" she recalled. "He said nothing about being hurt."

Navy officials told Mrs. Dodge that her husband had made three separate radio transmissions before destroying his equipment.

"I can't say my husband positively is alive today," Mrs. Dodge said. "But he obviously got down and was captured."

The talk among families who meet at places like the officers' club at Los Alamitos Naval Air Station, increasingly is of "discrepancies in the list."

QUIET RAGE

Not having many options left as the war winds down, they lash out in private anger—at members of Congress, the press, apathetic citizens and peace movement spokesmen who regard our own POWs as war criminals.

Mostly, though, their quiet rage is directed at Mrs. Weiss' liaison committee.

"We're in deep, serious trouble because of Cora Weiss," said one anguished Air Force MIA's wife.

A key controversy centers on the list's authorship.

It has been alleged that the Committee of Liaison pieced together the list of 339 POWs from mail it had handled over a period of time, then sought—and received—Hanoi's "official" stamp.

A charge to that effect, made before a House Committee on Foreign Affairs subcommittee last April 20 was brushed off as "preposterous" by Mrs. Weiss.

Her committee is a direct spinoff from the militant Women Strike for Peace group. It is cochaired by David Dellinger, a "Chicago Seven" defendant and a prominent figure in New Left politics.

The name of another Chicago Seven defendant, Rennard C. (Rennie) Davis, appears on the committee's letterhead, as does UCLA philosophy professor Donald Kalish, who played a key role in the controversial hiring of black militant Angela Davis in 1969.

"You're willing to use any means to get a letter," said Mrs. Sandra Dennison, who learned of her husband's alleged death through the Committee of Liaison.

The news came to her from Mrs. Weiss' committee last year.

First, around Thanksgiving, committee members who had visited Hanoi produced a list of 339 American POWs, plus a roster of 20 allegedly dead Americans.

One Defense Department official said "there were no surprises"—meaning that the 339 POWs already were presumed alive by U.S. intelligence.

Another series of names, bearing the phrase "never detained in North Vietnam," cropped up at the time. Then, days before Christmas, Sens. Edward M. Kennedy (D-Mass.) and William Fulbright (D-Ark.) simultaneously received lists identical to ones released through Mrs. Weiss' office.

CHRISTMAS LIST

The only fresh twist to the Christmas list were dates of death attached to the 20 men reported as dead on the Thanksgiving roster.

Kennedy's role in publicizing the lists produced some heated byplay among POW families and Pentagon officials.

"Sen. Kennedy told me personally that the list was complete," said Joe McCain, 29, whose father, Adm. John S. McCain, commands all U.S. forces in the Pacific.

Joe's older brother John has been a POW since fall, 1967. The younger McCain has been a goading force within the POW family movement, working as a volunteer out of a San Diego office.

A staff aide to Kennedy, Dale Dehaan, said: "While we never thought of it (the list) as necessarily definitive, we have no reason whatsoever to feel (Hanoi) would deliberately leave off the list any names of persons they actually held."

To some of the wives, like Mrs. Evelyn Grubb, the death dates were not only traumatic reading—they tarnished the credibility of the information Mrs. Weiss had furnished.

REPORT FROM CHINA

Mrs. Grubb currently serves as head of the National League of Families in Washington, D.C., the closest thing to a union the next-of-kin have.

Her husband, Air Force Capt. Wilmer N. Grubb, was a well-publicized catch for the North Vietnamese on Jan. 26, 1966.

The next day, the New China News Agency reported a U.S. jet shot down, and said the pilot was captured alive.

A week later, Feb. 3, Radio Hanoi "exploited" her husband's capture, Mrs. Grubb said, by broadcasting a statement attributed to him.

Again, Feb. 7, another radio broadcast came from Hanoi in Grubb's voice.

Beginning Feb. 10, pictures of Grubb began appearing in newspapers and magazines as far afield as Algeria, Cuba, Hanoi, France Russia, and Japan, Mrs. Grubb said.

DATE DISCREPANCIES

Significantly, in light of information relayed to Mrs. Grubb last Christmas, her husband appeared healthy in all 10 of the photos she has seen.

The worst jolt was to come four years later, when Grubb's name appeared on the Thanksgiving-time list of 20 dead men.

Then the Christmas information reached Mrs. Grubb. First, the date of death was given as Feb. 4, or just nine days after her husband's capture.

Mrs. Grubb said the Committee of Liaison informed Air Force officials that Capt. Grubb's death was due to "grievous wounds sustained in the aircraft crash."

None of it figures, she found when she pieced the episode together.

"It's obvious he wasn't grievously wounded in the crash," she said in an interview, noting her husband's condition in the photographs—and the macabre use of his voice and

pictures after the Hanoi-alleged date of his death.

ANONYMITY REQUESTED

Also among the 39 men ignored by the Committee of Liaison's bookkeeping, but still carried as POWs by the U.S. government, are Milton J. Vescelius, Jr., Walter O. Estes, James Erlan Teague, Donavan L. Lyon, and Lyon's copilot—whose family has requested anonymity.

Here are highlights of each man's case, as given by family members:

After Lt. Comdr. Milton Vescelius parachuted to the ground near Haiphong harbor Sept. 21, 1967, his F-8 wingman aloft saw him wave before a crowd gathered.

"He was seen standing and was surrounded by the local populace," Jean Vescelius was informed in a telegram from the Chief of Naval Personnel.

Another document in Mrs. Vescelius' files bears the letterhead of the "Viet Nam Committee for Solidarity with the American People" in Hanoi.

This was addressed to Mrs. Weiss, and dated Nov. 20, 1970. Mrs. Weiss forwarded it to Mrs. Vescelius on the 24th, with this message:

"In response to the request for information about your husband which we made last January, we have received word he was 'never detained in North Vietnam.'"

Mrs. Vescelius said in San Diego: "The list is a farce and I don't believe it for one minute. Mrs. Weiss is using families to exploit her purposes."

Lt. Walter O. Estes and Lt. James Erlan (Jackie) Teague were flying over Haiphong on Nov. 19, 1967, from the carrier Coral Sea. Antiaircraft fire knocked them down.

From their Harrisburg, Ark. home, Lt. Teague's parents and brother Michael, 16, told how the Associated Press monitored a wirephoto from Warsaw three days later.

The caption out of Hanoi read:

"Some of the U.S. air pirates shot down by Vietnam armed forces and people during recent days." Military ID cards of four American pilots were shown full-face in the photos, which were run in a Virginia newspaper that month.

Estes and Teague were two of the four. By their names appeared the phrase: "Captured in Haiphong."

NEITHER ON LISTS

Neither man ever has appeared on any Committee of Liaison list.

Compounding the mystery, Teague's father said a released Navy pilot, told him: "I didn't see Jackie personally (in prison camp), but I talked with a man who had seen him and Estes."

That sighting was reportedly about six days after both men's capture.

"I think Hanoi's trying to confuse the American public," said Michael Teague. And, from the Estes home in Williamston, Mich., Estes' father said: "It would be a disaster to accept those lists at face value. It's very frightening to me."

Maj. Donavan L. Lyon and his copilot disappeared near the Laotian border March 22, 1968.

Lyon, who was co-captain of football at both Hollywood High and Occidental College before his Air Force career, has vanished without a trace.

But his copilot, absent from the Weiss list, was twice sighted in a POW camp in the Hanoi area, according to Pentagon intelligence sources.

"In fact, one gentleman even talked to the copilot in 1969," said Maj. Lyons' wife, Janice. "I can only assume he, like others shot down over Laos, is untouchable, since the North Vietnamese maintain the fiction they're not involved in the Laos fighting."

Even some wives whose husbands are on Hanoi's POW list feel the only guarantee against getting shortchanged in the final prisoner swap is to insist upon full, on-the-spot verification by a neutral party, like the Red Cross.

This month, Mrs. Arthur S. Mearns of Los Angeles marked the fifth anniversary of her Air Force husband's capture.

"Dirty and sullied" are words Mrs. Mearns reserves for the Committee of Liaison's tactics. "They've added more torture to an already impossible situation," she said.

Mrs. Mearns draws some encouragement from the Nixon Administration's call for a prewithdrawal accounting of prisoners and missing men.

"Every American should be important and not just sloughed off, whether they're in the ghetto or in Indochina," Mrs. Mearns said.

Mrs. Weiss, however, called the inspection approach a "diversionary tactic" by a President seeking "gimmicks to placate the families of prisoners."

Mrs. Dodge doesn't try to second-guess the President.

A good service wife, she figures "a lot of things are going on behind the scenes we don't know about."

IS PUBLIC TELEVISION WHAT IT IS SUPPOSED TO BE?

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BROWN of Ohio. Mr. Speaker, many Americans are becoming increasingly disturbed over public television. Who can blame them? It was recently disclosed that newsmen Sander Vanocur and Robert MacNeil, both castoffs from the NBC network, have been employed at salaries of $85,000 and $65,000 respectively—more than the Vice President and Chief Justice of the United States. Both have been hired as correspondents with the National Public Affairs Center for Television (NPACT), a public broadcasting production unit operating out of Washington, D.C.

Vanocur and MacNeil were formerly network correspondents with NBC. Later they were farmed out to the local NBC-TV station in New York, and subsequently dropped completely. Their status as highly paid limousine-chauffered newsmen for NPACT—a part of the Nation's financially hard-pressed public broadcasting system—is in marked contrast to their apparent standing with the Nation's largest commercial network. The irony is that these men have been hired by public broadcasting for the ostensible purpose of improving through competition, the public affairs reporting of the commercial networks which once employed them, and let them go.

The disclosure of public broadcasting's executive-level extravagance comes at a time when a number of local public television stations are drastically cutting back on programing because of financial difficulties, and when others are struggling to raise funds through marathon public subscription drives.

Those concerned about the objectivity of public broadcasting personnel may also recall that the Washington, D.C., public television station fired a local news director after his wife had taken a job with the wife of the Attorney General. Neither this incident nor the hiring of the two expensive NPACT reporters appear to concern anyone in the Corporation for Public Broadcasting, however.

But loyal contributors, who got public television on its feet during the difficult early years, and American taxpayers, who now contribute millions of dollars to the tax-supported Corporation for Public Broadcasting (CPB), may be starting to wonder about their investment.

Public TV's money judgment is only the tip of a much larger iceberg. Dismay is also growing over what many feel are indications that public television is becoming an increasingly partisan forum for specific causes, most—mercifully, not all—of them oriented to the radical new left. Despite its supposed educational purpose, public TV is showing more and more strictly one-sided programs, most with reactionary themes—anti-establishment, antiwar, antigovernment, antithis and antithat. It will not be long before feeling about the lack of objectivity in public broadcasting has its effects on the Congress where there has been significant concern expressed about the objectivity of commercial broadcasting.

Considerable controversy has always surrounded the establishment and operation of noncommercial broadcasting. A number of religious-only stations which do not sell time for commercial messages have been licensed by the FCC, but such stations do cover the costs of maintaining themselves on the air by soliciting public donations from the listeners. If this serves a worthy purpose, it was concluded, a similar public need might be filled by encouraging noncommercial education stations. In recent years, however, more than one station originally established as educational has interpreted its mission as forcing improvements in commercial broadcasting by showing it better ways to uplift the cultural quality of broadcasting through competition—using tax dollars or tax-exempt funds.

While that mission might be worthy, too, it now appears to be taking a back seat to the advocacy of radical views. Educational broadcasting is changing to public broadcasting at a time of crisis in education, when public schools all over the Nation are closing or facing grave financial problems. Many parochial schools are also no longer able to provide funds for inexorably rising costs of education.

There is a desperate need for more effective methods of mass education and more efficient means than have been developed through traditional approaches to education. There was some hope that the innovation of educational broadcasting might have brought more economies and efficiencies to classroom teaching than had been possible since Socrates.

There have been a few bright spots in an otherwise dull spectrum. But "Sesame Street" has been used more as a method of getting money from Congress for the concept of a public broadcasting network, than it has as a base from which to explore better methods of education—either in the classroom or in the living room.

In fact, one of the focal points of growing disquietude over public television has

been its new television network, PBS—Public Broadcasting Service. PBS distributes programs to 213 stations spread across the United States. The network recommends a program schedule to the Corporation for Public Broadcasting and its stations. CPB releases the necessary funds for production and PBS distributes the programs.

One such educational program, distributed by PBS was "The Three R's—and Sex Education," a documentary to enlighten the viewing public about the highly controversial subject of sex education. It was shown in October of 1970 over some 180 stations, and raised a storm of protest.

Instead of being a balanced examination of sex education, as touted, "The Three R's" was a one-sided propaganda show which made an all-out effort to convince the viewer of the desirability of sex education programs for his children regardless of age or circumstances. It portrayed the opponents of sex education as "bad guys," unwitting exponents of the Birch Society line, ignorant, and old fashioned.

TV critic Lawrence Laurent of the Washington Post, in his review of the program suggested that:

> Some question may be raised about the openness of producer McCutchen's mind.

Laurent's observation turned out to be a gross underestimate of the public outcry that followed.

The "Three R's" was so imbalanced and so full of factual errors and misrepresentations, that it precipitated widespread public condemnation, and the filing of a complaint with the Federal Communications Commission for alleged violation of the fairness doctrine.

Of course, not all the funds for the operation of local stations, the development of local or network program concepts or their promotion and distribution come from taxes paid into Federal or local government.

Much of the financing of public broadcasting comes from money withheld from governmental coffers by means of tax-reducing donations or through tax-exempt foundations. Most foundations are prohibited from political activity, but that does not prevent the men who distribute the largesse of these huge treasuries from having their own viewpoints—and these viewpoints can be very influential on programing concepts and personnel.

The role of former CBS news executive Fred Friendly, who helps decide which public television projects will receive Ford Foundation money, was explored by our congressional committee at the time the Washington educational television station fired the director of a news program funded by Friendly's interest.

The purists in public broadcasting have insisted that the Congress should exert no influence on the educational network or its stations by providing money through the appropriation process because, this would raise the prospect of governmental influence in programing. I share that concern about influence, but it is not limited to the influences of Government. What about the influence of Mr. Friendly's Ford Foundation millions? Is that vastly different from the influence of Ford Motor Co. advertising dollars on commercial broadcasting?

The suggested answer is an irreversible "dedicated" tax that would give the people operating public television today a constant piece of the public's hard-earned money—whether the citizen wants to give it or not—to do whatever the Vanocurs and the McCutchens wish.

Some recent examples of what is being done with federally appropriated dollars include the April 19 edition of "The Advocates," which zeroed in on the present handling of the war in Southeast Asia. The topic was a loaded one: "If you oppose the war, should you answer the call for massive civil disobedience?" Featured on the show was an all-star cast of anti-U.S. Government celebrities, not the least prominent of whom were Messrs. William Kunstler, Rennie Davis, and Boston University's Prof. Howard Zinn. Although purportedly set to focus on the efficacy of civil disobedience in bringing an end to the war in Southeast Asia, the program turned out to be a vicious one-sided tirade against President Nixon and his policies for ending the war.

The Government whose taxpayers are putting up the money for such broadcasts also came in for some equally one-sided treatment in a recent showing of "The Great American Dream Machine." This time the program dealt with the FBI, another Government project supported by taxpayer dollars. The producer of the show was none other than Paul Jacobs—running mate of Eldridge Cleaver for public office in California in 1968. Jacobs says his politics are radical. Most viewers thought his "Dream Machine" smear of the FBI was, too.

Another "Dream Machine" program appearing on November 3 was a more direct attack on the Nixon administration. The show included an antiestablishment song and dance number by Jane Fonda; a commentary by satirist Andy Rooney ridiculing the President's concept of an all-volunteer army—a concept which has broad bipartisan support; and an interview with screenwriter Dalton Trumbo who, among other things, has vowed to defeat President Nixon in 1972.

Variety described Rooney's part as "sharp and mean enough to prompt Richard Nixon to veto the next public TV appropriation." The show's climax was a series of interviews with a group of expatriots now living in Canada who said they were "fed up" with America.

The fact that such biased, one-sided programs are appearing on the PBS network raises interesting conjecture as to what would appear if a method of taxpayer financing free of the constraints of the Government's appropriation process could be devised. What has already appeared has convinced many that education—in the public broadcasting context—is really a code word for propaganda. It is bad enough that this kind of reactionary, radical hot air goes out over the airwaves, but should it be subsidized with hard-earned taxpayer money?

Many people believe that an educational network, servicing local stations was not necessary in the first place. In fact, that conclusion was reached by the Carnegie Foundation which underwrote a study of the subject. In its report, the study group argued for greater financial help to existing local broadcasters without interfering with their programing. The cost of operating a fourth network—as evidenced by salaries paid to Vancour and MacNeil—would appear to underscore that earlier recommendation.

It would be a tragedy if financial irresponsibility or partisan nonobjectivity were to kill off educational broadcasting at a time when it has an opportunity to bring about economies and efficiencies so desperately needed if our traditional concept of public—and mass private—education are to survive.

NEW YORK CITY DEPARTMENT OF CONSUMER AFFAIRS CALLS FOR BANNING LEAD PAINT

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. RYAN. Mr. Speaker, the New York City Department of Consumer Affairs has today announced its support of a petition, filed by five child health advocates and me, calling upon the Food and Drug Administration to ban all lead-based paint from household uses under the authority of the Hazardous Substances Act.

The Department denounced as "regressive" a counter proposal initiated by the FDA itself. This proposal would merely require that paint with a lead content in excess of 0.5 percent bear a warning label.

In her letter of December 8 opposing this labeling requirement, Consumer Affairs Commissioner Bess Myerson pointed out that:

> A warning attesting to the hazardous nature of substances on the product label is of no consequence, once the paint has been applied or, more importantly, years later when it peels or flakes and thus makes itself readily accessible to curious, omnivorous infants.

Her letter goes on to urge the Food and Drug Administration to reconsider its position and to support instead the petition submitted by Joseph Page, Jack Newfield, Anthony Young, Mary O'Brien and me, and which would classify as "Banned Hazardous Substances" paints and surface coverings containing more than minute traces of lead.

I include the full text of Commissioner Myerson's letter of December 8, at this point in the RECORD:

DEPARTMENT OF CONSUMER AFFAIRS,
New York, N.Y., December 9, 1971.

Re Proposal by the Commissioner of Food and Drugs that a new subparagraph be added to 191.5(a) and a new subparagraph be added to 191.7(b) to declare certain heavy metal-containing paints and other surface-coatings Hazardous Substances, and to require special labeling of same for child protection.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

DEAR SIR: The Department of Consumer Affairs opposes as regressive the proposal by

the Commissioner of Food and Drugs to declare certain heavy metal-containing paints and other surface-coatings Hazardous Substances and to require special labeling of same for child protection.

Our position is based on the following points:

1. A warning attesting to the hazardous nature of these substances on the product label is of no consequence once the paint has been applied to the intended surface or, more importantly, years later when it peels or flakes and thus making itself readily accessible to curious, omnivorous infants.

2. The young children, who are the principal victims of lead poisoning when they eat toxic surface coatings, can not read.

3. A label warning would tend to imply that manufacturers may escape responsibility for the potential toxicity of their products.

We are pleased "the Commissioner has concluded that the scope of the Federal Substances Act fully encompasses the question of cumulative toxicity," especially in light of the Commissioner's finding that the potential hazard from paint containing lead must be "considered in conjunction with other sources of lead in the environment." In New York City and other urban areas, this is not a minor consideration.

On the other hand, the Commissioner's contention that the proposed amendments "will have the additional effect of automatically banning any toy or other article intended for use by children . . . which bears such paint or other surface-coating material" seems naive at best. While the proposed amendment *would* require the labels of these products to contain a warning against applying them to toys and other children's articles, there is absolutely no way such a "warning" could possibly be enforced.

Finally, our experience with a similar regulation (173.13 of the New York City Health Code) has been extremely discouraging. Although said regulation has been in effect locally since 1959, between 10–30% of paints are not correctly labeled at point of sale.

In conclusion, we strongly urge the Commissioner to reconsider his position and to support instead the proposal of Joseph A. Page *et al* to classify as Banned Hazardous Substances paints and surface coverings containing more than minute traces of lead. We further suggest that this classification be extended to cover paints and surface-coatings intended for household use if they contain heavy metals (e.g. antimony, arsenic, barium, cadmium, mercury, selenium) which the Commissioner has found to be hazardous substances.

Very truly yours,

BESS MYERSON, *Commissioner.*

CITY ASKS FDA TO BAN LEAD IN PAINT, SAYS KIDS CAN'T READ LABEL WARNINGS

The Department of Consumer Affairs today announced its support of a petition to the Food and Drug Administration aimed at banning lead in paints intended for household use.

At the same time, the Department denounced as "regressive" a counter-proposal by FDA Commissioner Charles C. Edwards. He would require special labeling of household paints containing certain heavy metals (including lead), but would do nothing that would actually keep these potentially toxic substances out of the hands—and mouths—of young children.

The Department supports the petition to ban the lead, filed by a group that includes Joseph A. Page, Associate Professor of Law at Georgetown University, Congressman William F. Ryan, journalist Jack Newfield, students Anthony L. Young and Mary Win O'Brien and Edmund O. Rothschild, M.D.

In their petition, they state that "Human experience has established that ingestion by children of flakes from lead-based paint causes lead poisoning, the consequences of which include death, encephalopathy, neuromuscular effects, interference with the development of red blood cells, and an abnormal syndrome characterized by colic, anorexia, and malaise.

"It is not necessary to weigh the advantages of lead-based paint against the health and welfare of this Nation's children and Her future children. The paint industry can produce paint without lead (except for minute traces which no reasonable manufacturer could preclude from his product)."

In her letter opposing the FDA Chairman's counterproposal, Consumer Affairs Commissioner Bess Myerson pointed out that "a warning attesting to the hazardous nature of substances on the product label is of no consequence, once the paint has been applied or, more importantly, years later when it peels or flakes and thus makes itself readily accessible to curious, omnivorous infants." She urged Commissioner Edwards to withdraw his proposal and support the Page *et al.* petition.

TO STAND AND BE COUNTED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include the text of an address made to the Lone Star Chapter of the American Ordnance Association by Mr. Forbes Mann, president and chief executive officer of the LTV Aerospace Corp., Dallas, Tex.

I consider Mr. Mann not only as a personal friend but one of the best informed and most advised members of the aerospace fraternity. He has had a lifelong career in the industry and is committed to the fundamentals of this facet of our economy. Moreover he is a dedicated American who is vitally concerned for the future of this country and its defense. The message he brought to the Lone Star Chapter of the American Ordnance Association is one which every Member of this body should heed.

The address follows:

TO STAND AND BE COUNTED

My subject this evening is complex and burdensome. Nonetheless, I have elected to discuss with you the plight of the nation's defenses and the associated defense industry, because the issues are as crucial as they are unpopular and as fraught with erroneous claims as they are unforgiving of error.

I will attempt to present a factual view—although obviously I suffer somewhat the same affliction as the author of that best-seller, "An Unbiased History of the Civil War—from the Southern Point of View!"

First, what is the defense industry? One possible answer could certainly be that it is an industry on the defensive. A more descriptive answer would perhaps be that it is virtually all U.S. industry. The list of the Defense Department's 100 top contractors reads like the Who's Who of American business. Major defense contractors include firms best known for products ranging from automobiles to pianos, telephones to clothing, and tractors to tobacco. My remarks will be directed principally toward the aerospace segment of this industry since, being the most visible, it has been the most popular target for critics. Further, it is the part of the defense industry with which I am the most familiar.

DEFENSE QUESTIONED

One can question at the outset whether we are in reality discussing that great asset of our nation known as the "Arsenal of Democracy" . . . or whether we are in fact talking about that sinister conspiracy, "The Military-Industrial Complex" (to use an expression perhaps quoted out of context more often than any other in recent times). The two are, of course, one and the same—depending to a large degree upon the imminence of foreign threats to our nation's well-being.

It is useful to recount some of the objections raised by critics of the Defense Department in general, and the aerospace industry in particular. First, it has often been pointed out that our nation faces truly critical problems at home; that it is time to turn our attention away from distant and uncertain enemies toward the problems besetting us daily, such as crime, inflation, unemployment, decaying cities, drugs, human inequities and the deteriorating environment. It has further been noted that if both the communist and non-communist nations keep increasing arms, neither side is any better off and the risk to all simply becomes greater. One hears that the war in Southeast Asia is not crucial to our well being, and further, if it had been, that we have been unable to win a clear military victory. Many say that war for any purpose is immoral—yet, the military and the aerospace industry are inextricably tied to the threat of war for their very perpetuation. The press has repeatedly pointed out that the aerospace industry is guilty of profiteering, poor management and generally inept performance. "Why," people ask, "are we falling behind the Soviets in military strength when we have spent so much for defense for so many years? Where has the money been going?" And finally there is the question of the credibility of defenders of the military, because of past cries of "wolf." We all remember, for example, the strenuous warnings over the "Bomber Gap"—a gap which never materialized. In short, bombarded with information ranging from "Pentagon Papers" to unscrupulously edited TV programs such as "The Selling of the Pentagon," a very large segment of the public has lost confidence in those who provide for the common defense.

Many of these accusations have been made in the best faith—and many contain elements of the truth. There can be no question, in my opinion, that the aerospace industry is more efficient and more tightly run today due to the scrutiny it has received. Further, the industry must learn to run its affairs in the future in an even more effective manner.

Surely no sane individual desires war. Least of all the military, whom, we somehow seem to forget, are the ones called upon to do the fighting and dying. It is a sad testimony to our times that last year the nations of this troubled world should spend $204 billion on armaments and other defense-related items, rather than on food for the hungry, cures for the sick and education for the poor.

But if one is dissatisfied with the threat of war, the solution cannot lie in the destruction of the military any more than the solution to crime is to dismantle the police department, or that the solution to disease is to eliminate doctors.

THE ROAD TO WAR

The danger in the burgeoning reassessment of the military and the defense industry lies in going too far. Since 1968 our armed forces have been reduced by one million men, down to 2.5 million men today. This is about as small a force as we have had any time since 1958. Turning from our capability in-being to our capability for the future, one finds that during the past three years we have been dismantling the aerospace indus-

try at an equivalent rate of more than one major company per year, with half a million people now off the payrolls as compared with the 1.4 million peak in 1968. It is useful to reflect on the fact that in terms of employment drop, in the last 32 months alone we have in effect lost the capability of a Boeing plus a General Dynamics plus a TRW plus a Grumann plus a Lockheed. Perhaps the greatest loss has been the dismantling of design teams which took years to build and which take years to rebuild. Quality research and development is not a commodity that can be turned on and off as a water faucet, depending upon the presence or lack of an emergency. With the advent of the nuclear age, we all exist only 25 minutes from holocaust, and there is no such thing as time to rebuild our strength "tomorrow." Tomorrow is today.

Since the 1950's the U.S. has gone from a position of unquestionable military superiority to where, if the current trend is prolonged, we will become what the Secretary of Defense has referred to as "a second rate power." We must ask ourselves what it would mean to face another Berlin crisis, a Cuban crisis, or a Mideast confrontation with ourselves as the side with the clear military inferiority. As has been pointed out by the supplemental statement of the President's Blue Ribbon Defense Panel, weakness of the U.S.—either in capability or will—could be the gravest threat to the peace of the world. "Among the great nations, only the strong survive."

History is replete with evidence that it is the road to war, not peace, that is built upon weakness. One cannot help but recall Neville Chamberlain's triumphant return from Munich speaking of "peace in our time"—as Hitler prepared the overthrow of Czechoslovakia.

There is ample evidence of the consequences of dealing with the Soviet Union from a position of weakness. The people of East Berlin, Hungary and Czechoslovakia could attest to this. As President Nixon has pointed out, "We cannot trust our future to the self-restraint of countries that have not hesitated to use their power even against their allies." There is an old Russian proverb that says "When the wolf shows his teeth, he is not necessarily smiling."

One must ask how much temptation we wish to subject would-be dictators to. As former Secretary of State Dean Rusk has suggested to the young people who so properly find fault with the world they have inherited, one does not necessarily enhance himself by criticizing the errors of one's father—only to repeat the errors of one's grandfather.

There is a good deal of insight in the old adage which says, "If ducks shot back, very few people would shoot ducks."

Certainly we can, and must, do those things which will continue to improve the quality of life here at home. But an insufficient ability to defend ourselves from threats from abroad is perhaps the most certain way to assure that our children will *not* enjoy the benefits of a clean environment, of safe streets and of full employment. With all the discussion of our nation's problems, I must add that I have grown terribly tired of hearing about what is wrong with this country. It is time we begin talking about all the things that are great in this country. Ask yourself, for a moment, how many individuals have you heard of who are willing to leave this country to live anywhere else?

ACCOMPLISHMENTS

Let us turn now to the role of the aerospace industry. Although one hears most often of the misadventures of this industry—and there have been misadventures—the industry nonetheless has many accomplishments of which it can be, and is, justifiably proud. This is the industry which has built 82% of the free world's commercial jet airplane fleet. It is the industry which safely placed men on the moon and returned them to earth within the decade set as a goal by the President of the United States. It is the industry which has demonstrated the ability to out-produce its counterpart in all other nations of the world whenever called upon to do so. When World War II began, the U.S. armed forces possessed 1,400 airplanes. One year later, more than 8,000 aircraft were operational, mostly of improved designs. By the peak year of the war, U.S. industry was turning out aircraft at the rate of one every five minutes, day and night. This same industry has contributed new electronic components, materials and other types of products used in our everyday lives. All this has been accomplished in the 68 years since the Wright brothers took that well-remembered 120-foot flight over a distance barely more than half the length of one of today's 747 jet aircraft, or about one-third the length of the Saturn V launch vehicle.

Perhaps the aerospace industry's greatest failing has been a seeming inability to recognize the risks inherent in its activities. As a consequence, entirely erroneous cost and schedule estimates have abounded. In the 1960's, for example, major development programs suffered an average cost overrun of 90%, and a schedule overrun of 20% to 40%. Somehow, it has not been fully appreciated that research and development, almost by definition, involve risk—if for no other reason than that the things being done have never been done before. As a measure of such risk, 22% of the aerospace industry's sales are now devoted to research and development, as compared with about 4.5% for U.S. industry as a whole. A study several years ago attempted to quantify the technological difficulty attendant on development programs conducted by the aerospace industry and by non-aerospace organizations. It was found that the complexity of many aerospace tasks greatly exceeded those of other industries, and when this factor was taken into consideration the performance of aerospace companies compares very favorably with that of industries operating in other fields. Fully 52% of the aerospace industry's sales in 1973 will be from products which did not even exist as recently as 1969. This compares with an average for all industry of 19%.

A second valid criticism of the aerospace industry might be that it has acquired the syndrome of incorporating the most advanced technology available into almost everything it builds. As a result, the unit cost of *new* aerospace products has consistently increased by factor 4 every 10 years. This is true whether the product is commercial airliners, military fighters or space missions. One can show that in the case of a fixed defense budget, if this trend persists, we are only 62 years from the day when our Navy and Air Force will each consist of a single airplane! (The aerospace industry is not alone in this cost dilemma, of course. You may have noticed, for example, that for the second consecutive year expenditures have increased for the Congress' "Joint Committee on the Reduction of Federal Expenditures!")

A third justified allegation might be that the industry has allowed itself to become bogged down in paperwork. Increased paperwork never has been, and never can be, a substitute for good management. Over 14,000 control documents are now in existence governing the work of defense contractors. The paper leading to the selection of a contractor to build the huge C–5A transport would nearly have filled that aircraft. Every time a new A–7 flies over the fence at the end of LTV's facility in Grand Prairie, 23% of its cost is in the paper that goes along with it. The effort devoted in the U.S. to these extraneous outputs is in sharp contrast with, say, French practice on the Mirage II, wherein 55 engineers, 50 designers and 95 craftsmen are said to have progressed from contract award to first flight in a period of 13 months. Once again, the importance of mantaining experienced design teams is evident. In sharp contrast with the European approach, where engineers who have worked for more than one or two firms are treated with a considerable degree of professional skepticism, the on-again, off-again employment of U.S. aerospace firms causes the average company to have an employee turnover equal to its entire labor force every 3 years. In fact, in 1970 the industry reached the point where nearly half the employees with any given aerospace company at the beginning of the year were gone by the end of the year. The impact of such a situation on efficiency of operation is obvious. Fortunately, the increase in emphasis on prototyping now being pursued by the Department of Defense should help alleviate at least some of these problems.

CHANGING PRIORITIES

If the defense industry is to regain the faith of the public, it must first rectify these failings that do exist. But beyond that, in many other instances, the need is to set the record straight. First, consider the allegation that our national priorities should be changed. One need only look at the record to see that our national priorities have been changed. Defense expenditures have gradually declined from nearly two-thirds of the federal budget at the end of the Korean War to one-third today—the latter a time when the remnants of the war in Southeast Asia are still being fought. The defense portion of the gross national product, about 6.8% in 1971, is the lowest it has been since 1951, when it was 6.7%. In contrast, funding for human resources has increased from 27% to 42% of federal expenditures since 1960 alone. The defense research and development budget now approximates the annual sales of U.S. liquor stores.

In terms of real buying power, the Defense Department's requested outlays for fiscal year 1972 are virtually the same as in the last prewar year ($76.0 billion in 1972 vs. $75.8 billion in 1964, both expressed in terms of 1972 dollars). This reflects a decline in real spending of $24 billion in the past 4 years in terms of today's dollars. The problem of inflation is aggravated by the fact that over 52% of the defense budget is now absorbed by personnel costs, as is 70% of the aerospace industry's costs.

Fully 65% of the "controllables" in the federal budget (items subject to legislative scrutiny each year) lie within the defense portion of that budget. Thus, it is to defense that one first looks when cuts are to be made. It would seem to be a desirable goal to place a much greater portion of the federal budget in the "controllables" category, permitting all items to be evaluated on an equal footing, with each being afforded a carefully considered priority.

With regard to the viewpoint that the financial power of the aerospace industry permits it to exert undue influence on the government, it is well to recall that the market value of the common stock of the 10 largest aerospace contractors . . . all added together . . . is about 72% of that of the Avon Cosmetic Company taken by itself.

PROFITEERING

Let us turn to the accusation of profiteering on the part of the aerospace industry. A few statistics also help set the issue in perspective.

Of the top 100 defense contractors in 1970, only 12 made the Forbes list of the 100 leading U.S. firms in terms of profitability. (In 1966 the number was 27.) In 1970, aerospace profits before federal income tax were, as a percent of sales, 3.5% as compared with 6.8%

for manufacturing industries as a whole. Based on equity capital committed, aerospace profits equalled 12.0%, as compared with 15.7% for overall manufacturing industries: and 7.1% as compared with 10.5% based on total capital. These trends have maintained themselves relatively consistently for a number of years.

Recent data on profits of aerospace firms which also deal in commercial markets reveal that these same companies were better off dealing in non-defense products. The risk to companies dealing with the Department of Defense is high. Seventy-five percent of all production contracts in 1970 were of a fixed-price type, and even in the case of research and development, with its many unknowns. 30% fell into this category.

These problems are intensified by the relatively heavy working capital demands of most aerospace tasks. In 1970, the capital furnished by the industry, plus short-term debt to banks, amounted on the average to 25% of sales. Thus, at an interest rate of 9%, financing this capital would alone require a profit on sales of 2.3%, as compared with the 3.5% before tax profit actually realized.

STUDY IN CONTRASTS

In sharp contrast with the cutbacks in defense expenditures in the United States, the Soviet Union has maintained an unwavering path toward true military supremacy ever since the Cuban Crisis when it learned anew the bitter lessons of bidding from a position of inferior strength. The USSR has quadrupled the megatonnage of its strategic offensive force since 1965, a time during which the U.S. force underwent a corresponding decrease of 40%. The still growing Soviet force now comprises 50% more ICBM's than the numerically static U.S. force, and the Soviets will soon pass the U.S. in the number of submarine-launched ballistic missiles. Similar trends prevail in the tactical arena where, for example, the number of steaming days in the Mediterranean for Soviet naval vessels has increased from 750 in 1963 to 16,000 in 1969. In space, the Soviets are once again beginning to surpass the U.S. effort, having gone from a position where in 1966 the U.S. conducted 66% more space launches than the USSR to where this year the Soviets have conducted 2.6 times as many launches as the U.S. In commercial aircraft, the Soviets are now flying a supersonic transport, whereas the U.S. program has been abandoned. Corresponding trends are observed for items ranging from the number of new fighter aircraft systems introduced to the number of new surface-to-air missile systems developed.

Yet, in the face of such events, we have permitted our fleet to deteriorate to the point where more than half of its ships are over 20 years old. Similarly, half of our Air Force's aircraft are 10 years old. Yet, the Air Force last year was able to procure fewer new aircraft than any year since the days of the Army Air Corps in 1935.

Perhaps most disconcerting of all is the fact that many of the Soviet strategic weapon developments bear the aura of first-strike weapons. The Fractional Orbit Bombardment System. "FOB," has as its principal advantage the ability to conduct a surprise attack by sneaking under the defense's radars. The USSR ICBM force has continued to grow long after a strong deterrent capability was reached, and the weapons comprising this force include the 25-megaton SS–9, suitable for strikes against the U.S. deterrent force but unduly large for attacks against retaliatory targets.

In contrast, the U.S. has not increased the size of its ICBM force since 1965, has actually decreased the size of its aging bomber force and is now relying to an ever increasing degree upon 41 submarines to maintain our strategic deterrent capability. However, as the Senate Armed Services Committee has noted, "We cannot assume that our Polaris system will be the first weapon in history to remain invulnerable."

That the Soviets have embraced technology as the means to achieve world-wide superiority seems apparent. The USSR now graduates 2.4 times as many scientists and engineers each year as the U.S., with 47% of all college graduates in the Soviet Union being in technical fields, as compared with 15% in the U.S. Even at that, the National Science Foundation has forecast a 40% surplus of engineering Ph.D's in the U.S. within the decade.

Military related efforts comprise 75% of all R&D conducted in the Soviet Union, contrasted with 55% in the U.S. The Soviet defense R&D budget is generally considered to exceed that of the U.S. by about $3 billion per year. It is sobering to realize that this is about the amount we will spend in 1972, *in total* on the development of such major systems as Safegard, SAM–D, B–1, F–15, ULMS, F–14, AEGIS, the International Fighter, AWACS and the Space Shuttle. The Soviet's ability to generate major new capabilities beyond those being pursued by the U.S. seems evident.

The shock of Sputnik is well remembered by us all. Yet the impact of Sputnik would pale in comparison with a similar Soviet advance in the weapons field. The possibility of such an unexpected advance in these dynamic times is underscored when it is recalled that 80% of the information used by an engineer who is now nearing the end of his professional career was not even in existence when his career began.

TECHNOLOGY'S ROLE

Criticism of defense-related research and development in the U.S. has expanded to encompass a broad anti-technology movement opposing all technology. Yet, few among us would really care to sacrifice the benefits technology has brought, such as vaccines, high-yield grains, the automobile, air conditioning, electric lights, television, air travel, telephones, the shorter workweek through greater productivity, and so on. It is a fact of life that the U.S. is highly dependent upon technological advancement to maintain its position in the world, both militarily and economically. The Department of Commerce reports that in 1969 the U.S. had a trade deficit in all major commodity groups except "technology intensive" manufactured products. In 1970, without the export of commercial aircraft, the favorable export balance of total goods and services would have been reduced by fully 40%. The export of a single jumbo jet offsets the importation of 12,000 small cars.

Without superior technology it seems clear that the U.S. cannot hope to maintain either its military or economic standing in a world 60 years from now in which 332 million Americans (as compared with 207 million today) must live with a Communist China that has grown from 750 million to 4.9 billion people, an India grown from 576 million to 5.1 billion, a Mexico from 50 million to 700 million (all based on census bureau projections of today's birth rates.).

The hazards of underestimating the benefit of technological advancements even when viewed by presumed authorities are sprinkled throughout the history of science and engineering. Martin Van Buren (then governor of New York) wrote to President Andrew Jackson in 1829 concerning the threat of railroad trains: "As you may well know, Mr. President, 'railroad' carriages are pulled at the enormous speed of 15 miles per hour by 'engines' which in addition to endangering life and limb of passengers, roar and snort their way through the countryside, setting fire to the crops, scaring the livestock and frightening women and children. The Almighty certainly never intended that people should travel at such breakneck speed."

Turning to aviation, when in 1903 Professor Samuel Langley tried unsuccessfully to fly his aircraft, a New York Times editorial derided his effort as a "fiasco" demonstrating that it would be millions of years, if ever, before man would fly. Before the year was out, the Wright brothers had made their first successful flight.

I have a textbook in my library which was written in 1926 and states that heavier-than-air transatlantic flight is impossible. Further, the book goes on to prove it—concluding that the U.S.-European intercontinental air transport market will be the captive of dirigibles.

WHERE TO?

In closing, it is perhaps appropriate to ask, "What of the future"?

It seems clear that the voices of those dedicated to the proposition that the best guarantee of peace is a strong national defense must once again be heard. Representative Hébert has noted that although some of the more vocal critics of a strong defense posture may burn their draft cards, there is no record of any having burned their social security card or food stamps, or indicating a willingness to sacrifice any of the other benefits that our past strength has in fact helped make possible. Just prior to World War II, it was the Congress that recognized the lack of wisdom of an administration budget-cutting attempt and prevented it from forcing men who had served long in grade (15 years as lieutenants) out of the service. Among the men thus retained included such future leaders as Leslie R. Groves, Lucius Clay and Alfred M. Gruenther.

In our nation's lifetime the military services have been called upon to fight 13 wars. Where we would be today had our ancestors followed the path to unilateral disarmament, as is now so often advocated, need involve little conjecture. As has been the case before, and is the case once again, the time has arrived to stand and be counted. The stakes are high and the opposition is both vocal and well organized. But it is a battle we must win if this great country of ours is to survive.

MAJOR LEGISLATIVE ISSUES

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DONOHUE. Mr. Speaker, in accord with our annual custom, as we approach the end of this first session of the 92d Congress, I wish to include a summary report on some of the major legislative issues that were considered and activities that occurred this year.

Despite the historic fact that most of the work of any particular Congress is usually accomplished during its second session, I think any impartial examination of the evidence would fairly require the conclusion that, in this first session, the Congress was both diligent in action and constructive in achievement.

Of course, we cannot recount the activity surrounding every measure that was presented but I think a review of the overall record will show that some pretty solid and forward-moving legislative steps were taken in a good many of the basic areas of national concern.

PROVIDING JOBS FOR THE UNEMPLOYED

It is commonly felt that the worst of the human catastrophes resulting from a recession is unemployment, with all its

demoralizing effects upon American family life. Keenly aware of its responsibility in this tragic area, the Congress moved on several fronts, all of which I supported, to open up new jobs for the unemployed. Chief among them were the Emergency Employment Act and the Public Works and Economic Development Act of 1971. Unfortunately, the President saw fit to veto another accelerated public works measure that I supported and which would have been especially helpful to the smaller communities within my district and the country, that was designed to combat unemployment and to help local governments meet their very urgent water and sewer expansion requirements. This legislative objective will undoubtedly be revived next year and I will further support it. This and other action will, in my opinion, have to be taken in the near future to improve our sad unemployment picture and I shall continue to urge that additional bills, such as I have joined in sponsoring, to create at least 500,000 more public service jobs, be speedily adopted next year.

INFLATION CONTROL

The imperative necessity for firmer action to halt inflation and revive our declining economy has long been obvious. I, with a great many others who had long urged more effective executive action for this national purpose, was, therefore, gratified when the President finally decided to use the powers provided to him by the Congress in the original Economic Stabilization Act and its extension of 1971. Many of our most respected economists have indicated their convictions that this recession cannot be overcome without imposing stricter controls on wages, prices, salaries, and rents, and very likely on profits, dividends and interest rates. If and when the need arises, more vigorous pressures should be exerted by the White House to keep the various economic factors in equitable balance. I am sure that any further request from the White House for additional legislative power would be given expeditious approval by the majority of the Congress.

In a related economic area, the Revenue Act of 1971 was adopted, which provides for tax relief, too limited in my opinion, for individuals, a repeal of the manufacturers' excise tax on automobiles, tax incentives for business expansion and a program for job development credit. These actions are in the right direction but I believe much greater equitable tax relief, as an added spur for economic revival, must be granted for those who need it the most and will spend it the quickest; the poor, our older citizens, and our too-long-neglected middle-income families.

ACTION TO IMPROVE THE NATIONAL HEALTH

Accelerated and significant advances in national health improvement will be made possible by congressional passage of the Comprehensive Health Manpower and Training Act of 1971, the Nurse Training Act of 1971 and the Conquest of Cancer Act, which initiates a bold new national crusade to hasten the discovery of the cause and project the cure for this terrifying disease.

HUMAN RESOURCES AND SOCIAL PROGRESS

The congressionally approved Higher Education Act of 1971, when put in operation, will provide urgently needed fiscal assistance to our institutions of higher learning and needy students. Although I urged a more expansive program, I am hopeful that this measure will be of substantial help to qualified students in obtaining tuition cost underwriting and enable our area educational institutions to meet the ever-increasing financial burdens of maintaining quality education.

Congress also passed legislation granting an across-the-board 10-percent increase in old age, survivors, and disability insurance benefits retroactive to January 1, 1971. The House also passed H.R. 1, still pending in the Senate, that contains provisions to substantially strengthen our social security structure through increasing benefits by 5 percent in January of 1972, basing future increases on cost-of-living indexes, increasing the amount an annuitant can earn without losing any social security benefits, entitling widows and widowers to a benefit equal to the full amount their deceased spouses would have received if they were still living, and liberalizing the disability insurance protection program. Railroad retirement benefits were also increased by 10 percent, effective January 1, 1971; other bills pending would assist older persons to obtain jobs through emergency public service employment programs, and extend medicare and medicaid protection to qualified social security and railroad retirement recipients.

Both Chambers approved the Economic Opportunity Act Amendments of 1971 which, besides continuing the existing programs to carry out the declared war on poverty, also established a new and expanded program of educational, nutritional and health services to preschoolchildren but the President vetoed the bill. On other fronts, the Narcotic Addict Rehabilitation Act Amendments were approved and the House passed two bills, among others, important to our veterans. One expands the drug treatment program for veterans and the other extends hospital and medical care benefits to veterans' dependents. A measure to expand the national school lunch program was also accepted.

CONSUMER AND ENVIRONMENTAL PROTECTION

Among other measures, the House approved the Consumer Protection Act of 1971 to give additional help and guidance to the consumer by establishing an Office of Consumer Affairs within the Executive Office of the President and an independent Consumer Protection Agency to set up more stringent regulations and represent the consumer in certain court actions. Also, the Flammable Fabrics Appropriations Act to continue and strengthen the enforcement of the original legislation was adopted.

In the physical environment field, a number of strengthening measures were approved, such as the Water Resources Planning Act, the Federal Environmental Pesticide Control Act, the extension of the Federal Water Pollution Control Act, the Marine Protection, Research, and Sanctuaries Act and approved resolutions to establish a Joint Committee on the Environment and a National Advisory Committee on the Oceans and Atmosphere.

OTHER LEGISLATION OF NATIONAL, REGIONAL, ORGANIZATIONAL AND INDIVIDUAL IMPORTANCE

Within these categories, Mr. Speaker, many bills were considered in both the House and Senate and, of course, they cannot all be listed here. Among the more important I think the following legislative actions, which I supported, deserve to be mentioned: Granting voting rights to our younger citizens, 18 years of age and older, in all elections; the more equitable revision and extension of the military draft law, pending the establishment of an all-volunteer Army; the equal rights amendment; campaign election reform; the initiation of recorded teller votes in the House for the first time, which has resulted in a substantial increase in Chamber voting participation; also two bills of particular interest to small business, to expand present and to establish some new programs of assistance to these smaller private enterprises and to increase the amount of available loans and guarantees through the Small Business Administration; repeal of the Emergency Detention Act of 1950; a wholesome and sensible beginning of the separation and reduction of foreign military and development assistance; and some additional reductions in unnecessary defense spending that I have long urged and supported.

The Juvenile Delinquency Prevention and Control Act amendments of 1971 were approved to establish an Interdepartmental Council on Juvenile Delinquency to coordinate all Federal delinquency programs and provide further financial assistance to State and local enforcement units to deal with this urgent and expanding problem. Additional funding for a comprehensive study to find better ways to deal with the marihuana and drug abuse problem was also approved.

While we are all very happy that the winding down of our participation, toward complete withdrawal, that I have long advocated, in the Vietnam war is steadily proceeding, there appears to still be room for accelerated troop returns to end the bloodshed as quickly as possible. To insure the further and quickening tempo of our disengagement, I supported several amendments to military procurement bills, that were not adopted, designed to limit the spending of money for the further conduct of the Vietnam war, after a certain date, provided that our prisoners of war were released and that the safety of our withdrawing troops would not be endangered. I shall continue my individual and cooperative efforts to end the tragic Vietnam war as quickly as it is humanly possible to do it.

Mr. Speaker, without any further prolongation of this summary, I believe that the legislative actions I have already outlined, together with a host of other and less important matters that were considered, constitute a substantial first session record of accomplishment in the various legislative fields of economic stability, health improvement, human

needs and social development, law enforcement, environmental and consumer protection, and governmental reform. Although a good deal has been accomplished, much, of course, remains to be done and I very earnestly believe it will be done in the coming second session of this 92d Congress. Little could have been achieved, in this current session, without the dedicated effort, tolerance, understanding, and cooperation that was continuously demonstrated by the great majority of earnest and concerned legislators of both parties in the Congress. I profoundly hope that these virtues will prevail, against all temptations, throughout the next congressional session.

Meanwhile, as December 25, 1971, fast approaches, I want to extend to my colleagues and constituents the sincere wish they will receive, on this holiday, an abundance of the special blessings of the Christmas season that we all most urgently need and surely must have if we are to successfully work together for the reestablishment of peace and progress, with good will, here in our own troubled country and throughout this uncertain world.

A FORWARD-LOOKING CONGRESS—SUMMARY OF THE FIRST SESSION OF THE 92D CONGRESS

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ALBERT. Mr. Speaker, we have just completed a productive and responsible session of the Congress. I believe that the true impact of this session has not been fully felt nor have its implications for the Nation been adequately understood.

While building upon the foundations laid by the great 89th and 91st Congresses in the expansion of Federal support of education, consumer protection, environmental control, health care, and equal opportunity, the accent of this Congress has been first on widening democracy and second on halting the deterioration of the economy, a problem which the American people consider the most important now confronting the Nation.

We have made representative government more meaningful on four fronts. First, we have made our proceedings more open to public view. Operating under the new Reorganization Act, we have used the record teller vote and have brought additional responsibility to our deliberations. This procedure alone has effected an 80-percent increase in the number of Members voting. The publicizing of committee attendance and voting has also accentuated our progress from secrecy to the open conduct of the public business.

Next, as a result of a study by the seniority committee of the Democratic caucus, we have disbursed responsibility among our Members, making the House itself a more democratic body. We have done this by limiting each Member to one subcommittee chairmanship with the result that nearly half of the Members of the House are either subcommittee chairmen or ranking minority members.

Third, and of historic moment, we have broadened the franchise by submitting to the States the 26th constitutional amendment to lower the voting age to 18 in all elections. By giving the right to vote to 25 million young Americans, we have joined historic Congresses of previous generations which have abolished property qualifications, slavery, and sex discrimination as barriers to full suffrage.

And finally, we stand ready to enact into law the first major election reform bill since 1925. This legislation is a response to legitimate public concern over the increasing influence of wealth in elections, a tendency which threatens to subvert democratic principles by prohibiting men of ordinary means from competing for public office.

This Congress should also be remembered for the initiatives it has taken to cure an afflicted economy.

When we convened in January, we found the Nation's economy in complete disarray. The legacy of full employment bequeathed President Nixon by the outgoing Democrats in January 1969 had been dissipated and replaced in 2 years by an additional 2 million jobless Americans. After witnessing a steady growth of the economy throughout the Kennedy-Johnson years, we were now faced with an industrial plant operating below 75 percent of capacity and an annual GNP $74 billion below its potential.

The costs to the Nation of this deliberate slowdown have been enormous. Far from bringing down prices as intended, administration policies produced an unprecedented combination of inflation and recession. The cost of living was 12 percent higher in January than it had been 2 years before, and unemployment was approaching the 10-year high of 6 percent where it has stayed throughout the year. The number of Americans living in poverty increased in 1970 for the first time in a decade, and welfare rolls also hit alltime highs.

Believing that the country could no longer afford inaction, the 92d Congress extended the authority it had given the President in 1970 to control wages and prices, and urged him once again to act immediately. The Congress approved emergency employment legislation and accelerated public works authorization to get the Federal Government into the attack on joblessness.

And after the President finally adopted our recommendations on August 15, we expeditiously enacted tax relief to stimulate the economy and a further extension of the economic stabilization legislation to give full latitude to the phase II proposal. The Congress strengthened and refined both these measures to provide balance and equitable treatment for all Americans.

While the economic prognosis is still mixed, we stand ready to take further initiatives as required to bring our economy back to full prosperity and full employment. When we return in January, we have other unfinished business as well—water pollution, housing, rural development, aid to education, and other measures of importance to the Nation. I feel that we can and will build proudly on the solid record of accomplishment of the 92d Congress to date.

THE ECONOMY

COST OF LIVING STABILIZATION ACT

On its own initiative the Congress kept the Economic Stabilization Act of 1970 operative through April 30, 1972, despite the President's repeated disclaimers that he would not invoke the wage-price control mechanism it authorized. However, when the continuing poor performance of our economy led to the August 15 unveiling of the new economic program, the President requested a further extension of the controls, and we complied by making the act operative until 1973 while including additional provision for standby authority to control interest rates. We also reinstituted a scheduled January 1, 1972, pay raise for Federal employees and set guidelines for retroactivity, to eliminate inequities and insure fair treatment for all sectors.

EMERGENCY EMPLOYMENT ACT

With deeply persistent unemployment the most troublesome aspect of our sluggish economy, we enacted several bills to give the job market a shot in the arm. The Emergency Employment Act authorizes $2.25 billion over the next 2 years to reimburse State and local governments for placing the unemployed in public service jobs—in health, education, sanitation, public works, environmental control. It provides for special consideration for Vietnam veterans and earmarks funds for unemployed professional and technical personnel. With unemployment hovering consistently at the 6-percent level throughout 1971 we hoped that this Federal stimulus would create 150,000 jobs, and we expedited a separate $1 billion appropriation in early August to get the act immediately implemented.

ACCELERATED PUBLIC WORKS

Another major congressional initiative aimed at our pervasive unemployment problem would have authorized $5.5 billion for a program of accelerated public works projects, extension of the Public Works and Economic Development Act, and the Appalachian Regional Development Act. The $2 billion that was earmarked for job creation in speeded-up public works projects proved unacceptable to the President, however, and drew a veto which the Senate sustained. With such administration intransigence toward the highest unemployment in a decade, we were forced to redraft a compromise bill to extend Appalachia aid and EDA, with only $500 million for employment in accelerated public works. Though we passed this legislation on August 5, the President did not order its implementation until December, with a further inexplicable delay until February for the first payrolls as another sign of administration indifference to the devastating impact of unemployment.

REVENUE ACT

To provide stimulation for a lagging economy we approved $15.8 billion in personal and business tax relief. These tax breaks included a 7-percent investment

tax credit for industry and speedup of personal tax exemption and deduction increases scheduled for subsequent years. The package also repealed the automobile excise tax, authorized tax credits and deductions for contributions to presidential campaigns, and included tax incentives to encourage exports.

EXPORT EXPANSION FINANCE ACT

In light of a worsening balance-of-payments position, threatening our first international trade deficit in this century, we extended the Export-Import Bank to June 30, 1974, and raised the ceiling on funds for loans, guarantees, and export insurance from $13.5 billion to $20 billion. We also gave the Bank greater flexibility by removing its accounts from the Federal budget and by eliminating Federal Reserve System restraints on export credit.

INTEREST EQUALIZATION TAX

We also extended the interest equalization tax through March 31, 1973, to reduce the outflow of U.S. capital. This statute places a tax on the purchase of foreign securities by American citizens and contains other disincentives to discourage foreigners from acquiring capital in the United States. Several existing exemptions from this tax were eliminated this year because of the serious balance-of-payments problems.

SMALL BUSINESS LOAN CEILING INCREASE

To ease problems faced by small businessmen during recessionary times, we increased SBA's outstanding loan ceiling from $2.2 billion to $3.1 billion for regular and displaced loans, trade adjustment loans, prime contracts, and opportunity loans through fiscal 1972.

UNEMPLOYMENT COMPENSATION

In a bill amending the administration of the Federal unemployment tax collection system, we authorized the payment of an additional 13 weeks of unemployment compensation to individuals who have exhausted their benefits in States with a jobless rate over 6.5 percent.

RETIREES

SOCIAL SECURITY BENEFITS

To help senior citizens keep up with the cost of living, we enacted a 10-percent social security benefit increase retroactive to January 1, affecting approximately 26 million recipients. We also raised the minimum benefit and included other liberalizations of the social security system in this package, part of the public debt ceiling increase bill.

RAILROAD RETIREMENT BENEFITS

We enacted the same increase for railroad retirees, giving them a 10-percent raise retroactive to January 1.

WELFARE REFORM

H.R. 1 as passed by the House includes an additional 5-percent social security benefit increase effective June 1972, raises the allowable outside earnings limit, provides a cost-of-living clause for future increases, expands hospital insurance and medicare benefits, and incorporates numerous other liberalizations of the Social Security Act. The bill also authorizes Federal assumption of assistance for the aged, blind, and disabled, and partial takeover of AFDC; establishes national uniform eligibility standards for welfare; and provides training and work incentives and day-care services as part of our effort to break the welfare dependency cycle and to provide State and local fiscal relief.

INDIVIDUAL RIGHTS

EQUAL RIGHTS AMENDMENT

The House for the second consecutive year approved the constitutional amendment to provide equal rights for men and women for a long overdue removal of discrimination against women in employment, schooling, and equity. The Senate has yet to act.

CONSUMER PROTECTION ACT

We authorized the creation of a Consumer Protection Agency to act on behalf of consumers in formal proceedings conducted in Federal agencies and in court actions. The CPA would be empowered to seek review of other agencies' actions and require explanation for decisions affecting consumers in writing. In light of the administration's opposition to a separate agency, the bill also establishes an Office of Consumer Affairs in the executive branch. No Senate action to date.

EQUAL EMPLOYMENT OPPORTUNITY ENFORCEMENT

The House in September passed a bill to give the Equal Employment Opportunity Commission authority to institute court action against an employer or labor union for failing to observe laws against job discrimination. No Senate action.

EMERGENCY DETENTION CAMP PROHIBITION

This act repeals title II of the 1950 Internal Security Act and thereby removes from the executive branch the authority to hold individuals in emergency detention on the basis of suspicion of espionage.

ECONOMIC OPPORTUNITY AMENDMENTS

We approved a landmark Child Development Act as a provision of the 2-year extension of the antipoverty programs, but the package drew a regrettable Presidential veto. It would have authorized $2 billion for comprehensive day-care services—for education, health, nutrition—for more than 1 million preschool children beginning in 1972. The bill also would have established an independent nonprofit legal services corporation and extended the important Job Corps, Neighborhood Youth Corps, and other Federal manpower programs, while forbidding the transfer of poverty programs from OEO without prior congressional approval. The President's veto was most perplexing after the number of Americans living in poverty increased for the first time in a decade in 1970.

ALASKA NATIVE LAND CLAIMS

Provides cash payments and land allotments to Alaska Natives to settle long-standing territorial claims.

ELECTIONS

18-YEAR-OLD VOTE AMENDMENT

Congress paved the way for the 26th amendment to the Constitution with March 23 approval of the amendment to lower the voting age to 18 in Federal, State, and local elections. The timeliness of this action was underscored when Ohio became the 38th State to ratify on June 30, the speediest approval of a constitutional amendment in the history of the Nation.

CAMPAIGN REFORM

Congress approved the first significant election reform legislation since 1925 with a bill to set limits on campaign advertising and establish stringent reporting and disclosure requirements. The conference report will be the first order of business in the House in January.

HEALTH

HEALTH MANPOWER ACT

The major health bill of this session authorizes $2.9 billion over the next 3 years for student loans and scholarships, and for replacement, rehabilitation, and construction of medical teaching facilities—medicine, dentistry, osteopathy, veterinary medicine, optometry, podiatry, and pharmacy. In response to the national shortage of 50,000 doctors and more than 250,000 allied health professionals, it also increases capitation grants, encourages innovation and research in teaching methods, provides special project grants for institutions in fiscal crisis, and offers incentives to practice in areas short of doctors.

NURSES TRAINING ASSISTANCE ACT

This companion measure authorizes $855 million for the next 3 years for the training of nurses and for institutional assistance and construction, in order to meet the national shortage of 150,000 nurses.

SCHOOL LUNCH ACT AMENDMENTS

In June Congress passed a bill to provide supplementary funds for the national free and reduced-price school lunch program. When the Agriculture Department later attempted to reduce the amount of the average Federal contribution, congressional protests led to an alternative USDA announcement of a change in eligibility standards that would have eliminated as many as 1 million children from the program. The Congress then passed a joint resolution to restore funding and prohibit any reduction in the number of children assisted.

ATTACK ON CANCER

The House-passed bill authorized more than $1.5 billion for a greatly expanded Federal research effort. The Senate version created an independent agency, while the House voted to keep the Cancer Institute in the National Institutes of Health, a view which prevailed in conference.

VETERANS HEALTH

The House this year approved legislation to provide VA facility treatment for veterans or military personnel addicted to narcotics; to provide financial assistance to VA medical schools; to extend veterans nursing home care; and to broaden medical care for veterans, dependents, and survivors.

FARM

RURAL TELEPHONE BANK

This legislation provides capital for financing for telephone cooperatives and companies serving rural areas, financed through sale of stock and debentures, including $300 million in Federal Government purchases.

FARM CREDIT ACT

This act authorizes farm credit institutions to lend up to 15 percent of their funds to nonfarm rural residents for housing, raises the Federal land bank loan limit, and modernizes and streamlines the statutory authority of the farm credit system.

CONSOLIDATED FARMERS HOME ADMINISTRATION ACT

This act makes the authority for insuring loans under the 1961 act permanent, including the farm ownership loan program, the water and sewer loan program, and the association loan program.

STRATEGIC STORABLE AGRICULTURAL COMMODITIES ACT

Passed late in the session, this bill would authorize the Secretary of Agriculture to purchase up to 300 million bushels of wheat and 25 million tons of feed grains as a reserve, both to increase farm income and to take this year's huge surpluses off their hands in storage for possible future shortages. It also raises the loan level on feed grains and wheat by 25 percent whenever a commodity adjustment program results in an addition to reserve stocks, effective for 1971 crops. The Senate has yet to act.

EDUCATION

OFFICE OF EDUCATION APPROPRIATION

In order to give school administrators time to plan ahead for the 1971–72 school year, we separated the education appropriation and cleared it on June 30. The bill authorizes expenditures of $5.1 billion, almost $400 million over the President's request, including $1.99 billion for elementary and secondary, $1.34 billion for higher education, and substantial funds for impact aid, education for the handicapped, vocational, and adult education, education professions development, libraries, and research and development. This was the first education appropriation to clear Congress before the fiscal year in 14 years.

HIGHER EDUCATION AMENDMENTS

The House bill authorizes $24 billion in aid for institutions and students from 1972–76. It amends and extends the Higher Education Act, the NDEA, the Higher Education Facilities Act, and the International Education Act. Among its omnibus provisions are expanded assistance to libraries, aid to developing institutions, increased educational opportunity grants, extension and liberalization of the student guaranteed loan program, increased work-study funds, expanded NDEA loans, assistance for the construction of academic facilities, general aid to institutions based on enrollment and need, a new program for aid for occupational assistance, and $1.5 billion for desegregation assistance. Final passage is expected early in the second session after House-Senate differences are reconciled.

ENVIRONMENT

PESTICIDE CONTROLS

This bill is designed to regulate the use of insecticides, fungicides, and rodenticides by placing controls and registration requirements on their manufacturing and use.

MARINE DUMPING

This legislation will prohibit unregulated dumping of waste matter into the oceans, coastal waters, or the Great Lakes, and will ban the transportation or dumping of chemical or biological warfare agents or radioactive wastes in the same waters. Transportation or dumping of such wastes could only be carried out after thorough review of possible violations of water quality standards. The conference report is expected to be ready early in the second session.

WATER POLLUTION

While extensive hearings on comprehensive water pollution legislation continued up into December, we extended the existing Federal Water Pollution Act, with a $2-billion appropriation for grants to local governments for construction of water treatment facilities in fiscal 1972. Comprehensive new legislation is at the top of the agenda for 1972.

SALINE WATER CONVERSION ACT

This legislation extends for another 5 years—through fiscal 1977—the Federal saline water conversion program, and expands it to cover chemically contaminated water that can be purified by desalinization and to deal with waste problems as well when applicable.

NATIONAL ENVIRONMENTAL DATA SYSTEM

This legislation would create a central facility to be a national clearinghouse for new and existing information on environmental matters. All Federal agencies would be required to provide full information for the system, and data would also be gathered from State and local governments, private institutions, and foreign sources. No Senate action.

NATIONAL DEFENSE

DRAFT EXTENSION AND MILITARY PAY RAISE

The Selective Service Act was extended to June 30, 1973, with new procedural and appeal rights for draftees. A pay increase, $2.4 billion during the first year, is a step toward ascertaining whether the Nation's defense needs can be met with an all-volunteer force. The bill also urges the President to terminate activities in Indochina at the earliest practicable date.

CORN BELT FARMERS HIT BY INCOME BLIGHT

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. SYMINGTON. Mr. President, this year, because of the expected corn blight, the Department of Agriculture called upon American farmers to plant an additional 8.9 million acres in order to prevent a national feed grain shortage.

Due to favorable weather conditions and other factors the expected blight did not materialize to a significant extent and a record 5.5 billion bushels of corn was grown.

In an article in the December issue of Today's Farmer, Mr. Fred V. Heinkel, chairman of the Farm Coalition, and president of Midcontinent Farmers Association, and one of the Nation's leading agricultural experts notes the effect of this increased production on farm income.

Mr. Heinkel points out that farmers spent more time and money to produce 32 percent more corn and for much less in gross income than in either 1969 or 1970.

Mr. Heinkel further states:

Such an outcome is unfair to farmers. They should not be forced to bear the total cost of this nation's food supply "insurance."

He also urges that the Congress pass legislation to prevent a reoccurrence of the crop success—price disaster of this year.

In addition to producing an adequate supply of food and fiber for the people in the United States we must also provide the American farmer an opportunity to earn a fair return for his investment and effort.

I ask unanimous consent that Mr. Heinkel's article entitled "How To Avoid a Repeat of Corn Price Disaster," be inserted at this point in the RECORD:

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

HOW TO AVOID A REPEAT OF CORN PRICE DISASTER

(By F. V. Heinkel)

The disastrous price situation faced by farmers as a result of excess production under the 1971 wheat and feed grain programs is getting the attention of the U.S. Congress.

Two proposals, in my judgement, rank as the most important farm legislation before this session of Congress. Either or both, if promptly enacted into law, could prevent a repeat of the present grain price disaster. Both can be justified in terms of the public's interest in assuring adequate and dependable supplies of food.

One proposal would amend the Agricultural Act of 1970 to require an increase of 25 percent in the loan rates for wheat and feed grains when the crop adjustment program encourages production greater than current need—as was the case this year.

Several Senate bills, including one introduced by Missouri's Senator Stuart Symington, would add such provision to the law. Symington's bill also would permit farmers to store their crops under loans for periods of up to three years.

Such legislation makes good sense. If more grain is needed, the loan rates should be raised to reflect that need. And price protection is deserved by farmers who cooperate with USDA programs to increase acreage as a means of insuring against possible food shortage.

Another proposal—embodied in bills introduced by Iowa Congressman Neal Smith and Minnesota Senator Hubert Humphrey—would create a strategic grain reserve. It would authorize USDA to buy and hold grain for use only when demand exceeds supply. Such stocks of grain would be isolated and rotated so as not to depress market prices.

If promptly enacted into law, this legislation could result in immediate price improvement. It could remove from the market a big part of the 1971 production excess—an excess which otherwise threatens to cloud the market for the next two or three years.

In the long-run, strategic reserve legislation would set the stage for realistic production goals in farm programs of the future. If, for example, the government had held a strategic reserve of grain last winter, the Secretary of Agriculture would have been spared a decision that was difficult—also dis-

astrous and embarrassing, as things turned out.

Testifying last month before a subcommittee of the U.S. Senate, I voiced MFA's support for Senator Symington's bill and for strategic grain reserve proposals. I suggested that a review of what has been happening points clearly to the need for such legislation.

Twice in recent years—in 1967 with wheat, and again this year with feed grain—farm programs have been administered to assure abundance. In both years, the objective was achieved. But in both years, also, farmers were hit with low prices and income.

To illustrate how badly feed grain farmers have been hurt this year, we need only compare corn income to farmers in the last three years.

Two years ago, in 1969, farmers harvested 4.6-billion bushels of corn. The price during October, November and December that fall averaged $1.09 per bushel. The crop had a value of slightly more than $5-billion.

Last year, in 1970, with blight and drought curbing yields, the corn crop was reduced to 4.1-billion bushels. Harvest prices averaged $1.33 per bushel. Value of the crop was more than $5.5-billion.

Then in 1971, fearing a recurrence of blight and to assure abundance of feed grains, USDA relaxed planting restrictions. Farmers were encouraged—in some cases, practically forced—to plant more acres. The blight threat did not materialize. Growing conditions, generally, were good. Result: A corn crop of about 5.5-billion bushels. Corn has been selling for around 90 cents per bushel. And the market value of the big crop is less than either of the two previous years.

Basically, in 1971, we increased corn production by about 32 percent—and the price per bushel dropped about 33.5 percent.

No wonder farmers are in distress! They worked more hours, burned more fuel, put more wear on their equipment and spent more fertilizer, seed and chemicals—only to end up with less gross corn income than in either of the previous two years.

Such an outcome is unfair to farmers. They should not be forced to bear the total cost of this nation's food supply "insurance".

Such an outcome also is embarrassing to the White House and to the USDA objective of farm price stabilization, it tends to discredit farm programs in general. And it does, in fact, reflect a backward step in attempts to improve farm income.

What has happened this year soon will be history. No amount of explanation or lamentation can erase the tragedy of 1971 from the financial statements of this nation's grain farmers. But we can learn—and we should learn—from this experience.

The point of this discussion—and of my testimony last month in Washington, D.C.—is this: The compelling need for higher loan rates and/or a strategic grain reserve program has been clearly demonstated.

The disaster of 1971 could have been averted if legislation now proposed had been "on the books" a year ago. To avoid a repeat performance, the legislation should be enacted into law. So let's encourage Congress to act on the proposals—favorably and with dispatch.

DR. RALPH BUNCHE

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 14, 1971

Mr. SHRIVER. Mr. Speaker, the passing of Dr. Ralph J. Bunche, former Under Secretary General of the United Nations, leaves a great void for those who are concerned about achieving peace and understanding throughout the world. We have lost a great and dedicated citizen of the United States. He was an eloquent spokesman and effective worker for the cause of peace. More than that he knew the hardships of prejudice but he stood in the forefront of those working to strengthen the brotherhood of man. His efforts on behalf of the black man in the United States will stand as a milestone of history.

Under leave to extend my remarks in the RECORD, I include the following editorial from the Wichita, Kans., Eagle, which appropriately concludes that "the world needs leaders of his stature today more than ever before."

The editorial follows:

DR. RALPH BUNCHE

Dr. Ralph J. Bunche, former undersecretary general of the United Nations and the 1950 Nobel Peace Prize winner, died Thursday at 67.

Dr. Bunche, a key diplomat for more than 20 years since his triumphal success in negotiating the difficult 1949 armistice between Israel and the Arabs, was an ideal international civil servant.

He was a black man of learning and experience but he was open to all men and their ideas.

Though he gave the outward appearance of calm, he could haggle, bicker, hairsplit and browbeat, if necessary. But his success at diplomacy apparently was based mostly upon his seemingly boundless energy and the order and timing of his moves.

A master in the application of practical psychology, Dr. Bunche became a legend at the U.N., for which he directed peace-keeping efforts in the Suez area in 1956, the Congo in 1960 and Cyprus in 1964.

Shortly before he died, he had retired as the U.N. under-secretary general for special political affairs. As such he had been Secretary General Thant's most influential political adviser.

In that post he had been the highest American figure in the world organization.

Dr. Bunche probably was the most prominent black man of his era whose stature did not derive mostly from racial militance or endeavors specifically in behalf of his race.

He was deeply sensitive to racial problems, but his perspective was beyond the day-to-day trials of discrimination.

The world needs leaders of his stature today more than ever before.

ORGANIZED LABOR CALLS FOR AN END TO THE BLOOD LOTTERY

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. VEYSEY. Mr. Speaker, for the past 18 years, organized labor has been one of the leading forces pushing for adequate supplies of pure and safe blood in this country. They have constantly stressed the importance of donating blood, and the union men and women of the country have responded magnificently. The American Red Cross estimates that fully one-third of the blood it collects is donated by union members.

In addition to their donor recruitment activities, the AFL concerns itself with the broader aspects of the blood crisis in America today. They have been among the strongest voices calling for reform of the outdated and dangerous blood system that generates thousands of unnecessary deaths from serum hepatitis every year.

In their February 1971 meeting in Bal Harbour, Fla., the AFL passed an important policy statement on blood banks. This statement has been widely circulated by the Red Cross as part of their "action plan" and is the basis for many of the specific provisions in my bill, H.R. 11828, the National Blood Bank Act. Enactment of a bill such as this will go a long way toward ending the deadly lottery involuntarily played by blood recipients in large sections of America today.

I will be pleased to send my colleagues any further information on my bill they can use. The statement follows:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON BLOOD BANKS

Commercially obtained blood, which tends to attract undesirable blood donors, results in blood and blood components carrying ten to thirty times the risk of transmitting serum hepatitis than blood and blood components from volunteers.

Commercial blood banks which are federally licensed by the Division of Biologics Standards of the National Institutes of Health may transport blood across state lines, thereby creating the risk of exposing all segments of the nation's population to transfusion hepatitis.

Since, according to professional authorities, there is at present no satisfactory method to detect the presence of hepatitis in blood or its components, the only reliable means to effectively reduce the transmission of serum hepatitis is to stop the use of commercial blood and to expand the volunteer blood program.

The AFL–CIO therefore, recommends the following:

INCENTIVES

A nationally controlled blood program be developed, through the American Red Cross, if possible, which would insure adequate quantities of volunteer blood through better means of recruitment and incentives..

LICENSING

All blood banks should be federally licensed under federal standards and inspection.

ASSURANCE

All blood insurance coverage programs should be replaced with voluntary blood assurance programs, and the assurance should apply nationwide without regard to residence or other requirements—except need.

LOW-RISK BLOOD

A volunteer contributing to a blood assurance program should receive "low-risk" blood when he or his designees are to be transfused.

LABELING

Until an ideally comprehensive program is developed, the DBS of the NIH should immediately implement a system for the mandatory labeling of each unit of blood and each blood component as either "low-risk" (excluding prisoner blood) or "high-risk" (commercial blood) so that each individual or his physician can be notified if only "high-risk" blood is available before a transfusion is given.

OUTLAWING OF COMMERCIAL BLOOD BANKS

All commercial blood banks should be outlawed by Government action, Federal, State and local.

PROTECTING WORKERS' PENSIONS

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. GRIFFIN. Mr. President, I ask that two newspaper articles concerning legislation I have introduced to provide more protection for workers' pensions be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Detroit News, Sept. 6, 1971]

GRIFFIN WILL SUBMIT TWO BILLS TO PROTECT WORKERS' PENSIONS

(By Richard A. Ryan)

WASHINGTON.—Two bills aimed at protecting pension benefits for 30 million American workers will be introduced by Senator Robert P. Griffin, Michigan Republican, when Congress reconvenes Wednesday.

One measure would require private pension plans to provide full earned retirement benefits to workers after 10 years of service with the same employer.

The bill also would establish an insurance program through which the federal government could guarantee that no employee loses his vested interest in a pension plan if it is terminated involuntarily.

The second measure would require administrators to be held accountable for mismanagement of pension funds. It also would assure that workers be kept fully informed of their pension rights.

"The time has come for Congress to respond affirmatively to the need of working men and women for more effective protection of their pension rights," Griffin said.

Under Griffin's proposal, employers having pension plans less than 10 years old would be required to vest workers after 15 years of service.

Services also need not be continuous. An employee could qualify for pension benefits after 10 years of employment, even if there were breaks in his service.

The act also creates a Pension Benefit Insurance Corp. (PBIC) within the Treasury Department. The insurance would protect the worker if the pension plan should be ended for any reason.

The need for such insurance was demonstrated by a recent UAW study of 40 UAW-negotiated plans which ended between 1959; and

25 percent of the plans paid no benefits to retirees or those eligible to retire.

75 percent paid no benefits or reduced benefits, to workers between the ages of 50 and 60.

52.5 percent paid no benefits to any workers below age 50.

The second bill is an amendment to the welfare and pension plans disclosure act of 1958.

Basically, it assures a worker the right to know the full details of his pension plan and what benefits he has accrued, and establishes his right to sue in Federal Court to enforce the disclosure provisions.

"The legislation would require that workers be informed in clear and simple terms of their rights under a pension plan," Griffin said.

"It is hardly too much to expect that those who know what is in the plan will make every effort to inform the worker of his rights."

[From Michigan AFL–CIO News, Sept. 8, 1971]

GRIFFIN BILLS TO DEAL WITH RETIREE PLANS

WASHINGTON, D.C.—Two bills to "establish important new protection for workers covered by private pension plans" will be introduced by Senator Robert P. Griffin (R. Mich.) when Congress reconvenes this week.

The first bill, titled the Pension Protection Act of 1971, would establish a federal insurance program to guard against employee benefit losses in the event a pension plan is terminated.

It would require vesting of employe rights after a specific period of employment.

The other measure would assure that workers will be better informed of their pension rights and that administrators will be held accountable for mismanagement of pension funds, according to Griffin.

Griffin's first bill would require full vesting for workers with 10 years' service under plans in operation more than 10 years. For plans less than 10 years old, employers would be required to vest workers after 15 years of service.

VOTING AND ATTENDANCE RECORD, FIRST SESSION OF 92D CONGRESS

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks, I include a report of my voting and attendance record during the first session of the 92d Congress, 1971.

The record includes all rollcall votes and all quorum calls. The description of the bills is for the purpose of identification only; no attempt has been made to describe the bills completely or to elaborate upon the issues involved.

The purpose of this report is to collect in one place information which is scattered through thousands of pages of the CONGRESSIONAL RECORD. I want to be able to provide any interested constitutent with a simple compilation of my voting and attendance record.

The report follows:

Rollcall No.	1971	Measure, question, and result	Vote
1	Jan. 21	Call of the House	Present.
2	do	Election of Speaker (Albert 250—Ford 176)	Do.
3	do	Quorum call	Do.
4	do	do	Do.
5	Jan. 22	do	Do.
6	do	do	Do.
7	do	H. Res. 5: On a motion to order the previous question on a resolution relative to rules of the House (defeated 133–254).	No.
8	do	H. Res. 5: On a motion to order the previous question on the resolution as amended. (passed 213–174).	No.
9	do	H. Res. 5: On adoption of an amendment to the resolution to strike out the 21-day rule as it applies to the Rules Committee (passed 233–174).	Yes.
10	do	H. Res. 5: On adoption of the resolution as amended (passed 226–155).	No.
11	Feb. 2	Quorum call	Present.
12	Feb. 4	do	Do.
13	do	H. Res. 192: To order the previous question on adoption of the resolution naming the Democratic members of House committees (passed 258–32).	Do.
14	Mar. 2	H. Res. 264: To approve the resolution authorizing the production of certain documents, etc. by the Committee on Internal Security (passed 291–63).	Yes.
15	Mar. 3	Quorum call	Present.
16	do	H. Res. 4690: On final passage of the bill to increase the temporary debt limit to $430,000,000,000 and the permanent public debt limit to $380,000,000,000 (passed 227–162).	Yes.
17	Mar. 10	Quorum call	Present.
18	do	H.R. 4246: To approve the bill extending until Mar. 31, 1973, certain provisions of law relating to interest rates, mortgage credit controls and cost-of-living stabilization (passed 381–19).	Yes.
19	do	H.R. 5432: To approve the bill to provide an extension of the interest equalization tax (passed 392–5).	Yes.
20	Mar. 16	H.R. 4690: To adopt the conference report on the bill increasing the public debt limit to which was added an amendment raising Social Security benefits by 10 percent (passed 358–3).	Absent.[1]
21	do	H.J. Res. 465: To approve a supplemental appropriation of $50,600,000 for unemployment compensation for Federal employees and exservicemen (passed 356–0).	Do.[1]
22	Mar. 17	Quorum call	Present.
23	do	do	Do.
24	Mar. 18	do	Do.
25	Mar. 18	H.J. Res. 468: To delete from the continuing appropriation resolution the sum of $134,000,000 for the SST prototype (passed 215–204).	No.
26	Mar. 23	Quorum call	Present.
27	do	H.J. Res. 223: To adopt the resolution submitting to the State a constitutional amendment lowering the voting age to 18 (passed 400–19).	Yes.
28	Mar. 24	H. Res. 339: To adopt the "rule" under which to consider H.R. 7, the Rural Telephone Bank bill (passed 366–26).	Yes.
29	do	H.R. 7 (S. 70): To approve the bill providing an additional source of financing for the rural telephone program (passed 269–127).	Yes.
30	Mar. 3	H.R. 4690: An amendment to the Public Debt Limit bill to strike out the sections authorizing the issuance of $10,000,000,000 of Federal bonds without regard to the 4½ percent interest limitation (defeated 180–212).	No.
31	Mar. 18	H.J. Res. 468: On a motion to delete from the continuing appropriation resolution funds for the SST (passed 217–203).	No.
32	Mar. 29	H. Res. 349: To adopt the "rule" under which to consider S.J. Res. 55 relating to the extension of law relating to interest rates and cost of living stabilization (passed 324–6).	Yes.
33	do	Quorum call	Present.
34	do	S.J. Res. 55: On an amendment to the resolution relation to interest rates and cost-of-living stabilization which would allegedly clarify the resolution (defeated 143–183).	No.
35	Mar. 30	Quorum call	Present.
36	Mar. 31	do	Do.
37	do	H.R. 6531: To amend the Selective Service Extension Act to provide that the President's authority to induct into the Armed Forces shall expire June 30, 1971 (defeated 62–330).	No.
38	do	H.R. 6531: To amend the Selective Service Extension Act to provide that the President's authority to induct into the Armed Forces shall expire June 30, 1972 (defeated 198–200).	No.
39	Apr. 1	Quorum call	Present.
40	do	do	Do.
41	do	H.R. 6531: To amend the Selective Service Extension bill by reducing public service by conscientious objectors from 3 years to 2 years and to delete provision calling for automatic induction for conscientious objectors who serve unsatisfactorily in public service (defeated 131–242).	No.

Footnotes at end of table.

Rollcall No.	1971	Measure, question, and result	Vote
42	Apr. 1	H.R. 6531: To amend the Selective Service Extension bill by prohibiting the involuntary assignment to Southeast Asia after Dec. 31, 1971 (defeated 122–260).	No.
43	do	H.R. 6531: To amend the Selective Service Extension bill to prohibit the use of draftees in any war unless it is a declared war, or a declared war is imminent (defeated 97–279).	No.
44	do	H.R. 6531: To amend the Selective Service Extension bill by cutting the extension from 2 years to 18 months (defeated 170–200).	No.
45	do	H.R. 6531: To pass the Selective Service Extension bill continuing the draft until June 30, 1973 (passed 293–99).	Yes.
46	Apr. 6	Quorum call	Present.
47	do	do	Do.
48	do	H. Res. 356: To adopt the "rule" under which to consider H.R. 5891, the bill to establish feed grain bases for certain growers of sugar beets (passed 182–177).	No.
49	do	Quorum call	Present.
50	do	H.R. 5891: To a motion to strike out the enactive clause of the bill to establish feed grain bases for certain growers of sugar beets (passed 193–115).	Yes.
51	Apr. 7	Quorum call	Present.
52	do	H.R. 7016: On a motion to add $728,600,000 to the appropriation bill for the Office of Education (defeated 187–191).	No.
53	do	H.R. 7016: On a motion to strike out the section in the Office of Education appropriations bill which forbids forced busing of students (defeated 149–206).	No.
54	do	H.R. 7016: To approve the $4,700,000,000 appropriation bill for the Office of Education and related agencies (passed 354–7).	Yes.
55	Apr. 19	H.R. 1535: To adopt an amendment to the Immigration and Nationality Act exempting an alien over 50 years of age who has been in the United States at least 20 years from the requirement of an understanding of the English language for naturalization (passed 191–84).	Absent.[2]
56	Apr. 20	Quorum call	Present.
57	do	do	Do.
58	do	H.R. 4724: On final passage of the bill authorizing appropriations for certain maritime programs of the Department of Commerce (passed 360–11).	
59	Apr. 21	Quorum call	Do.
60	do	do	Do.
61	do	do	Do.
62	do	do	Do.
63	do	do	Do.
64	do	do	Do.
65	Apr. 22	do	Do.
66	do	H.R. 5376: On a motion to recommit to committee the bill relating to the Public Works Act with instructions to delete title I which would authorize an additional $2,000,000,000 for grants under the accelerated Public Works program (defeated 128–262).	Yes.
67	do	H.R. 5376 (S. 575): On final passage of the Public Works Acceleration Act, Public Works and Economic Development Act, and Appalachian Regional Development Act extensions (passed 320–67).	No.
68	Apr. 27	Quorum call	Present.
69	do	H.R. 2598: On a motion to recommit to committee the bill expanding the size of the Canine Corps in the District of Columbia (defeated 76–303).	No.
70	do	H.R. 2600: On final passage of the bill to increase benefits for District of Columbia firemen and policemen and others who retired prior to Oct. 1, 1956 (defeated 178–200).	Yes.
71	Apr. 28	Quorum call	Present.
72	do	H.R. 6444: On final passage of the bill providing a 10-percent increase in railroad retirement annuities (passed 379–0).	Yes.
73	Apr. 29	Quorum call	Present.
74	do	H. Res. 274: On an amendment to the resolution providing funds for the Committee on Internal Security increasing the authorization from $450,000 to $570,000 (passed 256–129).	Yes.
75	do	H. Res. 274: On a motion to recommit to committee with instructions to hold public hearings on the resolution authorizing funds for operation of the Committee on Internal Security (defeated 104–274).	No.
76	do	H. Res. 274: On final passage of the resolution authorizing the appropriation of 570,000 for operation of the Committee on Internal Security (passed 298–75).	Yes.
77	May 3	Quorum call	Present.
78	do	H.R. 6283: To extend period within which President may transmit to Congress reorganization plans concerning agencies of executive branch of Federal Government (passed 301–20).	Yes.
79	May 4	S. 531: To authorize U.S. Postal Service to receive fee of $2 for execution of application for a passport (passed 240–124).	Absent.[1]
80	May 5	H. Res. 422: Expressing the best wishes of the House of Representatives on 87th birthday of Harry S. Truman (passed 379–0).	Yes.
81	do	H. Res. 423: To adopt the "rule" under which to consider H.R. 4604, to amend the Small Business Act (passed 381–0).	Yes.
82	do	H.R. 4604: On final passage of the bill increasing the outstanding loan ceiling of the Small Business Administration from $2,200,000,000 to $3,100,000,000 (passed 381–0).	Yes.
83	May 6	Quorum call	Present.
84	do	H. Res. 412: To authorize additional investigative authority to the Committee on Education and Labor (defeated 156–177).	No.
85	May 10	H.R. 5638: To extend penalty for assault on a police officer in the District of Columbia to assaults on firemen, to provide criminal penalties for interfering with firemen in performance of duties (passed 311–0).	Yes.
86	May 11	Quorum call	Present.
87	do	H.R. 8190: To amend the Supplemental Appropriations bill (71) by restoring $34,200,000 subway funds for the District of Columbia (defeated 170–219).	No.
88	May 12	Quorum call	Present.
89	do	H.R. 8190: On amendment to Supplemental Appropriations bill to continue funding for the SST (passed 201–195).	Yes.
90	May 12	H.R. 8190: On amendment to Supplemental Appropriations bill to provide $85,000,000 for further development of the SST (passed 201–197).	Yes.
91	May 17	H.R. 7271: To authorize appropriations for Commission on Civil Rights (passed 262–67).	Yes.
92	do	H.R. 5257: To provide funds and authorities to Department of Agriculture for purpose of providing free or reduced-price meals to needy children. (School Lunch Act) (passed 331–0).	Yes.
93	do	H.R. 56: To amend the National Environmental Policy Act of 1969 to provide for a national environmental data system (passed 304–18).	Yes.
94	do	H.R. 5060: To provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft (passed 307–8).	Yes.
95	do	H.R. 2587: To establish the National Advisory Committee on the Oceans and the Atmosphere (passed 292–8).	Absent.[1]
96	May 18	Quorum call	Present.
97	do	do	Do.
98	do	H. Res. 437: To adopt the rule under which H.R. 3613 (Employment Act) was to be considered (passed 349–34).	Yes.
99	do	H. Res. 437: On the question of ordering the previous question ordering the previous question on the rule for considering H.R. 3613 (defeated 182–210).	No.
100	do	H.R. 437: On an amendment to the rule to make in order the text of H.R. 8141 as a substitute to the committee's bill H.R. 3613 (passed 210–176).	Yes.
101	do	Quorum call	Present.
102	do	H.J. Res. 642: To provide for a temporary prohibition of strikes and lockouts with respect to the current railway labor-management dispute (passed 264–93).	Yes.
103	May 19	Quorum call	Present.
104	May 20	H.R. 8190: On adoption of the conference report making supplemental appropriations for fiscal year ending June 30, 1971 (passed 264–28).	Yes.
105	do	H.R. 8190: On agreeing to Senate amendment providing $155,800,000 for termination of SST program (defeated 116–157).	No.
106	May 24	H. Res. 415: To authorize the Committee on Post Office and Civil Service to make certain studies and investigations abroad (passed 201–88).	Absent.[2]
107	May 25	Quorum call	Present.
108	do	H. Res. 411: To disapprove the President's Reorganization Plan No. 1 (defeated 131–224).	No.
109	May 26	Quorum call	Present.
110	do	H. Res. 155: To establish a Select Committee on Energy Resources (defeated 128–218).	No.
111	June 1	Quorum call	Present.
112	June 2	do	Do.
113	do	H.R. 3613: On a motion to substitute H.R. 8141 for H.R. 3613, the Emergency Employment Act of 1971 (defeated 182–204).	Yes.
114	do	H.R. 3613: On a motion to recommit to committee the Emergency Employment Act of 1971 (defeated 183–201).	Yes.
115	do	H.R. 3613: On final passage of the Emergency Employment Act of 1971 (passed 244–142).	No.
116	June 3	H. Res. 452: To adopt the "rule" under which H.R. 7960, authorizing appropriations for NASA, was to be considered (passed 357–4).	Yes.
117	do	H.R. 7960: To approve the bill authorizing for fiscal 1972 the sum of $3,400,000,000 for NASA (passed 302–64).	Yes.
118	June 4	Quorum call	Present.
119	do	H.R. 8825: To approve the Legislative Appropriations bill in the amount of $449,700,000 for the House and related agencies (passed 259–25).	Yes.
120	June 7	H.R. 8011 (S. 557): To suspend the rules and pass the bill amending the law on Government procurements of goods produced by the blind and other handicapped persons (passed 309–0).	Absent.[1]
121	do	H.R. 1161: To suspend the rules and pass the bill permitting American producers of wine to display such wines at international trade fairs (passed 298–13).	Do.[1]
122	do	H.R. 7960: To pass the bill authorizing $622,000,000 for the National Science Foundation (passed 319–8).	Do.[1]
123	June 8	Quorum call	Present.
124	do	H. Res. 465: On a motion to approve the "rule" under which to consider the bill to extend the Coffee Agreement Act, H.R. 8293 (passed 336–41).	Yes.
125	June 9	Quorum call	Absent.[3]
126	do	H.J. Res. 617: To recommit to committee the resolution authorizing contributions to certain inhabitants of the Trust Territories who suffered damages in World War II and to establish a Micronesian Claims Commission (defeated 166–215).	Do.[2]
127	do	H.J. Res. 619: On final passage of the resolution authorizing contributions to certain inhabitants of the Trust Territories who suffered damage in World War II and to establish a Micronesian Claims Commission (passed 225–158).	Do.[1]
128	June 10	Quorum call	Present.
129	do	H. Res. 471: On a motion ot order the previous question on the "rule" under which to consider H.R. 8866, the Sugar Act Amendment (passed 213–166).	Yes.
130	do	H.R. 8866: On final passage of the Sugar Act Amendment of 1971 (passed 229–128).	Yes.
131	June 14	H.R. 8687: To authorize the payment for medical services for totally disabled District of Columbia firemen and policemen and members of the Secret Service (passed 311–1).	Yes.
132	June 15	Quorum call	Present.
133	do	do	Do.
134	do	S. 575: To agree to the conference report on the Public Works Accelerating Act, Economic Development Act, and Appalachian Regional Development Act extensions (passed 275–104).	No.
135	do	Quorum call	Present.
136	June 16	do	Do.
137	do	H.R. 8687: On a motion to cut $51,000,000 in "Safeguard" funds from the military procurement authorization and to limit ABM funding during the SALT talks (defeated 129–267).	No.

Footnotes at end of table.

Rollcall No.	1971	Measure, question, and result	Vote
138	June 16	H.R. 8687: On a motion to strike from the Military Procurement Authorization $370,200,000 for development of the B-1 manned bomber (defeated 97-307)	No.
139	do	H.R. 8687: On an amendment to limit research, development, and evaluation funds in the Military Procurement Authorization to the level of the 1971 appropriation (defeated 135-258).	No.
140	do	H.R. 8687: On an amendment to place a limit of 5-percent increase over 1971 on research, development, and evaluation funds in the military procurement authorization (defeated 118-278).	No.
141	June 17	On a motion to adjourn the House (defeated 30-368)	No.
142	do	H.R. 7016: On a motion to table the motion which would have instructed House conferees to agree to Senate Amendments to Education Appropriation bill (passed 228-182).	Yes.
143	do	H.R. 8687: On an amendment to the military procurement authorization providing a straight cutoff of funds in this bill after Jan. 1, 1972, for support of military activity in Vietnam, Cambodia, and Laos (defeated 79-327).	No.
144	do	H.R. 8687: On an amendment to the Military Procurement Authorization designed, subject to certain provisions, to prohibit the expenditure of new funds after Jan. 1, 1971, to support U.S. military operations in Vietnam, Cambodia, or Laos (defeated 158-254).	No.
145	do	H.R. 8687: On an amendment to the Military Procurement Authorization to cut off funds for military operations in Indochina after June 1, 1972, subject to certain provisions regarding POW's (defeated 147-237).	No.
146	do	H.R. 8687: On final passage of the Military Procurement Authorization bill (passed 332-58).	Yes.
147	June 18	H.Res. 434: To authorize additional investigative authority to the Committee on Education and Labor (passed 183-119).	Yes.
148	do	H.R. 7736: To extend for 1 year the existing authorizations for student loans and grants in the health professions (passed 299-0).	Yes.
149	June 21	H.R. 5237: To provide relief in patent and trademark cases affected by the emergency situation in the U.S. Postal Service which began on Mar. 18, 1970 (passed 339-8).	Absent.[1]
150	do	S. 1538: To suspend the rules and pass the bill increasing the funds authorized for the American Revolution Bicentennial Commission from $373,000 to $670,000 (passed 336-24).	Do.
151	do	H.R. 3146: To suspend the rules and pass the bill authorizing Department of Agriculture to cooperate with State and local officials in enforcing laws and regulations in national forests (passed 360-2).	Do.
152	do	H. Res. 487: On a motion to order the previous question on adoption of the "rule" under which to consider H.R. 1, the Social Security and Family Assistance Plan (passed 200-172).	Do.
153	June 22	Quorum call	Present.
154	do	do	Do.
155	do	do	Present.
156	do	H.R. 1: On a motion to strike from the bill title IV, the Family Assistance Plan (defeated 187-234).	No.
157	do	H.R. 1: On final passage of the Social Security Amendments and the Family Assistance Plan (passed 288-132).	Yes.
158	June 23	Quorum call	Present.
159	do	H.R. 9270: To amend the Department of Agriculture appropriation bill in order to limit to $20,000 the subsidy paid to any one farmer except for those producing sugar and wool (passed 214-198).	No.
160	do	H.R. 9270: To amend the Department of Agriculture appropriation bill forbidding funding of stream channelization. (defeated 129-278).	No.
161	do	H.R. 9270: To amend the Department of Agriculture appropriation bill to forbid food stamps to those on strike (defeated 172-225).	Yes.
162	June 24	Quorum call	Absent.
163	do	H.R. 9272: On an amendment to the State Department appropriation bill which would add $11,600,000 for dues to the International Labor Organization (defeated 147-226).	No.
164	do	H.R. 9272: On an amendment to the Civil Rights Commission bill which would cut $4,250,000 for community relation services (defeated 127-233).	No.
165	do	H.R. 9272: On final approval of the appropriations bill for the State, Justice, Commerce Departments, the Judiciary, and related agencies (passed 337-10).	Yes.
166	June 28	Quorum call	Present.
167	do	H.R. 6531: To table the motion instructing House conferees to agree to the Mansfield amendment (withdrawing our troops from Vietnam within 9 months provided an agreement is reached on the release of Americans held as prisoners of war) in connection with the bill extending Selective Service (passes 219-176).	Yes.
168	do	Quorum call	Present.
169	do	H.R. 9271: To approve the appropriations bill for the Treasury Department, the U.S. Postal Service, and the Executive Office of the President (passed 380-6).	Yes.
170	June 29	Quorum call	Present.
171	do	H.R. 9417: On final passage of the appropriations bill for the Department of the Interior and related agencies (passed 400-5).	Yes.
172	June 30	H. Res. 489: On a motion to table the resolution directing the President to furnish the House with the complete text of the study by the Department of Defense entitled, "United States-Vietnam Relationships 1945-67" (passed 273-112).	Yes.
173	do	H.R. 7016: To adopt the conference report on the appropriations bill for the Office of Education and related agencies (passed 376-15).	Yes.
174	do	H.R. 9382: On a motion to strike from the HUD appropriations bill a $3,000,000 item for counseling services for FHA (defeated 164-217).	Yes.
175	July 1	S. 31: To adopt the conference report on the Emergency Employment Act (passed 343-14).	Yes.
176	do	H.R. 8629: To approve the Health Manpower Training Act (passed 343-3).	Yes.
177	July 1	H.R. 8630: To adopt the Nurse Training Act of 1971 (passed 323-0).	Yes.
178	July 7	H. Res. 492: On a motion to lay on the table the resolution directing the Secretary of State to furnish the House of Representatives with certain information on U.S. operations in Laos (passed 261-118).	Yes.
179	do	H.R. 8805: To approve the bill relating to obscene mail for minors and defining obscene material (passed 356-25).	Yes.
180	July 8	Quorum call	Present.
181	do	do	Do.
182	do	H.R. 8181: On an amendment to the Export Expansion Finance Act which would retain in the law the prohibition of loans to any nation which furnishes goods or services to North Vietnam (passed 207-153).	Yes.
183	do	H.R. 8181: On an amendment to the Export Expansion Finance Act which would have exempted the Export-Import Bank from expenditure and lending limitation imposed by the budget (defeated 112-249).	No.
184	do	H.R. 9093: On passage of the bill expanding and extending the desalting program (passed 325-0).	Yes.
185	July 12	H.R. 8407: On approval of the bill to authorize the District of Columbia to enter into the Interstate Agreement on Qualifications and Educational Personnel (passed 324-4).	Absent.[1]
186	July 13	Quorum call	Present.
187	do	H.R. 8899: On passage of the bill providing an administrative assistant to the Chief Justice of the United States (passed 263-139).	Yes.
188	do	H. Res. 534: On a motion to recommit to committee the resolution citing Frank Stantor and CBS for contempt of Congress (defeated 226-181).	Yes.
189	July 14	Quorum call	Present.
190	do	H.R. 9667: To approve the Department of Transportation appropriation bill for 1972 (passed 400-12).	Yes.
191	July 15	Quorum call	Present.
192	do	H.R. 9388: On an amendment to the Atomic Energy Commission authorization bill which would have struck out $19,700,000 for the Cannikin underground nuclear test (defeated 162-206).	No.
193	July 19	H.R. 9265: To suspend the rules and pass the bill authorizing care through the VA of servicemen and veterans suffering from drug abuse (passed 379-0).	Yes.
194	do	H.J. Res. 748: To suspend the rules and pass, the bill authorizing the Veterans' Administration to assist in the establishment and improvement of medical schools (passed 371-2).	Yes.
195	do	S.J. Res. 111: To suspend the rules and pass the resolution extending for 2 years the existing authority for the erection in District of Columbia of a memorial to Mary McLeod Bethune (passed 288-90).	Yes.
196	July 20	Quorum call	Present.
197	do	H. Res. 424: To approve the "rule" under which to consider H.J. Res. 3 to establish a Joint Committee on the Environment (passed 372-18).	Yes.
198	July 21	Quorum call	Present.
199	do	H. Res. 457: To authorize the Committee on House Administration to fix and adjust the various allowances provided Members of the House (passed 233-167).	No.
200	do	H.R. 4354: To recommit to committee the bill permitting the operation of fuses on the Interstate System up to a width of 102 inches (defeated 178-213).	No.
201	July 22	Quorum call	Present.
202	do	On a motion to dispense with further proceedings under the quorum call in rollcall 201 (passed 369-5).	Yes.
203	do	H.R. 9844: On final passage of the Military Construction Authorization bill (passed 359-31).	Yes.
204	July 27	H.R. 9270: To approve the conference report on the $13,200,000,000 appropriation bill for the Department of Agriculture and the environmental and consumer protection agencies (passed 230-162).	No.
205	do	H.R. 9272: On a motion to table a motion to instruct House conferees to agree to a Senate amendment to the State Department appropriation bill which would deny funds for any additional duties assigned the Subversive Activities Control Board (passed 246-141).	Yes.
206	do	Quorum call	Present.
207	do	H.R. 10061: On an amendment to add $200,000,000 for certain health programs to the appropriation bill for HEW (defeated 169-215).	No.
208	do	H.R. 10061: On an amendment to add $82,400,000 for several vocational rehabilitation programs to the appropriation bill for HEW (passed 236-153).	No.
209	do	H.R. 10061: On an amendment to add $64,000,000 for child welfare services to the appropriation bil. for HEW (defeated 185-201).	No.
210	do	H.R. 10061: On final passage of the $20,400,000,000 appropriation bill for the Departments of Labor and HEW (passed 372-25).	Yes.
211	July 28	Quorum call	Absent.[2]
212	do	H.R. 9092: On an amendment to eliminate nonappropriated fund employees from the bill relative to adjusting rates of pay for prevailing rate employees of the Government (defeated 147-232).	Yes.
213	do	H.R. 9922: To approve the Economic Development and Appalachian Acts extension bill (passed 375-27).	Yes.
214	July 29	Quorum call	Present.
215	do	H.R. 9382: To approve the conference report on the $18,300,000,000 appropriation bill for the Department of Housing and Urban Development and related agencies (passed 362-30).	Yes.
216	do	H.R. 9667: To approve the conference report on the $2,900,000,000 appropriation bill for the Department of Transportation and related agencies (passed 393-15).	Yes.
217	do	H.R. 9667: On a motion to agree to the Senate amendment to the Department of Transportation appropriation bill providing a payment of $58,500,000 to the airlines for their contribution toward development of the SST (passed 307-98).	Yes.
218	do	Quorum call	Present.

Footnotes at end of table.

Rollcall No.	1971	Measure, question, and result	Vote
219	July 26	H.R. 10090: On an amendment to the Public Works appropriation bill which would have forbidden testing of nuclear weapons in the Aleutian Islands (defeated 108–275).	No.
220	do	H.R. 10090: On an amendment to the Public Works appropriation bill to strike out $100,000 for further study of the Dickey Lincoln project in Maine (passed 199–181).	Yes.
221	do	H.R. 10090: On final passage of the Public Works appropriation bill for 1972 (passed 386–4).	Yes
222	July 30	Quorum call	Present.
223	do	On a motion to approve the Journal of the previous day (passed 374–10).	Yes.
224	do	H. Con. Res. 384: To provide for the adjournment of Congress from Aug. 6 until Sept. 8, 1971 (passed 334–41).	Yes.
225	do	H. Res. 566: To order the previous question on the "rule" under which to consider H.R. 8432, the Emergency Loan Guarantee Act of 1971 (passed 323–67).	Yes.
226	do	H.R. 8432: On an amendment to the Emergency Loan guarantee Act to establish a 90-percent loan guarantee, the remaining 10 percent to be provided by private lenders (defeated 176–205).	No.
227	do	H.R. 8432: On final passage of the Emergency Loan Guarantee Act of 1971 as amended to provide for Lockheed only (passed 192–189).	Yes.
228	Aug. 2	H.R. 9272: To adopt the conference report on the $4,000,000,000 conference report on appropriations for the Departments of State, Justice, Commerce, and related agencies (passed 337–35).	Yes.
229	do	H. Res. 539: On a motion to discharge the Committee on Education and Labor from further consideration of the resolution directing the Secretary of HEW to furnish the House of Representatives with certain documents concerning the busing of schoolchildren (passed 252–129).	Yes.
230	do	H. Res. 539: To approve the resolution directing the Secretary of HEW to furnish the House of Representatives with certain documents concerning the busing of schoolchildren (passed 351–36).	Yes.
231	do	H.R. 3628: To suspend the rules and pass the bill providing equality of treatment for married women Federal employees (passed 377–11).	Yes.
232	do	H. Con. Res. 370: To suspend the rules and pass the resolution expressing the sense of Congress that the narcotic addict facilities at Lexington and Fort Worth remain open during fiscal year 1972 (passed 370–4).	Yes.
233	do	H. Res. 829: To approve the resolutions making further continuing appropriations for fiscal year 1972 (passed 350–6).	Yes.
234	Aug. 3	Quorum call	Present.
235	do	H.R. 9910: On passage of the Foreign Assistance Act (passed 200–192).	Yes.
236	Aug. 4	H. Res. 578: On adoption of the "rule" for consideration of the conference report on H.R. 6531, the extension of the Selective Service Act (passed 250–150).	Yes.
237	do	H.R. 6531: On a motion to recommit to conference the bill extending the Selective Service Act and for other purposes (defeated 131–273).	No.
238	do	H.R. 6531: On passage of the conference report on the bill extending the Selective Service Act and other purposes (passed 297–108).	Yes.
239	do	Quorum call	Present.
240	do	H.J. Res. 833: On an amendment to the Emergency Employment Act appropriations bill which specified that the formula for the distribution of funds shall be based on States unemployment as compared with U.S. unemployment (defeated 172–213).	No.
241	do	H.J. Res. 833: On an amendment to the Emergency Employment Act appropriations bill that would forbid funds to pay any State or local government which may be itself an eligible applicant (defeated 171–219).	No.
242	do	H.J. Res. 833: On final passage of the $1 billion Emergency Employment Act appropriation bill (passed 321–76).	Yes.
243	Aug. 5	Quorum call	Present.
244	do	do	Do.
245	do	do	Do.
246	do	S. 581: To adopt the conference report on the Export Expansion Finance Act of 1971 (passed 219–140).	Yes.
247	do	H.R. 10061: To adopt the $20.8 billion conference report on the appropriations bill for the Departments of Labor and HEW and related agencies (passed 280–56).	Yes.
248	Sept. 8	Quorum call	Present.
249	do	do	Do.
250	Sept. 9	do	Do.
251	do	H.R. 9727: To approve the Marine Protection Research and Sanctuaries Act of 1971 (passed 304–3).	Yes.
252	Sept. 13	H. Res. 483: To adopt the "rule" under which to consider H.R. 234, the bill to repeal the Emergency Detention Act of 1950 (passed 344–1).	Absent.[1]
253	do	Quorum call	Do.[3]
254	Sept. 14	do	Present.
255	do	H.R. 234: On an amendment to the bill prohibiting the establishment of emergency detention camps which sought to strike out language forbidding imprisonment of citizens except pursuant to an act of Congress (defeated 124–272).	No.
256	do	H.R. 234: On adoption of the committee amendment to the bill repealing the Emergency Detention Act of 1950 making clear the intent of the measure to prohibit the imprisonment or detention of a citizen except pursuant to an act of Congress (passed 290–111).	Yes.
257	do	H.R. 234: On final passage of the bill repealing the Emergency Detention Act of 1950 and providing that no U.S. citizen shall be committed for detention or imprisonment by U.S. Government except in line with title 18 of United States Code (passed 356–49).	Yes.
258	Sept. 15	Quorum call	Present.
259	do	do	Do.
260	Sept. 16	do	Do.
261	do	H.R. 1746: On a teller vote to substitute the language of H.R. 9247 (providing court enforcement in lieu of "cease and desist" authority) for the committee bill relative to the Equal Employment Enforcement Act (passed 200–194).	Yes.
262	do	H.R. 1746: On a vote to substitute the language of H.R. 9247 for the committee bill amending the Equal Employment Enforcement Act (passed 202–197).	Yes.
263	do	H.R. 1746 (H.R. 9247): To recommit to committee the amendment to the Equal Employment Enforcement Act, as amended (defeated 130–270).	No.
264	do	H.R. 1746 (H.R. 9247): On final passage of the bill amending the Equal Employment Enforcement Act with the language of H.R. 9247 providing court enforcement in lieu of "cease and desist" authority (passed 285–106).	Yes.
265	Sept. 22	H.R. 10090: To adopt the conference report on the $4,600,000,000 appropriation bill for Public Works and the Atomic Energy Commission (passed 377–9).	Yes.
266	Sept. 23	Quorum call	Present.
267	do	H.R. 9166 (S. 2260): On a motion to cut the fiscal 1972 authorization for the Peace Corps from $77,200,000 to $50,200,000 (defeated 113–232).	No.
268	Sept. 28	Quorum call	Present.
269	Sept. 29	do	Do.
270	Sept. 30	do	Do.
271	do	H.R. 10351: On an amendment to the bill extending the Economic Opportunity Act to reduce population requirement from 100,000 to 10,000 to qualify as a prime sponsor for benefits under the child development provisions (passed 226–158).	No.
272	do	H.R. 10351: On an amendment to the bill extending the Economic Opportunity Act which sought to coordinate child development programs with other Federal day care programs (defeated 187–189).	Yes.
273	do	H.R. 10351: On an amendment to the bill extending the Economic Opportunity Act by including comprehensive child development programs (passed 203–181).	No.
274	do	H.R. 10351: On an amendment to the bill extending the Economic Opportunity Act to place Puerto Rico, Guam, and Virgin Islands in the same position as States (passed 201–162).	No.
275	do	H.R. 10351: On an amendment to the bill extending the Economic Opportunity Act to strike out the legal services corporation title (defeated 152–210).	No.
276	do	H.R. 10351: On an amendment to the bill extending the Economic Opportunity Act to include comprehensive child development programs (passed 186–183).	No.
277	do	H.R. 10351: On a motion to recommit to committee the bill extending the Economic Opportunity Act in order to amend forthwith the bill to make the day-care provisions in the bill conform to the day-care provisions of H.R. 1 (passed 191–180).	Yes.
278	do	H.R. 10351: On final passage of the bill extending the Economic Opportunity Act as amended (passed 251–115).	Yes.
279	Oct. 1	Quorum call	Present.
280	Oct. 4	do	Do.
281	do	H. Res. 596: On a motion that the Committee of the Whole "do now rise" while considering the resolution disapproving the President's postponement of the Federal employee pay raise (defeated 175–198).	No.
282	do	H. Res. 596: To pass the resolution disapproving the President's postponement of the Federal employee pay raise from Jan. 1 to July 1, 1972 (defeated 174–207).	No.
283	do	H. Con. Res. 374: To suspend the rules and pass the resolution calling for the humane treatment and release of U.S. prisoners of war held by North Vietnam (passed 369–0).	Yes.
284	do	H.R. 9961: To suspend the rules and pass the bill providing temporary insurance for the member accounts of certain Federal credit unions (defeated 197–122; a ⅔ vote being necessary).	Absent.[2]
285	do	H.R. 8083: To suspend the rules and pass the bil. relating to air traffic controllers career program (passed 293–0).	Do.[1]
286	do	Quorum call	Do.[3]
287	do	H.R. 8866: To approve the conference report on the Sugar Act Amendments of 1971 (passed 194–91).	Do.
288	Oct. 5	Quorum call	Present.
289	Oct. 6	H. J. Res. 915: To approve the joint resolution appropriating $270,500,000 as a supplemental amount for Federal unemployment benefits and allowances (passed 393–9).	Yes.
290	do	H.J. Res. 916: To extend the "continuing resolution" for appropriations from Oct. 15, 1971, to Nov. 15, 1971 (passed 387–12).	Yes.
291	Oct. 12	Quorum call	Absent.[3]
292	do	H.J. Res. 208: On a motion to approve the committee amendment inserting the words "of any person" in the proposed constitutional amendment on equal rights for men and women (defeated 104–254).	Do.[1]
293	do	H.J. Res. 208: On a motion to approve the committee amendment to the proposed constitutional amendment on equal rights for men and women which would exempt women from compulsory military service and would permit health and safety laws in favor of women (defeated 87–265).	Do.[1]
294	do	H.J. Res. 208: On final passage of the proposed constitutional amendment on equal rights for men and women (passed 354–23).	Do.[1]
295	Oct. 13	Quorum call	Present.
296	do	do	Do.
297	Oct. 14	do	Do.
298	do	H.R. 10835: On an amendment to the Consumer Protection Act that would limit CPA's intervention in agency and court proceedings to an advisory status (defeated 149–240).	No.
299	do	H.R. 10835: On an amendment to broaden the authority of the Consumer Protection Agency beyond that recommended by the committee (defeated 160–218).	No.
300	do	H.R. 10835: On final passage of bill to establish a Consumer Protection Agency (passed 344–44).	Yes.
301	Oct. 18	Quorum call	Present.
302	do	H.R. 9212: To suspend the rules and pass the bill which would extend black lung benefits to orphans whose fathers die of pneumoconiosis (defeated 227–124; a ⅔ vote being necessary).	No.

Footnotes at end of table.

Rollcall No.	1971	Measure, question, and result	Vote
303	Oct. 18	H.J. Res. 923: To suspend the rules and approve the resolution enforcing the mandate of Congress that no child be denied a school lunch because of his inability to pay by providing necessary funds, etc (passed 353–0).	Yes.
304	do	H.R. 10458: To suspend the rules and approve the Cooperative Animal Disease Control bill (passed 342–0).	Yes.
305	do	H.R. 8140: To suspend the rules and pass the Ports and Waterways Safety Act of 1971 (passed 335–1).	Yes.
306	Oct. 19	Quorum call	Present.
307	do	H.R. 8687: On ordering the previous question on the motion to instruct the House conferees not to agree to any of the Senate amendments to the Military Procurement Authorization bill which are not germane to the House bill (passed 215–193).	Yes.
308	do	H.R. 8687: On a motion to instruct the House conferees not to agree to any of the Senate amendments to the Military Procurement Authorization bill which are not germane to the House bill (defeated 192–215).	Yes.
309	do	Quorum call	Present.
310	Oct. 20	do	Do.
311	do	H.R. 9844: To approve the conference report on the Military Construction Authorization, 1972 (passed 370–26).	Yes.
312	do	H.R. 10367: On the Saylor-Udall amendment (as amended to assure no affect of the amendment on the Alaska pipeline) to the Alaskan Native Claims Settlement bill (defeated 177–217).	Absent.[2]
313	do	H.R. 10367: On final passage of the Alaskan Native Claims Settlement bill (passed 334–63).	Yes.
314	Oct. 21	Quorum call	Present.
315	do	do	Do.
316	do	H.R. 10670: On final passage of the Armed Services Survivor Benefit Plan (passed 372–0).	Yes.
317	do	Quorum call	Absent.[3]
318	do	H. Res. 624: On a motion calling for the previous question on the resolution providing for consideration of H.R. 8787, calling for a delegate in Congress for Guam and the Virgin Islands (passed 280–62).	Do.[1]
319	Oct. 27	Quorum call	Present.
320	do	do	Do.
321	do	H.R. 11418: To approve the Military Construction Appropriation bill for 1972 (passed 354–32).	Yes.
322	do	H. Res. 661: To adopt the "rule" under which to consider H.R. 7248, the Higher Education Act (passed 371–7).	Yes.
323	do	Quorum call	Present.
324	do	do	Do.
325	Oct. 28	do	Do.
326	do	H.R. 7248: On an amendment by Mr Quie to the Higher Education Act which would change the formula for distributing educational opportunity grants (defeated 117–257).	Yes.
327	do	H.R. 7248: On an amendment by Mr. Fraser to the Higher Education Act which would alter the formula for funds paid to States under educational opportunity grants (defeated 108–220).	Yes.
328	Nov. 1	Quorum call	Present.
329	do	H.R. 2266: To suspend the rules and pass the Emergency School Aid Act (defeated 135–222).	Yes.
330	do	H.R. 9961: To suspend the rules and pass the bill to provide temporary insurance for the member accounts of certain Federal credit unions (passed 349–0).	Yes.
331	do	H.R. 8389: To suspend the rules and pass the bill relating to narcotic treatment in correctional institutions (passed 350–2).	Yes.
332	do	H.R. 9180: To suspend the rules and pass the bill providing for the temporary assignment of a U.S. magistrate from one judicial district to another (passed 334–10).	Yes.
333	do	H.R. 9323: To suspend the rules and approve the amendments to the Narcotics Rehabilitation Act (passed 354–0).	Yes.
334	do	Quorum call	Present.
335	do	H.R. 7854 (S. 1026): To suspend the rules and approve amendments to the Small Reclamation Projects Act (passed 346–7).	Yes.
336	do	H.R. 11232: To suspend the rules and approve the Farm Credit Act of 1971 (passed 331–19).	Yes.
337	do	Quorum call	Absent.[3]
338	do	On a motion to adjourn (defeated 51–255)	Do.[2]
339	Nov. 2	Quorum call	Do.[3]
340	do	do	Do.[3]
341	do	On a motion to adjourn (defeated 8–285)	Do.[2]
342	Nov. 3	H.R. 2: On an amendment to the bill establishing a Uniformed Services University of the Health Services which would have struck out the requirement that the university be located within 25 miles of the District of Columbia (defeated 148–215).	No.
343	do	H.R. 2: On final passage of the bill establishing a Uniformed Services University of the Health Services (passed 351–31).	Yes.
344	do	H.R. 7248: On an amendment to the Higher Education Act which would have struck out title VIII, general assistance for higher education (defeated 84–310).	No.
345	do	H.R. 7248: On an amendment to the Higher Education Act which places the maintenance of effort requirement on individual institutions (passed 210–181).	No.
346	do	H.R. 7248: On an amendment to the Higher Education Act which would terminate funds to all institutions if the Supreme Court finds that Federal contributions to one institution or group of institutions is unconstitutional (defeated 119–264).	Yes.
347	do	H.R. 7248: On an amendment to the Higher Education Act to strike out title IX having to do with student interns (passed 229–149).	Yes.
348	Nov. 4	Quorum call	Present.
349	do	H.R. 7248: On an amendment to the Higher Education Act to exclude all-male or all-female undergraduate schools from the provision on sex discrimination (passed 194–189).	Yes.
350	do	H.R. 7248: On an amendment to the Higher Education Act to extend the benefits of land-grant colleges to the College of the Virgin Islands and University of Guam (passed 219–158).	No.
351	Nov. 4	H.R. 7248: On an amendment to the Higher Education Act to provide for the establishment of a National Institute of Education in HEW (passed 210–153).	Yes.
352	do	H.R. 7248: On an amendment to the Higher Education Act to strike out the title establishing "Ethnic Heritage Studies" (passed 200–159).	Yes.
353	do	H.R. 7248: On an amendment to the Higher Education Act calling for a comprehensive study before implementation of any new Federal youth camp standards (passed 184–166).	No.
354	do	H.R. 7248: On an amendment to the Higher Education Act to postpone the effectiveness of any U.S. district court order requiring the forced busing of children to achieve racial balance until all appeals to the order have been exhausted (passed 235–125).	Yes.
355	do	H.R. 7248: On an amendment to an amendment to the Higher Education Act adding language that forbids any officer or employee of HEW or of any Federal agency to force States to expend funds for the forced busing of school students (passed 231–126).	Yes.
356	do	H.R. 7248: On an amendment to an amendment to the Higher Education Act which would exclude local education agencies who are carrying out a plan of racial desegregation in response to a court order, from the prohibition of the use of funds for busing of students or teachers (defeated 231–126).	Yes.
357	do	H.R. 7248: On an amendment to the Higher Education Act prohibiting the use of Federal funds for busing of students or teachers to overcome racial imbalance or for the purchase of equipment for such transportation (passed 233–124).	Yes.
358	do	H.R. 7248: On an amendment to an amendment to the Higher Education Act which would direct Commissioner of Education to make a study and report on racial segregation in the elementary and secondary schools (defeated 92–269).	No.
359	do	H.R. 7248: On an amendment to the Higher Education Act adding H.R. 2266, modified, to the bill as a new title, "Emergency School Aid Act of 1971" (passed 211–159).	Yes.
360	do	H.R. 7248: On an amendment to the Higher Education Act to exclude all-male and all-female undergraduate schools from the provisions on sex discrimination (passed 186–181).	Yes.
361	do	H.R. 7248: (S. 659): On final passage of the Higher Education Act as amended (passed 332–38).	Yes.
362	Nov. 5	Quorum call	Present.
363	do	H.R. 8293: On passage of the bill to continue until Sept. 30, 1973, the International Coffee Agreement Act of 1968 (passed 200–99).	Yes.
364	Nov. 8	Quorum call	Present.
365	do	H.J. Res. 191: On a motion to discharge the Committee on the Judiciary from further consideration of the "Prayer Amendment" to the Constitution (passed 242–156).	Yes.
366	do	H.J. Res. 191: On final passage of the constitutional amendment authorizing voluntary prayer and meditation in the public schools (defeated 240–162; a ⅔ vote being necessary).	Yes.
367	Nov. 9	Quorum call	Present.
368	do	do	Do.
369	do	H.R. 10729: On an amendment to a substitute amendment to the Environmental Pesticides Control Act which sought to strike out the language: "the Administrator shall not make any lack of essentiality a criterion for denying registration of any pesticide" (defeated 152–221).	No.
370	do	H.R. 10729: On an amendment to a substitute amendment to the Environmental Pesticides Control Act which sought to supply "any party adversely affected" for "any party at interest" in securing judicial review (defeated 167–209).	No.
371	do	H.R. 10729: On an amendment to a substitute amendment to the Environmental Pesticides Control Act that would forbid producers recovery of funds for any pesticide that had been removed from the market unless the producer shows that adverse environmental effects were unknown (defeated 168–203).	Absent.[2]
372	do	H.R. 10729: On final passage of the Federal Environmental Pesticides Control Act (passed 288–91).	Do.[1]
373	Nov. 10	Quorum call	Present.
374	do	do	Do.
375	do	H.R. 9212: On an amendment to the bill on Black Lung benefits that sought to alter disability payments under Social Security to Black Lung miners (defeated 158–224).	Yes.
376	do	H.R. 9212: On an amendment to the bill on Black Lung benefits that sought to strike out language that continues the timetable for an additional 2 years for the States to prepare to assume responsibilities for providing Black Lung benefits (defeated 133–245).	Yes.
377	do	H.R. 9212: On final passage of the Black Lung Benefits bill (passed 312–78).	No.
378	do	H.J. Res. 946: An amendment to the continuing resolution that sought to halt all funding for the Department of Defense after Nov. 15 (defeated 10–356).	No.
379	do	H.R. 8687: On agreeing to the Senate provision in the military procurement authorization bill designed to remove the embargo on the importation of chrome ore from Rhodesia (passed 251–100).	Yes.
380	Nov. 11	H. Res. 698: On the adoption of the "rule" for consideration of H.R. 11341, the District of Columbia Revenue Act of 1971 (passed 359–8).	Yes.
381	do	Quorum call	Present.
382	do	H.R. 11341: On an amendment to the District of Columbia Revenue Act that sought to reduce the Federal payment to the District of Columbia by $44,000,000 (defeated 79–263).	No.
383	do	H.R. 11341: On an amendment to the District of Columbia Revenue Act that sought to reduce the Federal payment to the District of Columbia by $25,000,000 (defeated 119–210).	No.
384	do	H.R. 11341: On an amendment to the District of Columbia Revenue Act that sought to provide coverage for area truck drivers under the District of Columbia Minimum Wage Act, to provide overtime pay for work over 40 hours a week, or provide ICC certification (defeated 139–179).	No.

Footnotes at end of table.

Rollcall No.	1971	Measure, question, and result	Vote
385	Nov. 11	H.R. 11341: On final passage of the District of Columbia Revenue Act of 1971 (passed 248–50).	Yes.
386	Nov. 15	H.R. 11302 (S. 1828): To suspend the rules and pass the Cancer Attack Act (passed 350–5).	Yes.
387	do	H.R. 11350: To suspend the rules and pass the bill increasing the authorized dues for the International Criminal Police Organization and authorizing additional funds for 1970 dues (passed 344–0).	Yes.
388	do	S.J. Res 132: To suspend the rules and pass the resolution extending the duration of copyright protection in certain cases (passed 300–49).	Absent[1]
389	do	H.R. 11651: To suspend the rules and pass the bill to liberalize provisions relating to payment of Veterans' Administration disability and death pensions (passed 351–0).	Yes.
390	do	H.R. 11652: To suspend the rules and liberalize provisions relating to payment of VA dependency and indemnity compensation (passed 350–0).	Yes.
391	Nov. 15	H.R. 11080: To suspend the rules and pass the bill relating to the income-tax treatment of involuntary conversions resulting from the creation of the Redwood National Park in the State of California (defeated 148–203).	Absent.[1]
392	Nov. 16	Quorum call	Present.
393	do	do	Do.
394	do	do	Do.
395	do	H.R. 11731: On an amendment to the Defense appropriations bill which sought to strike out $801, 600,000 for procurement of the F–14 aircraft (defeated 76–311).	No.
396	Nov. 17	Quorum call	Present.
397	do	do	Absent.[1]
398	do	H.R. 11731: On an amendment to the Defense appropriations bill which would require congressional approval for additional men called into the armed services (above the limitation) by the President for more than 60 days (defeated 183–210).	
399	do	H.R. 11731: On an amendment to the Defense appropriations bill which sought to halt funding of the Indochina war after June 1, 1972, and calling for an orderly withdrawal of all U.S. military forces at a date certain, subject to the release of all American prisoners of war and accounting of a Americans missing in action (defeated 163–238).	No.
400	do	H.R. 11731: On an amendment to the Defense appropriations bill that would limit total net expenditures to 95 percent of funds budgeted, resulting in a cut of $3,800,000,000 (defeated 74–307).	No.
401	do	H.R. 11731: On an amendment to the Defense appropriations bill which sought to reduce the appropriation to the 1971 level, a reduction of $1,500,000,000 (defeated 114–278).	No.
402	do	H.R. 11731: On final passage of the Defense appropriations bill (passed 342–51).	Yes.
403	Nov. 18	Quorum call	Present.
404	do	do	Do.
405	do	do	Do.
406	do	H. Res. 710: On adoption of the resolution relating to the foreign aid authorization bill and instructing the Speaker to appoint conferees (passed 269–115).	Yes.
407	do	H. Res. 711: On adoption of the resolution providing for the immediate consideration of the conference report on H.J. Res. 946, further continuing appropriations (passed 366–15).	Absent.[1]
408	do	H.J. Res. 946: To approve the conference report on the resolution further continuing appropriations to Dec. 8, 1972 (passed 344–26).	Do.[1]
409	Nov. 19	H. Res. 699: On adoption of the "rule" under which to consider S. 18, assistance to Radio Free Europe and to Radio Liberty (passed 290–3).	Do.[3]
410	do	S. 18: To pass the bill providing assistance to Radio Free Europe and to Radio Liberty (passed 271–12).	Do.[3]
411	Nov. 29	Quorum call	Present.
412	do	H.R. 11060: On an amendment to an amendment to the Election Campaign Reform bill that sought to eliminate the section covering the question of rates for political broadcasting and in newspapers, and to eliminate the language compelling newspapers to give equal access to all candidates (defeated 145–219).	Yes.
413	do	H.R. 11060: On an amendment to an amendment to the Election Campaign Reform bill to place broadcasters under the same rule as newspapers that any candidate would be charged the earned or "local rate" (passed 219–150)	Yes.
414	do	H.R. 11060: On an amendment to an amendment to the Election Campaign Reform bill which sought to repeal section 315 (equal time) for candidates for all Federal elective offices (defeated 95–277).	Yes.
415	Nov. 30	Quorum call	Present.
416	do	H.R. 11060: On an amendment to the Election Campaign Reform bill which would prevent unions from using involuntary dues payment of union members for political activities except among their own members (passed 233–147).	No.
417	do	H.R. 11060: On an amendment to the Election Campaign Reform bill which struck out language requiring candidates to supply campaign statements with the clerk of the U.S. district court (passed 230–154).	No.
418	do	H.R. 11060 (S. 382): On final passage of the Election Campaign Reform bill as amended (passed 373–23).	Yes.
419	Dec. 1	Quorum call	Present.
420	do	Quorum call	Do.
421	do	Quorum call	Do.
422	do	H.R. 11589: To approve the bill authorizing the foreign sale of certain passenger vessels (passed 253–139).	Yes.
423	Dec. 2	Quorum call	Absent.[3]
424	do	H.R. 11932: On a motion to go into the Committee of the Whole to consider the District of Columbia appropriations bill (passed 379–0).	Do.[1]
425	do	Quorum call	Present.
426	do	H.R. 11932: On a teller vote on the amendment to the District of Columbia appropriations bill to add $72,000,000 for Metro construction (passed 196–183).	No.
427	do	H.R. 11932: On an amendment to the District of Columbia appropriations bill which would have halted funds for Metro until it had complied with provisions of the National Environmental Policy Act of 1969 (defeated 163–205).	Yes.
428	Dec. 2	H.R. 11932: On agreeing to the amendment adopted in the Committee of the Whole adding $72,500,000 for Metro to the District of Columbia appropriations bill, passed 195–174).	No.
429	do	H.Res. 719: On adoption of the "rule" under which to consider H.R. 11955, the Supplemental Appropriation bill for 1972 (passed 307–29).	Yes
430	do	H.R. 11955: To approve the $756,000,000 Supplemental Appropriation bill for 1972 (passed 270–20).	Yes.
431	Dec. 6	H.R. 9526: On a motion to suspend the rules and pass the bill authorizing the loan of 16 naval vessels to certain friendly nations (passed 260–116).	Yes.
432	do	H.R. 11624: On a motion to suspend the rules and pass the bill increasing from $3,000,000 to $5,000,000 the funds currently authorized to be appropriated for the International Aeronautical Exposition (Transpo '72) (defeated 203–172; a ⅔ vote being necessary).	Yes.
433	do	H.R. 45: On a motion to suspend the rules and pass the bill to establish an Institute for Continuing Studies of Juvenile Justice (defeated 238–135; a ⅔ vote being necessary).	No.
434	do	S.J. Res. 176: On a motion to suspend the rules and pass the resolution on the interim extension of certain housing and banking laws (passed 357–4).	Yes.
435	do	H.R. 11809: On a motion to suspend the rules and pass the bill maintaining Postal Service property as Government property in impact areas (passed 258–113).	Yes.
436	do	H.R. 10420: On a motion to suspend the rules and pass the bill to protect marine animals and establish a Marine Mammal Commission (defeated 199–150; a ⅔ vote being necessary).	Yes.
437	Dec. 7	Quorum call	Present.
438	do	S. 2007: On adoption of the Economic Opportunity Amendments of 1971 (passed 210–186).	No.
439	Dec. 8	Quorum call	Present.
440	do	H.R. 12067: On an amendment to the 1972 Foreign Assistance appropriations bill which sought to add $50,000,000 for the U.S. contribution to the U.N. development program (defeated 119–268).	No.
441	do	H.R. 12067: On final passage of the $2,8 Foreign Assistance appropriations bill for 1972 (passed 214–179).	Yes.
442	do	Quorum call	Present.
443	do	H.R. 728: On a motion to agree to the previous question on the "rule" under which to consider H.R. 1163, the Strategic Storable Agricultural Commodities Act (passed 204–164).	No.
444	do	H.R. 1163: On an amendment to the Strategic Storable Agricultural Commodities Act which sought to provide for storage of grains in producer-owned storage facilities as far as practicable (defeated 147–179).	Yes.
445	do	H.R. 1163: On an amendment to the Strategic Storable Agricultural Commodities Act which sought to exclude the 25-percent loan increase on wheat (defeated 128–222).	Yes.
446	do	H.R. 1163: On an amendment to the Strategic Storable Agricultural Commodities Act which would have offered reserve commodities for sale at 100 percent of parity (defeated 145–201).	Yes.
447	do	H.R. 1163: On an amendment to the Strategic Storable Agricultural Commodities Act which would have authorized the Secretary of Agriculture to store grain in the homes of hungry Americans (defeated 17–271 with 59 voting "present").	Present.
448	do	H.R. 1163: On final passage of the Strategic Storable Agricultural Commodities Act (passed 182–170).	NG.
449	Dec. 9	Quorum call	Present.
450	do	H.R. 10947: On approval of the conference report on the Revenue Act of 1971 (passed 320–74).	Yes.
451	do	H. Res. 729: On adoption of a resolution to permit consideration of conference reports without regard to the 3-day rule (passed 342–48).	Yes.
452	do	Quorum call	Present.
453	do	H.R. 11955: To approve the conference report on the $3,400,000,000 Supplemental Appropriations bill (passed 301–73).	Yes.
454	Dec. 10	Quorum call	Present.
455	do	H.R. 11309: On an amendment to the Economic Stabilization Act which altered the retroactive pay section including as a prerequisite that prices have been advanced, taxes have been raised, appropriations have been made, or funds have otherwise been raised or provided for in order to cover such increases (passed 209–151).	Yes.
456	do	H.R. 11309: On an amendment to the Economic Stabilization Act which would have called for disclosure of information of the Commission with the exception of trade secrets or confidential information (defeated 73–275).	No.
457	do	H.R. 11309: On an amendment to the Economic Stabilization Act which would have allowed the President to determine whether employer contributions to private pension and welfare plans are consistent with the standards for wages and price increases (defeated 170–184).	Yes.
458	do	H.R. 11309 (S. 2891): On final passage of the Economic Stabilization Act of 1970 (passed 324–33).	Yes.
459	do	H.R. 11341: To approve the conference report on the District of Columbia Revenue Act of 1971 (passed 242–93).	Yes.
460	Dec. 13	Quorum call	Present.
461	do	H.R. 11628: On final passage of the District of Columbia Medical Facilities Construction Act of 1972 (defeated 160–200).	Yes.
462	Dec. 14	Quorum call	Present.
463	do	do	Do.
464	do	do	Do.
465	do	H.R. 10367: To approve the conference report on the Alaska Native Claims Settlement Act (passed 307–60).	Yes.
466	Dec. 15	H.R. 11731: To approve the conference report on the Department of Defense Appropriations bill for 1972 (passed 292–39).	Yes.
467	do	H.R. 11932: To approve the conference report on the District of Columbia Appropriations bill for 1972 (passed 260–79).	Absent.[1]
468	do	Quorum call	Present.

Rollcall No.	1971	Measure, question, and result	Vote
469	Dec. 15	H.R. 6065: To approve the conference report on the bill relative to unemployment insurance including a provision for emergency unemployment compensation in States with a high unemployment rate (passed 194–149).	Yes.
470	do	H.J. Res. 1005: To approve the joint resolution making further continuing appropriations for fiscal year 1972 (passed 234–86).	Yes.
471	Dec. 16	Quorum call	Absent.[3]
472	do	S. 2819: On a motion to table the motion to instruct House conferees to agree to the amendment to the foreign military authorization bill which would have declared it to be the policy of the United States to terminate the military operations in Indochina within 6 months subject to the release of the American prisoners of war (passed 130–101).	Do.[1]

[1] If present, would have voted "yes."
[2] If present, would have voted "no."
[3] Speaking engagement.

FORCED BUSING MUST BE ABOLISHED

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FISHER. Mr. Speaker, I recently received a petition from San Antonio, signed by 2,500 alert citizens, in support of the neighborhood school concept and in opposition to forced busing in order to achieve a racial balance.

I am, of course, in full accord with these views. As I have said many times, such compulsory busing is a monstrous policy and is contrary to basic American freedoms as contemplated by the Constitution.

President Nixon has spoken out against such busing. Yet, HEW policies have all along been probusing, and they persist today.

CONGRESS OPPOSES, SUPREME COURT SUPPORTS, BUSING

The chief roadblock, however, has been the Supreme Court. That tribunal, in the case of Swann against Charlotte-Mecklenburg, on April 20, 1971, upheld busing to achieve racial balance. From this decision there is no appeal.

The Congress has enacted several laws against forced busing. In title IV of the Civil Rights Act of 1964 is this language:

Desegregation shall not mean the assignment of students to public schools in order to overcome racial balance . . .

Nothing herein shall empower any official or court . . . to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school district to another in order to achieve such racial balance.

In that same act, however, the Congress authorized the Federal Government to initiate court suits against laggard school districts—as viewed by HEW—as related to integration, and directed HEW to cut off Federal aid to school districts which practice discrimination—as viewed by HEW.

Thus, that agency was given much latitude in deciding what constitutes "discrimination," and in what is needed to achieve HEW's interpretation of "integration." Hence, HEW guidelines were issued, calling for integration, which virtually made busing necessary in order to comply. Much bureaucratic mischief has resulted from this loose delegation of authority. For myself, I anticipated the abuse of power and I was one of those who voted against the 1964 act.

Later, Congress in several enactments reiterated its opposition to busing for racial mixture purposes. Only recently, by majorities of 233 to 124, 235 to 125, and 231 to 126, the House adopted amendments against various aspects of the busing concept, and the use of Federal funds to finance it.

PEOPLE OPPOSE BUSING

Mr. Speaker, the American people—of all races—are overwhelmingly opposed to compulsory busing. A recent Gallup poll showed 76 percent of all Americans opposed. In Texas, the Belden poll revealed 78 percent of Texans opposed. In Indianapolis, a petition signed by 80,000 opposed busing. Scores of other expressions have followed suit, from all over the country.

It is strange, indeed, that in a democracy, where people are supposed to govern themselves, the will of the people is ignored and overruled by the courts and bureaucrats.

In my judgment the Supreme Court decisions on this issue were wrong. They evinced a distorted and warped interpretation of the Constitution. This colossal judicial blunder must be corrected.

If busing is justified for the sole purpose of achieving racial balance for youngsters in schools, then, by the same token, can we expect other compulsory schemes to be hatched for the sole purpose of achieving racial balance among adults, in residential areas? Where is the line to be drawn?

WHY PEOPLE OPPOSE BUSING

Busing is justified only when it is voluntary and is necessary in order to transport pupils to their own proper schools for educational purposes. Forced busing to which people are now subjected takes children for 5, 10, or even 20 miles away from their homes, often from schools across the street from where they live. When thus misplaced, the child cannot go home if he gets sick during the day. He cannot stay after school to rehearse school plays, take part in athletic events, or have special tutoring on weak subjects, because he would miss his bus.

The school day is tediously lengthened. Safety of children is endangered. Busing costs are astronomical. Disruption is rampant. In many instances the quality of education suffers. It simply does not make sense.

No wonder it is reported that not one child of any top official at HEW is bused. And several Senators who are candidates for President send their children to private schools.

WHAT CAN BE DONE ABOUT IT?

Now, what can be done about it? What remedies are available?

There are three possible solutions:

First. The Court could reverse itself.

Second. The Congress, under title II, section 2 of the Constitution, could limit the appellate jurisdiction of the Supreme Court in the field of teacher and pupil assignments—which I would favor.

Third. The Congress could by two-thirds majority pass a proposed constitutional amendment, which if then approved by three-fourths of the State legislatures would return to the American people their freedom from force in the matter of teacher and pupil assignment.

In regard to the latter, I am a cosponsor of House Joint Resolution 651, which would amend the Constitution by providing that:

No public school student shall, because of race, creed, or color, be assigned to or required to attend a particular school.

In addition, there have been at least three other similar proposed amendments introduced. Only recently, after far too much delay, the chairman of the Judiciary Committee has announced that hearings on these proposals will be scheduled, early in the next session.

That committee can, if need be, be bypassed and a vote on one of the resolutions forced, if as many as 218 Members sign a discharge petition. There are four such petitions now pending. I have signed each of them. A total of 130 have signed one of them thus far.

Let us hope the President will come out in favor of the amendment, and that the leadership of both parties—believed to be favorably disposed—will do likewise. It is imperative that this amendment be submitted by the Congress and allow the State legislatures to ratify it. Such a move would forever resolve this issue.

DAVID PACKARD

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HÉBERT. Mr. Speaker, I would be remiss if I did not acknowledge the outstanding job Mr. David Packard performed as Deputy Secretary of Defense.

He and his wife Lucile underwent tremendous personal sacrifices in order to serve our Nation at a time when the Department of Defense was not a very popular place to be. But through Mr. Packard's leadership as the capable right-hand man of Secretary of Defense Melvin R. Laird, great progress has been made.

Personally, I have been around for 31 years and I would have to say that the reign of Laird-Packard will go down in history as one of the most outstanding. They came in when antimilitary feeling was high and war was raging in Vietnam.

But through dedicated efforts, our involvement in the war is practically over

and the military is once again assuming it honored place in our society.

It is indeed encouraging to know that we have men like David Packard who will answer the call of his country and serve with distinction and excellence in a most complex and sensitive position.

During his 35 months at the Pentagon, I got to know Mr. Packard professionally and personally. I found him to possess and uncommon ability to get the job done, and I found his judgment to be of such a nature that it commanded trust and respect.

He was most helpful to me and my committee in the discharging of our duties by always presenting accurate and honest accounts on matters in which we were interested. His cooperation with the Congress is unsurpassed.

I felt compelled to express my gratitude to David Packard for his service to his country, and I know that all Americans who are aware of the job he did are grateful to him also.

As he once again dons the mufti of private life, I wish him and his wife my very best and say thank you for a job well done.

INNKEEPER OF THE YEAR

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BROWN of Michigan. Mr. Speaker, as we wind up the first session of the 92d Congress and see the end of 1971 just around the corner, I have occasion to reflect upon the year's activities and the people who did something worthy of note during the last 12 months.

Although it probably attracted little nationwide attention, a constituent of mine, Mr. Merrit T. Stephens of Kalamazoo, was named Innkeeper of the Year at the 16th annual conference of the Holiday Inns in Memphis, Tenn., late this year.

I have known Mr. Stephens for many years and cannot think of anyone who has been a more congenial, pleasant, and effective host than he. I would urge any of my colleagues who have occasion to be in the Kalamazoo area to drop in and meet Mr. Stephens at the Holiday Inn-Expressway, for I am sure that they would find him to be one who would be glad to be of assistance as he has been to all who have come his way.

In order that the details of his award and other personal data regarding Mr. Stephens can be available to my colleagues, I am incorporating in these remarks an article from the Kalamazoo Gazette. The article follows:

INNKEEPER HERE GETS HOLIDAY INN CITATION

Merrit T. Stephens, innkeeper at the Holiday Inn-Expressway, has been named Innkeeper of the Year in the neighborhood inn category for the worldwide system of 1,350 Holiday Inns.

Announcement of the award was made last week during the 16th annual conference of the Holiday Inns held in Memphis, Tenn.

Stephens has been associated with Holiday Inns since 1964, when he was named innkeeper at the Holiday Inn-Crosstown. When Holiday Inn-Expressway was opened early in 1967, he became innkeeper there.

Prior to becoming associated with Holiday Inn, Stephens was with the now-defunct Harris Motor Inn here, starting in 1959 as catering manager and later serving as resident manager.

A deacon of the First Congregational Church, he is active in professional and civic organizations, including the Community Chest and Michigan Week.

He lives with his wife and four children at Hickory Corners.

In related announcements coming out of the Memphis meeting, the Holiday Inn-Expressway was named one of the top 100 inns in the system and Shirley Castle, housekeeper at the Holiday Inn-Expressway, was named among the top 100 persons in such positions.

JERSEY'S CRISIS IN HOUSING

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. RODINO. Mr. Speaker, housing to many aware and concerned Americans is the No. 1 domestic problem in the United States. A critically short housing supply is a problem in every area of our country, and I am sorry to say in New Jersey also.

The Newark Star-Ledger recently ran an indepth series of articles evaluating the housing situation in our State. It is a highly informative, penetrating, and comprehensive evaluation of where we are and what we need to do in order to adequately house our people.

The series follow:

JERSEY'S CRISIS IN HOUSING

(By Robert P. Kalter)

New Jersey is failing to solve its housing crisis.

Although the problem was the subject of an urgent special message to the Legislature by Gov. William T. Cahill on Dec. 7, 1970, conditions have grown worse—not better—in the passing months.

More families than ever before are crowded into unsafe, substandard dwellings.

Inflation has increased the price of land, labor, materials, financing and taxes to a point where only those in the upper 15 per cent earning bracket can afford to purchase new housing, even the most modest models available on the market today.

Rents have reached an all-time high, while the shortage of apartments and rental housing grows more acute under the pressure of increasing population.

Root causes of the housing crisis—identified and discussed in patient detail by the Governor in his legislative message—remain unsolved and unimproved.

Among the causes cited by Cahill:

High cost of materials and labor.

High interest rates on mortgages.

High, nearly confiscatory local property taxes.

SHORTAGE KEEPS GROWING MORE ACUTE . . . DESPITE REPEATED URGENT WARNINGS

Local building codes.

Local zoning laws.

Inadequate federal involvement.

Those who have been studying the problem at the Governor's request are quick to concentrate their blame on the federal government. The complaint is two-edged.

On the one hand, the federal involvement in supporting new housing is pathetically inadequate; on the other hand, New Jersey is not receiving its fair share.

A key adviser to the Governor explained:

"New Jersey represents about 4 per cent of the national population, but at best we're getting about 2 per cent of the Department of Housing and Urban Development (HUD) commitment for federally subsidized housing, and about 7/10ths of 1 per cent of the Section 236 program of assistance on rental and cooperative housing for low-income and moderate-income families.

"Last year the federal government spent $68 billion for defense, $3.7 billion for space exploration and $375 million for low-cost housing.

"The overrun on Defense Department contracts was $10 billion alone. If this amount were used as a capital budget item, it could pay for 500,000 low income housing units. As part of a rent subsidy program, that sum would take care of 5 million new low-cost units."

During 1970, the Newark area office of HUD provided Section 236 rental assistance on 1,806 dwelling units with an estimated mortgage value of $21.7 million. During the first nine months of 1971, the assistance involved 732 units valued at $8.8 million.

HUD's subsidy program under Section 235, intended to encourage home ownership for low-and middle-income families through lower-than-market interest rates on mortgages (as low as 1 per cent), involved only 90 units during the first nine months of this year. The estimated mortgage value of these units was $1.6 million.

The Newark office appraised 22,982 homes during 1970 and endorsed 10,676 for FHA mortgage insurance. In the first nine months of this year, appraisals totaled 14,420 and endorsements for insurance were 9,444.

Critics of the FHA charge that the federal agency is failing to fulfill its responsibility because it is overly concerned with seeking risk-free loans and is not accepting enough borderline cases where greater risk is involved. The purpose of FHA, say the critics was to assume risks which banks, savings and loans and other mortgage-lending institutions would normally reject because of insufficient earnings or assets on the part of the borrower.

The Newark area office of HUD handles housing for the entire Northern New Jersey region, from Ocean County north, and includes the most densely populated counties of Essex, Hudson, Bergen, Union and Middlesex.

On the state level, New Jersey has been relying almost exclusively on one agency, New Jersey Housing Finance Agency, to encourage housing construction and rehabilitation.

But Cahill's housing advisers contend the state has limited resources and only the federal government can provide the massive assistance needed to solve the housing crisis.

But what of the other root causes of the housing shortage? Inadequate federal involvement was only one of six identified by the Governor.

In his special message, titled "A Blueprint for Housing in New Jersey," Cahill told members of the Legislature:

"For the past several months, I have met frequently with . . . state officials, with builders and realtors, with federal and state officials charged with responsibility in the field of housing and mortgages, with mayors, with labor leaders, with planning and zoning officials and many other outstanding citizens of our state.

"The purpose of these meetings was to discuss the crisis in housing to ascertain the causes, and to seek solutions to the problem. All who attended these conferences were in agreement that a crisis indeed existed. Let me briefly summarize that crisis.

"As we all know, New Jersey is the fifth smallest state and yet continues to be the

most densely populated of all the states in the nation today. With a total land area of approximately 4.8 million acres, New Jersey has an approximate population of 7.2 million with experts predicting a population increase to 10 million by 1985.

"The population of our state grew by approximately 20 per cent in the past decade. Unfortunately, however, housing has not kept pace with that growth. According to reliable statistics, we require 100,000 additional housing units each year, but actually are building only 40,000. Thus each year we find ourselves with 60,000 less units that are absolutely required.

"No words of mine are necessary to indicate the catastrophic proportions which will be reached in years to come unless some solution to the housing shortage is found today!

"In addition, I need not point out to you the deterioration of the older housing, particularly in our cities, which is proceeding at an alarming rate. In Newark, for example, one-third of the housing was substandard in 1960. The figure is now estimated at 45 per cent.

"In our other cities, the pattern is similar and, members of the Legislature, deterioration is not only in the cities but, as you know, there are pockets in our suburban communities, and it is particularly pronounced in our poor rural areas.

"Because of inadequate housing, rents have skyrocketed. Few single family dwellings are available for renters and all livable apartments are in great demand."

For the full 1970 year, Newark issued building permits covering the construction of 26 new dwelling units at an estimated cost of $165,000, according to official city records.

During the same year, 1,181 dwelling units were demolished, leaving a net loss of 1,155 units in a city that began the year with a desperate shortage of housing.

In the same period, an untabulated number of dwelling units deteriorated from acceptable to substandard levels, it was pointed out by Newark building inspectors.

Thus far in 1971, developments provide no cause for comfort or optimism.

Building permits for 27 new dwelling units, valued at $170,000, were issued between Jan. 1 and Oct. 1, while demolitions reduced the housing supply by 575 units—a net loss of 548 units during the nine-month period.

The building inspectors point out that no new major projects were initiated in 1970 or 1971 and that any which may be launched in the coming year or so will not be ready for occupancy for two or three years after preliminary plans are approved.

Despite the grim picture, Newark is better off than many other municipalities in one aspect. It has a number of choice sites cleared and available for construction under urban renewal projects that have been stalled for years.

A 1969 survey by the state showed that 6,229 housing units had been removed for urban renewal—4.6 per cent of the total Newark housing supply—and that only 2,134 units were constructed to replace them, a net loss of 4,095.

A year earlier, the Governor's Select Commission on Civil Disorder reported that "Negroes cited 'bad housing conditions' most often when they were asked to choose among 15 possible underlying causes" of the 1967 Newark riots.

"A related issue—overcrowding in Negro areas—was seen by 49 per cent of Negro respondents as having had a great deal to do with causing the riots," the report said. "Asked to list what they considered Newark's most serious problem, 37 per cent of the Negroes mentioned housing. It was topped only by high living costs (44 per cent)."

Following the riots, a community umbrella group, the Newark Citizens Housing Council was created and assigned majority membership on a task force to be made up of representatives of HUD, the State Community Affairs Department and the Newark Housing Authority.

The task force was given the authority to "prepare a housing program designed to produce sufficient housing to meet the demand created by projected dislocation in Newark (resulting from the land needs of the New Jersey College of Medicine and Dentistry), as well as to add significantly to Newark's supply of low and moderate income housing."

Some 68 acres of urban renewal land were to be conveyed to community-based corporations by the NHA "as soon as these corporations are formed and selected by the broad-based community 'umbrella' organization," according to an agreement reached with the Newark Housing Authority.

The agreement was signed March 1, 1968, and the task force was to report "within three months of its formation."

It was not until January, 1970, however, that the Citizens Housing Council was able to organize. And to this date, ground has not been broken for a single project.

Donald Hairwood, deputy director of the Newark Housing Council, said "three projects are ready for commitment" and should be underway within a month.

Combined they will provide 262 dwelling units, about half the 575 units demolished in Newark during the first nine months of this year. The projects ready for commitment, Hairwood said, are Medical Heights, to provide 46 rehabilitated units; Prince Hall, to provide 46 new units of 3-to-5 bedroom apartments, and New Hope with 170 units.

Hairwood said other new projects are in the planning stage.

Last week Mayor Kenneth A. Gibson disclosed that his administration is exploring the feasibility of 10,000 new dwelling units in a town-within-a-town near the center of Newark. The project would include high-rise, and low-rise apartments, town houses, light industry and commercial facilities.

The state, meanwhile, is falling far short of the projected requirement of 100,000 new units which the Governor cited.

Figures from the New Jersey Department of Labor's Planning and Research Division show that 39,897 building permits were issued in 1970, a modest increase over the 36,897 units covered by permits issued a year earlier, but less than the 43,661 units in 1968 and far below the 68,078 units of 1964.

During the first seven months of this year, permits were issued for 23,437 units, compared to 19,270 in the same 1970 period, an increase of 22 per cent. This is about the same increase registered nationally, although officials in New Jersey agree that the housing problem in this state is more acute than elsewhere.

What does this mean to New Jerseyans?

Gov. Cahill in his special leigslative message last December described it this way:

"Most young married couples are prohibited from purchasing a home because of existing housing prices. Huge segments of our work force, although earning more today than ever before, are confronted with the same problem.

"Our senior citizens living on fixed incomes cannot continue to pay the spiralling property taxes on their homes, nor the high rental cost of an apartment, if any at all are available.

"These people, the young and the aged, the teacher and the mechanic, white and black, are thrifty and respectable citizens, yet they are foreclosed from decent and adequate housing at a reasonable cost in areas of their choice.

"The reason is obvious. There is a complete inadequacy of single and multifamily dwellings, and the law of supply and demand is raising the cost of existing housing out of the reach of the average man. So the problem is present, and it is critical!"

Cahill said that because of the complexity of the problem and the Legislature's timetable, he was offering no specific proposals. Instead he promised to appoint "a highly selective committee" to work with the Department of Community Affairs' staff "to prepare recommendations for a new state building code . . . and to develop a New Jersey plan to insure available land for the construction of low income and moderate income houses and apartment construction throughout the entire 21 counties of our state."

He also placed great emphasis on the need for quick action on a proposed Land Use Law to expedite local development "by untangling the problems involved in obtaining approval of subdivisions" to make small lots available for housing construction.

"Hopefully," the Governor said, "by eliminating unreasonable procedural gimmicks and barriers, this bill will permit private builders to initiate the building process more expeditiously. Thus, the Land Use Bill will provide some immediate relief for the present, pending the development of a more comprehensive revision of all aspects of New Jersey's housing program and legislation."

The bill was introduced early this year but has remained buried in committee.

Construction costs, meanwhile have been rising at a rate of approximately one per cent per month in New Jersey since Gov. Cahill's inaugural address of Jan. 20, 1970, when he said:

"Our housing shortage, particularly in the low income and middle income fields, is incredible, and no peace will ever come to our cities unless dramatic improvement is made in the field of housing in the immediate future . . . We must, in a word, be doers—men of ideals, but also men of action."

JERSEY HOUSING CRISIS—BUILDERS FIGHTING AN UPHILL BATTLE . . .

(By Robert P. Kalter)

Private developers and builders have been waging an uphill battle in the fight to construct new dwelling units and end New Jersey's critical housing shortage.

Philip J. Cocuzza, executive vice president of the New Jersey Building Association cites governmental indifference as a major factor in the failure to produce adequate housing.

Walter R. Cohn, a Newark attorney who has been active in organizing several successful non-profit, community-run rehabilitation projects, blames governmental bureaucracy.

Arthur H. Padula, who has constructed more housing in Newark than all other developers combined since the end of World War II, says the villain is governmental hypocrisy.

All three—together with almost all others associated with the building industry—are discouraged by the lack of positive action by the state and federal government to resolve the housing crisis.

Cocuzza candidly admits that many of his organization's proposals are self-serving, but he insists that if they are implemented they will produce the desperately needed housing.

"They can also bring about substantial reductions in the cost and carrying charges of a house," he adds.

This is particularly significant today because builders estimate that only the upper 15 per cent of the population can afford to buy new housing because of inflated labor and material costs, high mortgage rates and prohibitive property taxes.

Without subsidies, 85 per cent of New Jersey's families are out of the new-home market, he emphasized.

A man earning $12,000 a year, Cocuzza explained, has about $250 monthly available for housing. Taxes will take about $100 monthly, leaving $150 a month for mortgage payments.

At today's going rate of 7½ per cent, $150.50 per month would pay off a $21,500 mortgage over 30 years.

Cocuzza said, "it's just about impossible to put up any kind of a decent house in North Jersey today for less than $40,000." In South Jersey, where land and labor costs are lower, he said an average house could be built for about $27,000.

In North Jersey, therefore, a potential buyer would have to put up $18,500 in cash to keep his mortgage within manageable limits. The comparable wage earner in South Jersey would need a down payment of $5,500. Even this sum is difficult for most families to accumulate, particularly at today's high rentals.

"What the average wage earner needs is a 90 per cent loan at 4 per cent for 40 years, but there is no such animal," Cocuzza said.

Al Brown, president of the association, and Frank Farinella, president of the Metropolitan Builders Association, estimated that between $5,000 and $10,000 could be deducted from the average $40,000 new home if their recommendations are adopted for building code changes, relaxed zoning laws and improved financing.

They urge a single building code for all municipalities in the state in place of the hundreds of individual codes presently in effect. A single change in the code to permit plastic pipe, they said, would reduce the cost of a house with 2½ baths by $1,200 to $1,300.

Zoning laws restrict the use of land, creating an artificial shortage, they said. This makes land available for housing more scarce and artificially raises the value, and land represents about one-third the cost of a new house.

Brown and Farinella both have urged that 30 per cent of the money in state-administered pension funds be made available for reduced-rate mortgages.

New York made its pension funds legal for mortgage investment years ago and millions of dollars have been used to pay for housing projects in New Jersey.

Although builders have been urging New Jersey to follow New York's example, officials here have consistently resisted such action, even in the face of 1969's severe tight money crunch, when new housing starts reached their lowest volume of the decade.

As for the property tax situation, the New Jersey Builders Association believes this is the No. 1 cause of the housing crisis.

Cocuzza explained that under the present system, real estate taxes finance local government, and as a result "municipal officials tend to reject all kinds of housing"—single-family and multi-family alike—in favor of commercial and industrial properties that don't add to school costs and require only minimal local services.

"Many municipalities," Cocuzza said, "have totally zoned out future development." Others have resorted to exclusionary zoning, outlawing apartments or garden apartments, or insist upon minimum building lots of one or more acres.

Additionally, the association feels that state officials have failed to understand the nature of the building industry, and that this failure has aggravated the housing crisis.

Cocuzza points out that the New Jersey Housing Finance Agency (NJHFA), which was created in 1967 to expedite construction of multi-family dwellings, is operating under ground rules that exclude all but a few of the 3,000 builders in the state.

"The average builder builds less than 20 units a year," Cocuzza said. "If each one could be encouraged to build just 10 additional units, it would mean an additional 30,000 units a year. A garden apartment is nothing but a big house, and these builders can all construct garden apartments. But the NJHFA has restricted its operations to high-rise apartments, which only a small segment of the building industry can handle."

The association is also concerned about permanent and irreversible damage if the State Department of Environmental Protection goes ahead with a planned building moratorium in Monmouth, Ocean, Burlington, Atlantic and Cape May counties.

Environmental Commissioner Richard J. Sullivan, who has been meeting periodically with the builders, has indicated that the moratorium is needed in the absence of satisfactory sewage treatment facilities in the undeveloped acres of this five-county area.

Builders point out that most of the building in the state has been going on in this area and if it is stopped many of them will be forced out of business forever, because they will lose their skilled help during any prolonged layoff.

They also note than any moratorium of this kind will intensify the housing crisis.

"Our position on this is quite simple," Cocuzza said. "We certainly do not object to cleaning up the environment but we are not going to rectify in three or five years the havoc we have brought upon ourselves in 40 or 50 years.

"What we would recommend is that some interim measures be allowed so that in our efforts to clean the environment we do not destroy the residential development industry."

Cocuzza said the state seems to favor regionalization of sewerage control and suggested that "additional legislation is necessary to accomplish it."

"At the current time," he said, "the commissioner of Environmental Protection basically has only negative powers. He can tell communities that they cannot do this, that or the other.

"But the commissioner has no real statutory power to force the municipalities to regionalize. This is where the entire program is currently breaking down."

Cocuzza said the state also was working against itself, and its desire to develop more housing, in its imposition of sales taxes.

"Food and clothing are exempt," Cocuzza said, and "it is inconsistent not to exempt shelter, which is certainly a basic necessity of life."

He said the sales tax increases the cost of housing, that this increase must be passed along to the buyer and the buyer pay for it, at 7 per cent or 7½ per cent interest, throughout the life of the mortgage.

He noted also that developers were being required to put in streets, sidewalks and curbs as part of some of their building projects. Where this is done, the builder must pay a sales tax on the materials and labor, even though it is for the benefit of the municipality. If the municipality undertook the project, it would be tax exempt.

Here again, Cocuzza emphasized, the added cost is passed along to the purchaser of the house.

In illustrating bureaucratic delays in the housing field, Cohn pulled out massive files of forms, statements, affidavits and other documents required by the Federal Housing Administration (FHA) for a rehabilitation program which he initiated in August, 1967, and which the State Department of Community Affairs supported with a $30,000 loan for land options and architectural fees.

The project involved seven apartment houses with 221 dwelling units in East Orange, under the sponsorship of a non-profit corporation whose trustees include the Rev. William Bailey of Calvary Baptist Church, a housewife-teacher, a department store assistant buyer, a welfare case worker, a retired businessman and a school teacher.

"The FHA has forms you never heard of," Cohn observed. "It took nearly two years to get the paperwork processed and would have discouraged most people. But the trustees were unusual and dedicated people and they stuck with it, even though they had never owned or managed a piece of real estate in their lives."

Another project which Cohn initiated at 98 Clinton Avenue, Newark, provided for the rehabilitation of 13 dwelling units and a store. He said this one took three years to process with FHA.

"The advantage of rehabilitation is that once you get started, you can move families in in five or six months," he said.

"Unfortunately it takes two or three years to get started, he said. "There's no sense of urgency about the housing crisis with FHA officials."

Padula, who has completed more than $58 million worth of housing since World War II in Newark, Jersey City, East Orange, Perth Amboy and Long Branch, says that on the state level there is "too much hyprocrisy" in seeking to solve the housing shortage.

He points out that a simple act of the Legislature is all that is needed to eliminate the building code mess and substitute a single statewide code.

He questions the sincerity of the Legislature in creating the NJHFA because it refused to place the full faith and credit of the state behind the bonds the agency would be obliged to issue.

Denying the faith and credit of the state means higher interest rates to be passed along to tenants.

He charged also that the NJHFA was actually developing little or no new housing, but was merely helping to expedite housing units approved for the state under federal housing programs.

The state, said Padula, "ought to be taking an active role in augmenting federal programs by initiating parallel state programs, on a matching basis. If the federal government makes 5,000 units available under mortgage subsidies, the state ought to make an additional 5,000 units available with the same financial assistance. Instead, the state is simply helping to process half of the federal commitment and is putting no fresh money into the program."

Similarly, Padula noted that the New Jersey Mortgage Finance Agency, created early in 1970, could have been "far more effective" in helping to stimulate housing.

The agency marketed its first bonds, $36.7 million worth, in mid-October, again without the full faith and credit of the state behind the issue.

Gov. Cahill pointed out that the bonds will provide financing for at least 1,750 homes for individuals in the $7,500 to $12,500 a year income bracket at mortgage interest rates of no more than 6.8 per cent.

"This is a dramatically low rate compared to the present market rate of 7½ per cent for conventional loans and 7 per cent for FHA and VA loans," the Governor said, in announcing the sale.

Padula noted that the net interest cost to the agency is 4.53 per cent and that the mortgage money could have been made available to potential homeowners at this rate if the state agency made the loans directly in profits permitted to the private financial institutions for processing.

"Would-be homeowners will save 2-10ths of 1 per cent on an FHA or VA mortgage although they will be charged 2.27 per cent more than the state agency paid because of profits permitted to the private financial institutions," he said.

In other words, the savings on a $10,000 mortgage is $1.30 per month or $408 over 30 years. But if the agency made the loan available to the public at its cost, the savings on a $10,000 mortgage would be $15.70 monthly or $5,652 over 30 years.

Housing Crisis: State Official Sees a Better Building "Climate"

(By Robert P. Kalter)

Charles F. Reynolds Jr., who is completing a six-month assignment as New Jersey housing coordinator for Gov. William T. Cahill,

told the Star-Ledger that he now views the state's housing situation "with practical optimism."

The 52-year-old Reynolds, a vice president of Prudential Insurance Co., has been on the job since June 1 as a special assistant to the Governor, coordinating New Jersey's various housing programs, studying the state's varied housing problems and recommending solutions where possible.

He has scaled down the estimated minimum housing needs of the state by 15,000 units a year.

In a special message to the Legislature last December, Cahill said that New Jersey requires an additional 100,000 housing units annually.

Reynolds, however, said he believes the state needs only 85,000 dwelling units a year. Through the first seven months this year, building permits were issued for 23,437 new units, a rate that indicates the state will produce less than half the desired quota of 85,000.

"I do not predict that by the end of 1971 we will be up to our necessary annual production rate of 85,000 units," said Reynolds, who headed Prudential's Washington, D.C., real estate investment office prior to becoming vice president in charge of real estate investment for the insurance company.

He said he based his practical optimism on the fact that as housing coordinator "I have found what I consider very strong effective forces at work to accelerate housing production."

"There is," said Reynolds, "a real dedication to action at every level of government—by trade groups associated with housing, such as the builders associations and banking associations.

"All of us involved in housing concede that it is necessary to provide an acceptable building climate in order to take the necessary giant steps to provide good housing in New Jersey."

Reynolds said he has been forwarding suggestions and recommendations to the Governor on almost a daily basis since he began his study "and there is no need for any voluminous report from me."

"One of the prime things that I have tried to accomplish," he said, "is to strengthen the working relationship in the housing sector between the state government and the municipal governments and between the state government and the federal government.

"Hearings are presently being conducted in Washington on several housing bills. One very essential piece of legislation is a 'Consolidation and Simplification Act' that will streamline the myriad of federal housing programs.

"In addition there is pending both an Administration bill and the Patman Housing bill, both of which for effective implementation will require a much greater effort on the part of the state. In order to take full advantage of benefits provided by the pending legislation, it will be necessary for our state housing organization to beef up its organization to beef up its organization."

He said that the NJHFA "has already made considerable impact in providing apartments for low and moderate income families as well as housing for the elderly. As this agency has begun to prove its effectiveness, it is getting a larger share of the FHA 236 interest subsidy money that is essential for its operation in the law and moderate income housing field."

Latest figures from the NJHFA show that as of Oct 15, 4,209 units were authorized this year, bringing to 8,506 units the authorizations since the establishment of the agency in 1967.

John P. Renna Jr., executive director of the NJHFA, said the agency has before it projects that involve more than 25,000 more units in various stages of planning.

Eleven projects with 2,548 units have been opened and by the end of the year an additional project will be ready for occupancy, with 210 dwelling units.

Renna said the agency is hoping to reach a goal of 8,000 to 10,000 units a year "but that all depends on rent and interest subsidies from the federal government."

Harold Sarshik, a builder from Cherry Hill who serves on the NJHFA, said that at the present time there is "no national commitment for housing and that's really the problem."

Present FHA rent and interest subsidy programs are admittedly inadequate to meet the existing demand, according to local FHA officials. Nationally, about 22 million families are eligible for subsidies, but funds are available to accommodate about one-third of this number.

The FHA program to make possible home ownership by low-income families also has run into serious problems in Newark, where about 200 houses have had to be repossessed, according to officials, because even the reduced payments could not be met.

One family found itself with a broken boiler some months after moving into a house on Seventh Street. There was no way the family could accumulate the money necessary to make the repair and repossession was unavoidable.

FHA officials said the program appears to be working better in other areas, where new homes are being built. In Newark, existing housing is involved and it is difficult to predict repair needs.

Reynolds said that in addition to the NJHFA, the New Jersey Mortgage Finance Agency, created early in 1970, "will considerably strengthen the state's housing market."

He said it acts as a source of mortgage loan funds for banks and savings and loan associations. Recently it marketed its first bonds "and will assure a more steady supply of mortgage loan money to home buyers." At least one builder, however, has criticized the agency for failing to make loans available to would-be homeowners at meaningful savings.

New Jersey, Reynolds said, "was fortunate in having one of its cities, Jersey City, selected as a site for Operation Breakthrough," a federally funded project to research and perfect industrialized construction techniques.

Some 400 apartment units are to be produced in Jersey City by four different industrial methods to see whether savings in time and money can be achieved. The first units are scheduled for occupancy in June, 1972.

Newark, meanwhile, was selected as one of 20 cities for the pilot operation of Project Rehab, backed by the full resources of the federal Department of Housing and Urban Development.

Project Rehab hold a lot of hope for our older cities," Reynolds said. "One of the obvious advantages of rehabilitation versus the bulldozer approach is the circumventing of the trauma that results when hundreds of families are displaced during a bulldozer operation before new units can go into place."

Walter R. Cohn, a Newark attorney who has succeeded in planning and completing a number of rehabilitation projects in Newark and East Orange, says that with existing federal subsidy programs he has been able to provide one-bedroom apartments in East Orange for $119.79 a month, including gas and electric, and in Newark for $112.51 to $121.91.

In his newest project at High and Spruce Streets, Cohn is completely renovating abandoned apartment houses which eventually will be turned into cooperatives. Some of the units contain five bedrooms and will rent for $167.62, including gas and electric.

This compares with the $327 monthly rent which tenants will pay for a two bedroom apartment in the Paulus Hook development in Jersey City, a project approved by the New Jersey Housing Finance Agency earlier this year.

"Rehab is not the answer to New Jersey's long-range housing needs," Cohen insists.

"But it is a worthwhile expedient to provide quick, low-rent units in urban areas where the housing shortage is most critical."

HOUSING CRISIS: PLANNED CITIES, STATEWIDE CODE MAY OFFER HOPE

(By Robert P. Kalter)

Governor Cahill's Housing Task Force has completed work on a proposed law to give New Jersey a single statewide building code.

Harry Bernstein, Plainfield attorney and task force chairman, said a draft of the bill has been turned over to the attorney general's office for a legal review before its submission to the incoming Legislature in January.

He said the bill calls for the appointment of a committee to adopt one of the existing national building codes as the state code.

The measure provides a mechanism for periodic updating, he said, so that new money-saving materials and methods can be authorized without prolonged delays.

Bernstein said a provision for the training of building inspectors also is included in the bill.

The lack of uniformity of code requirements and enforcement from municipality to municipality has been severely criticized by Paul J. Brienza, managing director of the New Jersey Building Contractors Association, and Philip Cocuzza, executive vice president of the New Jersey Builders Association.

Under existing practice, code requirements are enacted by local officials who may know absolutely nothing about construction, and are enforced by inspectors who may have little or no experience in the many skills involved in the building industry.

Moreover, these inspectors are known to have overruled nationally famous architects and qualified engineering consultants on questions of safety and esthetics, especially in the smaller municipalities. And for years there have been rumors of payoffs in connection with code enforcement.

A previously published Star-Ledger special report on the subject pinpointed these and other abuses and deficiencies associated with the content of building codes and the effort to achieve compliance.

"Frankly, we can think of no real reason other than politics, why we do not have a statewide, uniform, mandatory, performance type building code in New Jersey," Cocuzza said.

Speaking for his association, he added:

"We have been informed that of the 567 municipalities in New Jersey we actually have some 616 codes. Yet there exist four major model codes in this country today which could easily be adopted and used by the state.

"These codes, firmly based on research and engineering study, are administered by experts in their fields."

Under the proposed legislation one of these codes would be selected for New Jersey, according to Bernstein.

Cocuzza said that some municipalities create additional problems for builders by establishing ratios for one- and two-bedroom units in their building codes or zoning laws applicable to multi-family housing.

"As an example," he said, "many communities incorporate the concept that all multi-family housing must contain 80 per cent one-bedroom and 20 per cent two-bedroom units.

"This ratio, to the best of our knowledge, has absolutely no basis in fact and the continued use of it as a part of building codes or zoning codes must be abolished. There is no good reason why three-, four-, and even

five-bedroom apartments cannot be built. The family that requires more than two bedrooms and does not wish to live in a house should, in all good conscience, have this option open to them."

Cocuzza noted that the court's had thrown out Glassboro's multi-family building code because it did not intend to protect the health and safety of residents "but actually was an attempt to restrict the construction of multi-family dwellings."

He also pointed out "another restrictive practice that is growing in communities around the state"—the establishment of a minimum square foot requirement per dwelling unit.

Cocuzza said there is no objection to a reasonable minimum but to "totally unrealistic figures." He said there are "certain communities in New Jersey that have a minimum square footage requirement of 2,000 square-feet or more. Translated into sales price, this means the minimum house that can be built in that community is upwards of $60,000."

Lowering the minimum, he said, would have the beneficial effect of increasing the production of lower-priced homes. He predicted that lower minimums could easily increase production of homes in the $25,000 range by 20 per cent.

He noted that "many apartments today do not exceed 900 square feet and the inhabitants are quite comfortable. Minimums of 2,000 square feet and more the rather transparent attempts at eliminating developments in a given community."

Bernstein said the Governor's Housing Task Force has been looking into this problem as well as the building code and that a new land use bill, prepared by an ad hoc committee of experts "is nearly completed and should be ready by the end of the year."

He said it is intended to modernize all land use and zoning laws in the state—a subject that has proved extremely controversial in the past because of its inherent encroachment on home rule.

"We already have 148 pages of findings," Bernstein said.

"One of the special features of the bill would be the modernization of Planned Unit Development (PUD) provisions within constitutional limits."

The committee will also have recommendations about adequate housing by areas, the relationship between housing and employment opportunities, environmental limitations and state taxes, Bernstein said.

"We are attempting to complete our work so that a final report to the Governor can be given in time for him to incorporate its findings into his annual message to the Legislature in January," Bernstein said.

Indications from members of the task force are that the land use bill will be a weaker version of the Administration's Land Use Planning and Development Act, introduced earlier this year and never acted upon.

That bill, which was being prepared in the Department of Community Affairs a year before Gov. Cahill took office, was in turn weaker than one favored by the previous administration of Gov. Richard J. Hughes.

One of the controversial features of the Cahill measure was the provision that municipalities would be required to take into consideration the official plans of adjacent municipalities, the county and the state. Opponents promptly attacked this as a threat to home rule.

In his special message on housing, Cahill hit hard at the abuses in municipal zoning and planning—such as excessive minimum lot size, prohibition on multi-family dwellings, excessive floor space, industry in one municipality adjacent to residential neighborhoods in the next town.

"Whatever the reason for the perversion of zoning and planning laws that exist today," Cahill told the legislators, "I am convinced that we cannot afford the luxury of continuing the status quo in this area. My purpose today is not to condemn the 'home rule' concept in relation to land use. My purpose is to warn you that the system is failing. It is failing because it is not meeting the needs of all our people. Its failure is demonstrated continually by the court decisions which are becoming increasingly more aggressive and rapid in striking the abuses presently existing in zoning and planning fields."

The Governor emphasized that the objective of the state's Municipal Zoning Enabling Act "was local control of zoning and planning for the purpose of effecting the public good" and that it "never contemplated prohibition in lieu of regulation nor the welfare of the few in place of general welfare."

Noting the trend of court decisions, Cahill said that in his judgment "if the abuses are not eliminated forthwith, if the original concept of zoning and planning is not resurrected, the day will come when local zoning and planning will be nonexistent."

Since that message, the courts have continued chipping away at local barriers. Last month, for example, Superior Court Judge David Furman struck down the zoning law in Middlesex County's Madison Township on grounds that its minimum acreage requirement ignored the housing needs of the region.

Several members of the Governor's Housing Task Force are now convinced that the courts will beat the Legislature in resolving the land use controversy.

And almost all of the members are convinced that resolution of the problem will open the door to PUD projects, which they feel holds the answer to New Jersey housing crisis.

A PUD is a "Mini New City" that contains housing, industrial buildings, offices, shops and commercial facilities, schools and recreation centers—a city within a city.

Herbert Kendall, developer of Twin Rivers, said they are far more economical to build than conventional housing projects, which means that purchasers receive more home for each dollar, or pay fewer dollars for a comparable home.

He said that balanced planning eliminates the tax problem that municipalities fear.

At Twin Rivers there is a built-in mix of families with school-age children, the elderly with no families, the young-marrieds with no children or pre-school youngsters, Kendall explained. This holds to a minimum the cost of providing municipal services and makes the location more desirable to industry and commerce, whose ratables help hold down the tax rate for all.

Efficiency units in garden apartment buildings and condominiums for the elderly control the number of children. There are also town houses with two to four bedrooms each, and one-family houses with three and four bedrooms.

Kendall said that 1,500 units had been built and sold and another 1,500 units are planned. About 45 per cent of the residents come from the immediate area, and industry is beginning to learn that it must be close to available housing for its workers when it moves from urban locations, or it will suffer a labor shortage, Kendall said.

A member of the Governor's Housing Task Force, Kendall said that a typical one-half acre lot in New Jersey today costs $12,000 "but with the economies and site-planning advantages of PUD, we come in at $3,000 to $3,500." He said this means that families with an income of $7,000 can afford to live in a Twin Rivers apartment and those with $11,000 or $12,000 in annual income can afford to own a home.

He said there are 14 PUDs in various stages of planning in the state at this time, but his is the only one underway.

He predicted that in the next 25 years, New Jersey would have three New Cities with populations of 150,000 to 200,000 each, with one in North Jersey, one in Central and the third in South Jersey. He said the Ford Foundation and Rockefeller Foundation are making funds available to encourage planned new cities. The federal government also is encouraging such projects, he said, and "their coming to New Jersey is inevitable."

Kendall also predicted that "a minimum of 30 PUDs with populations of 10,000 to 25,000 will be built in the state by the year 2000.

Almost everyone agrees that there are more PUD projects and New Cities in New Jersey's future—if zoning, land use, building code, property tax and finance problems can be solved by the 1972 Legislature, and if environmental protection barriers can be removed where they now exist and avoided where they do not.

In the meantime, the problems—and the housing crisis—remain.

FORMER UKRAINIAN PREMIER VISITS BUFFALO

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. KEMP. Mr. Speaker, the Lackawanna Front Page, a newspaper which reaches my district, recently printed an article by Gerald T. Leahy concerning the visit of former Prime Minister Yaroslav S. Stetzko of the Ukraine to Buffalo, N.Y.

Mr. Leahy's account is a deserving tribute to a great freedom fighter, Prime Minister Stetzko, whose personal valor and patriotism are a glory to the Ukrainian people.

Under leave to extend my remarks I submit the following article for inclusion in the RECORD:

PRIME MINISTER WITHOUT A COUNTRY

(By Gerald T. Leahy)

Yaroslav S. Stetzko visited Buffalo last Saturday. Two plainclothes policemen guarded the entrance to the Governor's Suite on the mezzanine of the Statler Hilton Hotel. A big, nervous looking, foreign born man greeted your correspondent, and ushered him to a portable bar installed for the occasion. Doctor Edward M. O'Connor, a peripatetic Buffalonian who has learned to walk with kings and never lose the common touch, introduced us to the guest of honor, Yaroslav S. Stetzko. We shook hands. Then he was introduced to Deputy Mayor Stanley Makowski, and we excused ourselves to order cognac on the rocks.

A small group of well wishers and curiosity seekers filed into the room. A lady reporter arrived. A television cameraman. A psychiatrist and his wife. Two boys and a girl identified as Young Americans For Freedom. A lawyer from Cheektowaga. A lawyer from the Veterans Administration. Two sharply dressed young men who were apparently Americans of Slavic origin. A coterie of middle aged, heavy set men with very serious demeanors.

The hotel staff set up a table of hors d'oeuvres—stuffed salami canapes, hot meatballs in sauce, chicken livers wrapped in bacon. After sampling these goodies and engaging in small talk, we were seated to hear a formal address by the guest of honor.

The proceedings commenced with an of-

ficial welcome to the city delivered by the Deputy Mayor. This was concluded when Mr. Makowski presented Mr. Stetzko with one of those dumb bisons that are turned out on an assemblyline in Italy.

Mr. Stetzko then spoke for about 25 minutes. Channel 2 then summoned him into the corridor for a television interview. We all had another drink. He returned to answer questions from the audience. Twenty minutes later, it was all over.

Yaroslav Stetzko would return to his quarters in the Presidential Suite to rest before attending an evening reception at DNIPRO, the Ukrainian Home on Genesee Street. Later he would visit Toronto, where presumably much the same thing would occur. Then he would journey back to London, where he conducts a publishing enterprise, and finally home to Munich, where, in a modest house, he plots the dissolution of the Soviet Empire.

Who is Yaroslav Stetzko? He is a mild mannered, sober, little man, who dresses in black and has incredibly gentle eyes. He is an economist and author, who speaks five languages well. He is a balding intellectual whose right hand busies itself with one of two pairs of spectacles which he carries, while he converses. His left hand is never busy because his left arm was smashed by Gestapo bullets in Prague in 1944. He is a world traveler who has visited Taiwan, South Vietnam, Australia, Thailand, Hong Kong, Singapore, Turkey, Japan, the Philippines, Canada, Mexico, the United States, England, Germany, Austria, Czechoslovakia and the Scandanavian countries. He is a wanted man having been arrested by the Russians in 1930, 1932, 1933 and imprisoned by them in 1934, and in recent years been the target of three assassination attempts by the Soviet secret police.

He is personally a victim of Nazi tyranny, having suffered four years of incarceration in a Nazi concentration camp. At the moment, Yaroslav S. Stetzko is the President of the Central Committee of the Anti-Bolshevik Bloc of Nations, the Chairman of the European Freedom Council, and Vice President of the World Anti-Communist League.

In 1941 Yaroslav S. Stetzko was Prime Minister of the Ukraine. His motto then, as now, was: "Freedom for every nation and social justice for every human being."

Thirty years is a long time. Many of us forget. Or cease to work and hope. But Yaroslav Stetzko, the Prime Minister without a country, hasn't forgotten, nor has he stopped working or hoping for freedom and justice to be restored to his people, and all the peoples subjected by the vicious terror and tyranny of Russian imperialism. The 40,000 Americans of Ukrainian descent on the Niagara Frontier can take comfort in the knowledge that this indomitable leader of their mother country, has never faltered in the commitment he made in the springtime of his life to his oppressed countrymen.

The few people who gathered at the Statler last Saturday were honored to be in the presence of a true patriot, a rare thing nowadays.

TECHNOLOGY ASSESSMENT AND THE BRAVE NEW WORLD OF THE FUTURE

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McCORMACK. Mr. Speaker, I should like to bring to the attention of my colleagues an article entitled "Technology Assessment and the Brave New World" by Colorado State Representative Richard D. Lamm who is minority leader of that house. Mr. Lamm raises very serious questions about the relationship of technology to a free society. I hope all the committees concerned including my own committee, Science and Astronautics—of which I am privileged to be chairman of the Energy Task Force—address themselves timely to these issues. I would not want to fail to point out that this important piece was brought to my attention by Mr. Carl Pope of Zero Population Growth, Inc., here in Washington, D.C.:

TECHNOLOGY ASSESSMENT AND THE BRAVE NEW WORLD OF THE FUTURE

(By Colorado State Representative Richard D. Lamm)

"Technology" is one of the most important words in the twentieth century vocabulary. It promises to bring a cornucopia of benefits to mankind, and simultaneously solve by more of the same any problems caused by the production of those benefits. It is the twentieth century equivalent of the miracle of the loaves and fishes.

Scientists, technicians and the public at large react defensively to any criticism or questioning of technology. The profound cliche goes "Technology is not bad itself; it's what we do with it." Any interference with "seeking for truth" is unthinkable, any problem "caused by science will be solved by science."

It is not quite that simple. Mercury pollution, radiation, detergents, insecticides, asbestos, air and water pollution—all have recently shown there is another not-so-pleasant side to technology. We are finding that there are many subtle but potentially far-reaching toxic insults which we are releasing into our atmosphere, adding to our foods, spreading on our farmlands, produced directly or indirectly by our industries. We are sweeping at an accelerating pace into an unknown future sustained by a new blind faith in science and the thin straw of hope that we will be as successful in the future as we have been in the past.

There is another facet to the complexity. Recent advances in biology, genetics, and medicine show us that biomedical technology might hold the biggest surprises of a surprise-filled future. The next twenty years may well see the laboratory fertilization of humans, pre-determination of the sex of unborn children, control of aging, development of an artificial placenta, asexual reproduction of human beings (cloning), the production of animal-human hybrids (chimera), genetic surgery, drugs to modify behavior. The list of immediately recognizable "advances" is awesome; the possible unknown or unrecognized "breakthroughs" give reason for pause. Recently, Leon R. Kass, a noted biochemist, stated, "We need only consult Aldous Huxley's prophetic novel *Brave New World* to get an indication of where we are likely to be going. In Huxley we encounter a society dedicated to homogeneity and stability, administered by means of instant gratification, and peopled by creatures of human shape but of stunted humanity. They consume, fornicate, take 'soma', and operate the machinery that makes it all possible. They do not read, write, think, love, or govern themselves. Creativity and curiosity, reason and passion, exist only in a rudimentary and mutilated form. In short, they are not men at all." [1]

There are yet other facets. Technology may usurp much of our privacy, making *Brave New World* a reality and bring George Orwell's *1984* a reality before its time. Microminiaturization has reduced the size of microphones to the size of a matchhead carrying conversations more than a quarter of a mile, and one scientist promises a mechanism for recording speech through solid walls via a reflector made of a thin diaphragm and a microwave antenna. More yet—we can already photograph from afar, tape telephone lines, spy via closed circuit T.V., and determine the content of mail without opening it; behavior modifying drugs have already been used to "pacify" schoolchildren. We may soon be able to do more than invade privacy; we may soon be able to control actions.[2]

We thus are finding increasingly that technology is a two-edged sword; we are finding that much more thought must be given to its impact on society. We are finding that the old mechanisms are not adequate to control the new dangers. This is due to four main reasons.

The first results from the mere speed of technological change itself. The rate of change is accelerating rapidly. We spend today some 16% of our total federal budget on Research and Development, and private industry injects vast billions more into the process of technological change. The former slow, careful process of invention, application and dispersement of new technologies has been condensed in time. We experience a millenium of change every few years.[3]

The second involves our ability to effect change in greater numbers of people. When we made a pollution mistake in 1930, only a few downstream users were affected. If we make a mistake in 1970 with the underground nuclear detonations in the Western United States, we poison the whole Colorado River system. Concentrations of persistent pesticides, especially D.D.T., are causing subtle but real ecological damage, the extent of which is unknown. But with more than 1.5 million tons of D.D.T. now cycling throughout the biosphere and much of it still chemically active, it seems terribly ex post facto to begin now to weigh the odds of serious harm. The magnitude of possible harm should affect the equation—even small odds look large in view of the stakes.

Third is that our control mechanims require "proof" of the harm "No one has proved cigarettes are harmful to health," say the American Tobacco Institute; "No one has proved D.D.T. is carcinogenic," relates Monsanto Chemical defensively; "No one can prove that the radioactivity will find its way into the Colorado River system" says the A.E.C. All of these statements may, admittedly, be true. Yet this much is known: that many respectable scientists say to the contrary, and if they are correct, by the time they *are* able to prove their case it will be too late to avoid large-scale social harm. New mechanisms other than "proof" are required.

Last, the market system as a traditional control of technology is no longer adequate to guide rapid technological development. Massive federal funding into atomic energy, into supersonic transports, into Research and Development generally supplants the public demand of the market system as a decision mechanism. Washington bureaucrats set priority of needs, and without adequate assessment or control, funnel federal funds into certain projects while ignoring others.[4] Federal regulatory agencies, for a number of reasons, cannot or do not adequately protect the public interest.

The future is not going to give us time leisurely or even adequately to debate all the legal, social and political implications of technological change. Observing the emotional and polarized debate on a relatively modest abortion law change of only three years ago, one cannot but wonder at the proposal at a recent meeting of the American Association for the Advancement of Science that we clone additional sub-humans to serve as spare part banks for organ transplants. We may be closer to such decisions than we realize. A recent Kentucky Court of Appeals decision authorized the removal of a kidney from an institutionalized demented man to transplant to his socially productive brother.[5]

Footnotes at end of article.

The implications of these and several similar decisions are obvious, and the dialogue should begin now, rather than later, *after* the fact.

It does not dampen our national commitment to technological advance if we insist upon the development of better systems to monitor technology, to build a system of checks and balances tc insure that every possible and identifiable consequence of technology is taken into account.

The most important single improvement would be the development of mechanisms to rate adequately both the costs and the benefits of new technologies. This, in itself, needs further breakdown.

We must first reverse the present system where those who sponsor technologies self-servingly put great emphasis on short-term benefits and little weight on long-term costs. The National Academy of Sciences recently concluded that "A constellation of organizations" is necessary to insure a realistic balancing of costs and benefits.[6]

One such organization was suggested by Congressman Daddario who sought to create an Office of Technological Assessment within Congress which will advise the members of Congress on the implications of various technological decisions they are called upon to make. The bill aims at providing Congress a means "for securing competent, unbiased information concerning the effects, physical, economic, social and political, of the applications of technology . . ."[7]

A second improvement would involve a better equation which includes "uncertainty" in the decision process. We simply do not know all of the results of our actions. As one scientist noted, "We are now well embarked on a program of releasing unmeasured quantities of different kinds of biologically active substances into the general environment. It is one of the spectacular contradictions of our time that in the Age of Science we should be entering blindly on a thousand, unplanned, uncontrolled, unmonitored, unguided, largely unrestrained, and totally unscientific experiments with the whole world as the subject and survival at hazard."[8] Another commentor stated, "A hundred years ago Claude Bernard, the famous French physiologist, enjoined his colleagues, 'True science teaches us to doubt and in ignorance to refrain. What he meant was that the Scientist must proceed from one tested foothole to the next (like going through a mine field with a mine detector). Today we are using the biosphere, the living space, as an experimental laboratory."[9]

A third improvement would be to produce better tools to protect society from those who seek to exploit technology. Private industry can still hide behind "lack of proof" and all too often prevent governmental and private action. To control pollutors, we need stronger and more effective laws which take into account possibility of harm and not merely "proof." We can no longer wait until we have detailed scientific proof of damage before allowing a plaintiff in court or catching a politician's attention.

Professor Michael S. Baram, a lawyer-scientist at the Massachusetts Institute of Technology in his paper *The Social Control of Science and Technology* discusses the inadequacy of the present legal system:

"This characteristic of retroactivity limits the ability of the legal system to respond to a number of modern social problems, in particular the harmful effects of science and technology, and environmental deterioration. Retroactivity is inherent in a legal system based on the values and conflict of the private sector of society. The courts have not been designed to serve as oracles, but to grapple with actual conflict manifested in specific acts or injuries. They lack the technical, astrological or other expertise needed for the difficult task of evaluating diffuse effects and future effects. Consequently, the courts are reluctant to impose control and, for example, have rarely intruded on the substantial decisions of public agencies.[10]

One example of the need for new mechanisms is the Project Plowshare Program of the Atomic Energy Commission. Long-range Plowshare plans include the possibility of hundreds of nuclear underground detonations in Western United States aimed at developing natural gas and oil shale, building new Panama Canals, harbor excavations and other twentieth century miracles.

Increasingly, scientists both within and out of the A.E.C. are criticizing the agency's manner of decision-making which (it is charged) overestimates the benefits of nuclear energy and minimizes the risks. The same agency which is given the duty to promote the "peaceful uses of the atom" is also given the duty of protecting the public from the dangers of radiation; these two duties may well be inconsistent.

The Atomic Energy Commission then, like private industry promoters of technology, tend to stress short-term benefits and to minimize long term costs. They do not take "uncertainty" adequately into consideration because by definition it is not "proved." A panel of Technology Assessment set up by the National Academy of Sciences found this to be a usual pattern of promoters of technology: "Historically the burden has tended to fall on those who challenge the wisdom of a technological trend. The usual presumption has been that a trend ought to be allowed to continue as long as it can be expected to yield a profit for those who are exploiting it, and that any harmful consequences that might ensue either will be manageable or will not be serious enough to warrant a decision to interfere with the technology."[11]

If the Atomic Energy Commission's Plowshare program on nuclear stimulation of natural gas is "likely" to eventually release radioactive isotopes into the Colorado River system, as some experts claim, the mere possibility of poisoning a large and vital river system should make us pause; the odds seem less important when the stakes loom this large.

The Plowshare Program is merely one example of many possible technological backlashes. Respected scientists are on both sides of many applications of technology: pesticides, detergent and enzyme pollution, supersonic transports, nuclear reactors * * * isotope disposal. One could list endless scientific advances.

Colorado has a vast stake in society coming up with the mechanisms to correctly gauge and predict the wide variety of consequences that can flow from an application of technology. There are already contemplated or in process a myriad of technology applications which hold both great possibilities of benefits and risks of harm. The Plowshare programs have already embarked on a natural gas by nuclear detonation program which is scheduled to include hundreds or thousands of detonations. The possibilities of "in situ" oil shale nuclear development is on the drawing board, weather modification has already started seeding summer clouds and "snow enhancement" programs for the benefit of Lower Basin Colorado River water users has been advanced by the Bureau of Reclamation. Colorado has already discovered that tampering with the complex mechanisms of nature can cause unforeseen backlash: the deep well waste injections at Rocky Flats which caused a series of minor earthquakes in the Denver area. All the "experts" claimed no connection between the earthquakes and the waste disposal until a tough minded geologist proved them all wrong.

Grand Junction's experience with mine tailings shows that time brings to light many unexpected hazards, hazards which were unexpected, unforeseen and difficult to correct. This episode must give us all pause, we don't begin to understand all the forces at work, all of the secondary and unforeseen consequences of our actions. Thus we embark on a new program, as say the new program of earthquake experimentation where small earthquakes are deliberately induced in the Rangeley field of western Colorado, we must do so both with "expert" opinions and with large applications of public caution. All life involves risks but in Colorado these risks are becoming cumulative. There may be some we want run more than others.

What wisdom can society bring to these problems? One improvement would be an awareness of science's own limitations. "Science at best is not wisdom; it is knowledge, while wisdom is knowledge tempered with judgment."[12] This judgment is too often missing in the accelerating pace of scientific advance. Lewis Mumford, writing in *The Automation of Knowledge*, states it succinctly:

". . . decisions of critical importance to the human race are being taken today on the basis of ten year old knowledge, confidently applied by highly disciplined specialists who too often display the short comings of ten year old minds, for they regard as a special merit their deliberate practice of cutting their minds off from ten thousand years of human experience and culture. . . . strangely, they have not even a suspicion that the vast quantity of exact knowledge now at our disposal is no guarantee whatever of our having sufficient emotional sensitiveness and moral insight to make good use of it; if anything, the contrary has already proved true."

Inherent in that judgment is an incredible array of different and sometimes competing considerations. Foremost among these is, of course, national priorities. Much has been written of the need to distinguish between the "ability" and the "wisdom" of going to the moon. Both the political process and the public imagination are easily seduced by flashy scientific exploits which have little relevance in finding less glamorous but more important solutions to the problems of a troubled society. Hopefully, the defeat of the S.S.T. is a harbinger of an increased public awareness of national priorities.

We must also learn to give technology more time in the experimental stage and not rush into every possible application of that technology. We must in the words of Claude Bernard learn to "doubt and in ignorance to refrain." There are problems of technology that can only be identified with the passage of time. Not needing the natural gas in the Mest Verde formation, immediately, should we not wait ten years and evaluate this procedure in light of the scientific knowledge available at that time? Why should we add to the risks inevitable in the Twentieth Century, those always associated with haste? If we make a mistake in this technology we will not be able to correct it by "digging up the hazard" as in Grand Junction.

Equally important but less appreciated is the tendency of science to sacrifice humanness for knowledge. Catherine Roberts, a biologist herself, in her book *The Scientific Conscience* states that biology stands today where nuclear physics was in the early 1940's, intoxicated by the precipitate advance of scientific knowledge, but without a full realization of the moral predicament. Criticizing biologists for attempting to go far beyond understanding life process, she states they ". . . do not stop with understanding life, much less respecting it: now with undiminished optimism and with apparent lack of recognition of the possible consequences, it desires to alter life."

She suggests that our age must better distinguish between the qualitative and quantitative aspects of man's existence, and that it is far less important to extend our intellectual frontiers than it is to become more human. She states:

Footnotes at end of article.

"For scientific progress today is an intellectual obsession that threatens to become uncontrollable unless scientists themselves exercise some self restraint in its pursuit. Unchecked, it will lead straight to a scientifically directed world in which the intellect so dominates the spirit that man will no longer be interested in becoming more human."

The new mechanisms of weighing the costs and benefits of technology must then include the possibility of a judgment that certain areas of scientific advance are certain to be counter productive. Increasingly, scientists themselves are suggesting that science and technology puts us in a position to do things we should never do. Dr. Kass suggests that the moral and ethical problems in human cloning (which produces a human genetically identical to the adult doner and could yield large numbers of identical individuals) are such that we should never produce one such individual, even as an experiment.[13] Those who would not draw the line here need only imagine the production of animal-human chimeras to recognize the cast ethical, moral and social questions involved. Do we not want, at least in a few limited areas, to say to science—"Let us not go in that direction?"

FOOTNOTES

[1] *"Beware the Brave New World"*, a paper delivered by Dr. Leon Kass at the Center for Democratic Studies, Santa Barbara.

[2] *"Technology and Human Rights"*, VISTA, November-December 1970.

[3] Green, Harold P. *"The New Technological Era: A View From the Law"*. Program of Policy Studies in Science and Technology, The George Washington University, Washington, D.C., Monograph No. 1, Nov. 1967. Dr. Green's material on the relationship of the law to technology is a brilliant survey and should be read carefully by everyone interested in the subject.

[4] Green, Harold P., *supra*. See also Green, Harold P., "The Adversary Process in Technology Assessment" speech presented at the Technology Assessment Seminar Series Program of Policy Studies in Science and Technology, The George Washington University. March 19, 1969.

[5] *Strunk* v. *Strunk*, Court of Appeals of Kentucky. Rendered September 26, 1969.

[6] Brooks, Harvey and Bowers, Raymond, *"The Assessment of Technology."* Scientific American Volume 222, No. 2, February 1970. p. 13.

[7] See general Hearings on H.R. 17046 before the Subcommittee on Science, Research and Development of the Committee on Science and Astronautics, U.S. House of Representatives, Ninety-First Congress, Second Session. Parts I and II. May 20, 21, 26, 27, June 2 and 3, 1970.

[8] Woodwell, George M. *"Radioactivity and Fallout: The Model Pollution."* Bioscience, Vol. 19, No. 19, 1969. p. 884.

[9] Lord Ritchie-Calder, *"Mortgaging the Old Homestead"*, Foreign Affairs, January 1970. p. 208.

[10] Baram, Michael S. *"The Social Control of Science and Technology"*, given at the University of Denver, College of Law Conference on "Implications of Science and Technology for the Law." November 6, 1970.

[11] See Footnote 6.

[12] Lord Ritchie-Calder, *supra*. p. 208.

[13] Kelly, Frank L. *"The Possibilities of Transformation"*. Saturday Review, March 7, 1970.

GEN. LEONARD F. CHAPMAN, JR.

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HÉBERT. Mr. Speaker, Gen. Leonard F. Chapman, Jr., Commandant of the U.S. Marine Corps, paid a farewell visit to New Orleans recently. The message he gave is something that should not be limited to those who heard him in New Orleans.

It should be broadcast and far flung, and should be made available to every American who believes in his country and who recognizes the fact that none of us could exercise the freedom we do today, and express ourselves without fear of reprisal, but for the protection given this country by the man in uniform.

I direct your attention to the text of his speech which in my book is "must" reading:

REMARKS BY GEN. LEONARD F. CHAPMAN, JR., COMMANDANT OF THE MARINE CORPS, CITY COUNCIL LUNCHEON, NEW ORLEANS, LA.

It's good to be here in New Orleans. Having spent most of my life as a Marine, with other Marines, I feel very much at home among Tigers.

And, I might mention, over the years that I've been a Marine, I've certainly shared the emblem of our Corps with a good many Tigers from New Orleans, and the rest of Louisiana.

Of course that would stand to reason. The Marine Corps is the kind of organization that would attract men whose forbearers established some of the richest traditions of American courage and devotion to duty in the defense of our Country.

However, I know our Corps can't lay exclusive claim to these Louisiana Tiger virtues. In fact their application has never been limited to uniformed service only. No better example of this dedicated service exists than that of your Congressman F. Edward Hébert. Our Corps knows this, and appreciates and admires his hard work toward strengthening our ability to defend this nation. And we know that in this, he is truly representative of the attitudes and concerns of the people of his district.

Indeed, the people of this city have always been keenly aware of American defense. For good reason. For many years New Orleans, because of its location, was really a key geographic point in the actual physical perimeter of American defense. And even though modern technology has now moved our perimeter further out; historically this city, and its people have actually had to face the reality of armed threat. From this you have developed a tradition—a realistic tradition—of awareness and concern for the defense of our Country. This makes me feel at home, too. Because if there is one thing a Marine understands, it is tradition, *realistic* tradition.

Marines know that real tradition is not unthinking habit. Tradition is functional. It is a real and viable by-product of serving a purpose faithfully and successfully. It is the essence of past success carried forward to prime further success. Our training is traditionally tough because the application of our purpose is tough—in combat and in being constantly ready to meet the stress of combat. Our discipline is traditionally exacting because we know that discipline is the key to winning and surviving in battle. We foster and encourage pride in our Corps because pride gives strength, and we must be strong to serve our purpose.

This is the real and *realistic* tradition of our Corps, and Marines won't change any of it simply for the sake of change. Our purpose is too important, our mission is too demanding. And that's what I want to talk to you about.

NO CHANGE TO OUR PURPOSE

One thing that hasn't changed, and we're absolutely sure it won't change in the Marine Corps, and that's our purpose. Our purpose in the 1970's remains exactly what it was in our beginning nearly two centuries ago. Like all the armed forces of this nation, the purpose of the Marine Corps is the defense of the United States. And reality means facing the fact that the ultimate application of defense is the harsh environment of combat.

For Marines combat still means facing an enemy on the personal level of man to man, weapon to weapon. We know this as reality, and we know that it won't change by simply stating "we hate war."

Of course Marines hate war. And who knows better the brutality and tragedy of war than Marines who have had to face it not as an exercise in philosophy, but as a day to day reality in combat. Because of this, Marines also know that the safest and best way to maintain peace is to block armed aggression.

Historically we know that blocking armed aggression in the mildest form, requires efficient, disciplined, and dedicated fighting men; prepared to fight if necessary, and capable of success if they must fight.

But historically we also know that the mere presence of a uniformed force does not form a block. Unless that force knows its purpose, its mission, is disciplined, trained, and is ready to fight to *win*—it is a waste of time. Because in war there is no second chance. It is either win or lose. The best prepared win, the second best lose. Marines are going to continue to be prepared to win.

COMBAT READINESS

To Marines, being prepared to win means combat readiness. And Marines are constantly working and training to improve their combat readiness posture. One of the advantages we have in this is that we aren't very big.

After reaching a maximum strength of 317,000 during the height of Marine commitment in the Republic of Vietnam, the Marine Corps is back down to a tough, lean strength of about 204,000 Marines. This is a good readiness strength for the Marine Corps. With this strength we can fully man our three active Marine divisions, three active Marine aircraft wings, and all Marine supporting units.

The disposition of our Marine air-ground teams is basically as they were before Vietnam. One division-wing team on the East Coast at Camp Lejeune and Cherry Point in North Carolina; another division-wing team on the West Coast at Camp Pendleton and El Toro in Southern California; and one division-wing team in the Pacific. Of the Pacific team, two thirds will remain forward in the Western Pacific, and one third will be brigaded together in Hawaii.

With these three active air-ground teams, and the Marine Corps Reserve air-ground team of the 4th Marine Division and the 4th Marine Aircraft Wing, we can and are maintaining our tradition of combat readiness. And with such combat readiness we can meet any emergency with confidence, because we know two things: First, whenever a crisis comes, those who are ready will be invaluable, and they will go to meet that crisis. Second, such a crisis will more than likely be a surprise. So Marines will be ready—combat ready—to go any place with our Navy, at any time; and, at the direction of our Commander in Chief, take on anybody—and *win*.

And Marines are proud of that, too.

With 204,000 active Marines in the regular Marine Corps, and 45,000 reserve Marines in the Marine Corps Reserve, we can keep our fighting Fleet Marine Force formations combat ready and still rotate, train, and prepare individual Marines *without* sacrificing professional quality.

EVERY MARINE AN INFANTRYMAN

The key to maintaining the professional quality of our Corps is the individual Marine—officer, noncommissioned officer, and nonrated Marine. And that's what we're concentrating on—the individual Marine.

In this process we are not giving in, Ma-

rines are not going permissive. We're proud of being tough and we're getting even tougher. That's the kind of men we've always had in our Corps, and that's the kind of men we want now. We want men who are proud of their Country, who are proud of themselves, and who want to serve their Country in a proud Corps. We want men who aren't conformists, who don't want to be "one of the boys." We want disciplined individualists who believe in principles because they have made the decisions themselves, not followed a fad.

We want men who seek a challenge and who aren't afraid of tough physical training and mental stress. We want men who want to join us, other Marines, and who want to become a part of an elite force steeped in the traditions of devotion to duty, discipline, and honor.

We want men of a type, men who will look at their profession honestly. Men who believe that while nobody wants war, somebody had better know how to fight, and they had better be able to fight to win, or an enemy who isn't afraid of war could isolate, contain, and swallow us.

We're not looking for technicians, we're looking for a few good men who want to be Marines—fighting Marines.

We're continuing to train Marines the way we've always trained them. No compromises, no shortcuts, no promises—except one: Anyone who joins us and can make it through the toughest training in the world will be a Marine, and all that title bestows. He will be one of the few, one of the very finest.

And we're pulling no punches on just what being a Marine means. Being a Marine means being an infantryman.

I am not placing all specialties in the Marine Corps as second place by pronouncing—or rather repeating that all Marines are infantrymen. On the contrary. The Marine Corps is a modern fighting force, we depend on advanced techniques, equipment, and weapons systems to accomplish our mission and fulfill our purpose. And we carefully school and train the good talent of Marines as aviators, tankers, artillerymen, and in all other supporting roles. But first and foremost Marines are trained as infantrymen. And they never forget the difference between a specialty and their profession. No matter what they may specialize in they are professional Marines, and every Marine is an infantryman.

Before any Marine sees service as a specialist or in a supporting unit, he is screened, indoctrinated, and trained as a Marine infantryman.

All enlisted Marines go through Boot Camp and Advanced Infantry Training to qualify as combat riflemen before they receive any other special training. All officers are schooled and trained carefully as rifle platoon commanders in officers candidate courses and The Basic School at Quantico before they are fully accepted for service. And none of the training is easy. We make it absolutely as tough as possible.

Initial Marine training—enlisted and officer—is the toughest in the world. The emphasis is on stress, physical and mental stress. If a man is going to break, we want him to break in training, not when success in battle and the lives of other Marines will be endangered. If he can't make it in training he won't make it in combat, and we can't use him. The Marine Corps is too small to carry extra weight. Every man must count, and every man must know he can count on every other man. Pride, ladies and gentlemen, pride in being that kind of man living and working with other men of that caliber, that's what it means to be a Marine.

To make doubly sure of this, in the decade of the 1970's we've lengthened both enlisted recruit training and initial officer training. And we've established even higher standards for graduation from this training—from enlisted Boot Camp and from the Officers' Basic School.

Every Marine, private or second lieutenant, who finally joins the Fleet Marine Force has not only been trained, he has passed a tough screening process. Each one is the kind of Marine we'd like to keep, active or reserve.

And at this point I want to emphasize that everything I've said applies not only to the regular Marine Corps, but equally to our Marine Corps Reserve. Regular or reserve, it's one Corps—a Corps made up of a few good men dedicated to the defense of this nation, and proud of it.

PROFESSION AND PRIDE

What I have been saying today is really very simple. United States Marines have always been professional American fighting men, and United States Marines are going to continue to be professional American fighting men.

The profession of arms in the United States is a high and honorable calling. It is, very simply, giving military service to our country. In the modern dialogue of America, military service has not, of late, been treated well; even though that very service is given to its fullest in the protection of its detractors. However, as a professional United States Marine, I find it significant that these ill words rarely originate from men who have actually experienced such service.

In no other country of this world, modern or ancient, has the profession of arms required the total dedication of American military service. The American professional, in the same spirit, must be goth patriotic and coolly detached. He must be victorious on the field of battle, and yet qualify as a compassionate humanitarian. He must be aggressive in the application of his profession, and at the same time he must adhere to the morality of defense. He must constantly question his own position and methods, and because his is a life of being prepared for constant action, he must at once provide sound answers to his own questions.

A man must be proud of his service when it demands so much. This is why we are not compromising—not letting any of our traditions die. We will not surrender our heritage. We want every Marine to feel this pride. And we are doing it at the level it has always been done in our Corps; Marine to Marine. Regardless of rank, regardless of job, each man and woman who wears our emblem is a Marine; and each Marine demands that all other Marines maintain our pride—from performance in combat or training for combat, to personal appearance in the uniform of our Corps; Marines are depending on all other Marines to carry that pride as professionals.

THE MEN WHO MADE HISTORY, AND THE MEN WHO WILL WRITE HISTORY

Yes, the profession of arms in America demands pride and faith—faith in the institutions being served, and pride in serving them. But right now, in modern America, pride in service is not any easy fact. It must be worked at, and Marines are working hard at it.

There is an explanation for this situation. Although I, for one, find no logic in it.

It is an irony that in most unselfish applications of American arms in history, I believe; the armed forces have drawn the most criticism.

And the criticism continues at a shrill pitch, taking everything discipline, pride, spirit and professionalism—into its mindless grind. To say that most of it is *not* constructive and *is* loaded with unfair half-truths is like whispering into a hurricane.

And it comes because American fighting men have performed their duty in an outstanding manner in a hard and dirty war.

I don't know what historians will say about Vietnam or how they will say it, but I hope they face the mission squarely. Our mission, when we landed there more than six years ago, was to give the people of the Republic of Vietnam the opportunity to determine their own destiny.

In 1965 the rivers of that rich country couldn't be fished, the paddies and fields could not be farmed; the outlaying communities couldn't be supplied, and the people had two choices—give in or be terrorized.

Now all Marine combat units are out of Vietnam, and have been for several months. But before they left, after six years of the toughest kind of war, Marines saw fishermen ply the rivers, farmers harvest their labors, commence moving, the populace speaking and voting, and their armed forces defending them.

We called it Vietnamization, I don't know what historians will call it. But I can wait to find out. Right now Marines are more concerned with the future of American defense than with the past.

We must not let ourselves complete our commitment in Vietnam with a sigh of relief. We must face the fact that because we are tired of being prepared for war, others who share the world with us are not. And the surest way we can bring about war is to present an inviting weakness.

THE STRENGTH OF QUALITY

Our Corps is fully aware of this need for American defensive strength. But we are also aware that we are only one part of it, by number of men and women, the smallest part, And we accept this as the way it should be. The Marine Corps has never counted on quantity for strength; what we seek and what we offer is quality.

It takes a very special breed to be a Marine, and this special breed has never been easy to find. In fact we don't try to find them, we merely put out the facts: We state honestly what we are—tough, demanding and exclusive—and the special breed we need finds us.

They don't flock to us, because the kind of man or woman we need doesn't have the flocking instinct. They come, they try, and if they're good enough they become Marines.

And with that tough criteria, our recruiting has never been more successful. We're getting the quality we want—we're getting that special breed. Because of this the people of the United States are getting the kind of service they've always gotten from our Corps; devoted service—tough, dedicated devoted service. Americans should be proud of this service, because the Marines who are giving it are proud.

And this is quality.

THE SPIRIT OF QUALITY

When I first entered the Marine Corps, 37 years ago, the Marine Corps Manual contained a special paragraph. It read well:

"The spirit of comradeship and brotherhood in arms which has traditionally existed throughout the ranks of the Marine Corps is a vital characteristic of the Corps. It must be fostered and kept alive and made the moving force in all Marine Corps organizations."

The author of those words was the father of our modern Marine Corps: Major General John A. Lejeune; a native of Pointe Coupee, Louisiana—not far from here—as Commandant of the Marine Corps from 1920 to 1929, he led the Corps through one of its most trying decades. The trial was not of combat, but one very much like the trial of our time. A rampant anti-military effort that almost destroyed the very roots of American defensive strength. He knew where the real strength lay. He knew there could be no quality of strength without a quality of spirit.

Now, as I prepare to leave the active roles of our Corps, it gives me great satisfaction that these words written long before I read them as a new Marine Corps second lieutenant—are still in our current Marine Corps

Manual! and are still as relevant now as they have ever been.

But my real satisfaction comes from knowing that our Corps, under the leadership of a new Commandant—an outstanding Marine—General Robert E. Cushman, will continue to build on these words in perpetuating the spirit of quality—The Marine Corps Spirit.

But it could be no other way. General Cushman is a Marine, and he'll be leading the very best—that special breed—United States Marines.

BRONX: FORGOTTEN BOROUGH?

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BINGHAM. Mr. Speaker, in a preceding section of the RECORD for today, December 17, 1971, at pages 47745–47748, I inserted the first three in a series of six articles by Peter Freiberg on "The Bronx: Forgotten Borough?"

These articles, which appeared in the New York Post, give a fair picture reflecting the positive aspects, as well as the critical problems, of a large urban community with no true government of its own. The remaining three articles follow:

THE BRONX: FORGOTTEN BOROUGH

(By Peter Freiberg)

ARTICLE IV: PLANNING AND BUILDING

When Mayor Lindsay announced a system of bikeways for Manhattan recently, a press spokesman was asked why no other borough was chosen. The spokesman replied there was a "general enthusiasm" for bike riding in Manhattan.

"Hah!" retorted Mrs. Nancy Finkelstein of Bronx Bikers for a Better City. "That only shows how much Lindsay knows about the other boroughs. There's a lot of enthusiasm for bike riding in the Bronx. We've got a list of lanes we think should be set up just for bicycles, but the Mayor doesn't seem to be interested in looking at them."

Mrs. Finkelstein's anger reflected a widespread belief among Bronx residents that they are, as William Conway, president of the East Tremont Neighborhood Assn., put it, "being treated as an appendage to Manhattan." Albert Rivera, a member of Community Planning Board of No. 6, says, "We're like stepchildren in the Bronx."

Some city officials, including Juan Villanueva, the new director of the City Planning Dept.'s Bronx office, agree the borough has been neglected in the past. "I think one of my jobs here is to make sure the Bronx gets an equal share," says Villanueva.

John Dearie, a lawyer from Parkchester, examined the Sanitation Dept.'s own statistics in 1969. He did not question that "Manhattan's concentrated areas of tourism, business . . . etc. require a higher level of sanitary appearance than other city neigbhorhoods."

But, Dearie asked, "Why has the Bronx, which has 19.4 curb miles more than Manhattan, received on an average over the past three years a) one-third the power sweeping service, b) one-ninth the flushing and washing service and c) one-quarter the manual cleaning service?" The Bronx Borough President's office says the figures are substantially the same today.

A Sanitation Dept. spokesman said half the Bronx gets garbage picked up five or six times a week and the other half two or three times. "We categorically deny the Bronx is not getting a fair share," he said, noting that Manhattan's population density is almost twice that of the Bronx. "That doesn't mean the Bronx is in great shape, but then again the whole city is suffering."

The Model Cities program is often cited as an example of "shortchanging." According to Rep. Herman Badillo, then Bronx Borough President, the federal government insisted in 1966 that only one Model Cities area could be established in New York.

Badillo says it was only after he, Brooklyn Borough President Abe Stark and Controller Mario Procaccino exerted pressure that the Lindsay administration agreed to fight. Eventually, Washington was persuaded to designate the South Bronx and Bedford-Stuyvesant as well as Harlem.

"Here is the South Bronx, the worst sore in the whole damn city," says Victor Marrero, the present South Bronx Model Cities administrator, "and it seemed that no one was paying attention to it."

This version of events was disputed by a spokesman for Lindsay, who said the administration made the original choices and then fought for them. "We thought we pulled off a significant coup in getting the Johnson administration to accept three areas," he said.

William Diamond, chairman of Manhattan's East Side community planning board, says not only the Bronx, but "nothing outside the highly developed commercial area (in midtown Manhattan) is getting any attention." Diamond maintains the City Planning Commission's Master Plan would perpetuate this.

The proposed Master Plan contends the creation of a "National Center" consisting of office and commercial space in midtown Manhattan will be the economic "engine" which will ensure New York's vitality.

This view was subjected to a detailed criticism by the executive committee of the American Institute of Planners (AIP) Metropolitan chapter. The AIP said the Master Plan "seriously underestimated the need and desirability of larger and more vigorous commercial, housing and office centers in the other boroughs."

The creation of attractive new neighborhoods outside Manhattan, said the AIP, "would produce an economic and social impact on the city" comparable to the "National Center."

The Lindsay administration denies it is exclusively Manhattan-oriented in either its planning or its policies. A City Hall spokesman noted, for example, that 43 per cent of the city's total government-aided housing starts in 1970 were in the Bronx.

"We operate on the theory that good government is good politics," said the spokesman, "and part of good government is to be even handed in terms of allocation of resources. The Bronx is treated fairly in comparison with the other boroughs."

Bronx Borough President Robert Abrams, an energetic 33-year-old Reform Democrat, both agrees and disagrees. He says that "I think in many ways the Bronx still gets the short end of the stick," but maintains: "We have turned things around in the last five or six years. We have finally gotten a large number of projects into the capital budget."

During a tour of the borough, Abrams pointed out a number of these projects—completed, under construction or planned—and emphasized there were many others. Among them were:

Co-op City, the world's largest private housing complex, with more than 15,000 apartments. Despite unexpected rent increases, Co-op City residents are clearly pleased. "On balance," says tenants' leader Lawrence Sivak, "Co-op City is fantastic. There's a great sense of community."

Two new hospitals—Lincoln and North Central;

Planned construction of new campuses for Bronx and Hostos Community College (more than 50,000 students are now enrolled in the borough's nine colleges and universities);

Eight new high schools, scheduled for completion by 1974–75, two of which will be in educational parks;

Planned construction of a state park and mixed-income housing development along the Harlem River shoreline;

Ongoing development of the Hunts Point market;

The selection of the South Bronx as a federal economic development area, making it eligible for millions in federal funds;

The expected approval of the Lindsay administration's plan to buy and renovate Yankee Stadium at an estimated cost of $24 million plus annual expenses. Critics insist public funds could be better spent, but the Mayor and Abrams say the loss of the stadium would be a severe psychological blow to the borough.

Although Abrams says the projects make him "cautiously optimistic" about the future of the Bronx, he points to two major problems: lack of funds and the length of time it takes for a capital budget project to get off the ground.

In housing, for example, Abrams says "We need a vast infusion of money and programs, and I must say it's absent."

Model Cities head Marrero says the South Bronx will be lucky to reach one-third of its goal of 15,000 new and rehabilitated apartments. Even this goal would have been only a modest accomplishment in an area where 75 per cent of the 80,000 apartments should be replaced.

"Given the size of the area, the population and the conditions that exist," Marrero says, "The funds we have cannot begin to make a dent in the problem." His housing program's future, he says, will depend in part on how much money the city gives for land acquisition.

On a smaller scale, the city touts the Concourse Action Program as a new approach to "preventive renewal." Lighting has been improved on some streets, 15 police scooters were added to the area and the rehabilitation of Kilmer and Sigel Parks is scheduled. But housing continues to deteriorate and older residents continue to move out. "I don't see any change," said one elderly woman. Abrams says, "A sum of $1.5 million is not going to cure the ills of one-third of the borough of the Bronx."

Once a project manages to get into the capital budget, according to Abrams, "it takes on an average between seven and 10 years before it is completed." By this time, community needs often change and the delay hikes the cost of the project.

Lack of funds and capital budget delays make rational planning virtually impossible. A study made by a community mental health center operated by the Albert Einstein College of Medicine described the Soundview Bruckner area:

"Thousands of families (are) housed in high-rise developments, isolated from one another by vacant lots and a major traffic artery (the Bruckner Expressway). There was no community planning in either physical or social terms. The housing was built first, and the rest of the amenities supposedly left to arrive at a later date."

With poor transportation, a lack of parks, retail stores and other facilities, the Soundview-Bruckner area is a desolate community, devoid of street life. "I just hate it," said Mrs. Harvestine Shirer. "It's so damned inconvenient. I'd rather cope with the junkies and everything else than live here."

Calvin Browne, a social worker in the area, says: "My wife and I considered moving here, but there's no sense of community. Everybody is like a stranger here."

In spite of the obstacles, at least one Bronx community—the Twin Parks area near Bronx and Crotona Parks—has taken substantial steps toward renewal.

Under the leadership of the Twin Parks Assn., which includes some 50 church and civic groups, about 4000 units of housing are being built, including public housing and construction by the state Urban Development Corp.

Unlike Soundview, the Twin Parks redevelopment has been well-planned. It will include three day care centers, more than 27,000 square feet of commercial space, a new intermediate school, a youth services center and other facilities.

But the history of Twin Parks emphasizes the difficulties faced by community groups. The Rev. Mario Zicarelli, president of the Twin Parks Assn., notes it has taken a decade for the plans to get off the drawing boards.

Fr. Zicarelli says the "guts were torn out of our community" when several hundred families were forced to relocate to make way for a new Fordham Hospital—only to have the plans for a new hospital suspended for lack of funds. And Zicarelli warns that redevelopment will not save the neighborhood if private landlords and the city do not respond with housing maintenance programs.

Despite Abrams' "cautious optimism," an aide was more pessimistic. "Look, Bob will tell you we're building this and this and this. But the government can't do everything, and until the private sector gets involved, nothing's going to happen in this borough."

Abrams himself has sharply criticized the borough's financial institutions. "For every three dollars deposited in this borough," he says, "approximately two dollars are invested outside the state. When a mortgage has expired and it's refinancing time, the banks won't help." "People are literally investing in their borough's decline," said an aide.

A 1967 study carried out by Fordham University emphasized the need for investment by private industry and commerce. "The borough's economic base can't be shored up by public action alone," the study said. "Although government can help . . . business . . . decisions will be determined by the profit motive."

The study went on to point out that next to the construction costs and the shortage of available land, "rapidly decaying neighborhoods and general urban blight" are the single most significant deterrent to the economic development of the Bronx.

THE BRONX: FORGOTTEN BOROUGH?

(By Peter Freiberg)

ARTICLE V: RACIAL TENSIONS

Ciccarone Park is a small playground in the Belmont Av. section. In warm weather, elderly men go there for a game of cards or bocci. Teenagers hang around, playing handball or talking. Belmont's predominantly Italian population considers Ciccarone "our park"—and blacks and Puerto Ricans from the surrounding areas have generally stayed away.

Last July 29, Benjamin Byrd, a 31-year-old black man, ventured into the park, reportedly to wait for his girlfriend. A fight followed, in which Byrd was allegedly clubbed to death. An 18-year-old Italian youth was indicted for murder.

Controversy exists over the circumstances of Byrd's death. Whatever the outcome of the trial, the incident emphasized how easily the smoldering racial tensions in the Bronx can explode into violence.

The tensions are not new. Nonwhites complain of longstanding unequal treatment in schools, in housing, in politics and in the allocation of city services. Mrs. Juanita Ventura, anxious to move from a rundown building, told of seeing an ad for an apartment. "I went there, and a lady said, 'We don't rent to colored or Puerto Ricans.' You try to live a good life, but they won't let you."

Because of gerrymandering and political inexperience, less than 25 per cent of the borough's 29 state senators, assemblymen, city councilmen and congressmen are black or Puerto Rican, although the two groups make up more than half the population. But the Bronx ghettos are learning fast. "It's not that we're trying to become super-militant," says Mrs. Evelina Antonetty, director of United Bronx Parents. "We're just demanding our rights—good education, good housing and decent jobs."

In the predominantly white neighborhoods, many residents believe their taxes are going to the ghetto areas. "They're poverty, they're on welfare, and they do need help and all," says Mrs. Catherine DeMaio, a Westchester Square resident. "But it seems like they're getting all the advantages and we're not getting anything at all. We have children too. We don't want to see them go on the wrong side."

Rep. Mario Biaggi (D-C) undoubtedly expresses the views of many of his northeast Bronx constituents when he says, "The government, in its desire to compensate for past discrimination, has overreacted." Biaggi believes that "In overreacting, it produced antagonism from the rest of the community."

As Rep. Herman Badillo points out, poor people do require far more public funds for medical care, education, welfare and other services than middle class people. Still, statistics make clear the huge gap in services and facilities between the predominantly white areas in the Bronx and the ghettos.

In the South Bronx Model Cities area, 75 per cent of the housing is dilapidated or deteriorating as compared with 25 per cent for the entire borough. Only three per cent of the Model Cities land is occupied by public parks, as opposed to 23 per cent for the Bronx as a whole. Schools in the south Bronx are the most overcrowded in the boroughs. The area below the Cross Bronx Expressway has only about one-third of the borough's municipal and private hospital beds.

Despite conditions in the poverty areas, it is unrealistic to expect most white residents—or nonwhites who have managed to get out—to be actively concerned. E. Allen Dennison, a longtime Riverdale community planning board member, says "I think a resident of Riverdale who has come here from the Grand Concourse is going to show very little interest in going back and improving the lot of those left behind."

Most people are interested primarily in the area they live in: it is doubtful that City Island, a "white ethnic" community, would be any more sympathetic if Hunts Point were Italian and Irish rather than black and Puerto Rican. Mrs. Madeline Provenzano, who lives in Westchester Square, says "I know it's selfish, but I'm interested in the welfare of the kids from this neighborhood. Let the other neighborhoods fight for themselves."

Finally, and probably most important, the predominantly white neighborhoods have their own problems, and they are serious. Inflation bites hard into paychecks, and at least one-third of whites in the borough are "low income." Transportation is bad, sanitation collection considered inadequate, health and hospital care expensive. Like the ghettos, white neighborhoods feel powerless, too. It took Pelham Parkway, for example, a quarter-century to get a badly-needed library.

With neighborhoods fighting over the small slice of the pie, conflict is not surprising. "The Puerto Rican says I want as much as the Italian has and the Italian thinks this means the Puerto Rican wants to take what he has," says the Rev. Mario Zicarelli of Belmont's Mt. Carmel Church. Conflicts exist between blacks and Puerto Ricans—as in the Model Cities program over jobs—as well as between whites and nonwhites.

Some accuse government of encouraging conflict. Ralph Alvarado, a South Bronx community planning board chairman, says "I honestly feel that this was planned in some little corner, that they said 'Let's keep them fighting. That's why they throw out programs without guidelines."

Ed Kaufman, a social worker, says community problems tend to be explained as racial problems. "Welfare becomes a black and Puerto Rican problem rather than a problem of an insufficient job market, an education system which fails to educate, and so on. White working class ethnic groups trying to hold on to their jobs in a shrinking job market are viewed as racists." These stereotypes, Kaufman believes, make it easy for government to avoid change by playing one group off against another.

The borough's racial tensions have often been evident in controversies over school busing. State Sen. John Calandra says "I don't buy this thing of forced racial balance. It's created more racial animosity than anything else."

Bronx Borough President Robert Abrams is also dubious about busing, but he says it can sometimes be worked out with proper community consultation. "People are willing to live together," Abrams says. "Hostility develops when a decision is imposed from downtown." Poor judgment by bureaucrats, he says, exacerbates tensions in busing and other areas.

Westchester Square, a mostly Italian community, provides a good example. Its neighborhood school, P.S. 12, was turned into a "600" school for problem students, most of them nonwhite, several years ago. The change was made over bitter protests from parents who were now forced to send their children out of the neighborhood.

When it was proposed last year that the school be used as a drug rehabilitation center in the afternoons, neighborhood parents were incensed. "Why, again, was it being done for someone from outside our neighborhood?" asked Mrs. Provenzano. "In the meantime, our kids are getting absolutely nothing."

The residents fought the drug plan—and won. Whether they were right or wrong, their opposition was a foregone conclusion after the school had been taken from them without their consent.

Given the anger that develops when people feel powerless, it seems unlikely that racial tensions can be reduced. Yet many community leaders remain optimistic. Two years ago, the Parkchester management agreed not to discriminate against blacks and Puerto Ricans, and there are now several hundred nonwhite families living there.

The Rev. John Flynn of St. Raymond's Roman Catholic Church believes that if integration is done gradually, Parkchester can become a stable "model neighborhood. I think people in Parkchester are a lot more aware and enlightened than people think," he says.

There is an additional cause for some optimism in the growing number of "self-help" organizations springing up. They cover different areas, ranging from a building to a block to a whole borough. Some include only one ethnic group, others are more broad based. Some operate within the "establishment," others are radical. What they have in common is that they are all grass roots movements or organizations working for change.

For example:

Until a few years ago, the 10,000 residents of Westchester Square, most of them homeowners, "never dreamed of organizing," says Mrs. Josephine Sylvester. "We were individuals. You went to work every day, you paid your rent, you raised your children the best you could. But it developed that if you wanted your garbage picked up you had to fight for it and they called you a crank. But if the president of WING calls, the crank gets her garbage picked up."

WING—the Westchester Intersection Neighborhood Group—was formed to deal with problems like sanitation and the lack of recreation space. "It's an uphill fight all

the way," says WING president Fred Gallo, "but we're slowly accomplishing some of the things we set out to do."

Bill Satterfield, a 34-year-old former drug addict, helped found the Morrisania Youth and Community Service Corp. three years ago as a $70,000 a year city recreation center. Today, the program has a $2 million budget, and runs job training programs a street academy for dropouts and centers for drug rehabilitation, day care, athletics and housing.

Satterfield has become an expert at "hustling" money from government and business sources. He says that while "We can't solve all the problems," the small, non-bureaucratic agency can point the way toward their solution.

"Programs brought into the ghetto by experts," Satterfield says, "have uniformly failed . . . because there was no realistic relationship between the programs and the people's needs. They just don't know where it's at."

The Bronx Council on the Arts has set as its priority programs that involve neighborhood residents. Among other activities, it runs a course in which Bronx Community College students receive credit for conducting creative arts workshops. If it can get the money, it would like to set up a network of neighborhood arts centers. "We don't consider we are the know-alls of what has to be done," says Council director Irma Fleck. "We like to get feedback from the communities of what they would like."

The Lorillard School, founded by a group of Bronx parents fed up with the quality of public school education, enrolls a racially integrated group of 50 children, ages 3 to 10. Instead of classes, there are subject areas, such as math, art and carpentry. The children move freely from one area to another.

"I consider it torturous to make a child sit in a chair six hours a day, give them four hours of homework and not let them walk around when they want or talk when they wish," says Mrs. Ronnie Carley, the school's assistant director. She says there is a growing demand for such "free schools."

With the decline of housing maintenance, a rent strike movement has emerged in the Bronx. Some strikes are organized by the Metropolitan Council on Housing, which hopes that a strong citywide movement will make clear the extent of the New York housing crisis and bring pressure for governmental action.

The drive for community and workers control at Lincoln Hospital, a dilapidated municipal institution, began in 1969. It gained strength when the Young Lords charged that Lincoln was a "butcher shop" and won agreement from the hospital administrator that most of their demands for improved health care were reasonable.

Last year a "collective" of doctors was organized to seek changes in the pediatrics department. Activists say the combined pressure has had some results, including the site clearing for the new Lincoln Hospital, the withdrawal of some scheduled funding cutbacks and better pediatric services.

None of these groups, or the many others that exist, is going to make brotherhood reign supreme in the Bronx, nor are they a panacea for the borough's problems. But, as George Richardson, a young member of a Morrisania block association said, "You take a small, little organization like this, and you see the amount of improvement and the amount of change that can be made."

And in the process of working for change, community organizations may well help to alleviate the feelings of rage and impotence that lead to a death when someone of another race walks into "our park."

THE BRONX: FORGOTTEN BOROUGH?

(By Peter Freiberg)

ARTICLE VI: WHO SHOULD GOVERN?

The Bronx has more people than a score of UN members, 15 states and every city in the country except Chicago, Los Angeles, Philadelphia and Detroit.

But the Bronx lacks something all these political entities possess in varying degrees—self-government.

The same can be said for the borough's neighborhoods. Of the 14 Bronx community planning districts, eight have populations of more than 120,000. But aside from the purely advisory community planning boards, the neighborhoods have little say over what goes on in their backyards.

It wasn't always this way. Before annexation of the Bronx was completed in 1895, its towns, such as West Farms, exercised some taxing authority and control over public services.

With annexation, the Bronx became a part of New York County. Only after the borough became an independent county in 1914 did it gain some influence, primarily because of the powerful Democratic Party machine built up by Edward J. Flynn.

Under Flynn, the Bronx exerted leverage on the federal and city administrations. The average citizen had little say in running the borough, but with the Borough President responsible for sewers, streets and public works, there was a reasonable chance of getting a pothole fixed or snow removed.

The machine came under sharp attack following Flynn's death in 1953. In 1961, the reform movement supported passage of the new City Charter that centralized power in the Mayor's hands and turned the patronage-ridden Borough Presidency into a largely ceremonial post.

Ironically, 1961 was also the year the machine lost the borough's top post to Republican-Liberal Joseph Periconi. But despite the absence of the Democratic machine from the Borough Presidency (and the Mayor's chair) in the past decade, the problems of the Bronx (and the city) have grown more serious.

City officials usually explain the problem with one word: money. "The cities are not going to change," says Mayor Lindsay, "until the attitude of the federal government toward cities changes."

But many citizens are skeptical. "I think Lindsay is impossible," says Mrs. R. E. Stevens, a northeast Bronx resident. "I'd like to know what he does with the money. We don't have any sanitation, we can't get a policeman. Everyone I know is against him."

A special committee of the Assn. of the Bar of the City of New York said "New York is spending more money than ever while at the same time the city's problems are worsening: welfare rolls rising, crime increasing, public health services declining, the public schools unsatisfactory, the housing stock deteriorating."

The Bar committee noted that the middle class exodus, the influx of poor people needing services, rising costs and hefty union contracts have created a money shortage.

But most observers see little chance of funds flowing to the city. "Even if the President changes," says Rep. Herman Badillo, "I don't think Congress has any interest at all in putting in the kind of resources we need to help the cities. So whatever we do, we're going to have to do pretty much on our own."

And even if the funds were forthcoming, the Bar Assn. study pointed to another crisis. "In the view of many blacks and Puerto Ricans," it said, "city government is white and therefore alien," while the white working class sees city government as "Manhattan, upper class, white collar and therefore also alien.

"Together," the study concluded, "probably a substantial majority of the residents of New York City look upon city government as not representative of its interests and not to be trusted."

The study went on to say that "Money alone cannot solve public safety and educational problems as long as residents, parents and students consider police, firemen and teachers to be aliens or enemies. Money cannot solve the resentment and suspicion of residents of Harlem and Brooklyn who react negatively or even violently to decisions with respect to capital budget projects made exclusively by officials in the state or city capital. Money will not simplify city government or cut down delays in implementation of projects. . . . And more money will not necessarily make the majority of New York City residents feel that the government is their government."

Some minority organizations express similar views. Last year, the United Bronx Parents refused to join a citywide coalition protesting cutbacks in the education budget. "It's not really a question of money," says UBP director Mrs. Evelina Antonetty. "It's seeing how that money gets used."

If reformers can't change things, and money *alone* is insufficient, what else is needed?

The answer being given by a growing number of neighborhood groups and community leaders is decentralization—a system of neighborhood government which would give residents power over planning decisions and make city agencies accountable to the neighborhoods they are supposed to serve.

Rudy Tremaroli, a youth worker in the Belmont Av. section, says "Decentralization would get people from the neighborhood involved. Now they don't think they can have any effect." Ralph Alvardo, who is active in the South Bronx, says "Our system now is too distant. We do not have the autonomy to decide which way our community should go . . ." Joe Giordano, a social worker in the southeast Bronx, says "I think what we should do is decentralize into little communities where people have some sort of identity."

The popular mood has been reflected in decentralization proposals made by a Bar Assn. committee (in the study referred to above), Manhattan Borough President Percy Sutton, Bronx Borough President Robert Abrams and others.

Abrams cites an example of what he calls "overcentralization" in the city. "Suppose someone comes out after a rainstorm and sees that a sewer is flooded. He may have been born in the Bronx, lived in the neighborhood 40 years, and he still has no idea who to call. And I bet if he knew who to call, it would take him the better part of the day just to get through to make a complaint."

Abrams says the Borough Presidents are virtually helpless under the present system. "People expect you to be able to deal with the problems in their neighborhoods, but you don't have the power, and they don't understand it."

His proposal would give the Borough President powers similar to a county executive, with responsibility for delivery of services. "I see the Borough President as chief planner for the borough," says Abrams. "Today city agencies are remote, and the City Planning Commission makes decisions that frustrate people in the neighborhoods."

A small experiment in decentralization began in the Bronx in 1970 with the formation of a Sanitation Community Council in the southeast. Council chairman John Dearie says monthly meetings with the district supervisor have improved collections. But the

Council can only make suggestions—it has no enforcement powers.

Dearie asked the Sanitation Dept. to set up Councils throughout the borough, but "They said they didn't want to do that. Frankly, I feel one of the reasons was union opposition. Another was the fear of involving citizens too closely with what had been a somewhat isolated decision-making process."

There is general agreement that the redistricting of school, planning, police and other service districts must precede any decentralization. As Dearie points out, "How can a neighborhood government body with responsibility to seek improvement in the delivery of municipal services deal with these services on a local basis when the district services lines cannot be dealt with as a unit?"

There has been no move by the city to redraw these lines or institute any kind of neighborhood government. Last year, Mayor Lindsay announced a plan that drew criticism from local planning board members and other groups because it kept all substantial powers with the central government. Lew Feldstein, the Mayor's aide on neighborhood government, says the plan has been revised following consultations with local groups and city agencies. "The Mayor will be announcing major new moves shortly," Feldstein says.

Feldstein does not believe "decentralization by itself is valuable. There is (in the administration) a commitment to improving services and a belief that decentralization is a major way to get there." He says that "Nobody who's got power wants to give it up. It's not restricted to the city, it goes to large organizations and individuals." But he believes that if decentralization is shown to increase efficiency, the bureaucracies will cooperate.

Most of the announced plans would not give community boards wide policy-making or budgetary powers. The scale of future decentralization may well depend on the amount of pressure generated by the city's 62 community planning boards. Many Bronx members express dissatisfaction with their advisory status. "Sometimes I wonder what I'm doing here," says Albert Rivera, a member of Board No. 6. "We just don't have any power."

But not all planning board members want more power. Shirley Kronberg, chairman of Bronx Board 9, warns that without sufficient funds, the local boards can become "fall guys." She says that "if you want to make basic changes, you have to change the whole tax base of our country. I'm talking about taxing the manufacturers and the tremendous office buildings and the tax-exempt foundations."

Advocates of decentralization agree. A Highbridge study by NYU graduate students called for community controlled services in all areas, including education. But it warned that decentralization would not guarantee a decent education unless the state's tax structure for schools was equalized so that as much money is spent on the Highbridge pupil as the Scarsdale child. As the Highbridge study indicated, the success of any decentralization would depend in part on regional coordination in such areas as education and transportation. But there would also be a need to reconcile regional priorities with any system that gives communities the power to govern themselves.

There are those who see decentralization as a pious hope, desperate prayer, or a formalistic, structural solution to a substantive problem. They point to the fact that centralization itself, with its civil service standards and uniform codes and regulations, was once presented as the progressive answer to the corruption and tyranny of local bosses and machines.

And they argue that rather than return to neighborhood "self-government," the realities of today's America suggest that not the neighborhood, not even the city, but the sprawling metropolitan urban *region* must be politically reorganized to handle what are now *regional problems*—transportation, pollution, zoning, even housing and taxation.

Skeptics question whether it will really be possible to involve large numbers of citizens in the operations of city agencies. But block associations, self-help groups and the expertise developed by the Sanitation Community Council reflect the people's interest. Advocates maintain that neighborhood government is the only hope of infusing new life into what many Bronxites and other New Yorkers believe is a dying city.

Residents planning to leave the city often complain that "there's no possibility of changing things." Tony Barker, the young president of the Bronx Council for Environmental Quality, intends to stay in the borough, but says, "Even friends of mine, they're just working to get enough money to get out of the city. They're just giving up."

Neighborhood government, say its supporters, could bring about concrete changes that would stop people from "just giving up." It might also, they say, provide the impetus for a citizens' coalition to press for the money New York City needs—money without which neighborhood government, too, will eventually wither and die.

Dearie says he is "frankly not convinced that the Lindsay administration is committed to the idea of neighborhood government. It's just a slogan at this point," he says. Jane Jacobs, the writer and activist, is pessimistic. "I don't think decentralization (in New York) will happen until the city disintegrates," she says. Ed Kaufman, who has formed a committee to develop grass roots pressure for neighborhood government, believes only community organization will bring it about.

"Power is not something that is given to you by the city government," says Kaufman. "It's something you have to take. And that's something many communities are not quite ready for yet. While they want more power and they're capable of assuming power, they are not psychologically and emotionally capable of taking power away."

HOW MANY DOCK STRIKES?

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. KUYKENDALL. Mr. Speaker, on November 29, 1971, the Memphis Press-Scimitar carried a lead editorial dealing with dock strikes in this country. In this editorial the Memphis newspaper praised President Nixon's decision to invoke Taft-Hartley on the east coast and pointed to the need for comprehensive transportation labor legislation. Such comprehensive legislation is presently pending in the Transportation and Aeronautics Subcommittee of the House Commerce Committee. I would like to join the Memphis Press-Scimitar in urging my colleagues on the Transportation Subcommittee to report out this legislation at the earliest possible date.

The editorial follows:

HOW MANY DOCK STRIKES?

The court-ordered return to work of 45,000 striking longshoremen is new testimony to the failure of collective bargaining on the docks.

President Nixon had no other choice than to invoke the Taft-Hartley Act again and try to repair (at least temporarily) some of the economic damage caused by the 57-day walkout on the East and Gulf Coasts.

The nation is headed toward a $2,000,000,000 trade deficit this year and two long dock strikes in recent months have hampered efforts to reverse the trend.

The October deficit was $821,000,000, the worst trading month in history for the United States.

Only seven weeks ago the President was forced to take court action against the 100-day West Coast dock strike, and the 80-day "cooling off" period now in effect will be followed by a new strike Dec. 24 unless the shippers and union soon get together.

The East Coast strike has been particularly galling because it shut off American exports to Europe and encouraged our customers abroad to find other sources of supply.

The Mid-South has been especially hard hit by damaging blows to industry and the agriculture business.

The issues in these strikes range from the usual pay, pensions and welfare contributions to a dispute over who should unload cargo (on the West Coast) and whether shippers in the New York area should continue to pay a guaranteed annual wage they say is costing too much.

But the most important issue is whether we can still afford the luxury of long strikes that paralyze trade and put thousands of persons out of work in trade-related businesses.

It seems clearer than ever that the nation needs a strong bargaining and arbitration law that applies to all vital transportation industries—railroads, airlines, trucking and shipping.

The President proposed such a law nearly two years ago. How many more dock strikes before Congress gets the message?

REPORT ON THE BETTER BUSINESS BUREAUS BY CONGRESSMAN BENJAMIN S. ROSENTHAL

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROSENTHAL. Mr. Speaker, I recently completed a 6-month study of the better business bureaus. It was motivated, to a great extent, by a recognition of the overwhelming reliance of consumers on the bureaus, which are often mistakenly thought of as quasi-public bodies. Moreover, resistance to new consumer legislation at all levels of government is often based on the belief that more regulation and new governmental institutions to deal with consumer abuses are largely unnecessary because of the work performed by the better business bureaus.

Because of the unusually high level of public interest in my report, I am inserting it in the RECORD so that it may be available to everyone. The report follows:

REPORT ON THE BETTER BUSINESS BUREAUS

(By Congressman BENJAMIN S. ROSENTHAL)

SUMMARY OF FINDINGS

More consumers rely on the Nation's 139 Better Business Bureaus for a resolution of their buying problems than on all government consumer protection agencies combined. In 1970, telephone and mail contacts received by all Bureaus exceeded 8 million.

At the present time, however, BBB services are of little value to the buying public. In some instances, their efforts actually have a counter-productive impact on the consumer.

Local Bureaus are trapped in an almost insurmountable conflict-of-interest between service to consumers, on the one hand, and financial dependence on business, on the other. By every objective standard BBBs serve as the agents of the business community and reflect all the biases of that community against the consumer movement and government regulation of anti-consumer practices in the marketplace.

The Council of Better Business Bureaus' new program to upgrade and reform the services of local Bureaus is commendable and should be encouraged. But, Bureaus are autonomous entities which derive almost all of their financial support from local business firms. Thus, it is unlikely that the Council can make significant and permanent in-roads into improving BBB operations, without a major surrender of the autonomy of those local Bureaus.

Specifically, this study disclosed the following:

Motivation behind BBB programs

(1) The Bureaus' programs for aiding consumers are motivated, in the main, by a desire to forestall governmental intervention in the marketplace and to cool the anger of aggrieved consumers against the business community.

Lack of BBB control of members

(2) BBB Boards of Directors do not effectively police the conduct of their subscribers:

Bureau membership rosters in at least two cities (Chicago and Washington, D. C.) contain a disproportionately high number of firms which have been the subject of disciplinary action by the Federal Trade Commission;

The annual rate of expulsion of BBB members by Bureau Boards of Directors is around 1/10 of 1%. This extremely low figure has more to do with the Bureaus' failure to carefully scrutinize the activities of its members than with the ethical marketplace conduct of those firms.

Low quality of BBB reports

(3) The quality of BBB telephone reports to consumers on the integrity and reliability of business firms, is extremely poor. With a few modest exceptions, these reports are misleading, inaccurate, incomplete and couched in vague generalities:

Telephone calls to BBBs in four cities (Washington, D.C.; Chicago; Philadelphia; New York City) requesting reports on 25 firms against which disciplinary action has recently been taken by Federal, State and local law enforcement authorities disclosed that: in only *one* instance did Bureau operators make any reference to such legal action; and, in only *three* other instances (16%) did Bureaus report adversely on any of these 25 firms;

Of 22 private consumer organizations across the country polled on their evaluation of the quality of BBB reports, 15 responded that they were devoid of any useful information; 4 stated that they contained fairly useful information; and only 3 reported that the reports are very detailed;

Apart from the inherent conflict-of-interest situation in all Bureau operations, BBB reports suffer because of the following factors: an unrealistic overemphasis on whether a firm cooperates with the Bureau rather than on its actual marketplace practices (this causes Bureaus to report more favorably on firms with many resolved complaints than on firms with a very few unadjusted complaints); time pressures on Bureau operators and the occasional need for them to summarize voluminous material in a firm's file; failure of almost every Bureau to systematically receive and incorporate in their files reports from Federal, State and local law enforcement agencies.

Erroneous and incomplete reports on the integrity and reliability of business firms, lull consumers into a false sense of security and sometimes lead to costly experiences with disreputable firms.

Complaint assistance weak

(4) The BBB service of assisting in the adjustment of consumer complaints against sellers (accounting for about 15% of the Bureau workload) has been successful only in those few instances when the dispute is free of controversy. The Bureau's record of success fades badly at the moment any controversy creeps into the complaint action. In this regard, this study disclosed no instances (although there may well be a few) where a local Bureau had aggressively prodded a firm to adjust a complaint after it had declined to do so:

Of 21 private consumer organizations polled on the effectiveness of the Bureau's complaint handling service, 11 reported "poor complaint handling"; 5 "fair complaint handling"; and 5 "good complaint handling."

While Bureaus allege that unresolved complaints always become a part of a firm's file, there is substantial evidence that this is not the case. This is due, in the main, to the Bureaus' automatic acceptance of the word of the firm complained against that the complaint has been satisfactorily resolved. Accordingly, violators capable of responding to BBB inquiries with impressive responses, tend to escape bad reports.

Unsubstantiated complaint-handling success rate

(5) BBB claims for an extremely high rate of success on handling complaints, are completely unsupported and highly exaggerated:

Many Bureau claims for success are based on a rationale similar to the now unlawful "negative option" buying plans. Some Bureaus stated that their claims for a successful complaint adjusting service, were based entirely on consumers' failure to respond to BBB follow-up letters requesting information on the settlement. Success claims based on the silence of consumers, are totally without merit.

The submission by a consumer of his complaint to the BBB often serves to imply a definitive adjudication of the matter. This distracts the consumer from pursuing other more realistic remedies which might prove more fruitful.

Abuse of free air time to BBB

(6) During a typical year, Better Business Bureaus receive, free of charge, around 4,000 radio and TV "public interest" spot announcements. Not all BBB spot announcements are devoid of public merit. But, to the extent that they promote the use of BBB services and propagandize the Bureaus' business biases, they may not meet the Federal Communications Commission's "public convenience, interest and necessity" requirements. For example, in a "thank you" newsletter to radio and TV stations for their contribution of free air time, the Cincinnati BBB stated, in part: "The Bureau publicly thanks all local electronic media for their great contribution toward developing more satisfied customers. [and] . . . *cutting down the number of and providing less justifiable reason for governmental inroads into our private enterprise system or adding new restrictive laws in the name of consumer protection.*" [emphasis added]

Lack of BBB initiative with FTC

(7) Regional Federal Trade Commission Offices surveyed for this study concluded that while BBBs tend to cooperate fully and freely with FTC offices, most Bureaus lack aggressiveness and initiative in referring complaints and alerting the Commission to abusive practices:

Of 12 FTC regional offices reporting on the number or percentage of their actions which resulted from BBB referrals—three stated "0"; five stated "insignificant" or "less than 1%"; three replied "5%" or less; and one replied "10%".

BBB opposition to consumer legislation

(8) There is substantial evidence that BBBs frequently oppose the enactment of new consumer protection laws and that they often work behind the scenes to defeat such legislation. Because Bureaus are comprised in the main, of large and prestigious firms and because they enjoy a dual reputation of being a friend of consumers and businessmen alike, they are in a unique position to assure the success or defeat of consumer protection legislation at the state and local levels.

Absence of consumer representation within BBB

(9) Only one BBB in the U.S. out of 21 surveyed has a bona fide consumer representative on its Board of Directors. Moreover, the present list of officers and executive committee members of the Board of Directors of the Council of Better Business Bureaus fails to indicate any public or consumer member. Of the 46 Directors of the Council, only 7 are public or consumer members.

Bureau Boards of Directors are dominated by representatives of the larger corporations in those localities where Bureau's operate. There is only minimal representation on Boards for small business firms; and almost none for "mom and pop" type operations.

Education of consumers

(10) Most of the best BBB literature concerning abusive marketplace practices, including the names of offending firms, is circulated only to the BBB membership and not to the public-at-large. Thus, the Bureaus do not provide adequate education to the consumers they serve.

High-pressure BBB new-membership sales tactics

(11) There is substantial evidence to show that the Metropolitan New York BBB and other Bureaus use high-pressure tactics to enroll new members. In New York, a major ingredient of this recruiting effort is the payment to salesmen of a high percentage of the annual dues of all new BBB members—a practice not generally known to prospective subscribers.

Exploitation of BBB membership

(12) There is a rapidly growing exploitation of BBB memberships by subscribers, notwithstanding a general BBB prohibition against the use of Bureau membership for commercial purposes.

Treatment of members vs. non-members

(13) While the evidence that BBBs favor member over non-member firms in reporting on abusive consumer practices, is inconclusive; it is a fact that many regional Federal Trade Commission offices and others familiar with BBB operations *believe* that Bureaus discriminate against non-members.

BBB immunity from libel and slander actions

(14) A recent New York State Supreme Court decision which granted the Council of Better Business Bureaus broad immunity from libel and slander actions growing out of criticisms of the practices of specific firms, should encourage the publication of the names of offending firms.

BBB potential for service to consumers

(15) Because BBBs are wide-spread across the country and because two of their most important functions (i.e., providing information on the integrity of local firms and assisting in the adjustment of disputes between buyers and sellers) are not performed by governmental agencies, their potential for meaningful consumer service is exciting.

II. RECOMMENDATIONS

1. The Council of Better Business Bureaus should take immediate steps to bring local BBB offices under more direct Council control and to bring about a standardization of the policies, practices and procedures of those Bureaus.

2. Serious consideration should be given to financing all or most local BBB operations with membership funds collected at the local level but distributed by the Council out of a centralized fund. This would:

Lessen the dependence of local Bureaus on financial support from business firms operating in their areas;

Take the "profit" out of BBB memberships;

Permit the Council to channel funds to those Bureaus with the greatest need and thus avoid limitations imposed by the size and financial capabilities of their business communities.

3. Reforms by the Council of Better Business Bureaus should be directed away from the self-regulation of advertisers (now actively under scrutiny by the Federal Trade Commission) and towards those Bureau services (such as complaint handling and reports on the integrity of firms) which are not handled by federal, state or local governmental agencies.

4. In order to improve the quality of BBB telephone reports:

Bureaus should request that federal, state, and local law enforcement agencies in their areas send them copies of all official actions against local firms for anti-consumer practices. This information should be placed in BBB files and made a part of all reports to consumers;

Less emphasis should be placed on the cooperation of local firms with the Bureau in adjusting complaints and more on the actual business practices of those firms.

5. All Bureaus should employ on a full or part-time basis, a lawyer or senior law student to screen consumer complaints for obvious violations of federal, state or local consumer laws. This would assist consumers in obtaining their rights and facilitate Bureau efforts to bring abusive consumer practices to the attention of appropriate law enforcement agencies.

6(a). All local Bureaus should appoint at least one bonafide consumer representative to serve on their Board of Directors. Additionally, the Council of Better Business Bureaus should appoint at least one consumer spokesman to its Executive Committee.

(b). BBBs with active and effective consumer groups in their areas, should study the feasibility of merging their operations with those groups.

7. The Federal Communications Commission should admonish its licensees to review carefully their donation of free time to Better Business Bureaus. The Commission should establish strict guidelines for its licensees covering the circumstances under which Bureaus would be allowed free "public interest" messages.

8. All local Bureaus should publish and disseminate as widely as possible, a monthly compilation of abuses committed by local firms.

9. BBBs should examine the legal relationship between Bureaus and their subscribers to determine the feasibility of using Bureau "membership agreements" to enforce contractually, BBB standards of business conduct against members.

10. All Bureaus should take immediate steps to disclose to the public, details of their finances and expenditures and any limitations on services available to the public.

11. Bureaus should take an active role in urging the vigorous enforcement of existing consumer laws and in supporting the establishment of new laws for the purpose of protecting consumers.

12. BBBs should establish binding arbitration panels for the resolution of controversial disputes between buyers and sellers. All new members, and old members upon renewal of their membership applications, should agree to be bound by the results of any such binding arbitration program.

13. Bureaus should cease making claims for success in adjusting complaints until such time as they have reliable data all uniform evaluation procedures.

14. Bureaus should establish, where necessary, branch offices located in low income areas and staffed by people residing in those areas.

15. Bureau managers should be given greater independence from their Boards. Consideration should be given to appointing such managers under contract for a fixed term of years and removable for good cause only.

16. Efforts should be made by all Bureaus to appoint to their Boards of Directors representatives of smaller firms, including "mom and pop" operations.

17. Bureaus should experiment with the handling of complaints registered by telephone. This is now done with great success by various "action-line" newspaper columns across the country.

18. Bureaus should report anti-consumer practices to the Federal Trade Commission and other law enforcement agencies as a matter of course, without waiting for requests from those agencies.

19. Bureaus should cease the use of high-pressure tactics aimed at enlisting new members. If commissions on membership dues are going to be offered to BBB salesmen, notification of that fact to prospective members should be required.

20. The Council of Better Business Bureaus and local Bureaus should end the exploitation of BBB memberships for commercial purposes.

21. In order to eliminate the widespread belief that Bureaus favor member over nonmember firms, all references to a firm's membership should be expunged from those BBB files used as a basis for reports to the public.

III. INTRODUCTION

It is hardly necessary at this stage of the "consumer revolution" to detail the extensive physical and economic violence inflicted on the consuming public by unsafe and poor quality products. It should also be unnecessary to point out that the concept of "consumer sovereignty" in today's complex marketplace is little more than a myth. Even the sophisticated consumer is no match for Madison Avenue, the whirling computer and the motivational research phychologist.

As a consequence, today's market system is far more efficient in turning a profit for businessmen than it is in providing goods and services for consumers which are safe, fairly priced and effective.

Although the American free enterprise system, with its give and take in the marketplace, is basically healthy—and although many sellers possess a keen sense of "consumer rights"—consumers are still no more than pawns in the hands of corporate America.

The need for extensive consumer protection in the marketplace has long been recognized: Federal, state and local legislative bodies have enacted thousands of laws to protect the buying public; progressive businessmen have initiated effective voluntary programs to assist the consumer; in recent years, the media have bcome increasingly aware of the relationship between the quality of marketplace practices and the quality of life in America.

But, notwithstanding the greater visibility of the consumer movement and the increase in public rhetoric, it is abundantly clear that industry practices continue to violate the consumer interest without meaningful challenge. One need only read the daily newspapers to discover the thousands of abuses directed at the buying public. Congressional investigations and reports produced by Ralph Nader and others merely confirm what millions of consumers already know from first-hand experience.

In April 1971, a national survey by pollster Louis Harris concluded that most U.S. consumers think that goods and services are generally worse than ten years ago. Harris reported that while 17% of all consumers believed that goods and services are "better," 57% believed that they are "worse" and 23% said that things had "not changed."

Although there are countless public and private agencies throughout the country which deal, in one form or another, with consumer abuses, it is clear that the nation's 139 Better Business Bureau[1] are most visible and best known to the public-at-large. A survey of 5,206 constituents of the 8th Congressional District of New York (Queens a-middle-income area) revealed that a large plurality of 38% said that if they had a consumer complaint they would go first to the Better Business Bureau. This, notwithstanding the fact that the District boasts a branch office of the New York City Department of Consumer Affairs, an active District Attorney's Office, a Consumer Frauds Division of the State Attorney General and several private consumer organizations.

Similarly, an October 1970 poll by Good Housekeeping Magazine of its 1,000 member Consumer Panel[2] found that of those respondants who had complaints about products purchased, 9% expressed their dissatisfaction to the Better Business Bureau while only 3% registered complaints with governmental agencies. In short, local Better Business Bureaus probably have more contact with consumers than all other private and governmental consumer organizations combined.

In 1970, telephone and mail contacts received by all Bureaus exceeded 8 million.[3] Thus, it is clear that public reliance on the Better Business Bureau is substantial. This report will demonstrate that much of this reliance is misplaced.

Reason for study

This study was motivated, in large part, by a recognition of the overwhelming reliance of consumers on Better Business Bureaus. Moreover, resistance to new consumer legislation at all levels of government is often based on the belief that more regulation and new governmental institutions to deal with consumer abuses are largely unnecessary because of the work performed by the Better Business Bureau. This is often the position of those opposed to the establishment of a new federal Consumer Protection Agency.

For example, Henry Ford II, chairman of the Ford Motor Company, has said: "The growing pressure for government regulation of business products and practices reflects a gap between consumer expectations and business performance. If business does not close the gap, government will continue to step in and business will continue to lose its freedom and its flexibility. . . . By supplying . . . information, the Better Business Bureaus provide an alternative to government regulation that is better for business as well as for the consumer."[4]

The President of the Better Business Bureau of Metropolitan New York has observed that "when an official consumer protection agency starts getting into relationships with business where government has no right to be, it is a use of punitive power. Such consumer groups from government are forc-

Footnotes at end of article.

ing business to adopt an attitude of passivity instead of growth. One reason business is failing is it finds on every hand agencies thwarting its reputable growth." [5]

Because Bureaus are widespread across the country and because two of their most important functions (i.e., providing information on the integrity of local firms and helping to resolve disputes between buyers and sellers), are not performed by governmental agencies, their *potential* for meaningful consumer service is exciting. This potential was eloquently expressed by the Executive Director of the Better Business Bureau of Guilford County, Greensboro, North Carolina: "One point has become clear to me in the past four years. In the Southeast at least, the BBB *appears* [emphasis his] to be the only organization or agency which has a NOW answer to the question, a TODAY response, or a real-soon solution—Nader's answer is in the future, the FTC answer is months away, lobbying groups' answer is the next legislature, the Post Office Department's is 'after investigation,' the lobbyist's is next year or next Administration, and the politician's is 'next election.' [6]

Accordingly, this study examines the promise of the Better Business Bureaus and the reality of their performance.

IV. SCOPE OF STUDY

This study was researched during the summer of 1971 by Dean Rosenbach, a senior law student at New York University, with support from other interns working in the office of Congressman Benjamin S. Rosenthal. It is concerned principally with the attitudes, policies and procedures of local Better Business Bureaus; it deals briefly with the Council of Better Business Bureaus, Inc.

The study seeks to identify and measure the quality of services offered by local Bureaus and their effect on consumer purchases. Additionally, the study examines the internal operations of Better Business Bureaus and the interaction of those Bureaus with the business community and government.

In gathering data for this report, extensive interviews were held with officials of the Council of Better Business Bureaus, local BBB officials, federal, state and local government personnel, consumer advocates and representatives of the media. In addition, detailed questionnaires were sent to many private consumer organizations across the country, regional Federal Trade Commission offices and numerous Better Business Bureaus.

Because the study was conducted principally between the months of June through September 1971, the report may not reflect reforms initiated by the Council and local Bureaus since that time. Although the principal investigator was denied basic access to BBB files, courtesy and cooperation were abundantly offered by Bureau officials. Responses to questions by Bureau personnel were forthright and comprehensive.

Throughout this report, numerous references will be found to the attitudes and views of Regional Federal Trade Commission Offices toward BBB operations. It is important that the readers of this report understand that these views of the regional FTC offices do not necessarily represent those of the Federal Trade Commission itself.

V. DESCRIPTION OF BETTER BUSINESS BUREAUS

History

The Better Business Bueau is probably the oldest organization in America operating in the field of consumer protection. The Better Business Bureau movement can be traced to Vigilance Committees established in 1912—three years prior to the creation of the Federal Trade Commission—to provide guidelines and standards for industry self-regulation at a time when advertising practices were under severe criticism. These Vigilance Committees were established in New York, Cleveland, Indianapolis and Minneapolis by the Associated Advertising Clubs of America, by the predecessor organization of the American Advertising Federation. The Committees became the National Better Business Bureau in 1921 and later evolved into the Association of Better Business Bureaus International Inc. The Better Business Bureau name was adopted in 1915.

On August 1, 1970, the National Better Business Bureau, Inc., and the Association of Better Business Bureaus International, Inc., were consolidated into the Council of Better Buisness Bureaus, Inc.

Purpose and functions

Based on Better Business Bureau literature and interviewing its officials, it becomes quite apparent that the over-riding motivation behind the original growth of BBBs was the desire to protect honest businessmen from unscrupulous competitors. Its over-riding purpose has now become the desire to forestall government intervention in business-consumer relations. In contemporary terms, according to the Baltimore Better Business Bureau, "BBBs have been looking out for the consumer for 50 years, working to keep peace between the merchant and his customers." [11]

Most Bureaus seek to perform four fundamental functions: giving factual information to consumers about the integrity and reliability of firms before consumers make their buying decisions: obtaining adjustments for consumers who have "valid" complaints against business; educating consumers about pitfalls in the marketplace; and, working with industry and the media, to prevent false and deceptive advertising.

One Better Business Bureau president has stated that the "Most important and most effective parts of Better Business Bureau work are those with which the public never has any real contact. For example, working with whole industries to upgrade standards, eliminate the deceptive advertising and questionable business practices, facilitate the resolution of consumer complaints and adopt preventive measures to eliminate causes of consumer complaints. For example, advertising is monitored, shoppings are made, advertisers are contacted for voluntary elimination of deceptive ads, advertising media is encouraged to reject the deceptive ads, and law enforcement agencies are alerted when illegal advertising or illegal practices are detected. We have regular meetings with representatives of law enforcement agencies. Our files are a never-ending source of information to all law enforcement agencies." [12]

Most Bureaus state that they do not "rate, recommend, approve, or endorse any firm product or service. Its report may not be used for sales purposes." Most Bureaus attempt to make a distinction (quite arbitrary, at best) between giving consumers facts upon which to make buying decisions, on the one hand, and telling them where or what to purchase, on the other.

Another BBB President puts it this way:

"BBBs have developed excellent systems for helping consumers (education if you will) *before* [emphasis his] they get in trouble. They have developed effective free enterprise methods for handling marketplace complaints where no laws are broken. They have maintained a standard of ethics and excellence that raise fears from the unscrupulous. They have worked endless, unheralded hours with newspapers, advertisers, franchisers, new and old businessmen to maintain honesty and truthfulness in advertising, building confidence in businesses in the minds of the consumers." [13]

Work load

The work load of Better Business Bureaus is impressive. In 1970, telephone contacts received by all Bureaus exceeded 8 million. In 1968, the BBBs investigated more than 50,000 advertisements, communicated with more than 25,000 advertisers and logged in excess of 30,000 contacts with media representatives.[14]

The Rocky Mountain (Denver Colorado), BBB special report of March 29, 1971, states that 28,317 consumers requested service in the six-month period of July 1 to December 31, 1970. Telephone calls accounted for 87% of this total, letters 10%, and personal visits 3%.

The 1970 Chicago Better Business Bureau activity report shows the following: 1,899 ads investigated; 2,092 contacts with advertisers; and 2,934 contacts with media. Also, 137,582 inquiries from consumers; 22,966 complaints; and 73,242 customer relations activities. The Washington, D.C. BBB activity report for the year ending December 31, 1970, shows: 67,067 inquiries; 10,421 complaints; and 2,901 ads investigated.

The Better Business Bureau of Greater Philadelphia reported that for the calendar year 1970, they handled 173,242 requests for service of which 148,600 were inquiries and 24,242 were complaints.

Budgets

The operating budgets of various Bureaus differ markedly. The Salt Lake City, Utah Bureau (population 176,793) has operated on a budget of around $25,000 per year. The Bureau of Guilford County (Greensboro, North Carolina, population 283,182) operated on a budget of $30,000 per year. The Akron, Ohio BBB (population 273,266) operates on a current budget of $100,000 per year. The Better Business Bureau of Omaha (population 327,789) has an estimated annual budget of around $60,000 per year. The Washington, D.C., BBB operated with $130,000 in 1970.

Although we are not in possession of any precise figures on the budget of the Better Business Bureau of Metropolitan New York, it is possible to extrapolate from information furnished by that Bureau.[15] "Our membership schedule for retail stores calls for a payment of an annual subscription of $100 for a gross annual sales volume of under $500,000. The majority of our members are in that category. The Bureau has approximately 7,200 member firms in the metropolitan area." Because some firms pay annual dues up to $2,000 annually it is possible to estimate that the annual budget of the New York Bureau is in the neighborhood of $1 million.

Influence

It is axiomatic that the local Better Business Bureaus exercise substantial influence over the marketplace decisions and conduct of those who seek their assistance. What is not so apparent is that Bureaus—because their Boards of Directors are frequently composed of the larger and more influential business firms in the community and because they control access to much information on local firms—have an enormous potential for manipulating marketplace conduct and the activities of businessmen. Moreover, because Bureaus frequently enjoy a dual reputation of being a friend of consumers and businessmen alike, they possess the capacity, as one Washington Federal Trade official declared, "To assure success or defeat of consumer protection legislation at the state level."

How Better Business Bureaus utilize this vast power to affect competition between firms in their localities, influence consumer choice as to member and non-member firms and relate to government regulation, will be discussed later.

VI. BBB INTERNAL ORGANIZATION

It has been estimated that the nation-wide network of Better Business Bureaus include a membership of more than 150,000 businesses. Most local Better Business Bureau members are business firms operating in the areas covered by the Bureau. In some instances, local trade associations and busi-

Footnotes at end of article.

ness-oriented groups become members of Bureaus.

Nature of BBB membership

In every locality where BBBs operate, members always comprise a very small minority of firms doing business in the vicinity. In large urban centers, members firms generally represent from 2 to 4 percent of business firms operating in the area. The Metropolitan New York Better Business Bureau, for example, has a membership representing approximately 3% of firms doing business in the New York vicinity (7,200 member firms out of 300,000 companies in business); the Philadelphia Bureau has 2,500 members out of 60,000 firms (4.2%); 2% of the firms doing business in the Los Angeles area are members of that Bureau; the Baltimore BBB boasts a relatively high 7.2% membership list (2,000 members); in San Francisco, less than 5% of the business firms are BBB members; the Cleveland Bureau has less than 2% of the firms as members; the Seattle, Washington Bureau has a membership of less than 1% of the local firms.

In most rural areas, the percentage of rural firms is generally higher: The Better Business Bureau of Guilford County (Greensboro, North Carolina) boasts a membership of about 17% of the firms operating in the vicinity (400 members out of 2,500); the Bureau in Central Kentucky has a membership of approximately 9% of the firms; the Birmingham, Alabama Bureau boasts 1,270 members out of 8,500 firms (15%); and the Better Business Bureau of Omaha, Nebraska has 60% of the qualified business firms as members.

Because member firms frequently represent the larger and more prestigious businesses, the influence of Bureau operations is frequently greater than indicated by its membership list. For example, in the Philadelphia Better Business Bureau, 50% of its members have gross annual sales of over $150,000; 30% have gross sales of $100,000 to $150,000; and only 20% of the member firms have gross sales of between $50,000 and $100,000 annually. 50% of the firms enrolled in the Cleveland BBB have a gross annual income of less than $40,000; but 25% have gross sales of between $50,000 and $150,000 and 25% have gross annual incomes above $150,000. 80% of the members of the Guilford County BBB have gross incomes in excess of $150,000 and only 2% under $50,000 annually. The Akron, Ohio Bureau states that 98% of its members gross more than $150,000 a year. The Rocky Mountain Better Business Bureau states that 75% of its members gross in excess of $100,000 a year annually and only 5% under $20,000 a year annually. 70% of the members of the Birmingham, Alabama BBB gross in excess of $100,000 a year annually.

Membership dues

Membership dues are generally fixed as a percentage of gross annual business or number of business employees. For example, the BBB of Metropolitan New York states that "our membership schedule for retail stores calls for a payment of an annual subscription of $100 for a gross annual sales volume of under $500,000. The majority of our members are in that category." [16]

The dues schedule of the Omaha BBB is fairly representative of the manner in which all local Bureaus bill their members: For *retail stores*, the dues are computed on the basis of the "annual gross volume of business": It ranges from a $50 annual dues for an annual gross volume of up to $100,000 to $100 for an annual gross volume of $1 million (a retailer grossing $5 million annually would pay a membership dues of $500). For *industrial, wholesale and service firms*, the dues are computed on the basis of numbers of employees: it ranges from a $50 annual dues for firms employing between one and ten persons to $250 annual dues for firms employing between 400 and 500 employees (an additional $25 is assessed for each 100 employees over that figure).[17]

Eligibility for membership

The standards utilized for judging a firm's eligibility for membership are substantially similar with a few variations. The membership standards of the Cleveland Better Business Bureau are typical of most:

The company, individual or organization to be considered for membership in the Cleveland Better Business Bureau must—

(a) be established in business at least six months [18] (while affiliates of subsidiaries must meet this time requirement, national corporations need not.) [19]

(b) be engaged in a legitimate commercial enterprise operating in the best interests of the public and adhere to the principles of the Better Business Bureau and its code of regulations.

(c) have maintained a record of cooperation with BBB in handling requests for information and customer inquiries.

(d) have operated in a manner which reflects a sound company program of handling customer relations, and an honest and reliable program of advertising.

(e) have developed a BBB file of no more than three unadjusted complaints in the preceding six month period.

(f) have provided full disclosure and remedial actions with regard to any judgment or legal action taken within the recent year.

(g) have satisfied financial obligations with the Bureau membership department and presented satisfactory evidence of reliability to the BBB Board of Trustees.[20]

The requirements for membership in many Bureaus is less formalized than that of the Cleveland BBB. The Metropolitan New York Bureau requires only that "the business firm subscribes to ethical standards of advertising and selling and that it has satisfactory and fair customer relations." The greater Philadelphia BBB requires that "the firm must have a record of integrity, be factual in its advertising and free from major complaints. In the event of major complaint, we demand that the cause be immediately removed." The Los Angeles Bureau states that "the basic requirement for membership is a record of reliability in our files."

Two points should be made here about eligibility for membership in local bureaus: First, all Bureaus require that applicants be approved by their Boards of Directors.[21] While it is necessary, as a practical matter, for some Bureau official to approve or pass on an applicant's eligibility, there appears to be considerable discretion for a Bureau to accept or reject a local firm. Instead of establishing fixed and definititve standards for membership, most Bureaus couch their membership requirements in vague generalities. This allows the exclusion of firms whose practices, though not anti-consumer, may offend competitors on Bureau boards. Second, it is clear from a reading of the membership requirements of many Bureaus that an overriding emphasis is placed not so much on a firm's practices vis-a-vis the consumer; but on whether it cooperates with the BBB in providing information and adjusting complaints. This preoccupation with "cooperation with the BBB" becomes extremely relevant in any discussion of the reliability of Bureau reports on the integrity of business firms.

Solicitation of members

It is quite apparent that many local Better Business Bureaus solicit members with great zeal. The lifeblood of BBB operations is, of course, members' dues and Bureaus are always on the lookout for new members. In the past, at least, this over-zealousness has caused one Bureau great difficulty: In July 1966, the president of the Maple Heights (Cleveland) Chamber of Commerce accused the Cleveland Better Business Bureau of using pressure sales tactics in a drive for new subscribers. The Cleveland Bureau was accused of telling potential members that if they did not subscribe to the BBB, consumers calling for information about their firms would be advised that they "do not cooperate fully" with the Bureau. Although a BBB vice-president denied that this warning constituted a threat, it is self-evident that a report to consumers of this nature could damage the business reputation of a firm. It was also the general practice of the Cleveland Bureau to send every potential member a bill representing the annual subscription fee.[22]

This practice caused *The (Cleveland) Plain Dealer* to editorialize as follows:

"The Cleveland Better Business Bureau should be ashamed of its tactics designed to pressure businessmen to become members at $76 a year. It is inconceivable that an agency designed to protect the public against unsavory business practices should itself stoop to the use of vicious insinuation. The Bureau has been tagging prospective members who do not subscribe as 'not fully cooperating with the Bureau.' To list this failure to subscribe to the BBB as a black mark against an otherwise reputable businessman is a reprehensible practice. The Bureau, to restore public confidence, nevermore must resort to such tactics." [23]

An insider's view

Similar charges have recently been made by a former employee of the Metropolitan New York Better Business Bureau and the National Better Business Bureau in New York (now the Council of Better Business Bureaus).[24]

Mr. Plavner, a six year employee of New York BBB operations, charges that the Metropolitan New York Bureau's efforts at soliciting new members and renewing old memberships is a blend of "selling licensed businesses protection from dissatisfied customers who would otherwise complain" to official consumer protection agencies; and pressuring retailers to subscribe. He alleges the existence of a "top secret New York BBB 'Membership Salesman Training Manual,' which he characterizes as a step by step scenario for cajoling firms to join the BBB. And he charges that the "BBB brazenly boasts in its membership sales pitch that 'in 90% of the cases, the Bureau is able to show the complainant that his grievance is not valid.'"

Plavner also alleges that Metropolitan New York BBB salesmen earn up to 50% commission on all new sales, an incentive not revealed to prospective members.

A January 8, 1969 New York BBB memorandum directed to "District Representatives" on "Career Compensation Plans" states that "this revised compensation plan for district representatives . . . is to provide a career opportunity for the district representatives by making possible continuous increases of earnings *through* sustained production of new members and his continued interest and follow-up of his established members." [emphasis ours]

The memorandum states further that "commission on all new sales and new reinstatements may be payable according to the following scale:

	Per month	Percent
0	$499.99	(1)
$500	999.99	20
$1,000	1,499.99	35
$1,500	1,999.99	40
Over $2,000		50

[1] No commission.

"Commission will be paid on all renewals of your accounts, whether secured by mail or by personal visits, as follows:

Footnotes at end of article.

	Percent
First year of renewal	20
Second year of renewal	15
Third year of renewal	5
Fourth year of renewal	*2

*Remains at this rate of 2% through the 10th year of the firm's membership. Commissions on renewals are to be paid the last pay period each month.

"INCREASES.—If an increase is secured by a district representative on his own account, he will receive full commission for the increased portion of the membership. So far as the renewal commission is concerned, he will receive whatever percentage is due him according to the category the membership is in at the time. Example, a firm is a member of the Bureau for four years at $100. An increase of this account is secured bringing the total membership to $300. The representative will receive full compensation for the $200, which is the increased portion of the membership, and 2% of the $100."

In an April 20, 1971 letter to Mr. Elisha Gray II, Chairman of the Board of Directors of the Council of Better Business Bureaus, Mr. Plavner charged that a CBBB pilot project to educate consumers against the anti-consumer practices of career counsellors was cancelled because the Metropolitan New York BBB had career counselling firms as members.

Mr. Plavner wrote:

"I was confident that I had found a painless, sugar-coated test-case to demonstrate the feasibility of upgrading BBB operations and the membership; and that it pays, financially as well as image-wise, to sacrifice membership income from fringe firms—a popular green pasture for some local BBB's. The project proved to be a huge success, acclaimed by employment industry leaders—including the executive search divisions of the big eight CPA firms. . . . Twenty leading executive search firms joined the CBBB to help finance the booklet, 'Executive Search, Who Does What'—a plug in the Kiplinger Letter produced 10,000 orders from executives for the booklet. But its success proved to be my undoing by triggering a barrage of behind the scenes flack directed against the project by local BBB bosses. Local BBB management, preferring the proverbial bird-in-hand, having managed to sell BBB memberships to career counseling firms . . . were reluctant to part with hard cash. Finally, the tentacles of the BBB bureaucracy reached out and squelched the project. Thus, my first attempt to buck the status quo under the heralded new CBBB proved just as futile since nothing had changed but the titles in the BBB repertoire."

Policing its own membership roles

The allegation that BBBs are highly reluctant to part with the dues of even fringe operators, is borne out by independent investigation. A July 16, 1971 memorandum from the Assistant General Counsel of the Chicago Regional Office of the Federal Trade Commission [25] states that "A rapid spot check of the BBB/Chicago membership list discloses that 35 members [should read "43"] are subject to Cease and Desist Orders issued by the Federal Trade Commission—most of these in areas of deception. From 11 other members, Stipulations or other Assurance of Voluntary Compliance pertaining to deceptive practices have been obtained by the Commission. Investigations of six other members in the Chicago (BBB) Office have recently resulted in complaint recommendations. Numerous other members have been subject to investigation with results, thus far, inconclusive. Accordingly, it is indicated that more than 2% of the entire membership of BBB/Chicago is currently subject to finalized Cease and Desist Orders and more than 50 members, 3%, are subject to Commission action of one type or another. With time for a more extensive examination, it is believed that further instances of questionable practices by BBB/Chicago members could be shown on the Commission records as well as in other law enforcement activities.

"The import of the above figures may be appreciated in the context of the various retailing groups that make up the major part of BBB/Chicago membership. Especially numerous are firms in the home improvement field, door-to-door sellers of encyclopedias and other types of books, home study schools, data processing schools, modeling and personal appearance schools, schools of business and technical skills, credit furniture sellers, loan corporations, and most prominent of all motor car dealers.

"It is noteworthy that sales in the foregoing areas have been found in innumerable investigations to be attended with practices such as false advertising, high pressure sales solicitation, flagrant deception in the use of direct selling in the home techniques and taking unconscionable advantage of the holder-in-due course doctrine."

"All too frequently representatives of this office have found indications that one of the first efforts of an aggressive practitioner of deceptive sales schemes is to obtain BBB membership for use in sales literature, sales pitches, and perhaps to derive some advantage in responding to BBB complaint inquiries. Such indications coupled with said characteristics as to type, and the dubious record of some of the membership of BBB/Chicago tend to substantiate the conclusion that BBB membership has significant value to high pressure retailers." [26]

Following is a list of Chicago area firms belonging to the Chicago Better Business Bureau and against which the FTC has taken disciplinary action. The list excludes those companies where a complaint has been recommended by the FTC staff but has not been officially issued:

Cease and Desist Orders Issued

Admiral Corporation.
Allied Radio Corporation.
American Models Service, Inc.
Anheuser-Busch, Inc.
Automatic Retailers of America, Inc.
H & R Block, Inc.
Career Institute.
Jeep Sales Corp.
The Child's World, Inc.
P. F. Collier, Inc.
Helene Curtis Industries, Inc.
Dad's Root Beer Company.
Encyclopedia Britannica, Inc.
D. W. Erickson Hair and Scalp Specialists.
Evans, Inc.
Fabricon Company.
AAMCO Dealers.
The Grolier Society, Inc.
LaSalle Extension University.
Marks Brothers Jewelers, Inc.
McDonalds Corporation.
Montgomery Ward and Company.
Motorola, Inc.
National Tea Company.
Robert Hall Clothes, Inc.
Schulze and Burch Biscuit Co.
The Sperry and Hutchinson Co.
Patricia Stevens, Inc.
The Thomas Hair and Scalp Specialists.
The United Educators, Inc.
Waltham Watch Co.
Maremont Corp.
Swift and Company.
Amsted Industries, Inc.
National Institute of Meat Packing.
Vulcan Materials Co.
Commercial Trades Institute.
Veltone Electronics Corporation.
Brunswick Corporation.
Consolidated Foods Corp.
Culligan, Inc.
Chicago Technical College.

Stipulations or Assurances of Voluntary Compliance

American Osteopathic Assn.
Clark Rug and Carpet Mart.
E. J. Korvette, Inc.
Olson Rug Company.
Reader's Digest Sales and Services, Inc.

A recent article about the Washington, D.C. Better Business Bureau in *The Washington Post*, stated: "for an organization that represents only 5% of area merchants the Bureau has a high ratio of companies that have been the subject of government action. Nine out of fourteen stores that have been accused by the Federal Trade Commission of engaging in 'unfair and deceptive practices' or other questionable activities within the past two years are members of the Washington Bureau. The nine firms were: Baby Products, Inc; Curtis Bros.; Custom Carpet Shop of Virginia; Carpet Specialists; Drug Fair, Inc.; General Car and Wagon Sales; Montgomery Ward; Pool City and Sidlis Sales." [27]

Who represents consumers and business on BBB boards of directors

Boards of Directors of local Better Business Bureaus and of the Council of Better Business Bureaus are dominated by large corporations. Moreover, with the single exception of the Rocky Mountain (Denver) Better Business Bureau, consumers are not represented on the Boards of Directors of the 21 local Bureaus in America surveyed for this study.[28]

The list of officers and executive committee members of the Board of Directors of the Council of Better Business Bureaus, fails to indicate one public or consumer member. Of the 46 Directors of the Council, only 7 are public or consumer members. This bias toward larger corporations is reflected in the membership lists of the Boards of Directors of many local Bureaus. Of the 54 Directors of the Better Business Bureau of Metropolitan New York, only 3 might be characterized as representing small business—two presidents of auto dealerships and one business consultant.

The New Orleans regional office of the Federal Trade Commission has concluded that "another problem area is that many Bureaus, in order to get financial support and community leadership support, put on their board representatives of large corporations. Only limited representation is given to small business and practically none is given to mom and pop type business. True, these concerns do not have the time to devote to things like this, but it does nevertheless flavor the approach of the Bureau." [29]

This domination of Bureau activities by the relatively few larger and more prestigious firms can affect the establishment and maintenance of voluntary compliance with advertising standards and other trade-wide business practices.

EXPLOITATION OF BBB NAME AND MEMBERSHIP

There exists a deep-seated schizophrenia that runs through two aspects of BBB psychology: the first deals with BBB's allegiance to the free enterprise concept of "not directing consumers' purchasing decisions"; the second concerns the Bureaus' desire to maintain a lofty stance above the fray in the marketplace.

A standard phrase which can be found on much BBB printed literature is that "The Better Business Bureau does not endorse, approve or recommend any product, service or firm." A typical Bureau assertion is that "it is not the intent of the Bureau to influence consumers to do business with any specific firm. We remain impartial, providing just facts, hoping the consumer will make the proper decision by examination of the facts provided." [30] All Bureaus responding to Congressman Rosenthal's questionnaire made similar assertions of impartiality.

However, Bureau statements to consumers

Footnotes at end of article.

regarding the reliability and integrity of firms inquired about; and their activities regarding the adjustment of disputes between buyers and sellers, do in fact "influence consumers to do business with a specific firm." Such statements constitute, of course, "approving or recommending" a specific firm's products and services. Whether this reluctance to acknowledge substantial influence over the purchasing decisions of consumers relates to the Bureau's desire to maintain the fiction of "consumer sovereignty" in the marketplace; or whether it relates to their desire to disclaim responsibility for incomplete or inaccurate information is a matter of speculation.

There is far less of a consensus among local Bureaus as to whether and how a BBB membership should be used by subscribers. A majority of local Bureaus allegedly subscribe to the proposition that "reference to membership in the Bureau may not be used in advertising, sales promotion literature, letterheads, etc. or in oral sales presentations." [31]

A rapidly growing minority of local Bureaus have discarded that doctrine. For example, on February 17, 1971, the Chicago/BBB placed a full page advertisement in the *Chicago Daily News* captioned "BBB/Chicago Salutes Its Business Members." The boldface paragraph under the caption recites BBB's dependence upon the financial support and personal involvement of the 1,700 members of the Chicago Bureau, all of whom are listed in the advertisement.

The June 1970 "Report of the Better Business Bureau of Baltimore," states: "The tens of thousands of Baltimore consumers who call the BBB for reports on stores and companies they are thinking about buying from, will now be told the company is a member of BBB. This new policy of 'verbal membership identification' by the BBB's Consumer Information Service will give the prospective customer one more piece of information to use in making the decision of buying or not buying."

The Akron, Ohio Better Business Bureau recently published for consumer use a "BBB Roster and Buying Guide." In its covering letter to consumers, the Chairman of the Bureau said: "We trustees of the Better Business Bureau regard the publication of this consumers' guide as a positive stem to reduce the anonymity of BBB members to give, instead, constructive visibility to those companies that support the Bureau, making its services available without cost to people in all the cities and communities throughout the greater Akron market area." The 41 page Guide, incidentally, contains large ads taken out by BBB subscribers.

In its March 1971 edition "Facts," the Cleveland BBB states that a frequent query of consumers is ". . . how do I know if a merchant is ethical? Our reply—investigate before you invest and *look for the BBB membership plaque—the sign of good business.* [emphasis ours].

An interesting illustration of the value one businessman placed on exploiting a BBB membership, was provided by a senior law student at the University of Washington,[32] who works with the Washington, State Committee on Consumer Interests:

"In one case a direct selling company, upon becoming a member of the BBB, had the BBB's welcoming letter printed up and distributed to all 900 salesmen for inclusion in the firm's sales kit.[33] At the same time the firm sent out a list of members on its 'Advisory Board.' One of the most prominent members of the 'Advisory Board' was none other than the general manager of the BBB. In a letter to the President of the BBB, in early February, these facts were carefully pointed out along with the fact that the combination of these two promotional pieces could be construed as an endorsement of the firm, which clearly conflicted with the long-standing policy of the BBB to avoid endorsement of any firm or service. The letter also brought to light the fact that the firm appeared to be engaging in some very questionable sales techniques. The letter was never acknowledged. The general manager [of the local BBB] had been informed about the firm, its sales techniques, and the two promotional pieces as early as the previous November, but the general manager did not want to cause a lot of trouble for the firm because he considered the president of the firm a close personal friend and felt that the man knew what he was doing. It was not until the next May, when the National BBB found out about the use of the BBB welcoming letter, that any affirmative action was taken. The result was that the firm was required to have its salesmen remove the BBB letter from their sales kit."

Thus, while general BBB policy prohibits the exploitation of membership (one member company had its subscription terminated by the New York BBB because of "unauthorized use of the Better Business Bureau's name"), the publication and commercial use of BBB memberships is common.

Organizational structure of the Council of Better Business Bureaus

The Council of Better Business Bureaus, Inc. is a nonprofit corporation supported by annual dues from its 150 Better Business Bureau members in the United States and Canada, 1,000 national companies, approximately 800 Chambers of Commerce and a number of trade organizations.

The new Council functions both as a national Better Business Bureau administering broad consumer education programs, developing trade practice codes for national firms, reviewing national advertising in all media, maintaining information on national selling practices, working closely with government agencies. It also serves as a clearing house and service organization for local Better Business Bureaus.

The Council of Better Business Bureaus is presently engaged in five major projects:

1. *Improved services to local Better Business Bureaus.*—The Council has announced its intention to "not only improve telephone service, but to coordinate and standardize Bureau operations, expand existing offices and create new Bureaus where needed." Presently, the Better Business Bureau movement operates with a budget of between $9 and $9½ million a year.[34] Of that total, approximately $1.3 million is collected from national sources while approximately $8.2 million is contributed by local businesses. As a consequence, the local Bureaus are relatively autonomous entities although under the new arrangement "some of their activities will receive direction from the national level." [35] In December 1970, the Council announced a fund raising effort which would bring its operating budget to $24 million by 1973. This increased budget will be used to expand consumer education programs, create a national consumer data computer bank, fund a national advertising review board, establish a network of consumer arbitration panels, and modernize local Better Business Bureau phone systems.

2. *Consumer arbitration panels.*—A network of consumer arbitration panels is being established to resolve voluntarily disputes between consumers and business

3. *National Consumer Information Data Bank.*—According to the Council, the need has existed for centralized, nationwide information on consumer attitudes and responses, sales promotion and advertising practices, and product service and performance. Without such a data bank, the Council maintains, the local Better Business Bureaus have limited data on products and companies that operate on a broad national basis or whose dealings with the public originate at considerable distances from a given locality.

4. *Consumer education.*—The Council states that it intends to help consumers become informed, believing that the best protected consumer is an informed consumer. Consumer education materials are being prepared. Printed and audio-visual materials will be developed for use in classrooms, mobile units and other forums.

5. *Voluntary self-regulation of national advertising.*—A 50 member National Advertising Review Board was established in October 1971 to "sustain high standards of truth in national advertising through independent review of cases referred to it by the National Advertising Division (NAD) of the Council of Better Business Bureaus. The NAD evaluates, investigates, analyses and holds initial negotiations with the advertiser on complaints received from any source that involve the truth or accuracy of national advertising. Cases that cannot be resolved satisfactorily by mutual agreement are then forwarded to the NARB. The Chairman appoints a panel of 5 board members to consider each case. If they resolve the matter, the complainant is notified and the case is closed. If they are unable to resolve the complaint, the matter is publicized and results of the judgment turned over to the proper government agency." [36]

Each local Better Business Bureau is autonomous, but all exchange information and cooperate with one another and with the Council.[37] The overwhelming majority of local Bureaus are independent entities supported by dues from member business firms. But in a few instances, such as the Portland, Oregon Better Business Bureau, they operate as divisions of the local Chambers of Commerce. It has been estimated that the national network of Better Business Bureaus includes a membership of more than 150 thousand business firms.

VII. EFFECTIVENESS OF BBB SERVICES TO CONSUMERS

Conflict-of-interest between BBB's responsibilities to consumers and to its member firms

Expulsion of Member Firms

In 1970, ten local BBBs with a combined membership of 17,083 business firms expelled a total of 29 of those firms (one-tenth of one percent) for anti-consumer practices. While it is not easy to draw any firm conclusions from this figure, we do know that approximately 1% of Bureau members in the Washington, D.C. area have been discovered by the Federal Trade Commission to be engaging in deceptive acts and practices; and that 3% of the the members of the Chicago BBB have been subject to FTC action of one type or another. Accordingly, it is possible to conclude that the exceedingly low rate of expulsions has more to do with the BBB's "tunnel-vision" regarding its members, than with the actual integrity of those firms.[38]

Of the sixteen local Better Business Bureaus which responded to a questionnaire from Congressman Rosenthal on this issue, six reported that they had expelled no firms; two, reported that they had expelled one firm; one had expelled two firms; one had expelled four firms; two had expelled six firms; one had expelled seven firms; and three reported expelled nine local firms.

PARTIAL LIST OF BBB MEMBER FIRMS EXPELLED

Name of bureau	Number of member firms	Number expelled
New York	7,200	7
Omaha, Nebr	900	1
Akron, Ohio	1,000	9
Baltimore	2,000	0
Washington, D.C	1,000	0
Philadelphia	2,500	9
Guilford	400	2
Salt Lake City	430	1
Lincoln, Nebr	383	0
Birmingham, Ala	1,270	0

Footnotes at end of article.

The Rochester, N.Y. *Democrat and Chronicle* also disclosed that the Rochester BBB had never expelled any firms from its roster. The manager of the Rochester Bureau acknowledged that "the Rochester BBB is one that hasn't expelled any disreputable members", but claimed that this is because "expulsion is a complicated and time-consuming process that isn't worth the trouble." [39]

Financial support mutes BBB criticism of firms

Because all Better Business Bureaus depend upon local business firms for their financial support and commercial viability, their public criticisms of local business activities must be, at best, discrete and, at worse, deceptive.

A good case in point was provided by the "HELP for the Consumer," a feature of the Rochester, New York *Democrat and Chronicle*: [40] A survey by the paper showed that the Rochester Better Business Bureau had named only one Rochester firm as committing anti-consumer practices in all of its press releases during the years 1968 through 1970. That particular firm had been soliciting orders from businesses, not from consumers. Three other companies had been cited in BBB press releases during that same period, but none had headquarters in Rochester and none belonged to the Rochester BBB.[41]

One local Better Business Bureau executive director [42] accurately summed up the BBB's philosophy: "Although we are consumer-minded, we are business-directed too." In discussing his Bureau's pitch to prospective members, the Director stated that they explain to businessmen that membership "will enable businesses to complain against other businesses in a less formal atmosphere."

The executive director evidenced the inherent conflict-of-interest in Bureau operations when he said: "We work primarily behind the scenes. We are reluctant to try our cases in the newspapers since everyone in that type business suffers if you expose one. Rather than kill the man's business you try to work quickly and effectively behind the scenes."

Another Bureau expressed its sense of mission, as follows: "Our primary job is to work with business *as its agency*, interpreting public reaction to business practices as it comes to us through public inquiry, complaint, and our investigations." [emphasis ours] [43]

The incredible difficulty of serving two masters is amply illustrated by the attitudes of many BBBs toward consumer complaints. A senior law student at the University of Washington who works with the Washington Committee on Consumer Interests reported on the results of an interview with the manager, Commercial and Financial Division of the Los Angeles BBB. The manager "felt that most consumer complaints were not well-founded and admitted a reluctance to forward them to the Attorney General's office. She felt that the time that would be spent on them would merely be a waste of tax dollars. Her view was that they were trumped up or largely imagined by consumers who read unfounded articles about consumer fraud in the newspaper." [44]

The Des Moines, Iowa BBB, in a letter to its members regarding 1971 dues, stated: "Never in history has business been under attack as it is today. Not only is consumerism very real but, it will be with us for a long time. Never has there been a time when ethical business needed an *independent voice*—locally and nationally—more than it does now!" [emphasis ours]

The Arizona BBB "Bulletin" for August 1970 warned its members that "the BBB/Arizona will undoubtedly receive a deluge of complaints about dry cleaners—most of them unjustified."

Footnotes at end of article.

Two case histories

A couple of case histories are in order. The Neighborhood Legal Services Association of Pittsburgh, Pennsylvania, alleged to Congressman Rosenthal that the American Carpet Company there had, for quite some time, been engaging in classic "bait and switch" advertising. "Despite this, the Better Business Bureau told a member of the Alliance for Consumer Protection that no action could be taken against them and that while some complaints had been filed, they had all been satisfactorily resolved. Subsequently, the Commonwealth's Bureau of Consumer Protection obtained an injunction against American Carpet Company and the Alliance was successful in having money returned to the consumers that had filed complaints.[45]

The Legal Aid Society of Cleveland reported that notwithstanding the fact that "our consumer problem caseload must be about 40% used car problems, a BBB official once told me that he thought there must be few used car problems in Cleveland because they got no complaints." [46]

The New Orleans regional office of the Federal Trade Commission provided some useful insight into how Better Business Bureau employees are sometimes caught in the middle of the conflicts-of-interest situation faced by all Bureaus: "Bureaus are only as good as their managers and Board. At times you will have a strong manager, and if he does too thorough a job, the Board will fire him with very little notice. A case in point was what recently happened to the Manager of the Little Rock, Arkansas Bureau. This is a statewide Bureau formerly managed by [Mr. X].[47] In unconfirmed reports, [Mr. X] started to write about three land developers (Hot Springs Village owned by John A. Cooper company; Foxcroft owned by the Bailey Corporation and Bill Rector and Associates) and one major department Store (Sears, Roebuck & Company). Hot Springs Village was producing many complaints as was another company owned by the same corporation, namely, Bella Vista Village. [Mr. X] prepared a report on Hot Springs. Foxcroft was advertising on TV and billboards: Two weeks in Europe for two. He [Mr. X] learned that they were only giving $568 credit on the purchase of a lot, and from a travel agency he learned that this type of trip would cost at least $1800.

"For Sears, they were running a bait and switch ad. This was developed after [Mr. X] had three of his girls shop at Sears.

"What [Mr. X] learned about too late was that his Board had five out of ten members that were land developers and that the local Sears representative was a past president of the Board. He got fired.

"When other managers see this, they then realize the facts of life and are more careful. The manager only serves at the pleasure of the Board and the Board can fire the manager with a statement that 'they no longer feel that his judgments can be relied upon.' The National Council of BBB does not have any control over what a particular Board does." [48]

Views of FTC regional offices

The BBB's reluctance to provide hard-hitting information damaging to local business firms has been noted by various regional offices of the Federal Trade Commission. The acting regional director of the Kansas City Regional Office of the Federal Trade Commission reported that some Bureaus are "a little loath to get tough with their own members. The members' contributions, of course, are the major source of BBB income, if not the only source. Sometimes the BBBs have issued good reports (to consumers) on companies based on little more than the verbal assurance that such companies would operate legally and would adjust complaints. Sometimes these BBBs have been slow to change their reports, even though many complaints were received in the interim." [49]

The Director of the Washington, D.C. Regional Office of the FTC stated that "even though they (the Washington, D.C. BBB) are fully cooperative in furnishing complaint data on established firms, we have noticed that their evaluation of established firms is apt to be more favorable—than their own files will sometimes justify." [50] The Acting Director of the Los Angeles Regional office of the Federal Trade Commission stated, as to Bureau reports, that "the response at times is guarded and somewhat reluctant if one of their major members is involved." [51]

BBBs legal relationship with its subscribers

While much of the Better Business Bureaus' paralysis in taking action against unscrupulous firms can be traced to its financial support, another reason is the BBBs' inviolate policy of refusing to take legal action against any firm. Whether Bureaus presently have legal standing to go to court against member firms is not settled. But the BBB can refer unlawful business practices to federal, state, or local law enforcement authorities. Moreover, it may be that when an applicant signs his "sustaining membership application" (which provides for legal "consideration" from both Bureau and subscriber and which requires adherance to specified business standards), a contract is executed which would give the Bureau "standing" to sue a member in court for breach of contract.

In sum, the Bureaus can be severely faulted for not taking more vigorous action against unscrupulous merchants. We join in the conclusion of the Legal Aid Society of Metropolitan Denver that "because of its reliance on the support of business itself, the BBB is probably inherently incapable of pressing for the kinds of sweeping changes which many consumer advocates feel are necessary." [52]

BBB treatment of members vs. non-member firms

Although vehemently denied by BBB officials, most organizations and persons who have intimate knowledge of Bureau operations maintain that BBB reports tend to ignore the shortcomings of member firms and are most critical of non-member firms: The Acting Director of the Los Angeles Regional Office of the Federal Trade Commission reported that "the BBBs are generally more critical of non-members than they are of members. The Better Business Bureaus will provide information to the Federal Trade Commission concerning complaints they have received against members and non-members. However, the response at times is guarded and somewhat reluctant if one of their major members is involved.[53]

The Regional Director of the Cleveland Federal Trade Commission stated that the BBB's "prime concern appears to be to protect the reputations of its members; secondarily, to help the general public." [54]

The Kansas City Regional Office of the Federal Trade Commission concluded that some Bureaus "are a little loath to get tough with their own members. The members' contributions, of course, are the major source of BBB income, if not the only source." [55]

The FTC's San Francisco Regional Office stated that "we have encountered incidents where BBB members have continued to retain their membership and to receive favorable approval reports when there have been good reasons for withdrawing the membership, or more seriously questioning the approval of such members' business practices in response to inquiries." [56]

Three other Federal Trade Commission Regional Offices stated the view that Better Business Bureaus invariably direct their regulatory efforts at recently established and smaller firms; being more tolerant of activities on the part of established organizations in the community.[57]

In response to a request for information from Bureaus on the numbers and types of

actions taken against businesses in their areas, the Better Business Bureau of Omaha, Nebraska stated that they had referred six cases to federal law enforcement authorities, four to the local county attorney and had corrected misleading advertising in nine instances. The Omaha Bureau went onto state that *"no members were involved in such actions."* [emphasis ours]

Many consumer organizations surveyed throuhgout the country stated a view on this subject similar to that expressed by the Connecticut Consumer Association: "It is the writer's opinion that Bridgeport follows the same general attitudes of the other BBBs in Connecticut concerning consumer complaints: Go after the non-members, keep the members honest if possible, but happy (and dues paying at all costs).[58]

To illustrate the kind of pressure that large BBB contributors can bring to bear on Bureau operations, an official of the Federal Trade Commission in Washington related an incident occurring several years ago in Washington, D.C. A local department store, a major contributor to the BBB, began advertising comparative prices of diamonds. Because this practice violated BBB policy, the local BBB director reported the practice to the Federal Trade Commission. At the next BBB Board of Directors meeting, the representative of that company criticized the bureaus referral of the matter to the FTC and stated that the industry should keep its squabbles out of the public sphere. The matter was dropped.

With very few exceptions, most local Bureaus will tell inquiring consumers whether or not a firm asked about is a member of the BBB.[59]

In Los Angeles, the Better Business Bureau's files on firms state whether the firm is or is not a member. The files of most BBBs contain this kind of information to that Bureau employees reporting on a request for information know immediately whether or not the firm is a member.

While it is difficult to prove definitively that BBBs favor member over non-member firms in their reports to consumers, it is clearly the view of those persons and organizations who know Bureau operations best, that they do so. This bias in favor of member firms was indicated, as well, in telephone surveys to the Chicago and Washington, D.C. BBBs conducted by the office of Congressman Rosenthal.

VIII. QUALITY OF BBB REPORTS TO CONSUMERS ON THE INTEGRITY AND RELIABILITY OF FIRMS

One of the Better Business Bureaus' most *potentially* useful services, is their telephone reports on a firm's reliability and integrity. Notwithstanding the great need for such information, no governmental unit or private organization now performs such a service on a continuing and systematic basis. If the BBB is to live up to its enormous potential, it must perform this service with total objectivity and accuracy. Unfortunately for America's 210 million consumers, this is not presently the case.

Importance and nature of service

The Better Business Bureau of Rocky Mountain (Denver), explained the importance of the reporting service as follows: "The inquiry service or requests for reports, representing 80% total BBB case load, is the most important service as it (1) tends to prevent consumers from getting into a complaint situation; (2) provides information/education to consumers at times of need; (3) tends to deter expansion of gyp and fast buck operations by drying up their market."[60] This view of the importance of reports is shared by all other Bureaus.

In response to a request for views on the nature of the information provided consumers, most Bureaus stated that their reports to consumers are mostly by telephone; that they usually include the name of the firm, length of time in business, nature of the business, name of the principal officer, length of time known to the BBB, complaint record with the Bureau and specific information regarding the types of problems the firms may have. Most Bureaus record what they believe to be relevant information on index cards. This card frequently contains short phrases to be used by Bureau operators to indicate the performance of the firm inquired about. Telephone reports by Bureaus are typically brief (under 15 seconds). Bureau operators generally will not go beyond standard reference phrases—but some will attempt to expand on or sum up information if pressed by the consumer. Both the Council of Better Business Bureaus and local Bureaus do furnish consumers with detailed written reports on firms about which there have been numerous inquiries or problems.

It is a major conclusion of this study, that the quality of information on firms communicated by BBB to consumers, is extremely poor. With a few modest exceptions, it is misleading, inaccurate and incomplete. Although *written* BBB reports frequently contain accurate and useful information, telephone inquiries represent by far the overwhelming majority of consumer contacts and it is here that the quality of BBB reports is the weakest.

Consumer dissatisfaction with BBB reports

That the most sophisticated and active consumers are totally dissatisfied with the quality of reports on firms issued by Bureaus is evidenced by the fact that of the 22 private consumer organizations questioned, 15 responded that these reports contained no useful details at all;[61] four stated that Bureau-furnished information was fairly detailed;[62] and only three reported that BBB information is very detailed.[63]

Reasons for low quality of reports

There are five basic reasons why Bureau telephone reports are of such low-quality:

(1) BBB telephone reports almost never contain information reflecting actions taken by federal, state and local law enforcement agencies (all a matter of public record) against firms for consumer abuses. Because actions by law enforcement agencies are only initiated against the most serious abuses and on the basis of substantial evidence, it is imperative that this type of information be made available to those inquiring about firms;

(2) Many BBB's place an unrealistic and inflated stress on whether firms against which complaints are made, "cooperate with the Bureau"; rather than on the nature of the complaints themselves. As a general matter, it is the conclusion of this study, that a firm which has many complaints against it, but which resolves those complaints to the satisfaction of the Bureau will receive a better rating than firms which have few complaints, but which do not deal with the Bureau on those complaints. We shall see later that complaints resolved to the satisfaction of the BBB are not always resolved to the satisfaction of the complainant;

(3) Even if the quality of information in the Bureau's file is good, the quality is often lost due to the time limitations and work pressures on Bureau operators. Most important in this regard is that Bureau operators are frequently called upon to summarize or characterize voluminous information in a file. This forces the operator to make a subjective determination on the meaning of the totality of information in a file;[64]

(4) It is well known within Bureau circles, that both members and non members call BBB's anonymously and request reputation reports on their firms;

(5) The Executive Director of one Bureau acknowledged "Some few [reports] are not as strong as they should be, *because of treading on libel ground.*"[65] [emphasis ours].

The fear of libel and slander actions against the Bureau is of real concern to them—but it probably is not a very realistic one, as we shall see later.

Over-emphasis on complaint handling and cooperation with the bureau

When queried on how they measure "reliability" many Bureaus emphasized the importance of how a firm responds to complaints and whether it "cooperates with the Bureau." Typical in this regard was the response of the Omaha Better Business Bureau: "The 'cue' to the public, and experience has dictated this to be true, is whether a company has any complaints and how they have handled the complaints." The BBB of Metropolitan Washington stated that unless the consumer presses for more detailed information, "we normally advise whether the firm has cooperated with the BBB or not." The Austin, Texas BBB indicated that their negative reports usually flow from situations in which the "firm does not respond to this Bureau's request for information or the firms file indicates complaints not answered." The Mississippi Bureau responded that they simply tell consumers the facts about a firm, "as to how long they have been in business, whether or not we have had any complaints, if so, how they were handled as indicated by our files." The Lincoln, Nebraska BBB stated similarly that "we are usually able to advise consumers . . . whether complaints have been received, and if the firm is cooperative in adjusting or replying to complaints."

The Bureau's over-emphasis on complaint handling and cooperation is well known to private consumer groups and to Federal Trade Commission regional offices. Also well-known is the lack of attention to detail. The Washington State Committee on Consumer Interests reports that "the local BBB prefers to provide information over the telephone rather than send out written reports. A report will merely state whether there were any complaints received and if the complaints were satisfactorily resolved. The nature of the complaints usually is not revealed so that it is difficult to judge the seriousness of the complaints." The Kansas City regional office of the Federal Trade Commission stated that "Sometimes the BBB's have issued good reports on companies based cn little more than the verbal assurance that such companies would operate legally and would adjust complaints."

Even BBB files turned over to an agency such as the Federal Trade Commission have been declared on occasion to be "somewhat sketchy".[66]

Our study indicates that while the overall quality of BBB reports are poor there is a great deal of unevenness at different Bureaus with respect to such reports. Commercial activities which may cause 1 Bureau to report adversly on a firm may be totally acceptable to another Bureau. For example, the BBB of Akron, Ohio will report to a telephoning consumer that "no problems of any consequence have been brought to our attention; no reason to question", when they have received complaints on a firm which they judge to be "unjustified or *controversial.*" [emphasis ours]. A different Bureau might report adversly on a firm which has built up large numbers of "controversial" complaints.

The difficulties that inaccurate or incomplete reporting cause to consumers was well stated by the Neighborhood Legal Services Association of Pittsburgh, Pennsylvania:

"Although the local BBB provides consumers with reports on the reliability and/or integrity of merchants, these reports are very general, inadequate, and are lacking in most essential details. The only information normally given, at least over the phone is whether nor not complaints have been filed. For instance, I called once to find out about a merchant whose practices were challenged by

Footnotes at end of article.

one of my clients. To my dismay, the answers I received from the BBB were extremely evasive and I could not even discover exactly how many complaints had been filed against this particular merchant. Even more importantly, I was unable to learn the precise nature of the complaints filed, so that I was unable to determine whether or not a pattern and practice of fraud and deception was being carried out by this company. In other cases with which I am familiar, this evasiveness has amounted to out-right non-disclosure by the local BBB. When one of my clients called to inquire about the reputability of Modern Construction Company, he was told that the company is extremely reputable and only minor complaints have been filed against them. As it turned out, we have subsequently filed some 35 to 45 complaints alleging a pattern and practice of fraud and deception in various construction contracts. Thus, the reluctance of the Better Business Bureau to provide the consumer with adequately detailed information often works to the consumer's detriment and is normally no guidance whatsoever for effective consumer protection. Moreover, the consumer is rarely told of how the complaints have been resolved, and are never given the details of any settlements or whether or not the consumer was satisfied. Instead, evasive answers concerning the merchants general reputation are given, along with the statement that yes, all of these complaints have been satisfactorily resolved. Again, the consumer is provided no information by which he can make an informed judgment concerning reputation, practices, and past consumer experiences of the particular company." [67]

Libel and slander concerns

There are no figures available as to the number of law suits filed against either the Council of Better Business Bureaus, or local Bureaus over the accuracy of information they publish on business firms. While this report is concerned exclusively with the effect of BBB operations on the consumer; it is a fact that the publication or communication of information about the reliability and integrity of firms is of great concern to and can effect the reputation of business as well.

There is no evidence that the threat of lawsuits has inhibited the determination of the Council and local Bureaus to report on the reliability of producers throughout the country—although it has been reported that the Council of BBB's recently secured a $5 million insurance policy against libel.

Although the law is not well settled as to the liability of Bureaus for publishing inaccurate information, a recent decision by the Appellate Division of the Supreme Court of New York would appear to make it very difficult for a firm to get a successful judgment against the Bureau for libel and slander—at least in that jurisdiction. The unanimous opinion reversed on the law and facts the grant of a preliminary injunction against dissemination of a Council of Better Business Bureau publication on Trim-A-Way Figure Contouring Ltd. The Court's opinion stated that publication of the CBBB "bulletin" may well fall within the ambit of the constitutional protection enunciated in *New York Times Company* vs. *Sullivan* and that its publication was qualifiedly privileged.

The facts of the case are as follows: following publication of a Council report critical of Trim-A-Way's advertising claims, a suit was filed on September 24, 1970 alleging libel and slander and seeking a permanent injunction and damages. In vacating the injunction and dismissing Trim-A-Way's complaint, the Supreme Court stated that "the publication being presumptively privileged, when challenged by defendent's motion for summary judgment, plaintiff was required to come forward with evidentiary facts from which it might be found that the publication was not only false, but actuated by express malice or actual ill-will. (Shapiro supra, page 61; Indig v. Finkelstein, 29 A.D. 2d 851, affd. 23 N.Y. 2d 728)."

Accordingly, this court established a precedent that in bringing a libel and slander action against a Better Business Bureau, a plaintiff will be required to plead and prove not only that the publication was false, but that it was actuated by express malice or actual ill-will. The court also established the requirement of pleading and providing special damages.

The Corporate Secretary and Corporate Counsel of the Council of Better Business Bureaus stated that "this requirement, as a necessary ingredient in a suit against a Bureau publication condemning a Company's services places a very heavy and difficult burden on the plantiff diminishing the likelihood of success. We believe that this opinion represents a major step toward the establishment of judicial precedents outlining the area of Bureau operations. It should prove a valuable guide to Bureau executives and their counsel." [68]

In November 1971, efforts by Holiday Magic Inc., a California-based cosmetic firm, to suppress a public report from the Council of Better Business Bureaus, Inc., on chain distribution schemes were denied in Federal District Court by Judge William Bryant. A temporary restraining order was denied Holiday Magic and its co-plaintiff, the International Association of Multi-Level Distributors, Inc.

It is a conclusion of this report that the Council of Better Business Bureaus and local Bureaus should receive the widest grant of immunity from libel and slander actions and protection against prior restraint, permissible under Federal and State law. This conclusion is dictated by the belief that BBB reports can be dramatically upgraded and have the potential for providing consumers with an invaluable source of information which they are unlikely to obtain from other sources.

Survey of BBB reporting practices

In order to test the accuracy and quality of BBB reports on firms, telephone calls were made to local BBB offices in various cities requesting information on firms against which official disciplinary actions had been taken by federal, state, and local law enforcement authorities for consumer-related violations.

Footnotes at end of article.

Firm	Attempts to reach BBB	Location of BBB	BBB report to consumers	Nature of action against firm
Holiday Health Spa, Washington, D.C.	4	Washington, D.C.	A few complaints; always adjusted any complaints	FTC formal complaint charging false and deceptive advertising and promotions; Consent decree Jan. 19, 1971.
Arthur Murray Dance Studio, Washington, D.C.	2	do	No complaints for past 3 years	FTC cease and desist order: false contests, use of intense, emotional, unrelenting sales pressure to generate signing of contracts (Feb. 23, 1971).
Sidilis R. V., Washington, D.C.	5	do	No complaints since 1968	FTC cease and desist order: False sales, false advertising (Jan. 13, 1971).
Hoffman Upholsterers and Interior Decorators, Washington, D.C.	4	do	They cooperate with the BBB	FTC cease and desist order: false sales offers, bait and switch, insufficient quantities of sale items (Dec. 8, 1969).
Accredited Surgical Pharmacy, Silver Spring, Md.	3	do	No reports, no complaints	District of Columbia Government Health Services Administration violations (1969 and 1970).
Atlantic Van Lines, Washington, D.C.	2	do	OK	Two men plead guilty to a portion of a multicount indictment and were given prison terms: low-balling and holding furniture for an inflated fee.
New York Jewelry Co. Washington, D.C.	2	do	OK	FTC cease and desist order affirmed on appeal to U.S. Court of Appeals for the District of Columbia: "false sales, deceptive representations regarding easy credit." (Dec. 2, 1968).
New Beacon Pharmacy, Washington, D.C.	3	do	No reports, no complaints	District of Columbia Government, Health Services Administration violations (May 27 1970).
Murray's Meats, 1309 5th St. NE., Washington, D.C.	4	do	No adverse complaints, but call District of Columbia Bureau of Licenses and Permits.	District of Columbia Health Service Administration: "excessive fat in ground beef" (Sept. 10, 1970 to May 26, 1971).
Kensington Floor & Tile Co., Kensington, Md.	3	Washington, D.C.	No complaints; no other information	Maryland State's attorney office: Cease-and-desist order for referral selling scheme outlawed in the State of Maryland.
New Hamshire-Chillum Pharmacy, Washington, D.C.	3	do	No complaints	District of Columbia Government Health Services Administration violations (Sept. 24, 1970).
Dowd's Appliances, Washington, D.C. (now out of business).	3	do	No complaints since 1969	FTC cease-and-d esist order, false sales, inadequate quantities of sale merchand se, sale of "old model" items. (Mar 11, 1970.)
Carpet Specialists, Bethesda, Md.	3	do	No complaints, no adverse information to report	FTC cease-and-desist order: "Bait and switch, false sales, misleading promotions." (Sept. 23, 1970.)
Curtis Bros. Furniture, Washington, D.C.	3	do	Complaints, yes, which have been adjusted	FTC cease-and-desist order: violation of Truth-in-Lending Act (Sept. 23, 1970); Mary and State's attorney office: Cease-and-desist order—false sales.
D.C. Van Lines, Washngton, D.C.	3	do	Very few complaints and they were satisfactorily settled. Don't have to be afraid to do business with them	Operator convicted of all counts of multi-indictment: low balling, holding furniture hostage.
Dukeland Packing Co., Baltimore, Md.	2	Baltimore, Md.	No complaints	U.S. Attorney's Office indictment returned against this meat packing firm for using phony USDA meat inspection seals and for mislabeling.
Cameo World Photographers, Towson, Md.	1	do	Attorney General of Maryland filed suit against this firm for failure of their contracts to comply with Maryland standard; some delay in delivery.	States Attorney's Office secured a $32,000 refund to customers for failure to disclose the 3 day cooling off period under Marylan contract law.
L & M Appliances, Dundalk, Md.	2	do	Many complaints; not recommended	State's Attorney's Office secured a court order for failure to honor warranty; also for misrepresentation.

Firm	Attempts to reach BBB	Location of BBB	BBB report to consumers	Nature of action against firm
Hillside Plymouth, Delaware County (Philadelphia, Pa.)	3	Philadelphia, Pa.	No inquiries, no complaints	Consumer's Education and Protective Association, Philadelphia, Pa., numerous complaints and lawsuits.
Crisconi Oldsmobile, Philadelphia, Pa.	1	do	A few complaints but always adjusted, some complaints unwarranted.	Suit filed by Pennsylvania State Department of Justice, Bureau of Consumer Protection, charging odometer tampering.
The Singles Club, Philadelphia, Pa.	2	do	Pressured persons into signing dance contract	State of Pennsylvania Bureau of Consumer Protection, preliminary injunction secured.
D. W. Erickson Hair and Scalp Consultants, Chicago, Ill.	2	Chicago, Ill.	Have been in business since 1953; no complaints	FTC cease-and-desist order.
Commercial Trade Institute, Chicago, Ill.	2	do	Founded in 1942; approved for veteran; a few minor complaints that have been satisfied.	Do.
Marks Bros. Jewelers	2	do	Two complaints regarding prices	Do.
Patricia Stevens, Chicago, Ill.	2	do	A few complaints that have been adjusted	Do.

IX. EFFECTIVENESS OF BBB AT RESOLVING COMPLAINTS AND SETTLING DISPUTES BETWEEN BUYERS AND SELLERS

Along with providing consumers information on local firms, assistance in the settlement or adjustment of complaints by buyers against sellers is one of the BBB's most important services. The overwhelming majority of consumer grievances regarding products and services involve dollar amounts too small to litigate. As a consequence, the willingness and ability of a third party (ideally, an objective third party) to mediate disputes is of vital importance to the nation's consuming public.

Complaint workload of bureau

Complaints from consumers generally comprise approximately 15% of a local Bureau's entire work load.[69] All Bureaus allege a high "success rate" for their consumer complaint service.

One Bureau describes its complaint service as follows:

"Each complaint received by the Bureau describes a situation wherein a consumer feels he has been treated wrongly or unfairly and turns to the Bureau for the opportunity to air his grievance and seek redress. Complaints are screened. Exluded are those about the prices charged for merchandise or services, or about the fit, wearability, or durability of merchandise, or inefficient operation of various appliances in the absence or expiration of a written guarantee—or matters in the hands of an attorney, before any courts, or previously adjudicated.

On specifically designed forms,[70] the complaint states the facts of his case and the settlement which he believes would be fair. These forms then go to the company involved for its statements on the matter. Bureau executives give a very high priority to the task of keeping on top of these situations. Exactly what does the Bureau accomplish as a result of the time, trouble and expense involved in handling its complaint procedures? There are three major attainments: The Bureau is able to identify those firms (or areas of business) whose advertising and selling practices are causing justifiable public criticism; and, thus, to take corrective action. Consumers find in the Bureau the clearing house through which their complaints come to the direct attention of business management; Businessmen find in the Bureau an agency through which they prove in deeds the probity and integrity of the vast majority of enterprises in the greater Akron area." [71]

Any analysis of the BBB's complaint handling service must take account of three factors: (1) The actual effectiveness of Bureau procedures for adjusting complaints; (2) the validity of Bureau claims for an extremely high success rate; and (3) the effect on consumers of utilizing the BBB's complaint handling mechanism.

Restrictions on complaint handling capabilities

It is undoubtedly true that the BBB does succeed in adjusting many complaints when those complaints involve larger firms and when they are free of controversy. However, the Bureau's record of success fades badly when smaller firms are involved or when controversy creeps into the dispute action.

It is almost always true that when a firm contests a consumer's claim (either because of a dispute over the facts or because the firm does not believe itself responsible), the BBB quickly steps out of the picture. This study disclosed no instances (although there may well be a few) where a local Bureau had aggressively prodded a firm to adjust a controversial claim after the firm had initially refused to do so. Bureau's will urge a firm to respond to its initial "Customer Experience Record" inquiry; but invariably they will not contest a firm's decision not to adjust a complaint. One Bureau official acknowledged that "there is not aggressive soliciting of replies from businesses and that is the reason for the insistence that the complaint form be used—so as not to antagonize the companies who are members." [72] Another Bureau official indicated that their complaint handling procedure was primarily directed at "cooling down consumer's tempers."

When a firm declines to adjust a complaint, the Bureau will send the complainant a form letter which typically reads as follows:

"Per the enclosed copy of correspondence received from the captioned firm, this has obviously become a *controversial matter*. As you may know, the Better Business Bureau is a public service organization voluntarily maintained by hundreds of business firms to foster accurate advertising, informative selling, and fair competition; And at the same time, to protect both business and public against unfair and fraudulent practices. Firms interested in customer good will usually give prompt attention to complaints forwarded by the BBB, and do everything within reason to satisfy them. The Bureau fights fraud and customer abuse with facts. It has no way of forcing any firm to make an adjustment and consequently, can be of no further assistance to you in this instance. If you seek further assistance in this matter, we suggst you consult legal counsel." [73] [emphasis added].

Bureaus do inform complainants whose disputes remain unadjusted that "the record of your experience is now included in our files and the firm's response will be reflected in our reports to others who may inquire about the firm before doing business with it."

A number of consumer organizations responding to Congressman Rosenthal's questionaire about their dealings with the Better Business Bureau, reported that unresolved complaints failed to show up at a later date when inquiries were made by telephone regarding a firm's reliability and integrity.[74]

In adidtion to the conflict-of-interest inherent in BBB operations, there are two basic reasons why Bureau's lack aggressiveness in pursuing settlements of consumer complaints: The first is that Bureaus almost invariably accept the firm's word as to the validity of the dispute; the second is that Bureaus refuse to participate in matters where a firm may have violated the law.

The Legal Services Organization of Indianapolis provided an excellent example of the latter reason:

"In the sample case enclosed, the complaining party purchased an automobile pursuant to a contract (exhibit B attached hereto and incorporated by reference). Upon examination of the contract, you will notice at least 8 Truth-In-Lending violations and 8 Indiana Retail Sales Installment Act violations. It is obvious that the BBB did not make a thorough investigation into the legal subject matter which is typical of their operations. It is also apparent that the BBB ignored all the statutory violations which appeared on the face of the contract. This experience, unfortunately, is typical of the disregard of consumer rights entertained [sic] by the BBB." [75]

The Western Idaho Legal Aid Group cited another example of how the local BBB refused to pursue a complaint against a service station because of its legal implications. The station was subsequently declared by a court to have violated consumer laws.

Unfortunately, most consumers who fail to get satisfaction from the BBB complaint handling procedures, do not further pursue available legal remedies: "Indeed, the submission by the consumer of his complaint to the BBB often serves to imply a definitive adjudication of the matter—invariably against the consumer. Such practices, as this, which create false security, which relegate consumer complaints to stale files and which rarely, if ever, resolve just claims, must be exposed as detrimental to the consuming public." [76] Stated another way, the consumer is urged by the BBB to bring his problems to them, to expend his energy in their system, and is often left with no resolution to his problem.

This pattern was confirmed by one BBB employee who said that he had his best results in the beginning of his employment when he achieved a success rate of 75% on consumer complaints. He said he did so, by badgering and threatening a company if he thought a complaint was justified. Because a number of businesses complained to the Bureau manager about his techniques, he is now required to follow typical BBB complaint handling procedures. He stated that his success rate has fallen off to approximately 25%.

Since BBBs do not persist with firms beyond the initial contact, their acceptance as final of a firm's determination on a complaint would become academic, except that an unsatisfactory adjustment should show up later in a firm's BBB file. Unfortunately, it is impossible to count on this ultimate sanction because Bureau's are interested only in whether a firm is *willing* to adjust; and not with the fairness of the ultimate adjustment, if any. This bias toward accepting a firm's word as to the equity of the adjustment, is demonstrated by the statement of the Akron, Ohio BBB that "if a company advises us that it has adjusted a complaint to a customers satisfaction we pass that word along to the customer with a request that he advise us if he has any further questions." Consumer

Footnotes at end of article.

groups are invariably critical of this procedure: "The principal criticism we have received of the BBB is that it closes the case when the member writes a letter to the complaining consumer, whether or not the consumer is satisfied with the BBB member's response."[77] The Chicago office of the Federal Trade Commission observed that "BBBs efforts to conciliate or mediate consumer-vendor disputes appear to have little value to consumers because of a fundamental inability to resolve a question of fact. BBB's warning reports suffer from inability to resolve disputed factual questions. If a vendor replies to a BBB inquiry with any assertion that appears to raise a disputed question, the instance may be taken out of the category of unsatisfied complaints and the instance may be regarded as neutralized and thus excluded from the warning report. *Accordingly, violators capable of responding to BBB inquiries with impressive letters composed of broad assertions tend to receive innocuous references.*" [emphasis ours].

Claims of success

Most local Bureaus claim an incredibly high rate of success for their complaint handling services: they range from a low of 50% (Dallas, BBB) to 95% (Birmingham, Alabama). Other Bureaus claim varying degrees of successful adjustments of consumer complaints as follows: South Florida BBB (50%); Akron, Ohio BBB (79%); Omaha BBB (90%); Mississippi BBB (90%). None of these Bureaus indicated exactly how they arrived at their figures of success.

Other Bureaus (in our judgment, more accurately) disclaimed real knowledge of the successes or failures of their dispute settlement services: the Washington, D.C. Bureau stated that they "do not have statistics on how many were successfully resolved."; the Los Angeles BBB stated that they have no present knowledge but that they are in the process of preparing a special report "on the causes and dispositions of these complaints"; the Austin, Texas BBB stated that "present record-keeping procedures do not indicate the total number which were resolved successfully"; the Guilford County BBB stated that "without statistics, we don't know."

Follow-up procedures

While many Bureaus indicated that their statements of success were a reflection of follow-up procedures, it is interesting to examine the nature of these follow-up procedures and the validity of the claims that flow therefrom.

For example, the general satisfaction expressed by the Metropolitan New York BBB regarding successful settlements of complaints brought to its attention, is based on a followup letter to consumers which reads, in part: "If this complaint has not been adjusted to your satisfaction, please let us know. *If we don't hear from you we will assume that it has been adjusted.*" [emphasis ours]

Similarly, Philadelphia and the Greater Salt Lake Bureaus stated that they regard complaints as satisfactorily settled if they do not receive second complaints from the same customer. This "liberal" accounting system is maintained in the face of other Bureau's acknowledgement that they receive three percent or less follow-up from consumers as to whether their complaints have been satisfactorily resolved.

It is incredible, to say the least, that Bureaus would base their claims for successful mediation of complaints on the absence of a second follow-up letter from complainants. This procedure is similar in rationale to the now unlawful "negative option buying programs" where consumers are billed for merchandise they did not order. If it is possible to draw any conclusions from the absence of a second response from consumers, it would have to be that consumers who do not receive satisfaction from a first letter to the BBB probably would be disinclined to send a second letter.

Although the BBB publicly proclaims the success of its present complaint handling methods, many Bureaus privately acknowledge the failure of this program. A small number of Bureau's around the country (under encouragement from the Council of Better Business Bureaus) are now experimenting with voluntary arbitration programs to resolve disputes between buyers and sellers. The Cleveland, Chicago, Long Island, and Pittsburgh BBB's are now involved in such arbitration experiments.

Acknowledging, once again, that disputes not in controversey and those involving larger stores are often successfully mediated by local Bureaus, the fact remains that BBB complaint handling services are a failure when firms refuse, for whatever reason, to adjust consumer complaints.

Survey of BBB complaint services

A study conducted by the George Washington University Consumer Help Center for Congressman Rosenthal sheds some significant light on the real success of BBBs complaint handling procedures. Interviews with ten consumers who had registered complaints with the Washington, D.C. Better Business Bureau in 1970 and 1971 showed that only two had had their complaints satisfactorily adjusted by the Bureau. Eight received no assistance from the Better Business Bureau at all in resolving their disputes with sellers. This small but random sample, provides additional evidence of the unreliability of BBB complaint handling success claims.

Of the twenty-one consumer groups questioned about the Bureaus complaint handling services, sixteen responded that they were "poor to fair, and only five indicated that they were good.[78]

X. BBB COMMUNICATION WITH CONSUMERS AND CONSUMER ACCESS TO BBB SERVICES

Telephone service

It is freely acknowledged by Bureau officials that 40% of the total calls made to local Bureaus do not get through.[79] Many Bureaus simply have too few telephone lines and/or operators; some, such as the Chicago BBB, have extremely limited business hours during which they can be reached by telephone. All but one of 33 local consumer organizations reported to Congressman Rosenthal that they experience substantial difficulty in getting through by telephone to BBB offices. A meaningful effort by the Council is now underway to expand telephone service to local Bureaus.

Dissemination of information

The Council and local Bureau's have gone to considerable lengths to publish materials designed to educate consumers against abusive practices in the marketplace. Most are directed toward middle-income consumers; but a not inconsiderable number are addressed to low-income consumers.

Unfortunately, some of the best information concerning abusive practices, including names of offending firms (mostly out of the BBBs immediate neighborhood), is circulated only to BBB members and not to the public at large:

"The Bulletins each Bureau publishes are only circulated to the business members of the Bureau. The bulletins are not generally distributed to consumers and, therefore, the educational purpose of the old Bureau of Corporations is not present in the Bureau. These bulletins are not published or parts are not published in various news or communication media of a community, thus they do not provide education to the consumers they serve. Bureau's state that they might be sued by the businesses they write about, for libel or slander and, therefore, they are very careful not to publish anything about these offending businesses. This is especially true if the company is one of the larger ones in their community." [80]

One indication that these "bulletins" or "Shield" publications are not available to the general public, is that they sometimes contain private messages to member firms, such as the Bureau's "unlisted telephone number." [81]

Accordingly, it is important to understand that a great deal of the best BBB literature [82] never reaches the average consumer.

The Legal Aid Society of Metropolitan Denver summed it up in this way: "The only response taken by our BBB in dealing with flagrantly defrauding merchants is to name the merchant and describe his operation in a newsletter. This newsletter is not widely distributed to the general public, and it is unclear how one gets on the mailing list. For example, this office has requested on several occasions to be sent copies of the newsletter. All such requests have been ignored. It is clear, however, that the general public is not even aware of the existence of the newsletter."

XI. IMPACT OF BBB OPERATIONS ON FEDERAL TRADE COMMISSION LAW ENFORCEMENT ACTIVITIES

One of the important ways to judge the Better Business Bureau's contribution to justice in the marketplace is to examine the nature and extent of its cooperation with official law enforcement agencies in combating unlawful consumer practices. All the Bureaus maintain a firm "hands off" policy toward consumer grievances and marketplace practices which may violate federal, state or local laws. Nevertheless, all Bureaus answering Congressman Rosenthal's questionnaire expressed an abiding interest in and commitment to referring such matters to the appropriate law enforcement authorities.

In studying the overall operations of Better Business Bureaus, this office asked regional offices of the Federal Trade Commission "how helpful is the BBB in providing you with information on anti-consumer practices of local businesses?" Most regional offices replying, confirmed that local Bureau's permitted complete access to their files and referred cases to their offices under informal agreements—mostly upon request by the Commission. A few Bureaus systematically forward office matters which appear to be worthy of FTC consideration.

Lack of BBB aggressiveness

FTC regional offices found local Bureaus to be sluggish with respect to referral of relevant complaints. The Los Angeles regional office of the FTC, for example, reported that: "the Better Business Bureaus will provide information to the Federal Trade Commission concerning complaints they have received against members and non-members. However, the response at times is guarded and somewhat reluctant if one of their major members is involved. We have no formal or informal agreement with the Better Business Bureaus in our region providing for an exchange of information on anti-consumer practices. Occasionally, the Better Business Bureau will forward a complaint to us." The Chicago FTC stated that "this office has no formal or informal agreements with BBB. BBB's files have been made readily accessible; however, there was little or no initiative by BBB personnel to suggest or identify potential witnesses, or to provide any thoughts in the direction of law enforcement." The Washington D.C., regional office of the Commission wrote that "the Better Business Bureau is very helpful to us as a source of complaints and background information on the business practices of local firms, where we go in and request access to their files with reference thereto. They do not ordinarily forward such information to us of their own volition." The Seattle FTC regional office stated that Bureau's cooperate "to

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the fullest extent in providing this office with information on anti-consumer practices of local businesses. Generally, information is provided in response to specific requests and consists of full information in their files."

All FTC regional offices stated that local Bureaus were fully cooperative with respect to their relations with Federal Trade Commission offices. Most regional offices found that local BBBs lacked initiative in referring complaints. Some, however, such as the Atlanta, Georgia; Kansas City, Missouri; Cleveland, New York, San Francisco; and New Orleans regional offices of the FTC found information BBB files to be most helpful.

FTC actions based on BBB referrals

FTC regional offices were requested to state the total number of FTC actions which originated from cases brought to their attention by local BBBs in 1969 through 1970. The results are summarized in the following table:

FTC regional office	Number of FTC actions 1969–70	Number of total FTC actions which originated from cases brought to FTC's attention by BBB	Percent
New Orleans	1,978	95	5
Los Angeles		0	0
Chicago		0	0
Washington, D.C.			(1)
Boston (1969)		0	0
Boston (1970)	400	15	4
Atlanta	260	26	10
Kansas City	[2] 165	6	3.6
Cleveland		(3)	
New York			(4)
San Francisco		(5)	
Seattle			(4)

[1] Much less than 1 percent.
[2] Investigations.
[3] Insignificant number.
[4] Less than 1 percent.
[5] Minimal.

The disparity between the BBB's promise, on the one hand, and performance, on the other, was illustrated by a statement attributed to Mr. George C. Young, President of the Cincinnatti Better Business Bureau. A personal friend of the president of the Cincinnatti BBB stated that "Mr. Young tells me that the Cleveland office of the Federal Trade Commission has practically no work in the entire community in matters of violation involving Regulation Z (Truth-in-Lending) because of the Bureau's careful review of all advertising of credit terms and its work with advertising media to get compliance of advertisers prior to publication." [83] A check with the Cleveland regional office of the Federal Trade Commission, which administers that area, disclosed that during 1970–1971, the Cleveland FTC office handled 630 Truth-in-Lending violations.

Although all Federal Trade Commission offices acknowledged the cooperative attitude of local Better Business Bureaus and stated that their information was sometimes of value; the overwhelming concensus seemed to be that Bureau's lacked initiative and drive in bringing violations of federal consumer protection laws to the attention of the regional FTC office. This conclusion would seem to be borne out by the small number of FTC actions which resulted from Better Business Bureau referrals.

XII. BBB ATTITUDE TOWARD GOVERNMENT REGULATION

Because Better Business Bureau's at the local level and the Council of Better Business Bureau at the national level are comprised, in the main, of some of the most prestigious business firms and trade associations, one high-ranking Federal Trade Commission official stated that the BBB can assure defeat or passage of consumer protection bills in State Legislatures and, to a lesser extent, at the Federal level. The President-General Manager of the South Florida BBB stated that one of "the most important and most effective parts of Better Business Bureau work" is their function "as a consulting agency to legislative bodies, especially at the local and state level. As a primary sounding board for consumer programs, we are a very important source of information concerning needed legislation in the consumer interest." [84]

Barring a poll of all fifty state legislatures, it is difficult to sum up the role BBB's have played in recommending new Consumer legislation or in supporting or opposing pending legislation. It is clear, however, that a number of local Better Business Bureau's have taken an active role in opposition to crucial federal, state and local consumer protection legislation.

The ambivalence of many local Bureau's with respect to the consumer movement in general and specific consumer legislation in particular, is a fact of life which all consumers should understand. Nothing motivates BBB activities more than the knowledge that "for good *or ill*, the 1960's will be marked as the decade when consumerism became a political reality and a potent force in the nation's commercial marketplace.[85] [emphasis ours].

The ambivalence of the BBB's attitude toward the consumer movement is manifested in a number of ways: by its opposition to much needed consumer legislation at the same time that it acknowledges deficiencies in the marketplace, by scathing attacks against leading consumer advocates [86] at the same time that it seeks to enlist consumer support and confidence; by the Bureau's steadfast denial that it is directing the purchases of consumers at the same time that it is promoting its information and complaint handling services.

The BBB's alarm over what they consider to be the encroachment of federal power on free-enterprise turf, is reflected in numerous statements of Bureau officials: "The purpose of the consumer movement is to create suspicion in the marketplace. The majority of businessmen are honest and ethical, but if you pass a law to stop those right on the fence, the majority suffer as well as the minority. That's why self-regulation is the best thing. Free enterprise is our method. Freedom of choice. We try to be impartial in the marketplace.[87]

As a general matter, the Bureau's philosophy is that the business community can accomplish far more in abating anticonsumer practices and at a far less cost than the federal government can. The president of the Metropolitan New York BBB states that "If government agencies would get out of the Better Business Bureau business of voluntary rededication and self-regulation where they don't belong and spend their time, resources and personnel on enforcing the law as they are supposed to do, we wouldn't be facing many of the problems that we face today."

In short, both the weaknesses and strengths of BBB operations can be traced, in large measure, to the business community's desire to forestall additional government regulation of the marketplace and counteract the continuing barrage of consumer criticism against business practices.

The Bureau's opposition to increased Federal visibility in the marketplace has a practical side as well. The President of the Cleveland Bureau reported that as federal regulation increases, local business firms have "decreased rather than increased their financial support. Typical is a letter I received from a prime local business that had supported the Cleveland Bureau for over 15 years in which the man states, ' . . . after long and careful consideration we have decided to discontinue our membership. We regret this action, but feel that the entry of government and national organizations into the field of consumer protection renders this function largely unnecessary on a local level.' "

Notwithstanding the experience of the Cleveland Bureau, there is no visible trend toward a reduction in membership in local BBB's. On the contrary, growth seems to be rapid with plans for an infusion of money from the Council of BBB's. It is true, nevertheless, the Bureaus' tend to resist the enactment of new consumer protection laws and any expansion in the authority of federal law enforcement agencies. The assistant general counsel of the New Orleans regional office of the Federal Trade Commission observed that "Some Bureau managers labor under the view that they were in the consumer protection business first and that any federal, state or local agency is not a partner but a competitor trying to drive them out of business. Therefore, they are great proponents of the fact that the laws presently on the books are satisfactory if they are just enforced."

BBB opposition to new consumer protection laws takes many forms. Most of their efforts are conducted behind the scenes and involve educating business firms to the ostensible evil of further consumer protection legislation. For example, it is widely agreed that two of the most important consumer bills ever before the Congress are those to establish an independent Consumer Protection Agency and enactment of Consumer Class Action legislation. In its November 1970 issue of "BBB Facts," the Cleveland BBB had the following to say about those bills: "Now, two of the most far reaching and earthshaking legislative developments ever to darken the American marketing scene: Consumer protection bill. This agency would have an investigatory function, with power to subpoena books and records concerning any and all 'needs, interests and problems of consumers.' This proposed 'super agency' could look into every aspect of your business and publicize its findings.

"Consumer Class Action Act. One of the current 'in' proposals of the racial 'consumer protectors' encourages class action law suits by groups of consumers against manufacturers, distributors and retailers. 'Consumer Chop Logic' is that the quickest way to eliminate all alleged deception and all errors of commission and omission from the marketplace would be to pass legislation to make it easy and profitable for lawyer to sue on behalf of 'classes' of consumers. Let the seller beware! Make it so expensive or make it so risky that no one will dare have a product or a package or a label or a price comparison or a product claim that a government bureau could decide might be deceptive or in violation of any official rules and regulations. Let's face facts—no lawyer is going to waste time suing a fringe operator in a ghetto area. There would be no profit! The targets for 'class action' suits would be established companies—those from whom a judgment could be collected if obtained. Business should be alert to the full impact these laws can make on the marketplace."

Those who follow consumer issues know that there has been substantial abuse across the country in the area of "door-to-door" sales practices. In the 90th Congress, the Senate passed a bill placing restrictions on door-to-door sales contracts. Currently, the Federal Trade Commission is considering the promulgation of a Trade Regulation Rule in this area. Notwithstanding the demonstrated need for protection in this area, there is evidence of substantial BBB opposition to such legislation. In a National Better Business Bureau, Inc. publication, entitled "The Right of Free Men to Engage in Legitimate Business." [88] the Bureau wrote that "Some Communities have passed ordinances which are

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prohibitive of direct selling. Some have adopted registration requirements with long waiting periods before the direct seller can legally go to work. Others have levied fees that, in the aggregate, impose an intolerable toll on legitimate direct selling firms and the people selling their merchandise. Regardless of how well-intentioned, these and other similar restrictive ordinances are in effect prohibitive of direct selling because the survival of honest direct selling is jeopardized by such discriminatory restrictions. Any governmental unit has, of course, the right validly to exercise its tax and police powers. One may ask, however, whether these powers should be exercised in a prohibitive manner, singling out direct selling—from all other forms of selling—for regulation, taxation and other discriminatory measures? The National Better Business Bureau believes that such legislation violates the spirit of fair play that has made American business great."

The National BBB publication pointed out that "direct selling is a local business" involving automobile dealers, bakeries, dairymen, department stores, electric light and power companies, appliance dealers, frozen food dealers, gas companies, insurance agents and agencies.

In the fall of 1970, the president of the Cincinnatti Better Business Bureau was among 15 trade association and other business executives who spoke against a proposed City ordinance requiring the licensing of all door-to-door sales personnel. The Bureau president, George C. Young, testified "that there are, through the BBB and other channels, successful voluntary means available to correct most consumer problems.[50]

This office has received, in addition, a number of unverified statements alleging that local BBB's in various parts of the country have opposed the enactment of new consumer protection laws. It has been alleged, for example, that the veto by Mayor John V. Lindsay of New York of two City Council Ordinances requiring the licensing of travel agencies and proof of advertising claims, were inspired by the Metropolitan New York BBB. The Association of California consumers alleges that the BBB of San Francisco urged its members to impose the establishment of an official Consumer Agency in that city. The Legal Aid Society of Cleveland reported that the Cleveland BBB has opposed many consumer protection laws. The Neighborhood Legal Services Association of Pittsburgh and the League of Utah Consumers both stated that their respective BBB's lacked initiative in urging the enactment of needed consumer reforms.

XIII. AVAILABILITY OF FREE AIR TIME TO BBB'S

Many radio and TV stations across the country make available to BBB's the use of free air time, The Better Business Bureau itself estimates that 4,000 radio and TV spots are made available free of charge to BBB's each year.[99]

The Chicago BBB reported that in 1970, it received the free use of 640 TV spots and 527 radio spots. The Cincinnati Bureau stated that in 1970 it received $10,000 worth of public service time donated by radio and television stations. In that city, WSI aired at no charge, 167 15-second announcements supplied by the Bureau and valued at $3,250. WCIN contributed 40 30-second messages per month and WLW ran 30 in two weeks. Other stations in the Cincinnati area also contributed free time.

In its October 1970 "Newsletter", the Cincinnati Bureau publicly thanked those stations for their contribution of free air time, as follows: "The Bureau publicly thanks all local electronic media for their great contribution toward developing more satisfied customers of responsible businesses and advertisers; *cutting down the number of and providing less justifiable reason for governmental inroads into our private enterprise system or adding new restrictive laws in the name of consumer protection.*" [emphasis ours].

The 1970 Annual Report of the BBB of Baltimore states that it received without charge "thousands of radio and television announcements".

Pursuant to the Federal Communications Act of 1934, the Federal Communications Commission can grant licenses only if the public convenience, interest, or necessity will be served thereby. The Commission requires a licensee to ascertain its community's needs and to program accordingly. In this way, the licensees satisfy their statutory requirement of public service. It is to satisfy this requirement, that all radio and television stations provide free air time to non-profit organizations, such as the Red Cross and the American Cancer Society.

Given the business bias which motivates BBB philosophy and activity, it is difficult to believe that the granting of free air time to Bureaus by radio and TV licensees serve the "public interest, convenience, and necessity" in the same way and to the same extent that "spots" by charitable organizations do. Because BBB spot announcements inevitably promote the "official line" of the business community, serious questions are raised over the propriety and even legality of the furnishing of free air time to local Bureaus.

We do not seek to leave the impression that BBB spot announcements are devoid of public merit. We do not suggest that free air time be denied to all BBB announcements in all areas in which they are situated. We do seriously question, however, the legality and propriety of providing free air time as a public service to a Better Business Bureau which has, as an overriding mission, the forestallment of government intervention in the marketplace when events have demonstrated overwhelmingly the need for such intervention.

FOOTNOTES

[1] "This is the Council of Better Business Bureaus, Inc.," Published by the Council of Better Business Bureaus, Inc., Washington, D.C. A June 1971 Council Publication entitled "Better Business Bureau Membership Roster", lists only 133 U. S. Bureaus.

[2] Good Housekeeping Magazine, October 1970, page 179.

[3] Statement by H. Bruce Palmer, President, Council of Better Business Bureaus, Inc., before the House Select Committee on Small Business, June 7, 1971. During the same period, the President's Office of Consumer Affairs received approximately 60,000 letters and 3,500 phone calls from consumers.

[4] "This is the Council of Better Business Bureaus, Inc.", November 1971.

[5] Interview wtih Woodrow Wirsig, June 18, 1971.

[6] Letter from Marvin E. Sykes, Executive Director, Better Business Bureau of Guilford County, Greensboro, North Carolina, July 2, 1971.

Footnotes and references [7] through [10] not furnished.

[11] "The Age of The Consumer", 1970 Annual Report of the Better Business Bureau of Baltimore.

[12] July 12, 1971, letter to Congressman Benjamin S. Rosenthal from Ralph Smathers, President, Better Business Bureau of South Florida.

[13] July 12, 1971, letter to Congressman Benjamin S. Rosenthal from Robert H. Ramsey, President, Cleveland Better Business Bureau.

[14] Statement by H. Bruce Palmer, President, Council of Better Business Bureaus before House Select Committee on Small Business, p. 7.

[15] July 15, 1971, letter to Congressman Benjamin S. Rosenthal from Woodrow Wirsig, President.

[16] July 15, 1971, letter to Congressman Benjamin S. Rosenthal from Woodrow Wirsig, President, BBB of Metropolitan New York.

[17] The Better Business Bureau of Dallas computes membership dues "on sliding scale roughly proportionate to the size of the firm as measured by the number of its employees or as categorized by the firm itself." The BBB of Guilford County computes its dues in the same manner.

[18] Other Bureaus, such as those in Washington, D.C.; San Francisco; Akron, Ohio; Rocky Mountain (Denver); Birmingham, Alabama, provide for a one year requirement.

[19] A number of Bureaus provide that subsidiaries of companies which have a good record at BBBs in other cities need not meet the time requirement.

[20] BBB/Cleveland—"Membership Standards."

[21] The Washington, D.C. BBB requires acceptance not merely by the full board of directors, but also by its membership committee.

[22] "The Cleveland Plain Dealer," July 9, 1966.

[23] Ibid.

[24] Mr. Murray Plavner, former Director of Development, National Council of Better Business Bureaus and former salesman for the Metropolitan New York Better Business Bureaus.

[25] Response to Rosenthal questionnaire regarding Better Business Bureaus: Memorandum to Assistant General Council John R. Ferguson from Richard Sheldon, Assistant Regional Director, Chicago Regional Office, Federal Trade Commission.

[26] Ibid, pps. 2–3.

[27] *The Washington Post*, "Potomac Mazazine", November 7, 1971, p. 17.

[28] A very few Bureaus reported to Congressman Rosenthal that they have future plans for the inclusion of consumer representation on the Boards of Directors. Several Bureaus have consumer advisory councils, which include consumers, but which have no active voice in the day-to-day policy decisions of the Bureau.

[29] Memorandum to Congressman Benjamin S. Rosenthal from Patrick D. Breeden, Attorney, New Orleans Regional office, Federal Trade Commission, page 3, July 16, 1971.

[30] July 30, 1971, letter to Congressman Benjamin S. Rosenthal, from the Better Business Bureau of Los Angeles, page 2.

[31] From the Constitution and By-Laws of the Better Business Bureau of Metropolitan New York.

[32] Kenneth J. Bostock, University of Washington Law Sudent, third year.

[33] The BBB welcoming letter stated in part: "It is a privilege to welcome you as a member of the Bureau. We believe that this will prove to be a mutually advantageous relationship. On behalf of our officers and directors, we take this opportunity to express their appreciation of your support and we are sure that your membership will be a *sound investment.* [emphasis ours]. We suggest that you proudly display our BBB membership plaque. Not only is it designed to ward off unwanted solicitors, but it will inform your customers that your firm is a BBB member."

[34] See *Advertising Age Magazine*, December 7, 1970; and testimony of H. Bruce Palmer before the House Select Committee on Small Business (June 7, 1971), page 4.

[35] *Advertising Age Magazine*, December 7, 1970.

[36] News release, Council of Better Business Bureaus, Inc., November 18, 1971.

[37] National Better Business Bureau Operations Report 1967, p. 5.

[38] Actually, the figure of one tenth of one percent may be lower. Some of the local Bureaus reporting to Congressman Rosenthal included in the figure of firms expelled, firms whose new membership applications were denied.

[39] Rochester *Democrat and Chronicle*, Sept. 13, 1971, page 8D.

[40] Issue of Sept. 20, 1971, page 6D.

[41] The manager of the Rochester Bureau explained that "we omitted the names in the past primarily because the news media shied away from using them. Our material generally had a better chance of getting in the newspaper or on the air if we didn't name names." The bureau manager acknowledged, however, that the *Democrat and Chronicle* consistently did print the names of firms it had discovered committing anti-consumer practices.

[42] Douglas Tindal, Managing Director, Better Business Bureau of Metropolitan Washington, interview.

[43] July 8, 1969, Better Business Bureau of Western New York (Buffalo) "Bulletin", page 1.

[44] Project, "The Direct Selling Industry: An Empirical Study," UCLA Law Review, Volume 16 (April, 1968), pages 940–942, reported in a letter to Congressman Benjamin S. Rosenthal.

[45] August 6, 1971, letter to Congressman Benjamin S. Rosenthal from Peter D. Jacobson, Attorney at Law, Consumer Division, p. 2.

[46] July 9, 1971, letter to Congressman Benjamin S. Rosenthal from Wilbur C. Letherberry, Consumer Law specialist.

[47] Name omitted to preserve individual's right of privacy.

[48] July 16, 1971, letter to Congressman Benjamin S. Rosenthal from Patrick D. Breenen, Attorney, New Orleans Regional Office, Federal Trade Commission, pages 2–3.

[49] July 15, 1971, letter to Congressman Benjamin S. Rosenthal from John T. Hankins, Acting Regional Director, Kansas City Regional Office, Federal Trade Commission, page 3.

[50] July 16, 1971, letter to Congressman Benjamin S. Rosenthal from Michael J. Vitale, Regional Director, Washington, D.C. Regional Office, Federal Trade Commission, page 2.

[51] July 16, 1971, letter to Congressman Benjamin S. Rosenthal from J. N. Pike, Acting Director, Los Angeles Regional Office, Federal Trade Commission, page 1.

[52] June 17, 1971, letter to Congressman Benjamin S. Rosenthal from James Rode, Attorney at Law.

[53] July 16, 1971, letter to Congressman Benjamin S. Rosenthal from J. N. Pike, Los Angeles Regional Office of the Federal Trade Commission.

[54] July 21, 1971, letter from Carol Emerling, Cleveland Regional Office, Federal Trade Commission, Page 1.

[55] July 15, 1971, letter to Congressman Rosenthal from John T. Hankins, Acting Regional Director, Kansas City Regional Office, Federal Trade Commission, Page 3.

[56] July 20, 1971, letter to Congressman Benjamin S. Rosenthal from Raymond J. Lloyd, Regional Director, San Francisco Regional Office of the Federal Trade Commission, page 2.

[57] New Orleans Regional Office; Chicago Regional Office; Washington, D.C. Regional Office.

[58] June 24, 1971, letter to Congressman Benjamin S. Rosenthal from Allan Neigher, President, Connecticut Consumer Association.

[59] The Richmond BBB is one that frequently refuses to disclose whether a firm is a member of that Bureau.

[60] Letter to Congressman Rosenthal from W. Dan Bell, President July 15, 1971.

[61] Association of California Consumers, Sausalito Legal Services Organization of Indianapolis; Kansas City Consumers Association; Washington State Committee on Consumer Interests; The Legal Aid Society of Oklahoma County; Consumer Protection Association of Cleveland; Neighborhood Legal Services Association of Pittsburg; Milwaukee Legal Services; Pine Tree Legal Assistance of Portland, Maine; The Wyandotte County Legal Aid Society (Kansas City, Kansas); Salt Lake County Bar Legal Services; Accounting Aid Society Des Moines, Iowa; League of Utah Consumers; Arizona Consumers Council; Virginia Citizens Consumer Council.

[62] Legal Aid Society of Metropolitan Denver; Connecticut Consumer Association; Cleveland Consumer Protection Association; Oregon Consumer Leagues.

[63] The Consumer Conference of Greater Cincinatti; Clark County (Las Vegas) Legal Services Program; The Legal Aid Society of Roanoke Valley (The Roanoke Valley Society stated that detailed information is given "only if asked").

[64] During the course of this study, an investigator from the office of Congressman Rosenthal was denied initially, substantial access to the Washington, D.C. Bureau's files. The Executive Director of this Bureau gave as a reason for this refusal, the fact that interpretation of the file's contents depends on the reader.

[65] Letter to Congressman Rosenthal from Marvin E. Sykes, Executive Director of the Better Business Bureau of Guilford County (Greensboro, North Carolina).

[66] July 16, 1971, letter to Congressman Rosenthal from John B. White, Regional Director, Atlanta Regional Office, Federal Trade Commission, page 2.

[67] August 6, 1971, letter to Congressman Rosenthal.

[68] June 30, 1971, Memorandum to: Board of Directors and member Bureaus, from the Council of Better Business Bureaus, 845 Third Avenue, New York, New York.

[69] Chicago BBB: 137, 582 inquiries and 22,-966 complaints; Washington, D.C.: 67,067 inquiries and 10,421 complaints; Greater Philadelphia BBB: 148,600 inquiries and 24,242 complaints.

[70] These complaint forms are called "Customer Experience Record, A Better Business Bureau Service Form". A customer is sent four copies of the Customer Experience Record. He is required to return all copies. The form provides for information on the company complained against, the date and place of the transaction, the customer's name and address, the cause of the complaint; and, at the bottom of the form, a space for the company to state their comments on the validity of the complaint and whether they "have adjusted" "will adjust," or are "unwilling to reconsider". At the very bottom of the form is a place "for Bureau Comment Only".

[71] "Akron BBB Roster and Buying Guide."

[72] The identity of this Bureau official must be protected, for obvious reasons.

[73] Form letter from Better Business Bureau of Greater Seattle.

[74] See, for example, page 4 of June 21, 1971, letter to Congressman Rosenthal from Washington State Committee on Consumer Interests.

[75] June 15, 1971 letter to Congressman Rosenthal, pp. 1 and 2.

[76] Legal Services Organization of Indianapolis, June 15, 1971, letter to Congressman Rosenthal.

[77] July 10, 1971, letter to Congressman Rosenthal, from the Arizona Consumers Council, page 1.

[78] It is interesting to note that the Denver Better Business Bureau charges a one dollar fee to consumers who wish to register complaints with the Bureau.

[79] Statement of H. Bruce Palmer, President, Council of Better Business Bureau's before House Select Committee on Small Business, June 7, 1971.

[80] July 16, 1971 letter to Congressman Rosenthal from the New Orleans Regional Office of the Federal Trade Commission.

[81] April 25, 1970, "Shield," publication of the BBB of Greater Philadelphia.

[82] In an average year, according to the BBB publication "Facts you Should Know About Your BBB", the Bureau distributes over 3 million bulletins, 470 thousand fact booklets, and over 2 million leaflets, booklets and other literature. Also, 350 thousand posters are displayed on employee bulletin boards, 4,000 radio and TV spots and 3,000 radio and TV shows are devoted to BBB concerns; and BBB officials speak at more than 2,000 engagements.

[83] August 9, 1971, letter to Congressman Rosenthal from Mrs. A. D. St. John, President, the Consumer Conference of Greater Cincinnati, page 2.

[84] Ralph Smathers, letter to Congressman Rosenthal, July 12, 1971.

[85] 1970 Annual Report of the Better Business Bureau of Baltimore.

[86] *Newsweek* magazine of March 2, 1970, reported on a speech by the President of the Better Business Bureau of Metropolitan New York to a group of businessmen: "Consumer activists, the speaker thundered, are using 'harassment, hunch, prejudice, and emotion . . . that has plunged business into a deepening decline without really helping the consumer.' Had it been a chest-thumping economic royalist at the podium, the sentiment would have been as predictable as it was understandable, but instead the speech maker was Woodrow Wirsig, President of the BBB of Metropolitan New York, Inc. In language that seemed out of keeping with the BBB's 50 year posture of riding herd on unscrupulous businessmen, Wirsig characterized the whole consumerism phenomenon as a mindless frenzy whipped up by activists who are more interested in winning political points than solving consumer problems." The April, 1971 issue of "The BBB Tribune", Boston, Mass., quoted Leonard I. Sanders, President of the BBB of Eastern Mass., as follows: "Our entire society and its economic system appear to be about to change direction in consumer affairs and in far too many instances rhetoric has replaced facts, with many discordant voices confusing rather than enlightening the consumer on this question." This statement was delivered in the context of the 49th annual meeting of the BBB of Eastern Mass. which had, as its main speaker, the well-known anti-consumer spokesman Thomas R. Shepard, Jr., publisher of the now defunct *Look* magazine.

[87] Interview with Robert H. Ramsey, President, Cleveland Better Business Bureau.

[88] Copyright 1966.

[89] October 1970 "Newsletter" Cincinnati Better Business Bureau, Inc.

[90] "Facts You Should Know About Your BBB".

C. A. "CHRIS" CHRISTIANSON

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DEL CLAWSON. Mr. Speaker, upon my arrival in Washington following the special congressional election in June of 1963, C. A. "Chris" Christianson was one of the first employees of the House of Representatives to extend a hand of welcome and congratulations. The warmth of this initial acquaintance has developed into a deep friendship over the years for which I am personally grateful.

Chris Christianson has demonstrated in his personal life and philosophy a depth of knowledge of the so-called American dream as embodied in the inspired concepts of freedom established by our Founding Fathers.

His many years of service in the House of Representatives reveals his devotion to duty and a willingness to serve.

Many Members of the House through the course of seven Presidential administrations have enjoyed his friendship and have been the beneficiary of his service.

As the time now comes for his departure through retirement our voices are joined together in the unanimous expression of thanks and gratitude with best wishes for a future of health and happiness and my personal thanks to you, Chris, for the warm handclasp and personal friendship.

AMERICAN UNIVERSITY OF BEIRUT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HAMILTON. Mr. Speaker, the American University of Beirut has, over the years, received substantial support from the United States authorized by section 214—American Schools and Hospitals Abroad—of the Foreign Assistance Act. A December 17 editorial by Marquis Childs in the Washington Post points out the very useful and important role this institution plays in the Arab world and why the university is worthy of support. I commend Mr. Childs' remarks to my colleagues:

BEIRUT UNIVERSITY MERITS SUPPORT

(By Marquis Childs)

BEIRUT, LEBANON.—For the few million dollars in federal aid to education that goes into supporting the American University of Beirut the United States receives a highly disproportionate return. It is a return in influence and appreciation throughout the Arab world. Americans who come here agree almost without exception that as a form of foreign aid this is infinitely preferable to the kind of scatter-shot aid that is in such deep trouble in Congress.

Founded 106 years ago, the AUB was part of the current of idealism that sent American missionaries, doctors and educators to the far corners of the earth. With their dedication and their devotion they created the image of a nation selfless in the pursuit of good works.

As evidence of the influence of the university, four members of the present Cabinet, including the Prime Minister, Saeb Salem, are graduates. At least six of the director generalships in the bureaucracy are also out of AUB. And many other graduates are in public service posts throughout the Arab world.

The founders were Presbyterian, Congregational and Dutch Reformed missionaries who came out in the mid-50s of the last century. They soon discovered that converting Moslems to Christianity was a well-nigh hopeless assignment since Christ is incorporated in the Moslem religion not as a deity but as a great prophet who preceded Mohammed. So they turned to education and founded what was first known as Syrian Protestant College with a class of 18 and a faculty of six.

The stern, bewhiskered portraits of the founders look down from the walls of the board of directors' room in an institution that now has 4,000 students, schools of medicine, nursing, agriculture, and a hospital and a liberal arts college. These were men who believed in the beneficent power of knowledge, the leavening force of education in the New England tradition of a century ago.

An important contribution is in the know-how so vital to Arab development. The faculty is 70 per cent Lebanese.

While it is the largest and most influential, AUB is only one of a half-dozen institutions in the Middle East founded under the direction of American educators. The American University and the American College in Cairo are in this same tradition. So is Roberts College, a secondary school in Istanbul that helped to generate a university taken over by the Turkish government.

The present president of AUB is soft-spoken Dr. Samuel Kirkwood, who came to Beirut in 1961 to be dean of the medical faculty. Chartered under the laws of New York State, the university is responsible to the regents of the state system. Of the total budget of $16,223,000 about 30 per cent comes from federal aid to education. Even with private giving and foundation support the university could not have gone on without help.

American educators in the Middle East have no illusions about the scope of their influence. Technically, the AUB with its laboratories and advanced research facilities has moved into the technological orbit, the influence is great. Politically even with the moderates as distinct from the wild extremists in Al Fatah and other far-out fedayeen groups, it is slight.

There is a deep sense of injustice over the loss of Arab lands and the fact that the United States almost invariably throws its weight behind Israel. Men and women educated in American-supported colleges are keenly aware of the degree to which the standing of Israel is involved in American domestic politics. They look with a certain disillusion on the great nation that was once their ideal.

If there is no war, and almost every discussion begins with that if, the belief in rapid Arab development is strong. The greatly increased oil revenues from the boost in oil prices will go into productive investments and schools and hospitals after the example of Kuwait. The potential is here and it has been brought into being in part by a century of American educators.

ETHNIC ENTERPRIZES

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ASPIN. Mr. Speaker, it is my pleasure to share with my colleagues some information concerning an exciting, new minority business that is on the verge of becoming a going concern in Milwaukee, Wis. Mrs. Saint Charles Lockett, recently named Negro Businesswoman of the Year, has formed her own firm called Ethnic Enterprizes in Milwaukee.

Mrs. Lockett has located her firm right across from the Milwaukee County Welfare Department in Milwaukee's inner city and has made it a practice of hiring only welfare mothers who are interested in obtaining a skill and some extra money. Mrs. Lockett's firm receives her business on a subcontract level from many of the major industrial concerns in southeastern Wisconsin.

Two of the major firms that have contributed the most toward making Mrs. Lockett's venture a success have been Allen-Bradley of Milwaukee and American Motors of Kenosha. These firms have shown themselves to be very concerned about helping Mrs. Lockett's firm get off the ground and providing some employment to welfare mothers, so that these women can break the cycle of poverty in which they have been entrapped.

I think Mrs. Lockett is to be commended for trying to start a business at a time when the national economy could not be more unfavorable to the creation of a new business. While Mrs. Lockett does express a concern over making her business a viable one, she has consistently stated that her most important aim was to provide welfare mothers with the necessary skills and training, so that they can find better paying jobs and more secure jobs in the Milwaukee industrial community. Mrs. Lockett and Ethnic Enterprizes have my full support, and I recommend her to my colleagues as a prime example of a black woman on the go.

SOLVE THE PROBLEM OF APPAREL FLAMMABILITY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. GERALD R. FORD. Mr. Speaker, for the past year the American Apparel Manufacturers Association has been working diligently to solve the problem of apparel flammability. Recently, Roger Wilson, chairman of the AAMA Products Flammability Committee, detailed these efforts in a statement made before the Information Council on Fabric Flammability. Because the AAMA's efforts to solve the apparel flammability problem are a fine example of an industry's working to eliminate a consumer problem, I am offering Mr. Wilson's statement to be read by my colleagues in the House:

STATEMENT BY ROGER WILSON

The American Apparel Manufacturers Association welcomes this opportunity to address the Information Council on Fabric Flammability and I wish to thank Mr. White for making the time available to us.

For well over a year and one half the AAMA has been involved with the subject of the Children's Sleepwear Standard. From that experience apparel producers have gained many new insights into the technical problems of apparel flammability. We have also gained insights into the opportunities for further positive social contribution by the apparel industry.

We believe, however, the atmosphere surrounding the subject of flammability has been too often and too long shrouded in politics, misunderstanding, and misrepresentation. Quite simply, we believe the consuming public, the press, the medical profession and many in the business world do not know enough details of the action being taken by government in their requirements for industry; the effects of this action and the potential end results to all concerned.

We shall restate for the record the position we have taken since the issuance of the proposed standard. Valid need was demonstrated for additional protection for toddler age children. We were prepared then and we are prepared now to put into the market, garments that protect those children from

serious burns as a result of accidental encounter with flame.

I believe that I predicted with some accuracy the position the apparel industry would be in when I told Mr. Simpson of the Department of Commerce in the public hearings in January that within 12 months we would have a good many fabrics that would permit us to comply in many categories if several changes in the test procedure could be made. Eleven months later we have many of those fabrics, and based on extensive test results, we shall petition the Department of Commerce for specific changes in the test method that permit us to put in the consumer market the many safe garments we can produce. Without those amendments, in almost all sleepwear categories, compliance will not be possible, and we will demonstrate in our petition why that is true. If we cannot comply, the objective of the standard cannot be achieved.

Our proposed amendments will provide for testing fabric taken from garments and for restrictions on design.

Throughout these months of discussion, these months of learning, these months of crash technology, industry and to some extent government, has repeatedly been accused of delay, of tactics designed to thwart the objective, of misrepresentation.

Our record is eloquent testimony to our efforts, but we have all operated in a communications vacuum.

We propose to remedy this current situation, and are operating with specific policies on the subject of flammability.

The following is a statement of those policies:

1. All aspects of all discussions and information exchange with any agency of government, with other industries, or within the apparel industry, on the subject of flammability will be open to full and candid disclosure to any interested party requesting information.

2. All data relative to fiber, textile or garment technology that we have will be available to any interested party.

3. In any apparel product area where a finding of need has been demonstrated based on valid accident data, an apparel task force will be formed to relate fully and completely all facets of the technology available and limitations thereof; present methods of garment construction; present marketing practices of the industry; consumer attitude and preference studies. That information will be available to any interested party.

4. We will make known publicly at every stage of discussion our views on the subject of scope, of test methods, and of enforcement practices.

5. On behalf of AAMA, we shall be proposing to the Congress a complete program for the study of new technology that may permit garment manufacturers to develop completely new methods and concepts of garment construction that will significantly reduce flammability.

6. AAMA will encourage all interested parties to develop consumer education programs to help create markets for flame retardant products. The myth that regulation can by itself change the life styles of 200 million people and force their selection of billions of garments into narrow product ranges is dangerously shortsighted. The consumer must be a part of such a technological revolution if it is to succeed.

This policy has been evolving over the past several years. Our willingness to demonstrate this policy was evidenced by the completely open and candid Children's Sleepwear Flammability Symposium held on November 4, which drew the largest attendance in the children's wear industry's history—525 people. It was evidenced again three weeks ago in Washington and yesterday here in New York when a task force on children's dresses was organized. The National Bureau of Standards was told some weeks ago such a group was being assembled.

We request the ICFF invite the American Apparel Manufacturers Association to report annually on the subject of apparel flammability and technological developments.

The future of flame retardant technology is bright, and much of it results from the concern evidenced over the years by many of you at this meeting. American industry is spending at a rate of at least $10 million per year in basic research on flame retardant fibers, finishes, textiles and end products.

We think that the future can only be realized if full and open discussion accompanies our technological endeavours. We intend that knowledge will replace supposition and that candor will allay suspicion.

FEDERATION OF AMERICAN SCIENTISTS—DECEMBER 1971 NEWSLETTER

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FRASER. Mr. Speaker, for several months I have followed closely the controversy surrounding the report, "Guidelines for the practice of Operations Research" which appeared in the September 1971 issue of Operations Research, the Journal of the Operations Research Society of America—ORSA. Appendix III to this report, "Treatment of Operations-Research Questions in the 1969 Safeguard Debate" was placed in the CONGRESSIONAL RECORD by Senator JACKSON on October 4, 1971, and it appears at page 34639.

Mr. Speaker, the December 1971 FAS-Federation of American Scientists-Newsletter is devoted to the ORSA ABM report.

It would be a tragedy of major proportions if a result of this controversy was discouragement of the men who are willing, often at personal and professional sacrifice, to subject Department of Defense analyses to searching inquiry before the committees of this legislature. The FAS Newsletter I introduce following my remarks should help place the controversy in context. It lends support to those who are qualified and willing to give us their views on current DOD dogmas, often with short notice and handicapped by the ground rules of the debate—classified information, shifting premises and limited resources for opponents of DOD excesses that we too often learn about only after the scandal is manifest to all:

OPERATIONS RESEARCH SOCIETY OF AMERICA (ORSA) GOES POLITICAL

In 1969, a great debate over the Sentinel-Safeguard ABM went forward in Congress. Lined up against the ABM were the large majority of senior names of science with experience on Government weapons systems: Presidential Science Advisers Kistiakowsky, Weisner, Hornig and Killian; Nobel Prize winner Bethe; ex-Government officials such as Eisenhower's DDR&E Chief Herbert F. York; former ARPA Director and IDA President Jack P. Ruina; CIA's former Deputy Director for Science and Technology Herbert Scoville, Jr.; Director of ACDA's Bureau of Science and Technology Franklin A. Long; former head of the Weapons System Evaluation Division (WSED) George P. Rathjens; and all three former Chairmen of the President's Science Advisory Panel on Strategic Weapons Systems of the last decade: Marvin L. Goldberger, Sidney Drell and Wolfgang K. H. Panofsky.

Administration supporters organized a lobbying arm: "Committee for a Prudent Defense Policy". It was led by the late Dean Acheson (Chairman), Paul Nitze (who was promptly offered a position on the SALT delegation) and mathematical logician turned strategist Albert Wohlstetter. During the debate, Wohlstetter supplied most of the SAFEGUARD-relevant, non-Administration comment.

The debate can only be understood by remembering the way it unfolded. The Congressional debate over the Johnson Administration's Sentinel ABM was underway as the Nixon Administration took office. A bomb-in-the-back-yard debate then arose in which citizen groups protested the Army's plans to put ABM installations near cities.

Offering to review the situation in a month, the Nixon Administration halted ABM work and considered various alternatives. It concluded (and publicly announced on March 14) that an ABM designed to protect U.S. cities against the Soviets was not technologically possible. It noted privately that the Sentinel anti-Chinese defense did not have wide political support, that the Chinese ICBM threat had slipped, and that scientists and strategists were already testifying that an anti-Chinese ABM would make negotiations difficult with the Soviets by accelerating Soviet offensive weapons.

The Administration decided to put its main emphasis upon a third possibility—formerly a little-mentioned option: to use the ABM to protect U.S. Minuteman missiles. It reasoned that no strategic logic could oppose our defense of our deterrent—nothing provocative about that.

The shift to a new ABM rationale—unquestionably a response to a political problem—had two immediate weaknesses. The Administration was faced with showing first that our Minuteman missiles were becoming vulnerable and second that the Safeguard ABM was an adequate defense against the Soviet threat projected.

At this point the Soviets had about 1,000 SS–11 missiles which then, and now, have insufficient accuracy to attack Minuteman missiles. To justify the threat to Minuteman, it was necessary to explain how the larger SS–9s might in future destroy 1,000 Minuteman missiles. The Administration suggested that the Soviet Union would have three 5-megaton multiple independently guided reentry vehicles on each SS–9. (Thus far, 2½ years later, no Soviet confirmed test of true independently guided reentry vehicles (MIRV) has been made.) The Administration argued further that the Soviets might build 50 SS–9s per year so that it would have 420 by the mid-seventies. This would have produced 1,260 warheads.

This still failed to produce sufficient warheads to put Minuteman in jeopardy by a date sufficiently close to require an immediate start on Safeguard. In April, Albert Wohlstetter testified that the Soviets might use a method which the U.S. had previously considered (and rejected in secret) called reprogramming—missile failures are noted and further missiles are sent to replace them. Thus, "backup" warheads need not be fired in those cases where no missile failure is noted. On May 12—two months after Safeguard was announced—DDR&E Chief John S. Foster adopted this line in a speech in Dallas. The plausibility of the notion that the Soviets might rely upon a reprogramming device of this kind to launch a surprise attack was hotly debated. It became the crucial assump-

tion on the vulnerability of Minuteman for the mid-seventies.

ABM opponents considered the matter of Minuteman vulnerability less critical than the question of Safeguard adequacy. They conceded in testimony that Minuteman would eventually become vulnerable if the Soviet offensive buildup sought to make it so. Their central argument was that Safeguard would not be adequate to defend Minuteman, if indeed Minuteman became vulnerable. This argument turned on the fact that Safeguard—designed for Sentinel ABM components—had been built around large expensive radars which would necessarily be bought in small numbers and be vulnerable to Soviet attack. In short, the proponents emphasized the coming possible danger. The opponents emphasized the inadequacy of the proposed solution.

WOHLSTETTER SEEKS VINDICATION

On November 8, 1969, Albert Wohlstetter wrote the Operations Research Society of America, of which he was a member, and asked them to look into the professional conduct of his opponents. In his letter, he emphasized his desire that they consider the question of the vulnerability of Minuteman—the "important issue I have described. He noted that they need not consider the "entire range of issues." The anti-ABM scientists declined to participate in a review by an organization of which they were not members—one in which their chief opponent was a member. ORSA persisted in any case.

Widely reported in the press, the ORSA report, unsurprisingly after such a beginning, condemned those it investigated (Rathjens, Wiesner, Ralph Lapp and Steven Weinberg) and approved the work of Wohlstetter. In order to do so, however, ORSA simply ignored the most important issue (the adequacy of Safeguard) and continued to accept the Defense Department's assumptions without questioning them. (See the signed box in this newsletter and the summarized analysis provided by Richard Garwin.) On minor matters, they were pedantic and biased—as indicated in a paper excerpted elsewhere by Howard Margolis. In general, the ABM opponents have not changed their views, as indicated in the letter reprinted from George W. Rathjens—quite the contrary. Although the ORSA panel had 21 months to prepare its study, Rathjens and others have called it "technically incompetent".

NONPARTICIPANT IN DEBATE BLASTS ORSA

Dr. Richard Garwin had not figured publicly in the ABM debate. But he has been dealing with military weapon systems as a prominent scientific member of the President's Science Advisory Panel (PSAC) under the last three presidents. Garwin called the ORSA Council "unwise" in issuing its report because it had acted as a court without safeguards against abuse. More serious, he clearly believed it to be incorrect in its premises and conclusions.

Garwin argued that both Wohlstetter's position and the ORSA report suffered from "over-professionalism"—"sophisticated operations research techniques applied to shakey assumptions." He said: "In medicine, the operation can be a brilliant success, but the patient may die if the diagnosis is wrong."

Garwin noted that the difference between Wohlstetter and those he criticized turned on three points of disagreement:

1. the military utility of reprogramming ICBMs to replace failures before launch or during flight,

2. the feasibility of simultaneous missile attack on U.S. ICBMs and bombers, and

3. the robustness of the Safeguard system; i.e., the range of enemy force levels over which it would (a) be necessary and (b) contribute substantially to the goal of preserving a specified number of Minutemen.

REPROGRAMMING IMPLAUSIBLE

Concerning reprogramming, Garwin called it "feasible in principle" but his letter went into detail on its many complications. Were he a first-strike planner he would require a force that could put two warheads on each Minuteman silo so as to make unnecessary the complications of reprogramming. ORSA should not have just dismissed the argument of anti-ABM scientists that reprogramming was implausible as a Soviet tactic.

Concerning the problem of pin-down, Garwin agreed with ABM opponents that pin-down would be most difficult. He argued that ORSA had placed the burden of proof incorrectly in requiring opponents to show that pin-down would *not* work—in fact, proponents had not shown any reasonable tactics by which it would work.

SAFEGUARD INADEQUATE

Finally, concerning point three, Garwin clearly agrees with the analysis of the opponents saying:

Below a certain numerical offensive force level Safeguard is obviously not needed to insure the survival of a minimum number of Minutemen. There is some number of SS–9's in the Soviet force which clearly overwhelm Safeguard so that it can no longer ensure that the minimum number of Minutemen survive. If the difference between these two offensive force levels should be small, say 10%, it would be very difficult for the Soviet Union, even if they wanted to, to build a force which would fall precisely into the range where Safeguard would be of some value to the U.S. Indeed, that is the case, not only because the Soviet Union can use the SS–9 multiple warheads, if it so wishes, to destroy the two Safeguard radars which defend any Minuteman at all, but the Soviet Union can use also some of the many SS–11's or could build some SS–13's or could allocate some of the vast number of SLBMs (which are supposed to be useful during a pindown attack) actually to destroy the two MSR radars without which Safeguard is useless in defending Minuteman.

ORSA REPORT "DEMEANING" OF OPERATIONS RESEARCH

Garwin argued that the ad hoc study was "guilty of the same faults of which it accused others" both in its "conduct and its content" and suggested that its publication was so biased as to be "demeaning" to the Operations Research profession. He supported the ORSA five-man minority report which argued that the study shoull have been referred and called on the Society to disown it.

ORSA REPORT CALLED BIASED BY CHRONICLER OF DEBATE

During the 1969 debate, Institute for Defense Analysis (IDA) analyst Howard Margolis produced a lengthy report on the SS–9/Safeguard debate. The ORSA report moved him to a short paper commenting on it in light of his earlier analysis.

As a sample of what he felt can "only be called the bias of the report", he discusses the 12 pages devoted to the Wohlstetter-Rathjens argument over the ability of the SS–9 force to destroy Minuteman.

After charging that Rathjens gave an "overstated impression of the extent to which very conservative assumptions could indicate that Minuteman would not be gravely threatened", and that Wohlstetter "made the most of it", Margolis goes on:

"Now what else is there to say? In the opinion of the ORSA Committee, a great deal. Almost all of the 12 pages the report devotes to this matter is concerned with a detailed critique of Rathjens' handling of the calculations. Much of this degenerates into the most trivial kind of nitpicking. For example, Rathjens at one point said he used a chart put in the record by Secretary Packard and some data released in 1967 to make his estimate of Minuteman vulnerability. "Rathjens assertion . . . cannot be supported mathematically," reports the Committee. Why? Because you can arrive at the estimate using either the chart or the data, rather than both together. At another point Rathjens is criticized for purportedly misreading the Packard chart, although whether he did so is a matter of dispute over what information Rathjens and Wohlstetter exchanged in a private conversation. The Committee puffs a good deal over that one, and without deeming it worth mentioning to the reader that the "error" (if it occurred) had no effect whatsoever on the estimate Rathjens gave to the Senate Committee.

Although the Committee obviously considered such details highly significant, it apparently did not deem it significant to mention that two months before the Senate vote Rathjens had publicly retreated from the extreme impression that might have been created by his original statement. Nor did the Committee comment on the fact that Rathjens had, after all, provided Wohlstetter with an explanation of how he developed his estimate on the day before they were to testify—plenty of time, given the simplicity of the calculations both sides were doing, for Wohlstetter to thoroughly analyze Rathjens case. Rather, we get the elaborate review of Wohlstetter's claims that the explanation that Rathjens gave was not exactly right. The Committee takes that most seriously. Indeed the pages virtually brim over with outrage at Rathjens' behavior. Yet a much shrewder comment, I should think, would have been to see that Wohlstetter's performance on this matter smelled powerfully of red herring. The fact is that by Wohlstetter's own account, Rathjens gave him all the information he needed to duplicate Rathjens calculation. The whole fuss about Wohlstetter being unable exactly to duplicate the calculation from what Rathjens told him (or from what he understood Rathjens told him) is trivial, having no significant impact on the validity or lack of it of Rathjens' estimate.

Of course, if the purpose of the Committee was to help Wohlstetter undermine the credibility of the critics, it would be comprehensible why there is this extreme and tendentious focusing on trivia.* If, on the other hand, the purpose was to inform members of the technical and political communities on how properly the two sides handled themselve in the overall debate, the situation is very odd. For a non-technical reader, and indeed for technical readers, who had not followed the debate closely—as, for example, the vast majority of ORSA's own membership—the impression is given that what is being discussed was an important part of the debate and, further, it naturally creates the impression that the weak showing of the critics on this matter was typical of the debate as a whole."

ORSA "QUASI-JUDICIAL" STANDARDS AT ISSUE

As is not uncommon in scientific disputes, some of the participants may have had ample reason to be interested in discrediting the others. One of the ORSA Ad Hoc Committee Members had been a participant in the 1969 ABM debate under investigation—Howard K. Berger had been a Defense Department official at the time and even Deputy Assistant Secretary for Strategic Systems! Worse, he had been removed from a position of responsibility by the accused George W. Rathjens while working at the Institute for Defense Analyses, an action that led shortly thereafter to Berger's resignation. Evidently, the ORSA Ethics and Grievances Committee did not know of this, nor did Berger think it

* Which contrasts sharply with the gentle handling of a few examples of misstatements by Pro-Safeguard spokesmen elsewhere in the report.

reason for disqualification in a "quasijudicial" investigation.

By deleting 80% of the initial letter written to ORSA by Albert Wohlstetter, ORSA's editor concealed: the fact that ORSA had investigated only what was asked by Wohlstetter; that Wohlstetter had suggested to them virtually all of the minor criticisms they came up with; and that ORSA had not validated some of the assertions; e.g., that there had been "personal abuse" of him, and so on.

JOSEPH ALSOP ADOPTS FAS

The Federation, its director, and "left-wing" scientists, have become Mr. Alsop's latest favorite target for smear—three such attacks have now been printed in the Washington Post and other newspapers in five months.

In the first atack, on May 26, 1971, Mr. Joseph Alsop suggested that the FAS analysis of DOD's "R&D Gap" claims was motivated by a subversive interest in getting DDR&E's John S. Foster "out of the way" because Foster was so often right in assessing the Soviet threat! Here Mr. Alsop was so confused as to describe Jeremy J. Stone as a left-wing political scientist from Princeton when in fact he is a mathematician from Stanford. But Mr. Alsop went much, much further and this column has to be seen to be believed. The L.A. Times refused to print it, although it is syndicated by the L.A. Times syndicate; many other newspapers followed suit.

A second similar attack, on October 27, contained the same implication of treason: "Dr. Jeremy Stone and a good many other misguided American scientists have formed [actually Dr. Stone was ten years old when FAS was formed] a powerful lobby primarily aimed, so far as one can see, to subordinating American strategic policy to Soviet strategic policy." On this occasion the L.A. Times deleted two references to Dr. Stone before printing this column.

On November 8, Joseph Alsop devoted another column to warning that "a great deal of the more leftwing 'scientific' evidence must now be expected to be as crooked as a ram's horn."

Only Mr. Alsop's unique reputation for abuse of his columnist's prerogatives has protected FAS from serious harm from his nonsense. But despite his reputation, politicians can still fear his mud-slinging attacks. Hence these attacks can complicate the life of any public interest association like ours. Many Federation officers have expressed the hope that these attacks will bring us new infusions of funds and members. We hope so. We are not, we regret to say, as powerful yet as Mr. Alsop would evidently like to say we are.

RATHJENS RESPONDS TO ORSA AND ALSOP

(Excerpts of letter to editor)

Joseph Alsop's column of November 8 for the most part accurately reflects the findings and tone of the recent critique by the Operations Research Society of America of the role of myself and others in the ABM debate. What Mr. Alsop failed to appreciate or convey to his readers was the fact that the ORSA report is a technically incompetent critique—based on bizarre procedural arrangements, selective use of evidence, and remarkably uncritical acceptance of Administration assumptions, many of which had little or no foundation in fact.

This is not the place to discuss all of the deficiencies of the ORSA report—we have done that in some detail elsewhere—but lest readers be mislead by Mr. Alsop's column it is perhaps useful to comment on two issues in the ABM debate: the possible vulnerability of the U.S. Minuteman force to a Soviet SS–9 "first-strike" in the mid-70's, and whether the Safeguard ABM deployment would make a significant difference in Mnuteman survivablity.

Although the second question was really what the ABM debate was all about, ORSA focused its attention almost exclusively on the first, a hardly surprising fact since Albert Wohlstetter who instigated the inquiry, and whose lead it slavishly followed, had largely avoided commenting on Safeguard's utility in both his testimony and his specification of changes.

As regards Minuteman vulnerability, I would point out that estimates necessarily had to be based on interpretation of intelligence information and technical judgment of what the situation would be six years later. Various participants in the debate made quite different judgments, and such differences, not mathematical manipulation which was essentially trivial, nor the application of esoteric operations research techniques, accounted for my estimating that 25% or more of the Minuteman force would survive while Mr. Wohlstetter and Defense Department spokesmen estimated 5%. I leave it to the reader to draw his own conclusion as to whose judgments were more reasonable, pointing out that I would now revise my estimates of Minuteman survivability upward as it now seems even less likely than it did two years ago that the U.S.S.R. could fully equip its SS–9 force with highly effective multiple independently targetable reentry vehicles (MIRVs) by the mid-70's. Reports such as those by Michael Getler of a recent DoD/CIA sponsored study by TRW (*The Washington Post*, June 17), General Ryan's March 9 testimony before the House Appropriations Committee, and Secretary Packard's remarks of October 21 lead me to believe that the Administration too might now estimate very substantial survivability.

The Administration seems also to have largely come to the views of its opponents with regard to the question of Safeguard effectiveness. Thus, it is now recognized, even in the Defense Department, that the Missile Site Radar is the Achilles' heel of Safeguard, and there are serious efforts under way to design a dedicated hard-site defense employing less expensive radars as many of us recommended. And it is now considered, as we had suggested, that Safeguard as originally planned will be an inadequate defense if a build-up in Soviet missile capabilities continues, whereas originally it was argued that it was needed in case of such a build-up.

Mr. Alsop points out that we admitted mistakes. A single example will perhaps put that admission in perspective. I had argued that Messrs. Laird, John Foster and Wohlstetter had made unrealistic assumptions in imputing to the Soviet Union the capability, in executing an attack against us, of compensating for *all* their missile failures by replacing the failures with other warheads aimed at the same targets. In fact, Mr. Wohlstetter had, unlike Messrs. Laird and Foster, apparently assumed that 15% of the failures could not be so replaced. I was in error and was criticised by ORSA for the mistake. It is to be noted that neither Mr. Wohlstetter nor the Defense spokesmen offered any analysis to support their contention that such tactics were feasible. Yet, the ORSA committee did not criticise this omission. Rather, it attempted the back-up analysis for them, in so doing finding it necessary to use assumptions about Soviet MIRV technology totally at variance with observations! . . .

WHO HAS BEEN RIGHT ON ABM?

As one participant wrote to a Senator: "We are dealing with a subject where judgment based on technical knowledge and experience, rather than pedantic calculations based on ill-founded assumptions, are frequently most essential". How have the ABM opponents fared on judgment, over time?

In criticizing the ABM opponents, ORSA criticized men whose record on the ABM has been right four times on these four major ABM issues: Anti-Soviet defenses, the no-ABM agreement, anti-Chinese defenses, and the need to put smaller, harder and less expensive radars on Safeguard.

Should the United States build an anti-ballistic missile system designed to protect American cities against Soviet attack (the thick defense)?

In the late fifties and early sixties, those scientists who opposed the ABM argued against deploying the Nike-Zeus in 1963–64. The Secretary of Defense pointed out in 1962 that the money would have been effectively wasted considering the requirements of 1963–64, by the time it became operational.[1]

In the early 1960's the scientists who opposed the ABM argued against deploying the improved Nike-X which could have been ordered in 1963 and built by 1968. The Defense Department conceded in 1963 that it would have been obsolete by 1966.[2]

In the mid, and late, 1960's the scientists opposing the ABM continued to argue that it was not then technically feasible to protect the United States against defense from Soviet missiles. They were right. On March 14, 1969, President Nixon said:

"Although every instinct motivates me to provide the American people with complete protection against a major nuclear attack, it is not now within our power to do so. The heaviest defense system we considered, one designed to protect our major cities, still could not prevent a catastrophic level of U.S. fatalities from a deliberate all-out Soviet attack. And it might look to an opponent like the prelude to an offensive strategy threatening the Soviet deterrent."

Without the opposition of the anti-ABM scientists, $20 to $40 billion could have been wasted on anti-Soviet city-protecting ABM systems during the 1960's alone.

Should the United States negotiate a "no-ABM" agreement with the Soviet Union to prevent either side from trying to build a thick city defense against the other?

In 1960 and 1962, the scientists opposing the ABM were already urging the Soviet Union to consider this possibility. In 1964, for example, one paper presented at an international arms control symposium warned the Soviet Union that the United States would build such an ABM if—but probably only if—the Soviet Union did so. This was right. Throughout the 1960's, the scientists opposing the ABM argued for a no-ABM agreement. They were right. On May 20, 1970, President Nixon disclosed that the super powers "have agreed to concentrate this year on working out an agreement for the limitation of the deployment of anti-ballistic missile systems". A handful of pro-ABM scientists argued that the Soviet Union thought ABM systems "defensive only" and that they would never agree to negotiate them away. They were wrong. President Nixon's announcement—just quoted—was signed also by the Soviet Government.

Should the United States build an anti-ballistic missile system designed to protect American cities against the Chinese ICBM threat?

Since the middle 1960's, the scientists opposing the ABM have argued that a defense against Chinese missiles was not justified. The Chinese could be deterred from attack; no defense would, in any case, be foolproof; and the anti-Chinese ABM would decisively interfere with an agreement precluding the Soviet Union from building an ABM defense against us. They were right. In 1971 the Senate Armed Services Committee con-

[1] U.S. Congress, House Subcommittee of the Committee on Appropriations, "Department of Defense Appropriations for 1964," Part I, pp. 434–35.

[2] U.S. Congress, Senate Committee on Armed Services, "Military Procurement Authorization Fiscal Year 1964" (88th Congress, 1st Session, 1963).

ceded that the "wisdom of an anti-Chinese defense had yet to be demonstrated". And the SALT talks shows every evidence of going forward in a way that will preclude them.

Should the United States use Sentinel ABM radars in Safeguard to protect a fraction of its missile sites from Soviet attack?

The scientists opposing the ABM argued that its large radars were much too expensive and vulnerable and its stock of interceptors much too small. As a result, they said, the system would be overwhelmed if the Soviet threat went slightly beyond the point where Safeguard was needed. The Soviets, they argued, would have to "tailor their threat" to Safeguard to make it useful. They were right. A year later, in 1970, the Defense Department Posture Statement admitted:

"To be perfectly candid, Mr. Chairman, it must be recognized that the threat could actually turn out to be considerably larger than the Safeguard defense is designed to handle." (Pg. 49, prepared statement of Secretary Laird)

The scientists opposed to Safeguard argued in 1969 that such a defense would have to have smaller, cheaper radars (which should therefore be developed) or take some entirely different form if the Soviet threat grew. They were right. The 1970 Posture Statement said:

"If, in the future, the defense of Minuteman has to be expanded, new and smaller additional radars placed in Minuteman field would be less costly than the Safeguard Missile Site Radar (MSR) because they would not have to cover such large areas. For this reason, we will pursue a program to determine the optimum radar for such a defense and begin the development of this radar and associated components in FY 1971. At the same time, the Air Force will pursue several other options for solving the survivability problem of the land-based missile systems." (pg. 49, prepared statement of Secretary Laird)

FAS COMMENDS PACKARD FOR "STRAIGHT TALK"

On October 21, Deputy Secretary of Defense David Packard spoke with remarkable candor on the arms race. At the time he spoke, a seemingly orchestrated chorus of alarm about the Soviet weapons buildup was reaching a peak. It included further leaks about big holes in the Soviet Union, a Life article about the Defense Department's preoccupation with the arms race, a five-part series in Aviation Week and Space Technology on the "growing threat," etc.

By contrast, Secretary Packard put the arms race in perspective. He noted that the President's goal of moving from an era of confrontation to an era of negotiation has "really begun to be realized." He suggested that, on questions of SALT and arms race, there were hawks and doves in the Soviet Union as here. He noted that we sometimes misinterpret Soviet actions that are long underway as short-term moves.

Secretary Packard argued that superiority was not very significant because "almost any conceivable nuclear exchange is going to be almost unliveable" for both countries. He suggested that the Soviet naval buildup was not related to Soviet interest in a confrontation with us. And he argued that patience and optimism were appropriate to the SALT talks.

Secretary Packard did not argue that the Soviets were seeking a "first-strike" capability but did say that if they were, we would "know it fairly soon" and that it would relate, in any case, to a period "several years off." Interestingly, Secretary Packard talked of the SS–9 buildup as becoming a matter of concern if the Soviets reached between 500 and 600 SS–9's—rather than the 420 of which the Defense Department had spoken at the time of the 1969 Safeguard debate.

So long as Polaris is agreed to be highly invulnerable, many FAS specialists believe the "first-strike" notions are simply a rhetorically exaggerated way of discussing the problem of the vulnerability of Minuteman. But, for the rest, these statements of Secretary Packard's were in high agreement with FAS views and they came at a most useful time. FAS Chairman Marvin L. Goldberger wrote the Secretary and suggested that the Secretary's comments had enhanced his reputation for straight talk.

FAS GROWING—BUT NEEDS HELP

The growing effectiveness of FAS is matched only by the increasing attacks upon it. Not only the largest—but virtually the only lobbying arm of science—FAS needs more scientists who want to keep science relevant.

Find us new members. Send us names of persons to solicit. Post our material on bulletin boards. And if you can afford it, send us an additional donation; then we can locate new members through mail solicitation. For each $10 you send us, we can locate a new member. Help us get the 1,000 new members we need.

MAJOR TECHNICAL FLAWS

The ORSA report has major technical flaws.

It failed to consider the adequacy of Safeguard to protect Minuteman which was the fundamental question in the debate.

In considering the narrower question of the vulnerability of our land-based deterrent, ORSA assumed the practical utility of two crucial tactics upon which the Soviets would have had to rely completely, but on which they could not have so relied: very high quality reprogramming and pindown.

These important errors, and a host of other indications of bias and inappropriate procedures, discredit the conclusions of the ORSA panel.

MARVIN L. GOLDBERGER,
HERBERT F. YORK,
HERBERT SCOVILLE, JR.,
SIDNEY DRELL,
FRANKLIN A. LONG.

"Reprogramming" refers to the ability of the Soviet Union to fire new missiles after old ones that fail. ABM proponents argued that the Soviets might reprogram for failure not only at count-down and launch, but also for some or all inflight failures. Opponents argued that the Soviets could not rely upon this tactic—which tactic would have been critical under proponent calculations—since relatively few Soviet Minuteman-killing warheads were estimated to be available for multiple firings at each target.

The argument over "pindown" referred to the possibility that Soviet submarine-launched missiles might pin down U.S. Minutemen missiles with a barrage of detonations above U.S. silos. Hence these smaller submarine-launched warheads might discourage U.S. Minutemen firing until Soviet ICBMs arrived to destroy Minuteman. Thus the short-flight-time-sub-launched missiles might catch U.S. bombers on their bases while pinning down the U.S. ICBMs until the latter could be destroyed.

However, the Soviets would be foolish indeed to rely upon such a tactic. Why should American planners wait until the Minutemen are destroyed? Why not fire—take one's chances on survival of the Minutemen in passing through the barrage—and hold Polaris weapons in reserve if any reserve is wanted. (Evidently the Air Force agrees with the ABM opponent's analysis that pindown is not feasible. See the testimony of its Lieutenant General Glaser, Deputy Chief of Staff for Air Force R&D, before the House Armed Services Committee, part 2, pg. 4351, March–April 1971.)

ORSA REPORT RELEASED BY SLIM MAJORITY

The ORSA report took the form of an Ad Hoc Committee on Professional Standards composed of six persons. The ORSA Council agreed to look into the matter on November 11, 1969, and considered the completed report on May 5–6, 1971. At the latter meeting of the 13 officers and council members of ORSA, two had been involved in drafting the report but did not disqualify themselves from voting. Six other ORSA officials also voted for its release. The remaining five opposed its release in a jointly-signed minority report.

The five-man minority argued that ORSA should not take on the "quasi-judical function of investigating and reporting on professional behavior of individuals". (The word "quasi-judicial" was applied to the investigation even by ORSA's President, a supporter of the investigation.) The minority noted the lack of full access, the absence of a right of subpoena, the disinclination of persons investigated to participate, and the absence of ground rules. The minority further noted that the report should have been referred.

WHERE ORSA CONTROVERSY DOCUMENTS CAN BE FOUND

On October 4, Senator Henry M. Jackson placed the critical appendix III of ORSA's report in the Congressional Record along with articles from the Washington Post and New York Times. (Pages 34639–34656.)

On October 15, Senator Alan Cranston placed in the Congressional Record a reply from Dr. George Rathjens, Jerome B. Weisner, and Steven Weinberg along with an editorial from the Boston Globe. (Pages 36410–36416) (See also, Senator Edward Kennedy, 36692–36698.)

On November 12, Senator Stuart Symington placed in the Congressional Record, the letter from Richard Garwin summarized here. (Pages 40857–40860)

On November 11, House Republican leader Gerald Ford placed the Joseph Alsop Washington Post article of November 8, 1971 in the Record. (Pages 40837–40838)

LIVE DANGEROUSLY: OPPOSE AN ADMINISTRATION

1969

Washington Post Editorial "The Big ABM Brainwash" February 17, 1969, commenting on and quoting from the Secretary of the Army Stanley R. Resor letter to the Secretary of Defense: "Several highly placed and reputable U.S. scientists have spoken out in print against the Sentinel missile systems," Mr. Resor wrote to Mr. Clifford, and after naming a few of them (Hans Bethe, George Kistiakowsky, Jerome Wiesner) and complaining of the difficulty of replying without disclosing secrets, he went on to say:

"It is essential that all possible questions raised by these opponents be answered, preferably by nongovernment scientists.

"We will be in contact shortly with scientists who are familiar with the Sentinel program and who may see fit to write articles for publication supporting the technical feasibility and operational effectiveness of the Sentinel system.

"We shall extend to these scientists all possible assistance."

1971

THE WHITE HOUSE,
Washington, D.C., October 13, 1971.

DEAR BOB: I am sorry that we haven't had a chance to visit on the phone, but you should know that the work of your Society has received a good deal of attention. It was in the President's news clips, and I have discussed it personally with the President and senior White House officials. You might also be interested to know that I was in a meeting the other day in which Admiral Zumwalt discussed the work of the Society in a most favorable way. While not page one headlines, it has been widely covered in the daily newspapers. I am a bit disappointed that the weekly magazines have not yet touched on it. Possibly, some follow-up work might be helpful there.

All in all, I would say that you and the Society have performed a magnificent service. There is no question but that, in the future when "experts" present themselves before Congressional committees as professionals arguing for or against a given course of action,

they will be considerably more careful about the quality and professionalism of their remarks and arguments.

To me the action by your Society, and certainly by you personally, is the kind of incremental act of leadership and good sense that makes this such a wonderful country.

My congratulations on the important part you played in it. I look forward to seeing you soon.

Warm regards,

DONALD RUMSFELD,
Counselor to the President.

Mr. Robert Machol, Northwestern University, Graduate School of Management, 339 East Chicago Avenue, Chicago, Illinois 60611.

P.S.: I thought that the introductory section you wrote to the Society's report was well put.

FOUNDER OF ORSA OPPOSES ORSA REPORT

In a letter to the Boston Globe of October 2, Professor Philip M. Morse said:

[From the Boston (Mass.) Globe, Oct. 2, 1971]

PROFESSOR MORSE PROTEST ORSA REPORT

I regret finding it necessary to protest the recent official approval of the Council of the Operations Research Society of America to a report which gratuitously, and I hope falsely, suggests that the society is on the side of ex Sen. Jos. McCarthy, is promilitary and supports the assumption that the expert always knows best.

I am talking about the impression the report is producing; the council must have known that occasional disclaimers and disavowals can't dispel the effect of the report on the general public, who will not read it carefully or will only know of it through the press.

The report, written by an ad hoc committee appointed by the council of the society and approved by the council for publication, will be considered unfair since it denounces, by name, persons who are not members of the society and who thus have had no means of controverting its effect, except after the fact.

They were allowed space in the report for counter argument, but they had no means of influencing the form of the report and were not represented on the council which approved its publication.

This already has given the impression that the society as a whole is against reduction of armament and is in general pro military; a few cautionary sentences in the preamble can't dispel this impression.

It implies that those with access to secret information must always be right in the assumption underlying their analyses and that those with opposing conclusions must either be dishonest or unscientific. By seeming to argue that there never can be honest differences of opinion regarding assumptions between scientists regarding questions of general policy, it comes down on the side of those who advocate letting a super computer make all our policy decisions.

I don't agree with any of these implications and I protest vigorously against council action which has put me in the position of appearing to approve them. If as I hope the majority of the members of the society feel the same way, then there must be something wrong with the way the society operates to make it possible for a council to place its members in so false a position. If I am wrong and the majority of members really do approve this way of settling a dispute between several ORSA members and several nonmembers, then I must regretfully sever relations with a society I helped to found, since it will have become a pressure group rather than a scientific society.

PHILIP M. MORSE,
Professor emeritus, MIT first president of ORSA, President-elect of the Physical Society of America.

CAMBRIDGE.

WHAT WAS THE ISSUE: THE "VULNERABILITY OF MINUTEMAN" OR THE "ADEQUACY OF SAFEGUARD"?

George Rathjens, Senate Armed Services Committee, 1969: "On the unclassified record here though, I would just like to say that it seems to me it is a matter of time. There is going to be some time, and I do not know when—it will be in the Seventies—when Minuteman will be vulnerable. Accuracies are going to get better. The Soviet force is going to build up. The time is going to depend on the particular assumptions you make about the rate of that buildup, how reliable the Soviet missiles might be, the yields they can carry, and their accuracy.

"But the fundamental point I would like to make—and it is more directly relevant to the question we are discussing, that is the Sentinel or Safeguard deployment—is that when that time comes, no matter when it is, be it 1974, if we deploy Safeguard, it is going to buy us very, very little in the way of improving the survivability of that force."

Wolfgang K. H. Panofsky, Senate Armed Service Committee, 1969: "I am somewhat perturbed that the differences among the calculations of Drs. Wohlstetter, Lapp and Rathjens have been given this degree of attention. Fundamentally these calculations differ only in their assumptions on the reliable CEP of the Soviet MIRV warheads carried on the SS–9, on the assumed hardness of Minuteman, and on the targeting doctrine adopted by the Soviets in a first-strike attack. As expected the spectrum of assumptions ranging from highly conservative to highly unconservative would materially affect the results. Yet what matters is not the conservatism or lack thereof adopted by Drs. Wohlstetter, Rathjens and Lapp in their calculations but the Soviet authorities when debating a possible first-strike against Minuteman and considering the always unknown reliability of their forces, they would have to be conservative indeed.

"The prominence given to the numerical disagreement among these calculations which are a natural consequence of the spread in assumptions has obscured the main issue, namely the large uncertainty of the forecast as to how many MIRV'd SS–9's the Soviet will in fact have available in the 1970's, and the small number of anti-missiles which the Safeguard provides in intercepting them. These two numerical factors are, in my view, vastly more important than the spread among the calculations on survived of Minuteman under hypothetical SS–9 attack as developed by the various experts."

SCIENCE MAGAZINE ON ORSA REPORT

Science Magazine, ABM Debate: Learned Society Split by Old Grievance, October 15, 1971 Nicholas Wade: "Operations research, a group of techniques originally developed during World War II, has not entirely outgrown its military heritage, and many members of ORSA necessarily have past or present connections with the military establishment. ORSA is not ideally positioned to adjudicate a debate that directly pitted the Department of Defense against its critics, but its council seems to have had few qualms about acting on Wohlstetter's suggestion . . .

The ORSA council seems to have believed, perhaps simplistically that for Rathjens and Wohlstetter to have arrived at different conclusions from the same facts, one of them must have presented the facts incorrectly. Yet as Rathjens and his colleagues pointed out in their initial letter to ORSA, there was not always agreement even on the facts underlying the ABM debate, since some of the relevant information was classified and much that was unclassified was incomplete."

COMMITTEE ON GOVERNMENT OPERATIONS REPORT URGES REINSTITUTION OF MONTHLY PRESS BRIEFINGS BY BUREAU OF LABOR STATISTICS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MOORHEAD. Mr. Speaker, the House Government Operations Committee, in a report entitled "Discontinuance of Monthly Press Briefings by the Bureau of Labor Statistics, Department of Labor," urges that Labor Secretary Hodgson "immediately reinstitute the monthly press briefings by the Bureau of Labor Statistics" in connection with the release of statistics on unemployment and the cost-of-living index. The committee also calls for the issuance of a directive by the Secretary to "make it clear that the traditional objective role of the BLS must be maintained."

The recommendations are based on hearings and investigations by the Foreign Operations and Government Information Subcommittee, which I am privileged to chair.

The press briefings, begun in 1953 on a regular monthly basis, were discontinued last March after several embarrassing incidents involving Secretary of Labor Hodgson and other administration officials. Their press conference statements interpreting unemployment and cost-of-living statistics had been at variance with interpretations by career BLS experts, raising charges of "political manipulation" of key Government statistical data.

The committee is sharply critical of Secretary Hodgson's refusal to testify on the events leading up to the policy decision to end the 18-year precedent of monthly BLS press briefings. The report stresses the "importance to our economic system in the maintenance of the objectivity and integrity of vital statistical data issued by the BLS and other Government agencies" and the "absolute necessity to keep such data free from any cloud of suspicion of management of Government statistics for partisan purposes."

Mr. Speaker, our committee is unpersuaded by the reasons given by the administration for termination of the monthly BLS press briefings. Balanced against the countervailing considerations, they do not constitute adequate justification for the action taken. Political news manipulation by the Nixon administration and high-priced public relations "imagery" of the type used in the 1968 "Selling of the President" have become the order of the day.

In the report the committee also expresses grave concern over the implications of the functional "reorganization" by the BLS in late September, in which career personnel involved in the controversial incidents over the interpretation of BLS statistics were shifted to other posts or left the Bureau. One of the subcommittee witnesses, Mr. Harold Goldstein, Assistant Commissioner for Manpower and Employment Statistics, was

among the career BLS experts affected by the "reorganization."

Mr. Speaker, governmental statistical data such as those issued by the BLS on unemployment and the cost of living affects the pay checks of millions of American workers under contracts geared to the cost of living index. Such data is also relied on by many thousands of businessmen, investors, by Federal, State, and local government officials, by those engaged in international trade or finance, in domestic monetary policies and in dozens of interrelated types of activity.

All Americans have a right to believe in the accuracy and integrity of these and other statistics issued by the Federal Government beyond any shadow of a doubt. There must never be any hint of partisan political manipulation of government statistics, such as has occurred because of the halting of BLS press briefings and the subsequent BLS "reorganization."

I am concerned that career Government statistical experts may interpret these actions by the top-level political appointees of the Nixon administration to mean that only "good news" on unemployment or cost of living statistics will be welcome, thereby undermining the validity and public confidence in such data.

Only by adopting the recommendations in our report can the Nixon administration remove the suspicions of political motivation in the recent Labor Department actions affecting the BLS and restore full faith and confidence in the integrity of these vital governmental statistics.

Mr. Speaker, copies of this report are available from the subcommittee office—phone 5-3741.

HUNGARY: SELF-DETERMINATION STILL DENIED

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. CRANE. Mr. Speaker, as we commemorate the 15th anniversary of the Hungarian revolution it is sad to reflect upon the fact that the Hungarian people remain enslaved and a foreign power, the Soviet Union, remains in firm control of the country.

According to the recently enunciated Brehznev doctrine, the Soviet Union has a "right" to dominate and subjugate the peoples of Eastern Europe. While Soviet representatives at the United Nations and elsewhere decry the "imperialism" and "colonialism" of others, the fact remains that the U.S.S.R. itself is the world's foremost colonialist. The peoples of Eastern Europe have borne the brunt of this burden.

It is also ironic to recall that the United States and other Western nations entered World War II to defend and protect the integrity of an Eastern European state, Poland, from attack. That war ended not with Poland's self-determination, but with its domination by the Soviet Union.

Today, while it keeps the peoples of Eastern Europe as virtual vassals, the Soviet Union seeks a security conference to ratify and legalize its colonialism. Many in the Western World feel that such ratification and legalization is somehow the path to "detente." The fact is, however, that such a security conference would no more be the path to "detente" than was Munich. Totalitarian states react to concessions only by seeking more concessions. In the long run, the price has always proven too high.

The people of Hungary valiantly expressed their hostility to tyranny and to foreign control, only to be abandoned by those in the West who for so long had spoken of the liberation of Eastern Europe. The men and women who died in the Hungarian revolution were martyrs to the cause of freedom. They paid a price for freedom which many in the West are not willing to pay.

It is unfortunate to note that the conditions in the captive nations of Eastern Europe today are basically the same as they were 10 or 20 years ago. There remains no freedom of the press, no real freedom of religion, no freedom of speech, and no political opposition.

There have been recent reports of significant changes in the attitude of the totalitarian regimes of Eastern Europe. One of the examples quoted to support such an analysis is the several amendments to Law No. III of 1966 of the Hungarian Peoples Republic. These were heralded by many as a further development of the electoral system in the direction of widening the base of the Socialist democracy.

The facts, however, tell a far different story. In a report prepared by Dr. William Solyom-Fekete, a senior legal specialist of the Legislative Reference Service of the Library of Congress, the point is made that nothing has really altered the one-party nature of the Hungarian election process.

Discussing some of the new legal provisions, Dr. Solyom-Fekete notes that—

> The precautionary measure of eliminating the possibility of the nomination of an undesirable candidate lies in two provisions of the new law. First of all, one nominating meeting is sufficient for any nomination, and there is no way to force a local committee of the Front to call more meetings. However, if at any meeting an undesirable person might still get the necessary one third of the votes, the Front may call several other meetings where measures may be taken to prevent the name of that person from being placed before the meeting and thus . . . the undesirable person would never get the required one third of the votes of all participants in the nomination procedure.

Dr. Solyom-Fekete also points out that an additional measure of precaution was added by providing that the voting on the nomination is open and no secret balloting is permitted. He concludes that—

> In the light of this procedure, as well as taking into consideration the fact that no possibility exists for anybody to organize an eventual opposition to the government, it is obvious that only those persons who enjoy the complete trust of the regime can be nominated.

The Hungarian Minister of Justice himself makes clear that the changes are not basic, and wishful thinkers in the West would do well to consider his words. He stated that—

> The unchanged basic principle of the People's Front characteristics of our electoral system, that members of Parliament as well as members of the councils will represent the program and policies of the Patriotic People's Front also in the future, and that therefore, the acceptance of the program of the People's Front must be regarded as the political prerequisite of their candidacy.

This does not sound like a liberalization of Hungarian electoral policy. Perhaps those who argue that it does have forgotten that democratic procedure requires an opposition to make it real.

I wish to share Dr. Solyom-Fekete's paper with my colleagues, and insert it into the RECORD at this time:

THE NEW ELECTION RULES IN HUNGARY

The Parliament of the Hungarian People's Republic adopted several amendments to Law No. III of 1966 on the Election of Members of the Parliament and Members of the Councils on October 3, 1970.[1] The adoption of the amendments was heralded by the Minister of Justice as "a further development of the electoral system in the direction of widening the socialist democracy."[2]

This claim, together with a superficial view of some of the amendments, fits into the line of the so-called liberalization of the present political system of Hungary. A thorough analysis of the entire electoral law and the newly adopted amendments, however, will show an entirely different picture.

The statutory rules on elections had been changed before each election since the end of World War II. These rules can be divided into three main groups: 1. *multi-party lists (1945–1947)*; 2. *single list elections (1949–1963)*; and 3. *individual candidates (1967–)*.

Immediately after the end of World War II, the Provisional National Assembly enacted the first electoral law[3] according to which the first postwar elections were held. This Law permitted the five established political parties[4] to run for the seats in the Parliament. The election resulted in a resounding defeat of the Communist Party and its allies. The Independent Smallholders Party received an absolute majority of the votes (56 percent) in spite of the heavy-handed interferences by the Soviet occupation authorities. The elections, however, did not result in a parliamentary form of government, because the Soviet occupation authorities insisted that a coalition government be formed, which divided the cabinet posts about evenly among the parties and gave the key positions to communists.

The National Assembly elected in 1945 had a short life, because it was dissolved on July 26, 1947, shortly after it adopted amendments to the election laws of 1945.[5]

Although the new Law preserved universal franchise in principle, in practice it deprived a sizable number of the population of the right to vote. In addition the Law authorized the Central National Committee—consisting of the representatives of the coalition parties—to license any additional political parties to participate in the coming election. Just four weeks before the date of the elections three opposition parties were permitted to run. This was an obvious step to divide the forces opposed to Marxist ideology and to prevent the Smallholders Party from obtaining a majority in the election. The Communist Party, despite a large number of frauds and deceptions, did not win the majority; nevertheless, it became the largest party in the Parliament.[6]

The next move of the Communist Party was the dissolution of the recently licensed opposition parties which had won approximately 33 percent of the votes in the election,

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Footnotes at end of article.

and its merger with the Social Democratic Party under the name of the Hungarian Workers' Party. Shortly thereafter the National Independent People's Front was set up. Its central board consisted of 38 members, of whom 16 represented the Communist Party itself, and 13, organizations dominated by it. This organization took over the tasks of the Central National Committee. Just before the dissolution of the Parliament, it adopted another amendment to the electoral law.[7] This was the final step of the first period in the electoral system.

On April 12, 1949, the Parliament was dissolved and on the basis of the recently adopted amendments the new elections were held on May 15, 1949. The voters had a choice of voting "yes" or "no" to a single ticket drawn up by the People's Front. This election was the beginning of the second phase of the development of the electoral system. Parliamentary elections were held in 1953, 1958, and 1963 under such rules. Similar rules were applicable to the elections of the members of the local and higher municipal councils. Before every election some modifications were introduced to weaken the possibility of voting against the single list of candidates.[8] Even the secrecy of the ballot was violated by the provision which did not require the marking of the ballot in case of "yes" vote, and permitted the placing of unmarked ballots in the urns without entering the voting booths. Thus, if any voter chose to enter the booth, it was known that he intended to mark the ballot, which meant a vote against the list. Such behavior could have resulted in serious consequences. With the use of this and similar methods the regime was able to obtain 96 to 99.8 percent affirmative votes.

In 1966 the government decided to do away with the infamous and widely criticized single list election system and create a new one which would seem to be more in line with the trend of liberalization of the political system. The result of this decision was Law No. III of 1966 on the Election of Members of the Parliament and Members of the Councils.[9]

The Ministerial message accompanying the bill pointed out that the election rules heretofore in effect had fulfilled their purpose of "laying the foundations of socialism but that the further widening of the democratization of the electoral system is an important element of the development of socialist human relations." It was also mentioned by the Minister of Justice that the numerous amendments to the electoral laws made their application immensely difficult.

The basic change introduced by the new Law was that, instead of a list of candidates for a large geographical area, the country was divided into 349 electoral districts, and in each district individual candidates were nominated and elected.

The nomination procedure remained almost the same as before. Nominating meetings were called by the local committees of the Patriotic People's Front in government enterprises, cooperatives, offices, and residential areas. At these meetings a candidate for each elective post could be proposed. The county and capital city committees of the Patriotic People's Front submitted their proposals of the suggested candidates to the Presidium of the National Council of the Patriotic People's Front which made the actual nomination.

The Law made it possible to nominate more than one person in any district, but the order in which the candidates' names appeared on the ballot in such cases was established by the Presidium.

This method of nomination was tantamount to election because the Law provided that a voter had voted for the candidate if he left the ballot unmarked, and against the candidate if he struck out the latter's name. In case of more than one candidate, an unmarked ballot was regarded as a vote for the candidate whose name appeared first on the ballot.

This type of nomination procedure was introduced in order to assure the nomination and election of people who were absolutely trustworthy in the eyes of the government and the Communist Party. Although the Patriotic People's Front, in principle, is an organization independent from the government and the Communist Party, it is in fact only a cover-up for the latter. This is proven by a survey of the leadership of the Front.

At the time of the 1967 elections the President of the Patriotic People's Front was Gyula Kállai. At the same time he was also the Chairman of the Council of Ministers (Prime Minister), and a member of the Central Committee and of the Politburo of the Communist Party.

The first Vice President of the Front was István Dobi, a member of the Central Committee of the Communist Party and of the Presidential Council of the People's Republic. Earlier he had been the Chairman of the latter and thus was regarded as the Head of State.

Of the six vice presidents two were at the same time members of the Central Committee of the Communist Party, two were members of the Presidential Council of the People's Republic, and all but one were also leading government officials. The only exception was Ferenc Harrer, a long-time radical member of the Hungarian Parliament who, at that time, was over 90 years of age.

The Secretary General of the People's Front was Ferenc Erdei, the former leader of the National Peasant Party, an all-time close ally and obedient servant of the Communist Party. He was at the same time a member of the Presidential Council, Vice President of the Academy of Sciences, and previously had held many other government positions.

The twenty-two members of the Presidium of the Patriotic People's Front included five members of the Central Committee of the Communist Party, five members of the Presidential Council of the People's Republic, and eight former ministers, and all of them were at the same time leaders, or leading members, of organizations dominated by the Communist Party.

In the only election held under this Law, on March 19, 1967, in only nine electoral districts were two persons nominated, while 340 districts had only one candidate "to choose from." In the nine districts with two candidates, the candidate listed first on the ballot was, without exception, elected by an overwhelming majority. Although the law does not make any such distinction, the press reports designated the first candidates on the ballot as "the official candidate of the Patriotic People's Front," and the others as "spontaneous candidates of the nominating meetings."

Under such circumstances it was no surprise to anybody that all the candidates were elected with a majority of 95 to 99 percent of the votes. As a consequence of this unanimous election all the bills introduced in the Parliament by the government were adopted, as usual, without a dissenting vote.

In October 1970 the government decided that some further "liberalization" of the electoral system was in order to make the regime more acceptable to world opinion, and to make it possible for the propaganda machinery to boast that the population of the country totally supported the government and the Communist Party, even if the electoral system was not so rigidly controlled by them. At the same time carefully devised precautionary measures had to be taken to avoid any uncomfortable surprises, and to eliminate even the possibility of organized opposition.

The Minister of Justice, in his message accompanying the bill on the amendments of the electoral law, justified the amendments in the following way:

From an evaluation of the experiences of the elections in the year 1967, and from a survey of our electoral system, the conclusion may be drawn that there is no need for a basic change in the Law. The correct principles of our electoral system, the principles of general, equal, and direct franchise, the secrecy of the voting, the system of individual electoral districts, as well as the *People's Front characteristic of the elections* [emphasis added] shall remain in force unchanged. However, the further development of state-life makes the further development of our electoral system justified. This requires that we strengthen the democratic features of the elections; assure the wider possibility for more candidates to run; coordinate better our electoral system with the needs of the individual electoral districts; make the electoral rules correspond to the new organization of the councils (*soviets*) now taking shape; and simplify the procedure of the elections.

The probable reason for the amendments, however, could be found in the election speeches of the leading personalities of the regime in the 1967 elections. János Kádár, First Secretary of the Communist Party, and other communist leaders expressed great disappointment that so few double candidacies occurred. No official explanation was given for the disappointing results of the nominating procedures, but analysts were of the opinion that the probable cause was the reluctance of the lower echelon officials of the Communist Party and the People's Front to allow more than one candidate to run in most of the districts, and thereby open a "Pandora's box" of even the semblance of opposition to the official candidates. Thus the Government and the Communist Party were deprived of a greater propaganda victory. To avoid a repetition of such a "disappointment," the leaders of the regime felt that the time was ripe for another try.

The most important new features of the electoral system are:

1. changes in the nominating procedure;
2. the method of balloting in cases of more than one candidate;
3. abolition of the district councils (*járási tanács*);
4. indirect election of the higher level council members; and
5. separation of the parliamentary and local government elections in the future.

The most important change took place in the nomination procedure. According to the new Law the right to nominate candidates rests with the nominating meetings. This means that the Patriotic People's Front, in principle, does not have any right to decide who the candidates will be. In practice, however, the Front still plays a very important role. First of all the nomination meetings are called by the local committees of the Front in the residential areas, as well as in factories, enterprises, offices, cooperatives, and at the stations of the armed forces, including the police.

Nominations may be placed before the meetings by the organizations of the Front, social organizations, the communities of factories, enterprises, etc., as well as by the individual citizens who have the right to vote. A nomination is accepted if the nominee gets at least one third of the votes of all the citizens participating in the nomination procedure in the respective electoral district. The Law provides that one or more meetings must be held in each parliamentary electoral district.

The precautionary measure of eliminating the possibility of the nomination of an undesirable candidate lies in two provisions of the new Law. First of all, one nominating meeting is sufficient for any nomination, and there is no way to force a local committee of the Front to call more meetings.

However, if at any meeting an undesirable person might still get the necessary one third

of the votes, the Front may call several other meetings where measures may be taken to prevent the name of that person from being placed before the meeting and thus, adding up all the participants of all meetings in the district, the undesirable person would never get the required one third of the votes of all participants in the nomination procedure.

An additional measure of precaution was added by providing that the voting on the nomination is open and no secret balloting is permitted.

In the light of this procedure, as well as taking into consideration the fact that no possibility exists for anybody to organize an eventual opposition to the government, it is obvious that only those persons who enjoy the complete trust of the regime can be nominated.

Another change in the election laws was the introduction of a new method of balloting in case of more than one candidate. Previously—as mentioned before—an unmarked ballot meant a vote for the first candidate on the ballot. The "innovation" introduced by the amending law is that a voter henceforth must mark his choice on the ballot if there are two or more candidates. This, according to the Minister of Justice, will assure that all candidates will start with an equal chance. This justification in itself is a veiled criticism of the old law and was used as further proof of the "democratization" of the electoral system. In view of the method of nominations, however, the change is really meaningless.

The local government heretofore consisted of councils (*soviets*) on three levels: local (village, town, or district of the capital) councils (*helvi, községi, városi, fővárosi kerületi tanácsok*); district councils (*járási tanácsok*); and county or capital city councils (*megyei vagy fővárosi tanácsok*). This system was established by the 1949 Constitution. The amendments to the election law include a provision which eliminates the rules of elections for the middle level (district) councils, thereby ending their existence without formally amending the Constitution. The justification of the Minister of Justice indicates that a new law on the local councils is in the making but does not give any indication of a formal amendment to the Constitution itself. If the question of constitutionality could be raised in a people's democracy, the legality of such a backhanded change of the Constitution would be highly questionable.

The Minister of Justice, in his message to the Parliament, emphasized that the principle of direct elections would remain unchanged. In spite of this assurance, the amendments introduced indirect elections in the case of the highest level councils, the county and capital city councils, for the first time in the postwar history of elections. The members of these councils will not be elected by their constituents but by the members of the lower level councils, mostly from among themselves. The reason for this deviation from the established principle of direct elections is given by the government as follows:

According to experience the constituents remain directly in touch with the members of the Parliament on the one hand, and with the members of the local councils on the other; they know these people best, and expect primarily from them the satisfaction of the needs of the electoral districts and the solution of their problems.

The capital city and the county councils elected mostly from among the members of the local councils will better serve the realization of the principle of residential [representation] in its true sense. The responsibility of members of councils elected in such a manner becomes more realistic, as would also be, in certain cases, their recall.

The real reason for the deviation probably lies in the last half sentence of the above-quoted reasoning containing the proviso for recall. The control over the selection and election of the membership of the councils was loosened by the Law of 1967. The potential removal of a member of a county council directly elected by the constituents would require a cumbersome recall procedure and the participation of a large number of citizens. This could give the regime rather bad publicity. In order to avoid the possibility of such unpleasant notoriety, the government simply discarded the principle of direct elections and substituted for it indirect elections which also includes the possibility of a simple and unheralded recall procedure by a handful of subservient local councilmen.

The amendment to the Electoral Law provides that in the future parliamentary elections and council elections must be held separately. The tenure of the members of Parliament and of the councils is regularly four years, and in the past elections were held for both on the same day. In the interest of separate elections the new Law provided that the tenure of council members elected in the first elections after the effective date of the amendments would be reduced to two years. The separation of the two elections will simplify the electoral procedure according to the government. However, it may be said that the shorter tenure of the local councils will give the government the opportunity to evaluate the results of the amended Law, and the liberalization included therein. If experience proves that the liberalization went too far, it can be easily changed before new elections are held.

No such evaluation seems necessary in the case of the parliament elections, because there the government made sure of the most rigid control of the elections, as described above.

The Minister of Justice, in his speech before the Parliament, stated quite candidly what the amendments will mean in reality. He assured the Parliament that no opposition to the regime will be possible, saying:

I would like to stress and emphasize that unchanged basic principle of the People's Front characteristics of our electoral system that members of the Parliament as well as members of the councils will represent the program and policies of the Patriotic People's Front also in the future, and that, therefore, the acceptance of the program of the People's Front must be regarded as the political prerequisite of their candidacy.[10]

FOOTNOTES

[1] Law No. III of 1970; published in *Magyar Közlöny*, No. 85, p. 846.

[2] *Népszabadság*, No. 233, October 4, 1970. p. 2.

[3] Law No. VIII of 1945.

[4] Independent Smallholders Party, Social Democratic Party, Hungarian Communist Party, National Peasant Party, Civic Democratic Party.

[5] Law No. XXII of 1947.

[6] V. Gsovski *and* K. Grzybowski, *editors. Government, Law and Courts in the Soviet Union and Eastern Europe.* v. 1. London, Stevens & Sons, Ltd., 1959. p. 286.

[7] Law No. IX of 1949.

[8] Law No. IX of 1954; Edict No. 8 of 1955; Law No. III of 1958; Resolution No. 1–19 NET. of 1958; Law No. V of 1962; Law No. II of 1963.

[9] Published in *Magyar Közlöny*, No. 71, November 18, 1966. pp. 643–654.

[10] *Népszabadság*, No. 233, October 4, 1970. p. 2.

PERSIAN GULF POLITICS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HAMILTON. Mr. Speaker, a Wall Street Journal editorial of December 17 correctly identifies the Persian Gulf as an area of vital economic importance to the West and as an unstable region where the Soviet Union might support one side in a local conflict as it has done in the case of Egypt and India. The United States needs to give more attention to this area which possesses over half of the world's proven oil reserves. The editorial follows:

PERSIAN GULF POLITICS

In backing the Indian invasion of East Pakistan, the Soviet Union bought itself and India a whole host of problems they will be incapable of solving.

Certainly Soviet-Indian collaboration did not represent a threat to the vital interests of the United States, and as we have said before, there was very little reason for the United States to consider direct intervention.

But that does not mean that Soviet adventurism has ceased to present a problem to the United States and to its allies. There is some danger that Russia's conception that it has won a victory on the Indian subcontinent will embolden its militarists to risk other adventures.

Unhappily, their next target might prove to be the Persian Gulf. And there the vital interests of the Western allies would be affected to a dangerous degree. Russia's top political leaders would do well to try to restrain their military men from running such a risk.

The Soviet awareness of the potential for fomenting trouble in the Persian Gulf is all too evident. Marshal Andrei A. Grechko, the Soviet defense minister, is just making an official visit to Iraq, no doubt to discuss that country's military needs and attitudes. While there, he is visiting the Iraqi port of Basra, where Soviet warships cruising the Persian Gulf call to take on supplies and fuel.

While Marshal Grechko's visit has been interpreted in some quarters as another attempt to apply pressure to Israel, the stop at Basra is indicative of an interest in Iraq's eastern border, with Iran and the Persian Gulf.

What is tempting about the Persian Gulf is a political vacuum of sorts brought about by British withdrawal, due for completion at the end of this year, from its responsibilities over the small Arab "trucial states" at the southern end of the gulf. The six states have formed an independent federation, but are hardly a political entity capable of self-defense.

Iran has moved partly into the vacuum by seizing three small islands at the mouth of the gulf, off the coast of the newly formed federation. It thus incurred renewed enmity from its usually unfriendly neighbor, Iraq. Interestingly, oil-rich Kuwait also protested. Even more interestingly, Libya joined in, retaliating not against Iran, but Britain. It seized Libyan properties of British Petroleum Corp. and withdrew its money from London banks.

Naturally, this kind of unstable situation appeals to the Russians as it might seem to offer potential for exploitation. Yet further Soviet involvement in the sensitive affairs of the Persian Gulf could set back the cause of improved East-West relations immeasurably. The Persian Gulf is simply too important to the major industrial powers.

Western Europe draws nearly half of its oil from the nations that border the Persian Gulf. Japan gets nearly 80% of its oil from the region. Neither the NATO countries nor Japan could look with equanimity upon any Soviet-Iraqi effort to apply political pressures to Iran and the other Persian Gulf countries.

However the equities of the India-Pakistan war are viewed—and there is plenty of blame to be bestowed on both sides—there can be little doubt that Soviet backing for India played a role in bringing it about, just as Soviet backing for Egypt played a role in the 1967 six-day war with Israel. As long as

there is a Soviet presence lurking behind outbreaks of shooting wars it will be hard to believe Soviet claims that it wants improved relations with other nations of the world.

And if the next hot spot should prove to be the Perisan Gulf, the consequence of Soviet adventurism could prove to be most serious.

VIETNAM AND THE HIDDEN U.S. SUBSIDY

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MOORHEAD. Mr. Speaker, the House Government Operations Committee has called upon President Nixon to end a "hidden U.S. subsidy" in exchange rates with Vietnam which has cost American taxpayers at least half a billion dollars just over the past 3 years.

The recommendation was contained in a report based on investigations and hearings by the Foreign Operations and Government Information Subcommittee, of which I have the honor to be chairman.

The committee said action should be taken by immediately negotiating an official rate of exchange which realistically reflects the real value of the U.S. dollar on the free market in Vietnam.

The United States buys piasters, which is Vietnam's national currency, to pay for local goods and services needed by U.S. military and civilian agencies in the war effort. At present, the official rate is 118 piasters to the dollar. However, on the free market, the dollar is worth about 430 piasters.

Although President Thieu announced a series of economic reforms on November 15, the official rate of exchange affecting U.S. Government purchases was left untouched at 118 piasters to the dollar. Failure to change this rate, despite constant subcommittee protests over the years, is costing the U.S. taxpayer $16 million a month.

The report—approved by voice vote by those present without dissent—said the "hidden subsidy's" additional economic assistance to Vietnam was never authorized or appropriated by Congress for that specific purpose or even identified as such until this year. The money always has been represented strictly as payment for needed local goods and services, mainly for the U.S. military.

Investigations showed that Vietnam took this foreign exchange and then spent it for imports, including luxury goods, from Japan and Europe. Only a token amount ever came back to America to benefit our labor and industry.

Despite repeated pleas from the committee that our Government insist upon the Vietnamese patronizing our store more often, they still take their business elsewhere. The elsewhere is not the less developed countries needing help themselves, but our chief industrialized and highly developed competitors for world trade.

Unemployment in the United States would be less if Vietnam spent some more of our money right here. Ironically and sadly, many of our unemployed are veterans who laid their lives on the line to fight for Vietnam.

Witnesses before the subcommittee conceded the 118 rate was "increasingly inappropriate," even "extortionate," and did not make any sense "economically." But they defended it anyway on the basis Vietnam planned to change it next year if the Congress voted $150 million in supporting assistance to make up for the subsidy and everybody is of the same mind when the action takes place.

So it looks like we are going to actually buy a new exchange rate and make certain Vietnam does not lose a nickel on the deal. Meanwhile, Vietnam is reaping big new revenues from a customs crackdown and does little or nothing to tap importer windfall profits or substantially increase domestic taxation.

Mr. Speaker, copies of this illuminating report may be obtained from the office of the Foreign Operations and Government Information Subcommittee, phone 53741.

HON. PETER W. RODINO, JR.

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 21, 1971

Mr. HOWARD. Mr. Speaker, the distinguished dean of the New Jersey congressional delegation, the Honorable PETER W. RODINO, was recently unanimously elected Chairman of the 20th anniversary session of the 31-member nation Intergovernmental Committee for European Migration.

Dean RODINO has made a profound contribution to the Congress where he is now serving in his 11th term in the House with distinction. As the ranking Democrat on the House Committee on the Judiciary, Dean RODINO has worked closely with Chairman EMANUEL CELLER in reporting out some of the most important legislation ever to be voted upon in the House.

Because of the great importance of the 20th anniversary session of the Intergovernmental Committee for European Migration, I insert in the RECORD Mr. RODINO's statement to the organization:

STATEMENT OF THE HONORABLE PETER W. RODINO, JR.

Mr. Director General, Mr. Councilor, Ministers, Delegates, Ladies and Gentlemen—

On Monday, November 26, 1951 at the Hotel Atlanta in Brussels, Belgium, representatives of 27 governments attended a Migration Conference, convened by the Government of Belgium at the request of the Government of the United States of America. The Holy See, the United Nations, the International Labor Organization, the International Refugee Organization, the UN High Commissioner for Refugees and many intergovernmental and non-governmental agencies were represented by observers.

The Conference elected the following slate of officers: Chairman, Monsieur F. Leemans (Belgium); 1st Vice-Chairman, Monsieur Giusti del Giardino (Italy); 2nd Vice-Chairman, His Excellency Mr. de Souza Filho (Brazil); Rapporteur, Dr. Von Trutzchler (Germany).

This Conference considered and adopted a resolution to establish the Provisional Committee for the Movement of Migrants from Europe (PICMME). The organization survived to become in 1954 the Intergovernmental Committee for European Migration (ICEM). I could not help feel a touch of nostalgia as I glanced over the list of delegates to those early meetings. In addition to the officers noted, I would like to pay respect to George Warren and the late Congressman Francis E. Walter of the United States—both considered "founding fathers of ICEM"—and to Bas Havemen of the Netherlands who later was to become Director of ICEM; Monsieur Rocheforte of France; Monsieurs Zuller and Oskar Schurch of Switzerland. The stature of these individuals is reflected in the high ideals and significant undertakings of this Committee.

It is interesting to note that the first budget proposed for PICMME amounted to $34,000,000 with $3,000,000 of that amount being required for administrative purposes. So we see that ICEM has been an international agency whose costs have not risen substantially since its founding. This is truly remarkable.

Over the years the United States Congress has always shown a deep interest in ICEM. In 1954, the late Congressman Chauncey Reed was instrumental in drafting a Constitution, which, upon ratification by 15 countries, became the basic legal document upon which ICEM was established. The interest of Congress in ICEM is as strong today as it was yesterday and the attendance today of several distinguished Members of the United States Congress is another clear manifestation of that interest. This organization which has lent itself to so many human causes has not only been recognized as vital and necessary by the Congress, but its goals and endeavors have been supported by the Administrations of Presidents Eisenhower, Kennedy, Johnson and Nixon.

I trust that the delegates will forgive me for devoting much of my opening remarks to my own country, but I deem it important to make it clear at the outset that my Government strongly supports this Committee which has done so much to serve the cause of peace in our time, truly an age of challenge. As we proceed with today's activities, I am certain that other delegates will take the opportunity to express the sentiment of their governments for the work of ICEM.

It is with great pleasure that I open today's activities which mark the 20th Anniversary of this unique organization. The record of having assisted over 1,800,000 persons in finding new homelands is commendable. While we can justifiably take pride in our achievements of the past, we must address ourselves to the challenges of the future. One of those paramount issues is that of world population. Migration is a factor in dealing with this problem and we must strengthen the one international agency which seeks to cope with this phenomenon. The future strength and vitality of ICEM as a migration agency requires the concern and support of all governments—members and non-members.

Friends, the agenda before us today is extensive. There are many important individuals who will wish to address the Council. Let us proceed with dispatch, limiting our remarks so that all who wish to speak will have that opportunity.

It is with great pleasure that I welcome today the heads of many of the international agencies with whom ICEM has such close ties and working relationships. It is good of all of you to take time out of your busy schedules to be with us this morning and, in the name of the ICEM Council, I express our thanks.

With us this morning and scheduled to be our first speaker is Mr. Vittorio Winspeare Giucciardi, Director General of the United Nations, who will greet us on behalf of the United Nations, our host, and also on behalf of the international organizations in Geneva.

One of the oldest and strongest supporters of ICEM has been the country of Switzerland. ICEM has, since its inception, had its Headquarters in the beautiful city of Geneva. We are most thankful to the Canton of Geneva and the Federal Government of Switzerland for the interest and concern it has displayed over the years for ICEM.

Federal Councilor Pierre Graber will now address the Council.

THE AMERICAN FORUM

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DORN. Mr. Speaker, it was our very special pleasure recently to attend a reception to honor "The American Forum" radio program upon the resumption of its broadcast over the Mutual Radio Network. Created and produced by the late broadcast pioneer, Theodore Granik, in 1928, "The American Forum" and "Youth Wants To Know," another of Mr. Granik's programs now being reactivated, have won broadcasting's highest awards. These include the coveted George Foster Peabody Award, the Sylvania Award, and the Academy of Radio and Television Arts and Sciences Award. Robert C. Cody, veteran broadcast journalist and American Forum's moderator and executive producer, and Mrs. Theodore Granik, associate producer, are continuing these distinguished public service programs on the Mutual Radio Network. Host for the reception honoring "The American Forum" was Mr. Leo M. Bernstein, president of the District of Columbia National Bank, which is one of the sponsors of the program.

Mr. Speaker, so that the Congress may be aware of the manner in which timely public issues are being brought before the people by "The American Forum" we include the following transcript of a recently broadcast edition dealing with water pollution legislation. Participants in this most timely program are Senator JENNINGS RANDOLPH, of West Virginia, chairman of the Senate Public Works Committee, and the Hon. William D. Ruckelshaus, Administrator of the Environmental Protection Agency. As a member of the House Public Works Committee, which has just approved our own separate version of the water pollution bill discussed in this program, I am especially aware of the great dedication and expertise that Senator RANDOLPH brings to his Public Works Committee's deliberations. Mr. Ruckelshaus, in his appearances before our committee, has made great contributions to our committee's consideration of pending water pollution legislation.

Mr. Speaker, I commend to my colleagues the following splendid dialog as an example of the truly democratic, pro and con dialogs presented on public issues by "The American Forum":

AMERICAN FORUM

Participants: Senator Jennings Randolph, Democrat of West Virginia and chairman of the Senate Public Works Committee and Mr. William D. Ruckelshaus, Administrator of the Environmental Protection Agency.

VOICE. I believe the Administrator has misread the public desire, at least in part, for a clean environment and the public willingness to pay its share—even a big share, of the cost.

ANNOUNCER. From Washington, D.C., the Mutual Broadcasting System presents the award-winning American Forum, America's first public affairs discussion program. Every week at this time, the American Forum explores both sides of a major issue of vital concern to the nation. This week's program examines the Continuing Pollution of Our Water Supply. American Forum's Moderator, Robert C. Cody, introduces this week's guest in one minute.

ANNOUNCER. Now, here is your moderator, Robert Cody. . . .

CODY. Joining me here in the Senate Studios on Capitol Hill to discuss the urgent matter of Continuing Pollution of our Nation's Waters . . . and what the Administration is doing to correct it are Senator Jennings Randolph . . . Democrat of West Virginia and Chairman of the Senate Public Works Committee and Mr. William D. Ruckelshaus, Director of the Environmental Protection Agency. It is Mr. Ruckelshaus' responsibility as Director, to enforce Federal Laws on air and water supply and pollution, pesticides, radiation and solid waste disposal. Mr. Ruckelshaus . . . Mr. Paul McCracken, Chairman of the President's Council on Economic Advisors, has been quoted in the Washington Post as saying that Legislation on Water Pollution Control, introduced by Senator Randolph's Committee and passed by the Senate, is inflationary and would put too heavy a strain on the Nation's economy. The article further said that you joined Mr. McCracken in presenting economic arguments against the Legislation. Is this an accurate interpretation of the Administration's approach to cleaning up the country's water supply . . . that it's too expensive?

RUCKELSHAUS. No, I don't think it is at all. The Administration's approach has been—in the Bill that we introduced last year—and the Bill that we introduced this year, to change the present Water Pollution Control Laws so as to take advantage of the progress that we've made in the past in attempting to set standards and enforce them pursuant to our ability to relate effluent going into th water to the water quality. By setting effluent standards up to a certain limit so that every industry or Municipality discharging into waters in this country, had to come up to a certain level of treatment and beyond that the treatment levels be based on the benefits to be achieved in the receiving waters. The approach that has been taken in the Senate Bill, is based on a goal set as a technological goal—a no discharge goal.

RANDOLPH. By 1981.

RUCKELSHAUS. That's right—that's right . . . by 1981. Thank you Senator for pointing that out.

RANDOLPH. Yes sir. Well it's important. . . . You know. . . .

RUCKELSHAUS. I know. Our quarrel is not with the goal that I think the Administration and the Congress both have for cleaning up the waters. The only question is how to get there. And it's our opinion that we should set a goal related to water quality itself rather than related to technology—that's the essential difference between the Administration and the Congress.

CODY. Senator, how do you say we should get there?

RANDOLPH. I, of course, am gratified to join with Mr. William Ruckelshaus in a discussion of this important legislation. It has been our privilege as Members of the Committee on Public Works, sixteen of us, to work closely with the Administrator. We feel that he is knowledgeable and we believe that he and the Administration, are in cooperation with us on the Committee, as we on the Committee are cooperating with them, in the broad purposes of this Legislation. I think that where the Administrator can identify a direct link between a Pollutor and water quality, the Administrator is authorized to tighten controls on the Pollutor, Wherever attainable, an interim goal of water quality is to be achieved by 1981, as I have said and that provides for the protection and the propagation of the fish, shell-fish and wild life and for recreation in and on the water. Mr. Ruckelshaus mentioned the affluent limits. Well, affluent limits on all existing sources must at a minimum, we believe, apply this best technology available by 1981. Now, of course, we are talking about standards now, and that is a program that we feel, to date, has not been as successful as it might have been. I say that it is an unfortunate situation—I believe that's true.

RUCKELSHAUS. I don't disagree with that at all Senator. I think we have, and every fair-minded person would admit, we have fallen short in this country, of protecting our waters and protecting the air and that's the reason for the Air Bill which came from your Committee last year, which I think will be an excellent tool to clean up the Air and that's the reason for the Water Bill that came from your Committee this year and is now pending in the House.

RANDOLPH. Well, that's true and I do feel that there is something to be said for the fact that this legislation passed the Committee unanimously in the Senate and then after we had brought the measure to the Senate floor, it passed by a vote of 86 to nothing in the Senate. So there are differences, of course, in the provisions that you think should be incorporated in this Legislation from the provisions that we incorporated.

But there is this strong support within the Congress that I feel is in no wise to be discounted by those in the Administrative Branch of Government, who have to cope with this problem. We all are thinking in terms of the restoration and the maintenance as, we say in the bill, of the natural, chemical, biological and physical integrity of the Nation's waters. So we have a common purpose and to achieve this purpose, from the standpoint of the Senate Bill—why, we think it's necessary to have a National policy, as I have indicated before, on the discharge of pollutants that go into the navigable waters and that those pollutants be eliminated by 1985.

CODY. Gentlemen, I would like to pose a question here: "Should the taxpayer pay for the industrial pollution or should industry, which made a profit from the tax-payer-consumer on the products it manufactures, pick up the tab for the poisoning of this country's water sources?"

RUCKELSHAUS. Well, you've put your finger on who's going to pay for it. It will be one or the other, either the consumer or the taxpayer. And the essential question, I think, is how we view the problem of pollution. It's my position, and that of the administration, that in the past we have not included as a price in the production of a product, as part of that price, what it cost in this production, to abate whatever pollution is caused by the production itself. And so, to that extent, a product has been under-priced in the past because we have treated the air and the water as being free and that a more realistic approach is to treat as part of the cost of the production of any product, whatever it costs to abate the pollution caused by that production.

CODY. You say that the Consumer should pay for it?

RUCKELSHAUS. That's right. That doesn't mean that in some set of circumstances the taxpayer shouldn't pay. Municipal pollution, the taxpayer pays. Again . . .

CODY. He's going to pay for it one way or the other, in his taxes.

RUCKELSHAUS. They are different people now. The consumer and the taxpayer are not

the same person. They are different classes of people and there are many instances in which the taxpayer is a much different kind of person than the consumer when you try to decide who ought to pay for any benefits that accrue to society and in this instance, it's our opinion, where industrial pollution is the result, the philosophy should be that the consumer bears the burden in that this would be more reflective in terms of what products he buys and in that way would also abate pollution.

CODY. How do you feel about that, Senator?

RANDOLPH. Well, in our Bill, I think generally, we—Mr. Ruckelshaus, have an approach which we feel is valid. And that is, that we must stop pollution in the waters and that the cost of the product—you see, the cost of the product, that should be borne by, of course, in a sense, by those who do the polluting. Is that——

RUCKELSHAUS. Yes, I think that's right. And one of the things we are arguing about is what percentage should the Federal Government pay in terms of construction of Municipal Sewage Treatment Plants. What percentage should the State Government pay—what percentage should the local Government pay? It's a question how you allocate these percentages among different classes of taxpayers. It's my own belief that what we have to get back to in this country is that each individual should pay for whatever it costs to treat the wastes he produces. Because he is the pollutor in whatever waste it is he produces, so that, at the local level of Government, whatever it costs to treat his waste should be reflected in what he pays in a sewer rate or whatever—in treatment cost. This is the fair allocation of the burden.

RANDOLPH. Bob, could I come in at that point?

CODY. Yes, because there is a point that isn't clear.

RANDOLPH. The Bill that we have passed in the Senate requires that Industrial users pay for the service of cleaning up and the cleaning up, that's something that benefits all the public, doesn't it?

RUCKELSHAUS. That's right. No, no, he is talking about two different things. There is a Municipal treatment. The cost of treating Municipal sewage, in which Industry will discharge through a Municipal system. In both the Administration's sponsored Bill and that which came out of the Senate, there was an effort to allocate the cost of treatment more equitably to the Industry which was discharging through a Municipal system instead of having the general user—individual user—of that system——

CODY. The industry would pay.

RUCKELSHAUS. The industry would pay fair share—whatever it would cost for treatment. And that's reflected again in the Bill. That passes it on to the consumer. Because if the industry pays a higher cost for the treatment of its waste, that's going to be reflected in the cost of its produce and thereby the consumer is the payer. It alleviates the cost going to the Municipal taxpayer because before this user charge was placed on industry, he was picking up the share of cost of whatever it was to treat that industrial waste.

RANDOLPH. Well, I think in our Bill, we would say and I think Mr. Ruckelshaus will agree, that the grantees must adopt a system of user charges to assure that each class of users will help to pay the costs of the operation and the maintenance including replacement of sewage treatment plants which are financed with Federal grants. Each industrial user of such facilities must agree by contract to pay back the portion of the Federal share of the construction cost that has been allocated to the industrial user's waste. These payments are to be received by the Administrator and of course a part of the Treasury funds. Now are we agreed on that point?

RUCKELSHAUS. We had—the money under our provision—there was the same allocation to be made—the Industrial user was to pay their fair share of the capital improvement and the operation and maintenance of the plant but the money—the Administration's proposal, was to go back to the local units of Government for the purpose of environmental abatement there at the local units instead of going into the National Treasury. That was the only distinction between the Administration's proposal and that which came out of the Senate.

RANDOLPH. Mr. Ruckelshaus, I would like to—if Bob will permit me at this point, to have your feeling about the assistance which we hope to give to States and localities in the Bill which passed the Senate. A four year program of Federal grants for the construction of sewage treatment plants. The Federal share, as we anticipate it, in the authorization Bill, will be fourteen billion dollars through fiscal year 1975. The Federal grant—the minimum Federal grant—set at 60% of the project cost. If a State contributes as much as 10% of that cost, the Federal grant is increased by a matching of 10% and up to 70% locality share, thus it becomes 20% of the total project cost. What's your feeling on that?

RUCKELSHAUS. Well, we submitted to the Senate and the House, with our Bill which was introduced last December or last January, a needs assessment as best we could determine it, all over the country, as to how much money was needed by the local units of Government, to build local sewage treatment plants over the next three years. That needs assessment came to twelve billion dollars total. This twelve billion dollars over the next three years, would be precisely what would be appropriated in a three year period under the Senate and House Bill. The only question between the Administration and the Senate is who shall bear what percentage of the cost itself. Under the Senate Bill, a much larger percentage, up to, as Senator Randolph mentioned, 70% would be borne by the Federal Government. Under the Administration's position, the Federal limit would be 50 percent. Our theory in limiting it to 50%, as I mentioned a moment ago, in an effort to get back to the local units of Government, an understanding of the need to assess the individual user—an individual himself who creates the waste—the concept that he must bear the expense of treating that waste.

And what we are concerned about is that if too much of the percentage is borne by the Federal Government, that there would not be enough incentive on the local Government and on the individual himself, to get used to the idea of paying a user charge for treating whatever waste they create.

CODY. Mr. Ruckelshaus, is it your feeling that the present system of cleaning up the waters is less expensive than those of the suggestions and proposals from the House and Senate?

RUCKELSHAUS. Well, it's hard to say at this point, but I think ultimately it will be less expensive, because if—you have two choices in this area. One is you can set a goal, which we suggest, by 1981 of swimmable waters—a full body contact, the highest and most beneficial use of the waters in the country. That's a water quality goal. Or you could set a goal which is based on technology—on the latest and best available technology or on no discharge. Now, that goal is one that is defensible and it is defended by Members of the Senate and many in the House but it is our feeling that if you base a goal on technology as opposed to the benefits which you are attempting to achieve, which is water quality, that you are likely to cause an awful lot of new technology to be used without any commensurate benefit so that the cost might well be escalated very greatly particularly at the upper levels of treatment where you go from ninety-five to 100 percent of treatment with very little commensurate benefit and what concerns us is that if the cost rises astronomically in attempting to achieve what all of us are trying to achieve, which is good water quality, the general public is likely to begin to question whether these costs are really worth it. And that's frankly what concerns us.

RANDOLPH. I would like to ask Bob, or Mr. Ruckelshaus, what you feel would be secondary treatments standards? What do you say?

RUCKELSHAUS. Secondary treatment standards?

RANDOLPH. Yes.

RUCKELSHAUS. Secondary treatments standards mean 85 to 90% as a rule or 80 to 90 percent removal of such things as biochemical oxygen demands, salable solids, suspended solids. We are attempting to arrive at a definition of secondary standards in both the Administration's and Senate Bill by 1976, in which we tie it to an affluence standard called the best practicable treatment currently available.

CODY. Gentlemen, we'll have to break away here for a moment. American Forum continues with concluding remarks from Senator Randolph and Mr. Ruckelshaus in one minute....

ANNOUNCER. Now, again, here is your Moderator, Robert Cody....

CODY. Senator Randolph, may we have your closing remarks, please.

RANDOLPH. Bob, much of the controversy which surrounds the Senate Bill, results, I think, from misinformation which has been circulated. The Administration view of this measure is heavily influenced, Mr. Ruckelshaus has said that, by budgetary considerations. It fails, I think, this opposition, to give adequate consideration to the seriousness of the problem and the need to take massive and immediate corrective action. I believe that the Administration has misread the public desire, at least in part, of a clean environment, and the public willingness to pay its share, even a big share, of the cost. This has been proven. I am confident that the Congress has responded insofar as the Senate is concerned, properly and adequately and I believe that there is a determination throughout the country, as a whole. There is no partisanship in this matter—that we do resolve differences. We bring to the President's desk a strong measure which he can sign.

CODY. Mr. Ruckelshaus. . . .

RUCKELSHAUS. Senator, your statement assumes that opposition to the Senate Bill by the Administration to the extent that there is opposition, thereby means that we are not in favor of clean water. We are not in favor of an immediate attack on what is an immediate problem. That, of course, in my opinion is not a correct assumption. There are many ways of achieving clean water and we believe that the best way to achieve it, just as you say, between now and 1976, to make a massive approach—to make massive expenditures. This Administration is committed to it. There will be a strong Bill and the President will sign it.

CODY. Thank you Gentlemen, for participating in the American Forum. Here with me in the Senate Studio discussing the continuing pollution of our Nation's waters were Senator Jennings Randolph, Democrat of West Virginia and Chairman of the Senate Public Works Committee and Mr. William D. Ruckelshaus, Administrator of the Environmental Protection Agency. Join us again next week at this same time, when we continue our democratic dialogue by taking a close look at both sides of another vital issue of concern to the nation. This is Robert Cody in Washington.

Closing theme: In, hold for hold for five secs, then under:

ANNOUNCER. The American Forum, the nation's first public affairs discussion program, is a Granik-Cody production, in association with the Mutual Broadcasting System, Executive Producer: Robert C. Cody; Associate Producer and Coordinator: Hannah Granik; Engineering by Daniel Brechner. This is Martin Edwards speaking.

Theme: Up, hold till end.

FOSTER DAUGHTERS AND SONS

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. VEYSEY. Mr. Speaker, we are all familiar with the official statistics on the aging and the formally expressed programatic needs for our senior citizens, but their one great requirement cannot be measured or provided for by any level of government: human contact, warmth, and concern.

Only live human beings can supply that need. In Riverside County, Calif., which is in the district I am privileged to represent, some beginning steps toward solving the problems of loneliness are being taken by a volunteer organization, Foster Daughters and Sons. The members adopt residents of convalescent homes and visit them frequently as they would their own parents.

This group was recently founded by Mrs. Janet Goeske, 4025 Rice Road, Riverside, Calif., who I am sure would be happy to offer guidance to anyone else who would like to establish a similar organization.

The Riverside Free Press published a feature article on Foster Daughters and Sons on November 11, which I insert below for the possible benefit of my colleagues and other interested persons:

FOSTER DAUGHTERS AND SONS—THEY GIVE THEIR TIME TO LESSEN LONELINESS

(By Pat Eickman)

Her children visit rarely. They're perhaps disturbed by her helplessness, ashamed because there is no room for her in their small homes.

Or maybe they come every Sunday, but the six days between visits pass more slowly than the days before Christmas when she was 4.

She never thought of living in a convalescent home when she was 30. But then arthritis curled her fingers and her memory fogged over.

She became old. And then she became lonely. And she's typical of many convalescent home residents.

Easing the pain of loneliness for men and women in convalescent homes is the purpose of Foster Daughters and Sons, recently organized in Riverside County. Seventy persons have volunteered for the program.

Mrs. Janet (John) Goeske, Riverside president of the group, says, "One of the biggest needs in the world is in convalescent homes."

Members of the new group visit convalescent home residents frequently—as they would their own parents.

Mrs. Lulu Powell of El Centro is 77. She came to Beverly Manor, 4768 Palm Ave., after breaking her hip. She has lived at the home for over a year.

"I'm ready to go back to El Centro. Too far from my folks," she says wishfully. "I'm as well as I'll ever be."

Mrs. Powell has just been adopted by a foster daughter Ruth Serway, 5632 Grand Ave., Riverside. Mrs. Powell was "all smiles" when they met the first time, her foster daughter says. "Today she's a little despondent."

A member of Naomi Circle of Trinity Lutheran Church, 5969 Brockton Ave., Mrs. Serway says her group joined the visiting program because "we felt we wanted to do something more vital. We wanted something on a more personal basis."

She likes the program because it's "so flexible." Members may visit their foster parents when they wish, as frequently as they want.

Mrs. Stella Cull of Rubidoux moved to Beverly Manor over a year ago after cataracts were removed from her eyes, although she says "five months" when asked how long she has lived at the convalescent home.

So far as Beverly Manor knows, the 88-year-old woman has no living relatives.

She keeps hoping friends will visit her. "They were ready to come down here. They started to come. But she got sick."

Mrs. Sarah McQueen, 3950 Douglas Ave., Riverside, has adopted Mrs. Cull.

"This is something I always wanted to do—help someone in need," she says.

"I know she's (Mrs. Cull) very lonely. She neeeds somebody to talk with," Mrs. McQueen says.

Don Ellis, assistant administrator of Beverly Manor, has welcomed the Foster Daughters and Sons program. "They (home residents) feel they've come here to die. It's a lonely atmosphere."

The now volunteer program helps the elderly residents, Ellis says.

"I don't think they look at 't as a charity thing. It's a relief. It's new. Somebody to take an interest."

John Holcomb never married. "I thought that I never had much to offer a girl. Never had much money."

Now 83, the Riverside man lives at Alta Vista Convalescent Hosital, 9020 Garfield St.

Holcomb is postmaster-general at Alta Vista, distributing the mail Monday through Friday. "I've had the job since the 10th of February."

With his twinkling eyes, jovial voice and luxurious beard, he also makes a perfect Santa Claus at Christmastime.

Holcomb joined the Armed Forces in World War I when he was 29 years old.

"They tell me if I'd been five months older, I wouldn't have been able to join the Army unless I joined as a volunteer. I could have fought my joining up, I guess, because I'm a Quaker. But the idea of going overseas appealed to me."

Holcomb's foster son Charles Ashmore, 9465 Garfield St., served in World War II.

"World War II came about 25 years too late for me," Holcomb says. "I'd had my bellyful of wars."

Holcomb and Ashmore have just become acquainted. "I went shopping for him, got him a magazine. We'll get out for a drive someday," Ashmore says.

Mrs. Bertha Clapp of Riverside is 89. Twice widowed, she has no children. She moved to Alta Vista after her back was broken in an accident.

She worked as a secretary in Des Moines, Iowa, when she was young. "We had the best group I ever worked with."

Since Mrs. Clapp has been adopted by Eve Tifal, 2534 Gibson St., she has someone new to talk with.

She tells Mrs. Tifal about the cards she keeps on friends so she can remember their birthdays and other important events. "Once a file card, always a file card," she jokes.

Foster Daughters and Sons serve a need for individual attention, says Gina Fletcher, Alta Vista director of recreation.

"I felt there was a need for persons who would particularly cater to one person," she says.

"We have 30 people here who could use Janet Goeske's program. They have no one or their relatives are so far away."

Foster Daughters and Sons chairmen of participating Riverside convalescent homes are: Mrs. Lisa Wolf, Hillhaven Convalescent Hospital, 8487 Magnolia Ave.; Mrs. Doris Vashon, Redwood Gardens Retirement Home, 845 La Cadena Drive.

Also, Mrs. Alice Nauman, Community Convalescent Center, 6020 Brockton Ave.; Mrs. Madeline Runnels, Health Care Manor Magnolia, 8171 Magnolia Ave.; Michelle Cochenet, Allen Guest Home, 3231 Main St.; Mrs. Ruth Serway, Beverly Manor Convalescent Hospital, 4768 Palm Ave., and Brockton Convalescent Hospital, 4295 Brockton Ave.

Also, Mrs. Jacqueline Fargo, Beverly Manor Sanitarium, 4580 Palm Ave.; Mrs. Lola Hunter, Beverly Manor Convalescent Hospital, 3662 Pacific Ave.; Mrs. Maude Powers, Plymouth Tower, 3401 Lemon St.

Also, Mrs. Bernice Adams, Alta Vista Convalescent Hospital, 9020 Garfield St.; Mrs. Janet Goeske, Jones Guest Home, 5634 Central Ave.

Other chairmen in the county are Mrs. Jeanette Smith, Palm Springs Convalescent Hospital, 277 S. Sunrise Way; Mrs. Lou Schlack, Hemet Convalescent Hospital, 40300 Devonshire St.; Mrs. Barbara Reimuller, Beaumont Convalescent Hospital, 1441 N. Michigan Ave.; Mrs. Jean Baertschiger, Julene Convalescent Hospital, 27600 Encanto Drive, Sun City; and Mrs. Paulette Davis, Vista Grande Convalescent Hospital, 2225 N. Perris Blvd., Perris.

Persons wishing more information about Foster Daughters and Sons may contact Mrs. Goeske, 4025 Rice Road, Riverside.

NIXON MAKING HEADWAY IN ORGANIZED CRIME FIGHT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. SHRIVER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following editorial from the McPherson, Kans., Sentinel which appropriately points out that the Nixon administration should be given more credit for its success in combating organized crime. The editorial follows:

[From the McPherson (Kans.) Sentinel, Dec. 13, 1971]

NIXON MAKING HEADWAY IN ORGANIZED CRIME FIGHT

President Nixon deserves more credit for his growing fight against organized crime mobs. Thanks to a couple of new laws, federal prosecutors now can go after activities formerly escaping the old laws.

Gambling appears to have been chosen as the first part of organized crime to be attacked. That is a wise choice. Gambling grosses criminal $20 billion a year. That is the mobs' biggest income, not dope or prostitution.

Cut off the major source of crime income and you cut down other criminal activities for want of money.

So far, arrests of gambling operators have increased throughout the nation. If the number of arrests is continued, the mobs will eventually be strangled.

The plan should work. So far it already is slowing down wide-open gambling in some cities.

Results won't be sudden or spectacular, but cutting down income of the mobs sooner or later will be a major factor in squelching the wealthy mobs which today are entirely too powerful for the good of the nation.

THE LATE JOHN L. DODSON

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HOLIFIELD. Mr. Speaker, as our year's work ended, the Committee on Government Operations and I personally suffered a sad and unexpected loss. On Friday morning, December 17, John L. Dodson, a beloved member of the committee staff, suddenly and quietly passed away at the age of 36. For many years and to the very end he had risen resolutely above physical disability to become a uniquely outstanding servant of the Congress.

John Dodson began his labor of love with the House of Representatives as a very young man more than 17 years ago. In 1963, he left the Office of the Clerk and came to the staff of our Committee on Government Operations. His unstinting contribution to the committee and especially to our late, revered Chairman William L. Dawson, and to me as the present chairman, were invaluable.

John was known and loved by scores of Members and hundreds of employees of this Capitol. His numerous virtues included a keen and discerning mind, an efficient and versatile hand, and a character built on honor, prideful loyalty, cheer and humor, courage which met challenges with initiative and grace, and love and kindness toward his fellow men. He was unselfishly devoted to his family and to his God.

I would let John's own words speak something here. This note only recently received in the committee's office shows the brightness and beauty of his spirit:

I would like to thank you all for your prayers. Without them I guess Jean would be writing this note. The plant is just beautiful and all the cards too. I'm sorry if some of you missed me on Thanksgiving Day. I had to go home to dinner. Everything is going as planned, great. If you want to buy stock, buy it in this hospital. Hope to see you soon and again thanks, thanks for everything. God bless you all. —John L. Dodson

We will always miss this man, yet with warm remembrance and admiration of his greatness and goodness. May this be some comfort to the near and dear he has left behind.

In Old St. Paul's Church in Baltimore, there was found a remarkable table of precepts, dated 1692. It is called "Desiderata," meaning essential things one should desire for himself and for others. I wish to quotc it here because John Dodson's life was a true mirror of these desiderata.

Go placidly amid the noise & haste, & remember what peace there may be in silence, as far as possible without surrender be on good terms with all persons. Speak your truth quietly & clearly; and listen to others, even the dull & ignorant; they too have their story.

Avoid loud & aggressive persons, they are vexations to the spirit. If you compare yourself with others, you may become vain & bitter; for always there will be greater & lesser persons than yourself. Enjoy your achievements as well as your plans.

Keep interested in your own career, however humble; it is a real possession in the changing fortunes of time. Exercise caution in your business affairs; for the world is full of trickery. But let this not blind you to what virtue there is; many persons strive for high ideals; and everywhere life is full of heroism.

Be yourself. Especially, do not feign affection. Neither be cynical about love; for in the face of all aridity & disenchantment it is perennial as the grass.

Take kindly the counsel of the years, gracefully surrendering the things of youth. Nurture strength of spirit to shield you in sudden misfortune. But do not distress yourself with imaginings. Many fears are born of fatigue & loneliness. Beyond a wholesome discipline, be gentle with yourself.

You are a child of the universe, no less than the trees & the stars; you have a right to be here. And whether or not it is clear to you, no doubt the universe is unfolding as it should.

Therefore be at peace with God, whatever you conceive Him to be, and whatever your labors & aspirations, in the noisy confusion of life keep peace with your soul.

With all its sham, drudgery & broken dreams, it is still a beautiful world. Be careful. Strive to be happy.

PETITION FOR PEACE IN EAST BENGAL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BINGHAM. Mr. Speaker, on Sunday, August 1, 1971, 40,000 people packed Madison Square Garden in New York City to hear concerts by two members of the original Beatles rock group and other entertainers. The proceeds were donated to the United Nations to be used for the relief of the millions of suffering refugees in East Bengal.

At the concert, a petition was circulated and signed by more than 5,000 people. The petition urges the U.S. Government to protest the atrocities being committed at that time by the military government of West Pakistan and tc stop all U.S. aid to that government. I introduced the petition under clause 1 of House rule XII for reference to the appropriate committee of the House, the Committee on Foreign Affairs.

A great deal has happened in East Bengal, of course, since this petition was circulated. Peace has been largely achieved. But the refugee problem, to which the petition is also addressed, remains to be solved.

The text of the petition, and the names of all who signed it, follow:

PETITION

In the name of humanity—Peace must be restored in East Bengal, immediately. Harassment and murder of defenseless civilians must stop and satisfactory conditions created for repatriation of refugees.

United States Government must—

Protest Pakistan's military atrocities;

Stop support to Pakistan's military junta; and

Stop military and economic aid to Pakistan.

East Bengal's agony must be alleviated.

LIST OF SIGNERS

Richie Michol, John Hanzel, Lanny Gems, Robert, Linda Jean Friedrickson, Becky Algarin, David Muleh, Elliot Sergeant, D. S., Elliot Greene, Dina Rubenourt, Walez Stemnean, Larry Cappoli, Karen Kalinski, Maggar Harling, Gary D. Sastly.

Pat Scheller, Penny Kachia, Jaler Cotz, Bush, Mindy Marcer, Hank Brih, Alan Yater, Harold Grencot, Judy Beye, Terri Ross, John F. Vogt, Haney Kalter, E. Farkas, Hoyd Collen, H. Reih.

Marty Lisiion, Bruce Kazorvich, Wayne, Morris, Michael D. Searlis, Andy Saines, David Kliman Marsha Levy, Roy Panicca, Pathi Aygarotos, Mr. & Mrs. J. Poccia, Geme A. Ashome, Peace O. Selm, Janet Mary Bische, Nancy Edwards, Jim White.

Victor Newfield, Jois Dugow, Price Hith, Shelley Bunter, Steve Hansen, Jimes Charlie, Bob Loves, Richard A. Doremus, M. Doreman, John Hensen, Lynna Kelly, J. H M, Lerry Powel, Kenn Iwens, Miller

Linda Panstian, James Balssoqlar, Howard Winstein, Forrie Sherman, Anne Moisden, Rosenair Argueman, Audy Gorowarf, Merody Sanders, Perry Ghee, Roy, Esther Draznin, Bill Aystel, Henry Williams, Larry Klein, Michael Wilke, Richard Wok, Ben Mittelman, Susan Cohen.

Susan Leingerten, John A. Coxlon, Martin Grecan and Mrs., Kerren Doy, Greg Dory, Jack Muller, David Burok, Paul Finkestun, Harvey Smith, Suzan Kotler, Linda Murray, Mr. & Mrs. Muchael Jones, Richard F. Lyton, Richard Horber, Amelia Naccarto, Nancy Doran.

Robert Brown, Lewis, Power, John Davenson, Mary Suellevan, Bavia Landis, Brenda Weir, Tony Patermite, Ruth Pamist, A. B. Zermick, Nancy Peril, S. Sherman, Joseph, Andrea White, Paul Kreel, Robert Kanter.

Lorry Geich, Garolleny, Ame McCluse, Andrew Sarva, Brod Frenton, Mike C. Tyler, Serve, John Pennmore, Bill Ser., Delorak Martin, Suzette, Donald Rossi, Nancy A. Rossi, Joseph Quink, Kally Desimose, Headlock.

Pamela S. Bergren, Mary Jannen, Linda Frer, Maria Tresta, Susan Caggiano, Christine Coggiano, Vickie Rhody, Holly Price, Elizabeth Kister, Charlotte Mills, Janet Wojcik, Plum, William Kotac, H. Mardyle.

Sue Walker, Bruce Wacker, Ray Mardyks, Marelyn Masee, Thomas Bynes, John Nicolich, Steve Sperdito, Key, Diane Kessler, James F. Hameston, Mark Sharher, A. H. Anderson, David Satinoff, David Tillon, Maddra, Michael Boyder, Neal Neuhans, Danny Crestone.

Robert Eliot, William Branswin, T. Slonik, T. Jordan, A. Angyle, El Teller, Leslie Rossi, Paulette Tunis, Moms Fredman, Stan Nower, M. Jacobs, Rhonda Jacobs, Antonette Mackanana, Kenneth Lettler, Janet Martorana, Joyce Campigith.

Mary Roach, Raymond Charlowish, Wayne Goerge, Dieh De Cobe, Thomes Zito, Mr. & Mrs. John Warner, Wemfred Flaherty, John Hancock, Mary LaBate, James T. O. Cumming, E. Bright, Diana L., Joan Scheckner, John Sposat, Flem J. Nale.

Gilbert Vetale, James Regan, Thomas Emmet. Charles Houck, Carol Singer, Alm Ranchwer, Linda Spilalnik, Rothy Spitalnik, Julie Johnson, P. Merchan, Michela Russo, Lurmella David, R. Schmit, Acilia Beckeitik, Joseph J. Spinola, Maria Moroney.

Morris, Lion Lebonith, Loise Acher, Robert Leganlt, Curtis Botes, F. Randel, Matt Piterson, Kerry Brown, Stephen W. Vargo, Michel D. Gotts, Harold Jordan, Howard Jensen, Jim Molien.

Ben Bass, Kathy, Neil B. Checkman, Beaty, Jeannic Euprill, K. Shaugheory, George Libone, Muhaned A. Cupill, Ashwin M. Shah,

Marjorie, George Leonard, Allen Scott, Dave Abrahamson, Harilyx William, Alfred George, Larey, Michael Allaly, illigible, M. Cazor, Lyda M. Bergondo.

Sondra Femansky, Rich Katz, Phel Toohey, Peter M. Bijhan, Richard Gicane, Jeffer Skier, Barbara Schinase, Debbie Schinasi, Richard Perale, Richard Sonelth, Diane Soricelli, Diane Timek, Wayne Leprest, Eric Stern, Lois Meyer.

Jan Scheffer, Brenco, Bat Russell, Phil Bruno, Rito Costabile, Rota Sfoza, Diane Devesgulee, Linda Jimenez, Linda Stele, Jude Iovino, Ashra, Fauru Sorase, Dorney (Pat) Vecclione, John H. Boget Jr., Verquica Serla.

I. Sugila, Sennifer Sighlia, John Gullo, Jerry Calordrillo, Eva Miliman, Patricia Knight Debra DiNaro, Mario Giacalone, Jean Kane, George Kone, Albert D. Sherbery, Karen Kluge, Laurie Howes, Kris Hansske, Larry Frank.

Henry Frank, James V. Kelly, Audrey Nacinovich, Michaele Gorman, Neil Gorman, Ronald Del Pappy, A. J. Mehito, Dominal Posso, A. J. Mehto Laurel Beniamian, Tony Jane, Mary Gugardo, George Pappas, Rose Mukerji.

Melance Bialow, Laurice Bialow, John Lavia, Mark Knell, Bob Skilos, Bill Damil, Carol Creagh, Larry Zima, Bill Abervetty, Roger Anderson, Dreveak, Jean Trevaskis, James Maldonald, Pat Quwerkerk, Philip R. Jordan.

Linda Sundario, Buline Bishop, Andrea Marinelli, Eva Lan, Kathy Rowin, Jack Crasky, Taylor, Herb Sprincer, Penny Setzman, Keith Darby, Howard Singer, Keith George Thomas, Charlies Arlerjva, Vrian, Patrick O'Brien.

Greg Belangen, Kris Hollegaard, Dorothea Bailey Linda Brown, S. H. George, Thomas M. G. Power, Anderson, Joan Riggo, Bill Rizzo, Manow Fluchies, Lyndia Krupa, Vodolo, Michael Crispo, A. L. Bontley, Oct. Hover.

Leon D. Newman, Ellen Gelfed, Philip Baker, Mann Mayer, Frank Thase, Lynne Harris, Mike O. Sial, Penny Levie, Rennane Reveron, David Guiden, Harold Kester, Karen Hafter, Karen Bley, Lloyd Asterfer, Hoevic Muhal.

Paula Mallon, Tony Edward, Paula Mallon, Sr., Tonny, William Dumore, Aleen Ronda, Frank Dounelly, Aryo Safa, Lynn Silverberg, Sharon Green, Gary Laventhat, Rebecca Geerohen, Gelio De Palo, Loretta Ledith.

Robert Kemp, Carol Ferreira, Betty Q. Riocden, Mark DaCubo, Morris Stone, Debbie Rectiman, Donna Schiltz, Thomas Dullen, Zachary Morsell, Isa Eva Georn, Ed. Joseph, K. Gloria A. Meyer, N. Dhar, Vaudila Dhar.

Sondra Femansky, Rich Kotz, Phil Toohеyz, Peter M. Biglam, Richard, Robert Freyer, Evarell and Pyne, Thomas Braycweski, Henry, D. Thompson, Tichie Albers, Dinesh V. Eshavan, Mick Leeds, Pat Jullia, Mary Ellen O. Keefe.

Susan, Cathy Pouchet, Neil Glazee, Mike Martin, Bob Tompkins, Jo Anne Seador, Carol Zwisler, Kathy Golezewski, Tranb Logstini, Lachman Balan, Helone Skolnick, Stephen Shanko, Susan Sarno, Jeffrez Dawjis, Eileen Confino.

Joe Palumlo, Jeff Paris, Don Hahn, John Hanron, Alan Closter, Joanne Doughesty, Petty Anne Getter, Gauy Desay, Arelow Newman, Marc Perlmutteo, Sue Easteen, Philpiltzecber, K. Dawse, Varcent Morris.

Ed Poole, Mark Stan, Roman Murich, Kay Rogers, D. Allen, A. Parapy, H. Acpman, Jemes John Don, Ruland Berkley, Mike Doullofer, Robert Czachowski, Mutthew Berman, Barbara Bellone, Jeil Peilil, Frank T. John.

Qeuidre M. Suill, Jomar Walsh, Thomas Moselerz, Budd Luic, Gerry Gold, Jors Silligan, Monan Undberg, Dennis Prornez, Chris Anaston, Marelyn Good, John Q. Priesn, Anthony McCosmucb, R. J. Billan, Robert Flacbz, 'rlene Bienotorh, Jill Phillips.

R. Williams, N. Williams, W. Weingowfner, R. Boberts, B. Johrs, C. W. Elner, R. Burstain, K. McShirry, Pay Pwrirs, Barbara Rosin, Margaret Juneritty, Mary Ann Lunevitz, Skip Martin, Fred Dwlae, Frames Jalmaig, Joraceech Scorola.

Claire J. Jones, Yolanda J. Morgan, Gwrge Logan, Sham Namerle, Dinger Valide, Qra Gromaglia, Q. L. Bocbiehio, Tlaralyn E. Picbin, Sunney Dillery, Martinet Rolwd, Lesca Jeanmaris, Gina Lister, Tony Proshoy, Dawl Qudolin, Genie Joseph, Martha Chamberlain.

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James Hurley, Thomas Mapueco, Jol Schenfeld, Betty L. Grayson, Richard L. Cyasko, Ron F. McGrail, Carolyn Osborne, Chuck Varohes, George Ottman, Louise Mymerman, Gerald Russell, D. Merna, Steward Epstein, Joseph LuCavers, Norman Lettast Mary M. Hart, Cindy LaCavera, James Raulis.

Linda Zarro, B. Berger, John Montefonte, Joe Bosit, Robert Marrom, S. Schercott, Dennis D. Frin, Bruce Simlonitz, Don MeEvery, Rickey Haven, Joanne McVennce, Richard Lederer, Alfred A. Newman, Roberta Some, Bianca Richard, Saunel Doisen, P. Gromez, Richard Whalley.

Elyse Elkins, Jimi Burris, Terri Reilly, David Weinstein, Ed Gates, Pa Postrseushi, Laurie Anthony, Alan Oberstein, John S. Walsh, Russell Bird, Bobby Kozak, Ruth M. Rae, Edie Gulino, Steve Schiffman.

Loh Ward, Lew Kuiss, Richard Petropoula, Rita Goldstein, Arthur Wolf, David J. Justin, Diana, Cauo, Bob Cholko, Aronld Rosenbloom, Sheldon Borker, Billy Boyd, Via Shaggs, Calvin Roberge, Diana Carota, Robert J. Caprio.

Debbie Petraski, Anthony Kessler, Gary Bout, Harry Herman Wroclaushi, Denise Trotman, Doreen Russel, Marie Mele, H. Brown, P. Tonti, P. Gremich, B. Uchensty, R. Annese, Mary Brogna, Cecelia Fasulo, Andrew Camarda.

Jim Stapp, Bob Rutkowsky, Miller, Susan Weiss, Henry Delgrasso, Robbyn Pat Sherdy, Eugene Cassidy, Howard Aysted, Peter Lysun, Thomas Lowell, Esther Altaras, Lewis Ujnograph, Celine Bouchard, Richard Haymes.

Jim Bughoni, Steve Meo, Michael Costagluta, William Kane, Michael G. Kover, Adrienne Rath, Jean Charkourki, Edward Lyons, Billy Darcy, Neal Rosenberg, Donald H. Oberstein, Saundra Oberstein, Stewart

O'Kearn, Jill Sabbating, Sam White.

Alan Worblatt, L. Fitzgerald, Bernard Guella, D. M. Nash, D. Sternfild, Jack Roberts, Frank Kabarinski, Beth Van Assen, Mrs. C. Van Assen, Gary Van Assen, Ellen Cohen, Gayle Rubin.

H. Levy, Andrew B. Weinberger, M.D., Sue Willis, L. Schrube, L. Cohen, Mrs. C. DeLiliero, Joe L. Dittberner, John Littberner, Peter Marino, Gregory Nano, Wm. P. Roberts, Lorene Connolly.

David A. Pilliri, Alice Woh, Walter Naegle, Mary McCarthy, Susan Ellsworth, Riva Witfield, Mari Vogt, Eugene E. Spencer, Jonathan Tanen, Don Feldgreber, S. Teitelbaum, L. Gordon, Steven Ciono.

Ellen Bogolub, Mary van Nes, Elizabeth Wanen, Dorothy Markey, Virginia Haynes, Alan Rosenberg, Anna La Face, Sally Goldstein, Michael Parzee, Gary Frassen, Allen Silverts, James Hill Gardner, S. R. Thanjavilu, Mike Early, Julie Scalleio.

Joyce Calabro, Robert Miller, Aileen Cooke, Daniel Greenberg, Paul Roden, Eileen Kennedy, Craig Kelly, Joanne Abraham, Ira Reznikoff, Rosalie Resnikoff, S. Raphael, Russ Sands, Thomas P. Kaplin, Sharon Ziegler, Bruce Gerard.

Carol Sheinkoff, Carol Longo, M. Meyer, Joann Jimenez, Charles Helwig, Mary Ellen Mocaluso, Ira Stallar, Eileen Brady, Kathie Brady, Tom Rivera, M. Rodriquez, Diane Dailey, Debra S. Moldoran.

Sara Steinberg, S. Satten, Barbara Toolan, Konrad Hayaslin, John McCoy, Stuart Herder, Deborah Green, Rolind Hirsch, Mrs. M. deTeon, H. Zwisonn, Jerry Harary, Alan Hoddad, Robert Snyder, James Witherspoon.

Curt Trinko, George Christobulaxi, Cheryl Gyzzna, Susan Bernay, Jane Hall, Lester Gale, Susan Lambert, Joseph Cerere, Dina Cheris, Joseph Schwat, Mrs. S. E. King, Fred E. Yuengling, Julia McKenna Perry V. Heidelberger, George A. Ammler, Billie Proctor.

Susan Wall, Judith McKenna, George Nalin, Kathleen Leskerly, Trudi Merrim, Ellen Winston, Robert Lee Payne, Abigail R. Payne, Gil Edets, Mel Kirsch, Erich Lippencott, Frank Mell, John Mardian, Gladys Clark.

Julie Nielson, Lorraine Lskstos, Elaine Pannullo, Dominque Dreyer, Toni Fitzpatrick, Martha Hodes, David W. Singe, Pat Reese, Samir K. Bardhary Andrea Rothman, John Herbert, Penny Schwartz, Ira Assael, Nan Lee, Kathy Ciaramella.

Rodger Goddard, Eric Lamonaco, Ary Trager, Theresa Borterano, Barbara Steiner, Eddie Gordon, Eric North, Stephanie Lantner, R. Moore, Richard Scharyo, M. Wagt, Christopher L. Lynn, Carlo Sellers.

RALPH J. BUNCHE: PEACEMAKER

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 14, 1971

Mr. RANGEL. Mr. Speaker, I have memories of Ralph Bunche—huddled with Dag Hammarskjold at a meeting of the United Nations Security Council—at work in Mississippi with Gunnar Myrdal—trying to prevent a bloody civil war in the Congo—plotting strategy at an NAACP meeting. It is hard to believe one man could involve himself in so many important and worthwhile causes in a single lifetime.

Although the burdens of his many offices were enormous and his workload staggering, Dr. Bunche never slackened his hectic pace, or allowed himself to become frustrated and embittered, nor did he ever lose his sense of humor or fail to display kindness and compassion toward others. This was true even in later years, when an eye ailment pained him unbearably.

One could endlessly describe the good doctor's many virtues, but suffice it to say he was a consummate statesman who worked tirelessly for peace, justice, and brotherhood in the noble and nonviolent tradition of Christ, Gandhi, and Martin Luther King.

YOUTH UNEMPLOYMENT AND MINIMUM WAGE

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DENT. Mr. Speaker, I read with dismay Congressman ERLENBORN's statement of December 7, 1971, on Youth Unemployment and the Minimum Wage in the CONGRESSIONAL RECORD.

I share the Congressman's deep concern for the high levels of youth unemployment but I am even more deeply concerned about overall levels of unemployment, and the failure of this administration to create additional jobs.

Before I set forth my views regarding the committee approach to the subject of youth unemployment and minimum wages—I would like to set the statistical record straight. There is such a mass of unemployment statistics that it is not always easy to keep them consistent.

Final figures released by the Bureau of Labor Statistics contradict data in the Congressman's statement both with respect to unemployment trends between 1963 and 1971 and with respect to unemployment rates for inner city youths in 1971. The unemployment rate of teenagers vis-a-vis the overall unemployment rate was not higher in October 1971 than in 1963. It was 3 times as great in 1963 and slightly lower in October 1971. The multiplier fluctuated narrowly between 3 and 3½ times throughout the years from 1963 to 1971 and there is no evidence that the rate "soared to four times in 1969." Also, the unemployment rate for nonwhite inner city teenagers declined—rather than increased—between the first and second quarter of 1971. This downtrend is reflected in unadjusted as well as seasonally adjusted figures.

This is not to say that we are not deeply troubled by a teenage unemployment rate of 16.4 percent in October 1971. We are vitally concerned with this level although it is below the 17.2 percent rate in 1963. It is important, however, that we work with consistent data and that we put them into proper perspective. As Daniel P. Moynihan stated in "Toward Balanced Growth: Quantity With Quality" on July 4, 1970:

> It is a good general rule that governments only begin to do something about problems when they learn to measure them.

In our concern over teenage unemployment rates we must not lose sight of the fact that the duration of unemployment must be considered along with the rate of unemployment to determine the severity of the problem. For example, in 1970 while teenagers had the highest rate of unemployment for any wage group, they had the shortest duration of unemployment—an average of 6.4 weeks of unemployment. At the other extreme, you have workers aged 45 and over who had the lowest unemployment rates but the longest periods of unemployment—an average of 12.2 weeks of unemployment. Thus, although older workers are less likely to become unemployed because they enjoy greater job security, once they do lose their jobs, they have considerably greater difficulty in getting other jobs.

The Department of Labor, in a report prepared for the White House Conference on Aging—Nov. 29, 1971*—stresses that unemployment rates do not adequately describe the severity of the unemployment situation of the older worker. The report states:

> The difficulties older workers encounter in the labor market are expressed in the length of their periods of unemployment rather than in the incidence of unemployment. * * *
>
> Once older workers have a break in employment, they have a serious problem in finding another job. The average duration of unemployment in 1970 for men 45 years of age or over was nearly double that of young men under 25 years of age. About 28 of every 100 unemployed older men had been looking for work 15 weeks or longer, compared with 19 of every 100 unemployed men 25–44 years of age.

The committee does not believe that the law should be amended so as to encourage job substitution of teenagers for older workers.

The committee report on H.R. 7130 goes into considerable detail as to why the committee rejected the proposal for a subminimum rate for youth. As the report points out, the committee gave considerable weight to a 1970 report of the Department of Labor "Youth Unemployment and Minimum Wages"—bulletin 1657.

The report concludes that:

> The most important factor explaining changes in teenage employment and unemployment has been general business conditions as measured by adult unemployment rates.

Inasmuch as the Department of Labor study made clear that they could not establish a relationship between youth unemployment and minimum wages and inasmuch as we frown on discrimination in any form—either because of sex or color or age—we could find no basis for legislating discrimination in wages under the FLSA.

Instead, the committee decided to revise section 14 of the Fair Labor Standards Act to provide additional employment opportunities for students outside of school hours while at the same time building in legislative safeguards to insure that there would be no displacement of adult workers.

On December 1, the Washington Post carried a story on a report by a task force of the Twentieth Century Fund. This report called attention to the fact that few inner city youths are interested in jobs which pay low wages and have little status.

* The Employment Problems of Older Workers (Bulletin 1721).

It is difficult to reconcile this finding with the view of those who recommend subminimum rates for teenagers. There is no basis for concluding that inner city youths would accept subminimum rates of pay for doing the same jobs for which others are being paid 20 to 40 cents more an hour. This is precisely the type of discrimination which leads to anger and frustration.

I would suggest that those who would legislate wage discrimination for youth and recommend that there be no limitation on so-called youth jobs—either as to hours worked, or occupation, or number or proportion of such jobs—and who urge the elimination of government certification for such jobs may, in fact, destroy the Fair Labor Standards Act. An increase in the minimum wage would be a meaningless gesture if many of the jobs which typically pay the bare minimum wage would pay subminimum rates. The minimum wage was conceived as a floor under wages. This committee does not intend to legislate a higher minimum wage while at the same time removing from coverage those most in need of protection.

The committee report states—and I want to reemphasize that:

There is no evidence to support the idea that low wages create jobs. Actually, what evidence there is points in the opposite direction. Putting money in the hands of low-wage workers is the most direct way of creating purchasing power-high velocity dollars—and hence additional jobs.

MEXICAN AMERICANS HARDEST HIT BY ILLEGAL ALIENS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McDONALD of Michigan. Mr. Speaker, the Mexican-American labor force in southern California is the ethnic group hardest hit by the presence of illegal aliens, because many of these Americans of Mexican heritage are both poor and uneducated and are deprived of farm employment.

The upsurge in deportation of illegal aliens back to Mexico indicates the presence of many thousands in the labor force—undetected.

Where approximately 14,105 illegal aliens were apprehended in the California farm work force in fiscal year 1967, approximately 67,437 were apprehended in fiscal year 1970.

And it is estimated that approximately 60 to 75 percent of these people return to the United States.

While some 67,437 were apprehended during fiscal year 1970, it is estimated that 151,705 illegal aliens, most of them Mexicans, were entering the farm labor force.

Hector P. Garcia, former U.S. Civil Rights Commissioner, says of the problem of illegal aliens:

The Labor Department estimates that for every one caught at least one and probably two worked undetected. Out of a total farm work force of 1,600,000 in this country, illegals account for at least 20 percent.

That is 320,000 illegals, mostly Mexicans, taking jobs from Mexican Americans.

Testimony on the record points up the collusion between the illegal alien, who will work for much less than the Mexican American, and the unscrupulous farm operator who reaps a profit from this illicit practice.

Not only do these employers harbor illegal aliens and protect them from border patrol agents; they often retain part of their wages for "safekeeping," then when the harvest is over turn their workers in and pocket the money.

The alien deprived of part of his wages has no recourse.

But if the estimates are right, there is a 60 to 75 percent chance he will be back for the next harvest, even when confronted with the prospect of further exploitation.

The illegal alien continues to profit at the expense of the jobless Mexican American—and the employer continues to pocket a little "extra."

FDIC INCREASES THE USE OF CEASE-AND-DESIST AUTHORITY

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ANNUNZIO. Mr. Speaker, several years ago Congress enacted legislation which provided the Federal Deposit Insurance Corporation with cease-and-desist authority and the power to remove certain officers and directors. Until recently that authority had gone unused and, also during that period, there had been an increase in both the number and magnitude of bank failures.

However, in a recent speech FDIC Director Irvine H. Sprague indicated that FDIC has begun to use the cease-and-desist authority and the results to date have been encouraging. By mid-November FDIC has utilized cease-and-desist authority on eight occasions and it may well be that this authority will eliminate the closing of many so-called problem banks across the country. Mr. Sprague's speech, which was given before the Maine Bankers Association, not only highlights the use of cease-and-desist authority but also comments on the state of banking in this country.

I am including a copy of his speech because it serves as an outstanding end-of-the-year review of the bank regulatory agency's record during the year. I also want to compliment Mr. Sprague, who has been a valued member of FDIC, and has been one of the reasons why the agency has become such a strong force in the bank regulatory field.

Mr. Sprague's remarks follow:

ADDRESS OF HON. IRVINE H. SPRAGUE

When Halsey Smith called me in July asking me to speak before the Maine bankers in November I was delighted.

We have lived in Washington fifteen years now and each fall Margie suggests that we take a ride into New England to enjoy the scenery.

So I accepted and here we are—in Bermuda.

We're in between seasons now in a number of ways, which makes it a little difficult to talk to you.

The Congress will be adjourning soon, without any action on H.R. 5700, the Banking Reform Act of 1971, and it really is impossible at this point to predict what will happen to the bill next year. There was far from a consensus this year. It seems fair to speculate, however, that the Congress may face-up to questions relating to bank trust departments, interlocking directorates, brokered deposits, and cease and desist powers—I can certainly hope so.

Another unknown at this point in time is the findings of the Presidential Commission, which this very week is meeting in New York to firm up its recommendations to the President. Here again it seems reasonable to assume that there will be major recommendations going to the powers of various financial institutions and the way they are regulated. How the Congress will react is open to question. Some changes should be possible without approval of Congress, but probably no changes of real substance will be made without Congressional approval, and that, in my personal opinion, is the way it should be.

Also, it is too early to do anything but speculate about Phase II of the President's economic program. The wage and price boards have been named and we'll just have to wait to assess their performance. One thing does seem clear, the program simply has to contain profits and prices and wages so that the housewife and the worker really believe they are not being discriminated against. The ultimate question, of course, is jobs.

So perhaps it would be best today to discuss with you some of the operations of the FDIC; what we have been doing this year and why. Three areas of interest: (1) Problem banks and supervision, (2) merger actions, and (3) branching.

PROBLEM BANKS

Bill Camp says there are no problem banks—just some requiring tender loving care, but we do have a problem list at FDIC and the number and size of banks that we carry on the list have increased over the past decade. Ten years ago there were 175 banks classified as "problems" and holding deposits of $1.1 billion. When I joined the Corporation three years ago, there were 243 with deposits of $3.4 billion. The number since has fluctuated from 212 to 252. Today there are 244 with deposits of $4.7 billion. (To put the matter into perspective, the 244 problem banks represent less than 1.8 percent of the 14,199 banks in the country and their deposits represent only 0.8 percent of the total deposits in all insured banks.)

Composition of the problem bank list is constantly changing as some banks work out their deficiencies while problems in other banks are identified. For example, in the past twelve months our Division of Bank Supervision removed 119 banks from their problem list and added 116.

The turnover figures are significant. They mean that as the problem banks are identified through examinations the supervisory authorities concentrate on them and the banks often show speedy improvement.

The current list includes 184 State nonmember banks, 19 State member banks, 40 national banks and one mutual savings bank. Of these, 58 are classed as "serious problems."

About three-fourths of our current problem banks are in the $1 million to $25 million deposit categories, with 40 percent under $5 million. However, about one-third of our exposure, represented by the deposit totals, is concentrated in the five largest problem banks.

Over 50 percent of the problem banks are currently clustered in ten States, while ten States are not represented at all, and it is

good to report today that Maine is in the latter category.

"Problem" designations are recommended by our Regional Directors and are made by the Director of the Division of Bank Supervision after Washington review. FDIC Board action is not involved. The criteria are banks that "threaten ultimately to involve the Corporation in a financial outlay unless drastic changes can be brought about" and banks of lesser degree of vulnerability "which give cause for more than ordinary concern and require aggressive supervisory attention."

Most problem cases reflect some combination of poor quality assets, excessive losses, depleted capital, and speculative or inadequate management. Typically, such banks operate with marginal liquidity and the problem memorandum often refers to management that is self-serving and indifferent to statutory restrictions as well as sound banking practices.

On occasion there has been a recent change in controlling ownership in which the new owners borrowed heavily to finance the purchase. A classic case passed over my desk just last week. An individual put up just $1,000 of his own money and borrowed over $500,000 to finance his purchase of the bank. It took him less than a year to get it on the problem list. Banks that are willing to make these kinds of loans often pay the price in heavy losses when the banks whose purchase they finance close.

I am not aware of any banks on the list that got into trouble solely for making minority or small business or social-type loans or by being unduly concerned about the consumer or for trying to better serve its community.

In the past two years we have intensified the pressure on the problem institutions to improve their condition and intend to further increase the attention in coming months. Since January 1, the FDIC has instituted three 8(a) proceedings which could ultimately end in lifting deposit insurance for the banks involved, and six 8(b) consent cease and desist decrees requiring major overhauling of the banks' practices. In addition, we have executed two written agreements which are enforceable under Section 8 of our Act and which impose a strict corrective program. During 1970 there were seven 8(a) cases instituted and no 8(b) cases.

All of these actions are taken only after admonitions to bank management and Boards of Directors do not show results. Discussions with bank directors and management continue to be a basic regulatory tool.

(Keep in mind that we are secondary supervisors only, and regularly examine only State nonmember banks. We do not close banks. The primary supervisors are State authorities and the Comptroller of the Currency, either of whom may have extensive and independent disciplinary authority. Normally, we work out a corrective program cooperatively with State supervisors.)

As a practical matter, most 8(a) citations end short of insurance removal. Of the 210 cases initiated between 1934 and 1971, only 13 went to the extent of FDIC action to actually terminate insurance. The usual pattern is for the bank to clean up its condition rather than lose insurance and this is one of the reasons that our Legal Division has favored using the 8(a) route exclusively in the past.

However, this year, in searching for quicker remedies and means of taking action short of insurance removal, we have turned increasingly to the 8(b) power, cease and desist. We hope in the process to determine the effectiveness of this power when contrasted with the 8(a) power we have utilized almost exclusively in the past.

Problem institutions can anticipate additional cease and desist activity. We have instructed our 14 Regional Directors to review all of their problem banks and to recommend early cease and desist actions in all appropriate cases. Also, we have established a Compliance Unit in our Legal Division that is called into the picture at an early stage. Prior consultation with the State supervisor is a prerequisite for any cease and desist action involving a State nonmember bank.

An 8(a) action has some advantages in certain problem bank cases, but it is time consuming and not always appropriate. We have found the 8(b) route to be much quicker and more appropriate for a wide range of problem banks when regulatory pressures should fall somewhere between the traditional consultations with a bank's Board of Directors and the ultimate termination of insurance. The Corporation is still feeling its way in this area, but we have found that in eight cases this year, bank directors have accepted our full correction program on a consent basis. Under the law, a consent cease and desist is just as binding as a contested one, imposed by the court.

We have asked the Congress to strengthen our hand in this area by giving the regulatory authorities power to remove bank officers for willful violation of final cease and desist decrees. Now we are limited in our removal power to the cases in which we can prove personal dishonesty. A man can ruin a bank by being stupid or greedy without meeting the legal requirements of dishonesty.

BANK ASSISTANCE

We have had five cases of assistance to failing banks to date in 1971—three involved payouts up to the insurance limit after the bank closed, one involved the assumption of all deposit liabilities by another bank, and one involved assistance to an operating bank. This is somewhat lower than the nine payout or assumption transactions of 1970 and seven of 1969, but still above the average of three and a half bank closings a year for the past quarter century. This year's group has been interesting in that it has provided three firsts for the Corporation.

(1) Sharpstown State Bank in Texas closed in January, and the Corporation set a new all-time record in payout cases, with about $50 million returned to insured depositors so far. We were able to begin payments just eight days after the bank closed in spite of the fact that it had 27,000 deposit accounts that had to be reconciled. Our liquidators moved $12 million out to depositors in the first four days, removing a lingering Corporation myth that a payout transaction when a big bank closed might be too tough to handle. Bank automation helped considerably.

(2) The Birmingham Bloomfield Bank closing in Michigan in February required a record Corporation outlay of $107 million to enable a new bank to assume 100 percent of the deposit liabilities of the closed bank. We were able to work this out over a long weekend without a lapse of a single banking day and with no loss to any depositor, including public agencies with substantial public funds on deposit.

(The record FDIC outlay prior to 1971 was $23 million in 1940. Historically, about half the bank closings end in assumption of deposits by a new or existing institution and about half in a payout. The decision is determined on whether the Board of Directors can make a finding that an assumption transaction is less costly to the Corporation. In most of the payout cases, as in Sharpstown, it is impossible to make such a finding because of substantial unknown contingencies or substantial doubt as to the value of assets.)

(3) In the Unity Bank and Trust Company of Boston in July, we used for the first time in the Corporation's history the 13(c) authority under which we can purchase assets, make deposits, or loan money to a going institution if our Board can make a finding that the particular bank is essential to provide adequate banking service to the community. We purchased a $1.5 million capital note in the Unity Bank after it was taken over by the State Commissioner in conservatorship and new management provided. The bank serves a highly concentrated minority area in Boston and its stock is widely held as a community venture. We certainly do not look at this transaction as a precedent for handling all banks in danger of closing. In fact, we expect use of our 13(c) authority to be very rare.

MERGER POLICY

Bankers chide me occasionally about our "negative policy" on mergers, but the statistics just don't support this kind of comment.

Between April 1, 1970, when the present Board was constituted, i.e., Frank Wille, Chairman, Bill Camp, and Irv Sprague, and November 1, 1971, we acted on 77 merger applications. Sixty-nine were approved and eight denied, a 90 percent approval rate.

The denials fall into some pretty well defined categories as we seek to interpret the law as laid down in Phillipsburg and other Supreme Court decisions and at the same time to express the Board's concern about undue concentration, particularly in some States that are way out of balance.

(1) In *Tennessee*, we denied the merger of two Knoxville banks, the $72 million Valley Fidelity Bank and Trust Company and the $32 million Bank of Knoxville. These banks were the third and fifth largest of six banks, serving an already highly concentrated commercial banking market in Knox County. This proposal had a striking resemblance to the percentages involved in the Phillipsburg case, where the Supreme Court found a violation of Section 7 of the Clayton Act.

(2) In *Hawaii*, we denied a proposed merger between the Bank of Hawaii and the Hawaiian Trust Company, which would have combined the largest commercial bank in Hawaii (deposits $572 million; 37 percent of the State's total commercial bank deposits) and the largest trust company in Hawaii (trust assets $1 billion; 50 percent of the State's total corporate fiduciary business). At the time there were only seven commercial banks in Hawaii, and only three independent trust companies. Bank of Hawaii, in our judgment, was the most likely of the commercial banks to set up a trust department of its own, so that the proposed merger not only eliminated potential competition between the two institutions but would have added dramatically to the concentration of banking resources in an already highly concentrated Statewide market.

(3) In *Washington*, we denied the proposed merger of United Mutual Savings Bank and State Mutual Savings Bank, both headquartered in Tacoma. This consolidation would have resulted in a $100 million institution holding nearly 30 percent of Pierce County's deposits in thrift institutions, i.e., mutual savings banks and savings and loan associations, while the share of deposits held by the two largest thrift institutions would have increased to 62 percent.

(4) Also in *Washington*, we denied the merger application of Washington Mutual Savings Bank, a $750 million institution, and the $5 million Grays Harbor Savings and Loan Association. This proposal would have permitted the largest mutual savings bank in Washington, which had some 22.9 percent of the State's total thrift institution deposits and was more than three times the size of the next largest thrift institution, to expand further by merger, thereby establishing a precedent for additional mergers by leading banks in highly concentrated markets. We are being sued on that decision, but we actually welcome the litigation because it involves three key issues: (i) the proper "line of commerce" for assessing the competitive impact of a

merger between mutual thrift institutions, (ii) whether the regulatory agencies may deny merger applications even though violations of Section 7 of the Clayton Act are not found, and (iii) whether small additions to a dominant bank can be refused where less anticompetitive merger alternatives are available to the smaller institution.

(5) In *North Carolina*, a merger of First-Citizens Bank and Trust Company, the State's fourth largest bank, and the Lucama-Kenly Bank, a $7 million institution, was denied. The latter operates three offices in close proximity to each other in a local market where First-Citizens already held one-third of the area's commercial bank deposits and would have increased that share to 37 percent. We found the existing offices of First-Citizens were reasonably available alternatives to each of Lucama-Kenly's offices and that the proposed merger would have adversely affected public choice in a concentrated local market.

(6) In *Maryland*, the proposed merger of the $18 million Westminster Trust Company and the $15 million Bank of Westminster was denied. Both banks are headquartered in Westminster, Maryland, and operate branch systems in a local market of some 70,000 persons. Direct existing competition would have been eliminated. In addition, their consolidation would have reduced the number of banking alternatives in the center of this market from three to two, created an institution holding 21 percent of the total market, and concentrated 55 percent of the market in its two largest banks.

(7) In *Indiana*, we denied the proposed merger of Anderson Banking Company (deposits $60 million) and The State Bank of Lapel (deposits $3.4 million). The former is the largest commercial bank in Madison County, Indiana, and already controlled about 30 percent of the deposits in the market area of the smaller bank. Direct competition would have been eliminated and the banking resources of the market would have been further concentrated. We were of the opinion that the Lapel bank should seek a less anticompetitive merger partner rather than adding to the strength of the area's dominant bank. It was important to our decision that Indiana allows branching and merging only on a county-wide basis.

(8) In *Georgia*, we recently denied a merger proposal between two affiliated banks, The Citizens and Southern Emory Bank and The Citizens and South Bank of Tucker. Affiliates in the Citizens and Southern system presently control 41.8 percent of the bank deposits in DeKalb County, a mushrooming portion of the Atlanta area. We found that purchase of Tucker bank by the C & S system in 1965 was anticompetitive and should not now be ratified, even though there was little likelihood that either existing or potential future competition would be eliminated.

The merger denials have all come after exhaustive staff study and debate and total attention of the Board members. Each decision is accompanied by a detailed decision specifying the reasons and the reasoning.

As these decisions flow, they should provide an invaluable guide to the thinking of the Corporation for those who are contemplating a merger move. Copies may be obtained from our Information Office.

BRANCHING

Just last month a series of FDIC branching decisions attracted some attention as we denied six branch applications of the Citizens and Southern banking group for locations in DeKalb County, part of the highly concentrated Atlanta area.

The denials were based on competitive grounds, which we found to be a proper consideration under the "convenience and needs" test. We started from a factual analysis which showed that the C & S system already held nearly 42 percent of commercial bank deposits in DeKalb County. We further determined that *de novo* branches, in some instances, can be used to prevent competitors from getting a foothold in a growing area, and that regulatory policy in such cases should attempt to weigh benefits of service and convenience against the disadvantages of perpetuating a concentrated market already dominated by the applicant bank. We approved one C & S branch in DeKalb County where no other bank was serving the area, but denied the rest where recent branch approvals had been given to competitors.

We recognized that most *de novo* branches are "procompetitive" and expect to use this new policy only sparingly in markets where an applicant bank already has an overwhelming advantage in terms of offices and deposits.

In closing, let me say that in all the time I've been in Washington and particularly since I've been with the FDIC, there has never been a better climate of cooperation between the regulatory authorities.

Disagreements there are, of course, but they are always on top of the table. And in the area where joint action is required, such as interest rate regulations, implementing new consumer laws, or joint supervisory efforts, the cooperation is superb. It's a real pleasure to be involved with people like Frank Wille and Bill Camp and Tom DeShazo and Louie Robertson, the people I work with most on problem bank cases.

I've tried to cover some matters of real concern to all of us in a somewhat sketchy manner and now, in the remaining minutes, I'm available for questions.

ENVIRONMENTAL PROTECTION AND CORPORATE BLACKMAIL

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mrs. ABZUG. Mr. Speaker, a common argument raised in opposition to strong pollution laws is the suggestion that enforcement of these laws will lead to the closing of manufacturing facilities and the loss of jobs.

The UAW—especially Leonard Woodcock, its president, and Olga Madar, one of its vice presidents—has shown strong leadership in environmental affairs. It is one union which is not allowing itself to be buffaloed by the "loss of jobs" red herring raised by big industry.

The current Sierra Club Bulletin carries an article by President Woodcock on this subject, and I include it at the conclusion of my remarks. While Mr. Woodcock does not ignore the problem raised by industry, he insists—quite correctly, in my opinion—that it need not be dealt with as an either-or proposition. I commend his statement to you, as follows:

LABOR AND THE POLITICS OF ENVIRONMENT

(By Leonard Woodcock)

(NOTE.—Leonard Woodcock is the President of the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW).)

A new environmental "game plan" is emerging in American industry. Employers under notice to comply with governmental anti-pollution standards are seeking to enlist workers, their unions, and their communities in campaigns of resistance to the enforcement of these standards through overt or implied threats that such enforcement would result in loss of jobs and income through shutdowns and layoffs.

Our passage from a pollution-prone to a relatively pollution-free society, even under the best of circumstances, is bound to be long and difficult. But we can be sure that the best of circumstances will not prevail, if through inaction we tolerate an industrial strategy of playing on the economic fears of workers and communities to create widespread political opposition to cleaning up the environment. Giving workers the right to sue would put an end to that strategy and, at the same time, would create a new and powerful financial incentive to induce polluting employers to step up to their environmental responsibilities. Lacking such an incentive, employers will be strongly tempted to adhere to past and current practices. In that case, we may not make the passage at all, or not make it in time to avoid irreparable damage to the natural life-support systems that we have until very recently taken for granted.

Throughout our history, we have measured growth, profitability and progress by a much too narrow and shortsighted calculus. For a century or more, industry, especially large corporate industry wielding a high degree of market power and political clout, has made its way on the basis of an irresponsible indifference to the adverse impact of its operations on the physical and social environment. Many of the social costs of "doing business" were never assumed by business. They were sloughed off as "negative externalities" (in the jargon of economists) to be borne by the most vulnerable segments of society—mostly workers and their families—in various kinds and degrees of economic insecurity and the disabilities flowing from such insecurity. These insecurities and disabilities, according to the laissez-faire gospel, were the price that had to be paid for progress. Workers, their families and their communities are still paying most of that bill.

As for the other major social cost of doing business—environmental pollution—to the extent that it was paid at all, it was also borne primarily by workers in the form of unsafe and unhealthful working conditions. In addition to polluting the work environment, the wastes of American industry were simply thrown off onto the land, air or water. Our reckless exploitation of natural resources was not perceived as a threat to the quality of life except by a few conservationists. Exploitation was defined optimistically as development and development was the national business.

Now tomorrow is here. The bills for generations of recklessness and greed are coming due. The social and environmental costs of doing business at the same old stand and in the same old way can no longer be tolerated. Growth, given the way it has been and is being achieved, can no longer be defined optimistically as a higher standard of living; it must also be defined as a deterioration of the quality of life, urban congestion, suburban sprawl, the poisoning of the air we breathe, the water we drink and the soil that nurtures us, the accumulation of garbage, and the steady pressure of a rising population on a finite resource base.

Concern over environmental pollution can no longer be dismissed as a passing fad of undergraduates. By November, 1970, environmental issues had come to the fore in electoral contests throughout the country, and in some helped determine the outcome. Fear of its environmental impact played a considerable and perhaps decisive role in the initial rejection of the SST by the Congress. It might be said that Administration and industry lobbying on behalf of the SST and the effort to pit aerospace workers against environmentally-conscious Congressmen and their increasingly environmentally-preoccupied constituents established the politics of environment front-and-center on the national stage.

What we have today is not an environmental policy, but environmental politics—and it is not even a new politics, merely the old politics of corporate irresponsibility, illustrated in classic perfection by Union Carbide's January, 1971, announcement that it would have to lay off about 625 workers in order to comply with air-quality standards set by the Environmental Protection Agency. This, it should be noted, reportedly occurs after fifteen years of negotiations with state and federal authorities!

By February 16, 1971, the *Wall Street Journal* was able to report that Union Carbide was "exploring ways to avoid closing part of its Marietta, Ohio, ferroalloys plant" in order to meet air-pollution standards. It also reported that in a letter to Senator Muskie the company president said the company had not "and will never engage in any economic or environmental blackmail" by a partial closing of the Marietta plant. But he also stated that if all efforts failed, it might be necessary to close part of the Marietta operation temporarily.

It is not difficult to imagine the surprise and shock felt by the corporation's workers, particularly in a part of the country where some workers still refer to factory smoke as "gold dust." Outrage is mixed with great caution, not to say fear, among Union Carbide workers.

Mr. A. F. Grospiron, president of the Oil, Chemical and Atomic Workers, which represents some of the Union Carbide workers, stated: "We resent the fact that Union Carbide is using our members as pawns in its resistance to clean up the air around Marietta."

On the other hand, Mr. Elwood Moffett, president of District 50 of the Allied and Technical Workers, which also represents some Union Carbide workers, said: "It is going to take time to correct these problems, and the government ought to give the company more time."

When workers are torn by conflicting views of their economic situation, as in this case, opportunistic management can have a field day.

Management's readiness to exploit the insecurity of workers is dramatically evident in the Union Carbide case. But the situation is not unique. With or without drama, it exists or is implicit wherever there are workers whose major property is in their jobs, working for employers reluctant to face up to the costs of ending environmental pollution.

When General Motors came under pressure from a federal court action for discharging industrial wastes into the Hudson River from its Tarrytown plant, it shifted its offending operation from Tarrytown to Baltimore. A local newspaper commented: "This put several hundred local employees out of jobs—a gentle hint to the rest that they, too, might join the unemployed, if Hudson River valley residents push too hard for a quick cleanup of the river. In fact, GM was more blunt with the U.S. Attorney's office. At the March 20 appearance of opposing lawyers before Judge Motley in the case, Assistant U.S. Attorney Michael Hess told the judge: 'We have been told by General Motors people that "If we could not dump anything into the Hudson River, we would have to close down and thousands of people would lose their jobs".'"

There is the instance of the Wyandotte Chemical Corporation which is under a Michigan state court order to recycle effluent from its plant. A company official says it will close down instead.

According to a release of the *Los Angeles Times* Syndicate, American Smelting and Refining Company (ASARCO) ". . . has threatened to move out if forced to obey strict air-pollution laws. Unions have backed ASARCO in El Paso, but in Tacoma they increasingly resent the company efforts to use them as environmental pawns." The same release also reported: "U.S. Steel has warned pollution-control agencies in Alabama, Indiana and Minnesota to back off if they want the company to stay around. In Birmingham, the ruse has been spectacularly successful, intimidating workers and giving U.S. Steel free rein to pollute for at least seven years. In Gary, the tactic has begun to lose effect. In Duluth, where the company runs a marginal plant, it has also worked."

In February, President Nixon received, at the White House, the industrialist members of his National Industrial Pollution Control Council. The council, which might more appropriately be called the National Association of Industrial Polluters, was in effect awarded a good conduct medal by Mr. Nixon. The *New York Times* reported:

"Officers of more than 200 major industries were assured by President Nixon today that they would not be made 'scapegoats' of the drive for cleaner air and water."

The President was quoted as saying: "The Government—this Administration, I can assure you—is not here to beat industry over the head."

The *Times* report noted that among Council members are officers of the Union Carbide Corporation, and of General Motors which, along with other auto companies has objected to the 1975 congressional deadline for a 90 per cent reduction in exhaust pollutants, and of the Republic Steel Corporation " . . . which told federal investigators in 1969 that they had no legal right to question whether it was lagging behind schedule in reducing the dumping of waste into Cleveland's Cuyahoga River."

Later, EPA administrator Ruckelshaus called for new "environmental ethic" on the part of business and industry, and in doing so, according to the *Times* he "re-ruffled the feathers that Mr. Nixon had attempted to smooth."

The evidence indicates that the Nixon Administration is carrying water on both shoulders: the more-or-less pure water of an environmental commitment on one, the contaminated water of pollution-as-usual or a little-less-than-usual on the other.

Further doubt is cast on the strength of the Administration's own "environmental ethic" by a position advanced in the remarks of a member of the President's Council of Economic Advisers. Mr. H. S. Houthakker, speaking on "The Economy and the Environment," said: ". . . any ambient air standard implies a value judgment on the social importance of clean air relative to the social cost of achieving it. There is no obvious reason why this value judgment should lead to the same conclusion everywhere. It is conceivable that a depressed area may want to attract industry at the expense of a less stringent ambient air standard; the citizens of that area should be able to have some influence on the choice involved. . . ."

If this proposition is translated into plain language, it emerges as the old and ever-new government-industry partnership against the unorganized, the unemployed, the poor and their communities. Just as poor states and communities have long been invited to compete for industry and jobs by maintaining the open-shop and keeping unemployment compensation and other social charges on employers low, they would now be invited to maintain or create a suitably polluted environment—toward the same end of getting jobs, paychecks and a brisker trade at the local stores.

This doctrine also constitutes a warning to employed workers already breathing polluted air in and out of the plan as the price of having jobs. That warning is clear: "cough and visit your doctor regularly, but don't get environment-happy or we may have to shut the operation down and move away."

This, as we have said, is no new ethic. Rather, it is the old trade-off in a new guise. Throughout the course of industrialism the insecurity of workers and would-be wage earners has enabled employers to trade jobs for long hours and low wages, for speed-up and the worker's signature on a yellow dog contract, for unsafe and unhealthy working conditions. Now, implicitly in the Houthakker proposal and the be-kind-to-industrial-polluters attitude that appears to be the dominant tendency in the Nixon Administration's fickle environmental stance, the stage is being set for extension of the old trade-off to the whole environmental gamut.

A society whose economic and political decision makers can live comfortably with the assumption that 4 per cent unemployment would be full employment is a society whose breadwinners are bound to be more or less insecure. And as a result of Administration policies, we have lately witnessed the spread of economic insecurity from the ranks of blue-collar workers, where its endemic, to the ranks of highly skilled technicians and professionals, where it has been relatively rare.

The largest constituency in this nation is the constituency not of the affluent but of the insecure. We are all residents, in Buckminster Fuller's phrase, of the Planet Polluto; but our view of pollution is inevitably colored by our place at the economic table. Those who sit below the salt, and that still includes most wage-earners and their families, are not in a position to take a bold, intransigent stand against pollution and the employers who are its major perpetrators. Even though they have traditionally been and remain the chief victims of pollution, working people are obliged by the insecurity of their jobs and lives, by their families' needs and by their loyalties to wives and children, to give "the smell of the paycheck" priority over a wholesome working and living environment—when they are offered no other choice.

The UAW holds the very firm conviction that no working men and women and no community in the nation should be forced to ask that choice. Mr. Nixon thoughtfully assured many of the major industrial polluters in the country that his Administration would not "beat industry over the head" to obtain employer compliance with anti-pollution standards. He was ominously silent with respect to the police measures his Administration would take to prevent industry from beating workers over the head with the threat of plant closings and job losses if the government presses for an end of industrial pollution. We have seen no broken heads among the managements who continue to pollute our common resources of air and water; but workers all over the country can already see the club over their heads.

Does Mr. Nixon speak to Mr. Ruckelshaus? Mr. Ruckelshaus was right in warning that we need a new environmental ethic if we are to check the deterioration of the quality of life visibly taking place as a result of a systematic degradation of the environment. But such an ethic will certainly not emerge spontaneously in the ranks of industry. The federal government, which for the time being means the Nixon Administration, must affirm it and give it vigorous and consistent implementation. No such consistent environmental ethic has been forthcoming in Washington. On the contrary, despite some vigorous language and some worthy proposals in legislation, there remains a clear and present danger that the basic environmental ethic of the Nixon Administration will be to hold industry's coat while the major polluters, through blackmail, attempt to convince workers, unions and the general public that a vigorous attack on industrial pollution is incompatible with economic growth, full employment and the American way of life.

What we really need, and what the present Administration has failed to articulate, is a

new *social* ethic, which would affirm and implement the basic proposition that we have the right to, and the means to assure, both a wholesome environment and economic security.

Unions, such as the UAW, take very seriously the degradation of the environment in the United States and throughout the world. But we also feel obliged to remind Americans who share our environmental concern that the natural and social environments are one. If we are to succeed in making the difficult transition to a society living in harmony with the natural world, we must make a parallel, simultaneous commitment not just to the rhetoric of social justice but to specific legislation and institutional reforms which will insure an equitable sharing of the costs and benefits of environmental improvement, based upon a realistic appraisal of responsibility.

The environmental movement has been too slow to grasp the social and economic aspects of the environmental issue which the movement has so effectively brought to national attention. Non-labor members of that movement have done yeoman's service in creating an awareness of environmental policies. But in failing to come to grips with the politics of environment, they have exposed themselves, as well as the working men and women who should be their strongest allies, to the trap being set for them by corporate polluters.

The challenge of environmental degradation is also too important to be left to the environmentalists, because without support from the American people as a whole, especially from workers and the urban poor or near-poor who are pollution's worst casualties, the environmentalists will be fighting a lost cause. They are the bearers of bad news, and industry is already moving to discredit them as extremists. The new scapegoats, in fact, may well be not those who are most actively polluting the nation and the planet, but those who are sounding the alarm.

We must make a prompt but orderly transition from production and employment bought at an unacceptably high cost in pollution and environmental health hazards, to an economy that can provide economic security and well-being without impairing our finite resources of land, air and water.

Yet again the Administration has no plan to effect that transition. And as long as it remains without such a plan and the will to implement it, it remains in the corner of the corporate polluters, in effect conniving with them in the sordid politics of exploiting the economic insecurity of American workers in order to hold them in line as a captive constituency of the industrial-pollution complex.

American workers, perhaps more than the rest of the nation, have good reason to be foes of pollution. They have confronted it, resisted it, and to a dangerous degree have had to endure it over decades on the job. These in-plant hazards have increased with the proliferation of new toxic substances in recent years. Moreover, workers and their families are most apt to be exposed to the pollution released by industry into the surrounding community, for they are less likely than executives and professional workers to live in residential suburbs. The problem is not that they are advocates of pollution, but that their economic circumstances require them to think first of jobs, paychecks and bread on the table. The Congress has no more serious challenge than that of taking specific actions which will assure American workers and their families of a valid alternative to paychecks earned through working and living in a polluted environment. That alternative, put simply, is the alternative of jobs, paychecks, bread on the table—and a clean environment.

Legislation to give workers the right to sue their employers for damages suffered in plant shutdowns or layoffs resulting from pollution of the environment would be a practical, substantial step toward the creation of such an alternative. It would not only free workers from the fear, skillfully played upon by environment-ravaging employers, that vigorous action to protect the environment must mean loss of jobs; it would give those same employers a powerful new incentive to exert their own best efforts to abate the pollution they are now causing.

Such legislation should give all workers affected both directly, through loss of jobs, and indirectly, through downgrading, the right to sue in federal and state courts. Where the employer is a corporation, there should be the right to sue the corporation, with the officers and directors joined as defendants. This is essential, for in a situation where a corporation operates only one plant, if the shut-down were followed immediately by the dissolution of the corporation, the judgment would be meaningless. The possibility of being held personally liable, would tend to make officers and directors of all corporations more vigilant and diligent in avoiding and promptly correcting pollution abuses.

Damages recoverable should include not only lost wages but the fringe benefits that the workers stand to lose as well as retraining and relocating costs.

It is a widely accepted principle—although one all too often ignored in practice—that the burdens and sacrifices required by an action taken in the service of the interests of the whole society should be shared equitably by *all* who benefit from that action and not allowed to fall disproportionately upon *some* who are innocent victims of it. Certainly purification of the environment is in the interests of all citizens. All of them will ultimately pay in increased taxes and often, unfortunately, in higher prices for steps taken publicly and privately to avoid, eliminate or reduce pollution. Increased taxes and higher prices will also be paid by the workers who stand to lose their jobs, temporarily or permanently, as a result of plant shutdowns resulting from environmental problems. They and their families should not be asked, in addition, to pay with loss of income and valuable fringe benefit protections.

If the legislation is to be effective, workers must be assured of prompt relief from any damages inflicted upon them by the actions of polluting employers. One of the main purposes of the legislation is to free workers from fear so that unscrupulous employers will no longer be able to hold them as hostages in order to continue polluting the environment. That purpose obviously would be nullified if workers envisioned that they might have to wait years, with their families meanwhile subject to severe hardship, while employers take full advantage of all the opportunities for delay that our legal processes afford. It is therefore imperative to assure workers that the protections will be available promptly. The Secretary of Labor should be empowered to join in the suit and to make payments, recoverable from the employer, to the workers in lieu of their lost wages. Payment before judgment is issued, of course, raises the possibility that in some cases the Secretary of Labor might make payments to workers whose suits ultimately will be lost. The risk would be small because enactment of the proposed legislation would create a powerful deterrent to pollution-related plant shutdowns. It would be far less costly to employers to eliminate or abate pollution rather than pay damages and, as a result, few lawsuits would actually be initiated. In any case, whatever small risk of unrecoverable payments might remain dwindles into insignificance by comparison with the potential dangers to all of us from continued and, in some cases, possibly irreversible pollution of the environment by corporations that hide behind the insecurity of their workers.

Ultimately, of course, employers should bear the full cost of compensating their workers for economic harm done to the latter as a result of failure to avoid or correct pollution abuses. It is clear, however, that the government cannot be absolved of blame for its failure to come to grips earlier with the pollution problem. The government's negligence in this matter does not excuse those employers who took advantage of it. But some of them, undoubtedly, will require time to correct what government permitted them to do in the past. Since responsibility in this matter is shared by government and industry it seems fair to ask them to share, during a transition period, the cost of repairing any damage their action or inaction caused to be inflicted upon the families of innocent workers.

While legislation along these lines is focused on protection of workers, it should be emphasized again that that would be but one of its socially desirable results. By assuring workers such protection, it would remove what is perhaps the most serious political obstacle to vigorous and effective legislative and administrative action to minimize industrial pollution of the environment. It would end political blackmail of the kind attempted by Union Carbide because employers who threaten to lay off workers in order to evade their environmental responsibilities would thereby be establishing the right of their workers to obtain damage judgments. Employers resorting to such threats would, in effect be providing additional evidence to support any suit their workers might bring.

At the same time the suggested legislation would provide a powerful financial incentive to industry to abate pollution. As a result, the proposed protective provisions for workers and the lawsuits required to bring them into play would rarely have to be invoked.

This country is racing against a number of clocks that keep ticking whether we are listening or not. The clock of unfilled democratic promises will tick us into a slow decline and exhaustion of democratic conviction and solidarity. The environmental clock will tick us into a slow but steady deterioration of the natural environment and the resource base that make life and democracy possible. These clocks will tick on unless we manage to assert the preeminence of a social and environmental ethic over the cold calculus of private corporate power and irresponsibility.

MAIL-ORDER RETAILING MARKS CENTENNIAL YEAR

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ARENDS. Mr. Speaker, as the new year approaches and as our country looks to a new era of prosperity, I feel it is especially appropriate for us to scan the pages of our history and to compare those American efforts and innovations that have helped bring our people the highest standard of life in the world. I am proud to say that one very important contribution to this standard of living, mail-order retailing, was founded in Chicago in 1872, almost 100 years ago. This industry, which has helped bridge the productivity of our land with the consuming needs of our citizens, will celebrate its centennial of service to the United States in 1972.

Originally, mail-order retailing provided the comforts and products of the city to the countryside, and, although this continues to be true, a new dimension

has been added. Mail-order enterprises now also offer the wares of the city stores to the suburbs and make available the convenience of shopping for almost anything without leaving the home.

Aaron Montgomery Ward founded the mail-order business when he established the company that now bears his name. It was a modest beginning in 1872. Mr. Ward distributed to members of the Grange a single sheet which itemized several dozen products which could be purchased and received through the U.S. mail. There were those who doubted the soundness of this approach, but Mr. Ward soon proved that quality goods could be bought sight unseen at a lower price. And, to substantiate his promise, he originated the money-back guarantee.

These early innovations were the basis for what is now a $3 billion business, one of the Nation's largest in terms of employment, sales, and as a patron of the U.S. Postal Service. In fact, I am told that, over the past century, mail-order retailing, through the purchases of mailing services, has generated one-third of the Postal Service's gross revenues, estimated at more than $33 billion.

I understand that, to celebrate the centennial milestone of this record of service, the Mail Order Association of America and the Illinois Special Events Commission have petitioned the U.S. Postal Service to designate mail-order retailing as a theme of a commemorative stamp during 1972. I am pleased to endorse this proposal, and I would encourage my distinguished colleagues to consider endorsing it also.

Mr. Walter Trohan, columnist for the Chicago Tribune, has written a very interesting and informative column on the significance of the mail-order business and its history, and I would request that it be included in the CONGRESSIONAL RECORD along with my remarks.

Mr. Trohan's article follows:

WASHINGTON REPORT: MAIL ORDER'S 100TH RATES A STAMP

(By Walter Trohan)

WASHINGTON, December 16.—For some mysterious reason, probably corporate politics, the United States Postal Service is hesitant on a proposal to honor the centennial of its greatest customer, the mail order business. Senators, representatives, and a wide assortment of public officials and citizens have petitioned the service in vain for a 1972 commemorative stamp.

By rights the stamp should commemorate Aaron Montgomery Ward, the founder of the mail order business, which has generated one-third of the service's gross revenue, more than $33 billion, and still accounts for one-third of today's $10 billion in postal revenues. Ward was not a remarkable businessman, but he was the first man to fight for consumers and among the first to make an issue of environment.

Yet Montgomery Ward & Co., which he founded, has informed the service that it is willing to forgo a stamp in his honor for one noting the centennial of the industry. Some competitors are concerned that a stamp honoring Ward might advertise the company he founded, it was learned at the Postal Service.

Ward was born Feb. 17, 1844, in New Jersey, but grew up in Niles, Mich. In 1866 he boarded a lake steamer at St. Joseph, Mich., where he had been the manager of a retail store, for Chicago to become a clerk in the Field, Palmer & Leiter store, the forerunner of Marshall Field & Company. Later he sold dry goods in Illinois, Iowa, and Missouri.

During the tedious round of train trips to the various communities in his area, Ward conceived the idea of a new merchandising technique, selling to the country people direct by mail. The idea was born because he saw country people longing for the comfort of city folk and often being victimized by monopolists and overcharged by middlemen then necessary to bring manufactured products to the countryside.

In 1872 he began his battle for consumers by founding his mail order firm. In August of that year he issued a single-sheet price list offering 163 items to farmers thruout the Midwest. This was to grow into the catalog which became one of the 100 most important books in America, influencing the American way of life and the lives of Americans for generations.

The new firm weathered the panic of 1873. It prospered because consumers learned that the firm did indeed offer them quality merchandise at lower prices. The technique was copied by other merchants, notably Richard W. Sears and Alvah C. Roebuck, who issued their first catalog in 1896. Sears, Roebuck and Co., became famous not only thru the mail order business but because its management combined it with a chain of department stores in America and abroad, to become a recognized leader in the field.

Montgomery Ward was not content with fighting for consumers in cheaper prices but also concerned himself with their environment. He fought for the preservation of the lakefront, going to court to bar the building of any structures on Chicago's downtown lakefront area. He was not an unreasonable foe of buildings along the lakefront but fought for the protection of what he considered one of the most beautiful city areas in the world.

"I fought for the poor people of Chicago," he said. "Here is a park frontage on the lake, comparing favorably with the Bay of Naples, which city officials would crowd with buildings, transforming a breathing spot for the poor into a showground of the educated rich. I do not think it is right."

Altho he was hated by many in his day, The Tribune said editorially on his death in 1913: "We know now that he was right, was foresighted."

The Postal Service should be foresighted enough to honor his memory.

TRIBUTE TO LEE TREVINO

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. EDWARDS of California. Mr. Speaker, all Americans can take great pride in the achievements of Lee Trevino, the Mexican American who overcame the double handicap of poverty and discrimination to become one of the top professional golfers in the world. It is particularly fitting that the GI Forum Women's Auxiliary is paying tribute to him in San Jose, Calif., on January 15. He is the first golfer in history ever to sweep the United States, British, and Canadian championships in a row, and he is, besides, the most exciting player and brightest personality the game of golf has produced in years. No one else has done so much to put fun back into the serious world of this professional sport.

Lee Trevino and his two sisters were born and grew up in a shack on the fringes of a Dallas cemetery where his grandfather dug graves to support the family. His mother, Juanita, worked as a domestic, and Lee himself quit school in the eighth grade to go to work. He caddied and took care of the greens at a nearby country club, and at 17 he enlisted in the Marines, where he eventually rose to master sergeant while developing his game playing on the golf team.

When he was discharged at 21, Lee decided to put his golfing skills to the test. He returned to Dallas, got a job as a pro at a pitch-and-putt course, and soon after started playing at Tenison Park. This was the start of a career that quickly catapulted right to the top. Backers in El Paso offered Lee a job as a club pro. The salary was miniscule, but he earned added income by giving lessons, repairing clubs, and whipping any challengers his backers wanted him to take on.

It was Claudia Trevino, his lovely wife, who finally brought Lee to national attention when she registered him for the U.S. Open qualifying round at Odessa 4 years ago. Lee finished eight shots ahead of the field at Odessa, second in the sectional tournament at Dallas, and a remarkable fifth in the Open itself. From Odessa he has gone on to win practically every tournament he has entered, both in this country and abroad.

Lee Trevino is a hero and a favorite to sports fans and golfers not merely because of his superb skill, but also because of his infectious good humor, irrespressible wit, and genuine feeling for people. At this year's British Open, for example, he was approached by an old Scottish couple. He remembered only their first names, but he also recalled that they had followed him loyally at several European tournaments. He invited them for tea, and this simple, thoughtful gesture is typical of what makes Lee so popular with all who know him.

Lee's quick wit, besides helping his golf game, has also been known to get him out of a tight spot or two. Teeing off at the British Open, he noticed a well-proportioned blonde in a braless pullover and commented on her in Spanish to his cousin and fellow-golfer, Arnold Salinas. Then he whirled and asked the lady, "You don't speak Spanish, do you, ma'am?" The lady said yes, and the crowd howled, but Lee was ready with a retort: "So does my wife, and she's right behind you."

All in all, Lee plays like he lives, fast and hard and joyously, the way he thinks golf should be approached. He always prefers fast play to slow, and hard shots to easy shots, and if he had his way they would all be accompanied by jokes and laughter. I admire these special qualities in Lee Trevino. He has never comprehended the country club world where golf is treated as a life-and-death ritual, where it is played because it is socially beneficial or an occasion to meet clients. To Lee Trevino, golf is better than that, and his unique, personal contributions to this king of games will certainly go down in the annals of sports legend.

GOLFERS STRIKE BLOW FOR RACIAL EQUALITY IN SOUTH AFRICA

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BINGHAM. Mr. Speaker, golfers Lee Elder and Gary Player are both to be congratulated for their courage in striking a blow for racial equality in South Africa through the medium of sport. The following story from the New York Times sounds a hopeful note:

ELDER HOPEFUL OF BID TO MASTERS

(By Dave Anderson)

WASHINGTON.—As the winner of the recent Nigerian open golf tournament, Lee Elder reiterated today his hope to be the first black competitor in the history of the Masters tournament.

"I believe I'll be invited to play at Augusta in April," the American touring pro said. "It's up to the Masters committee to recognize me as a foreign champion, as they do the winners of the French open or the German open. But if a place like South Africa can invite a black golfer, I can't see why the Masters can't open its doors."

Elder also competed in South Africa at the invitation of Gary Player, a former Masters champion.

"The past Masters champions also vote to invite one player each year," Elder said. "Gary assured me that I'd have his vote, and he told me that he'd try to influence as many of the other champions as he could to vote for me, too."

The 37-year-old golfer and his wife Rose mentioned that the absence of a black golfer at the Masters has tarnished the world-wide image of the tournament.

"Everywhere we went, people asked about the Masters," said Mrs. Elder. "It's a private tournament, and I don't blame them as much as I do the Professional Golfers Association for not demanding that the top 60 money winners automatically qualify, like they do for every other tournament. Okay, have your private thing, but don't make it a white elephant for the whole U.S."

The Elders were honored here at a luncheon by the Gulf Oil Company, which Lee represented during his Nigerian visit.

"In South Africa, Gary really went all out to see that everything went well for me," Elder said. "It took a lot of guts for a man of his stature to invite a black golfer to compete in South Africa with its apartheid policy."

Elder disclosed that before arriving in South Africa, he was concerned for his life.

"I thought about Dr. Martin Luther King's death," he said. "I wondered if some crackpot would decide not to want me there, if someone would take it upon himself to take my life. But after Gary and the South African golf officials opened their arms to me, I knew that if I was to be shot, quite a few South African natives would have to go down with me."

During the first two days of the South African tournament, the pairing of Elder and Player attracted huge galleries.

"The first day there were about 5,000," his wife recalled. "The second day about 10,000. At one hole, two black ladies were outside the fence of the club, and they were laughing. I was told that they were saying, "That's why they created apartheid here, because they knew the blacks could play better than the whites.' "

Elder mentioned that the South African Government had agreed to several demands before he accepted Player's invitation.

"I asked for multiracial galleries," he said. "I asked for seating on a nonsegregated basis, for freedom for us to go anywhere we wanted to in the country, for the right to select our own lodging and for a free hand in raising money for the Uganda Seminary School.

"There are many things I disagree with about South Africa but I'm a sportsman. Golf is my business. Wherever I'm invited I'll go."

In the Nigerian open, Elder shot 71, 64, 67, 65—267, a total of 17 under par, in winning by five strokes in a field that included eight members of the British Ryder Cup team.

"One thing that really pleased me," Elder said, "is that when I was leaving Nigeria, the officials there made me a brother of the country. And I told them that the brother will return next year to defend his title."

UNITED AUTO WORKERS AND HMO'S

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, on July 21, 1970, Mr. Melvin A. Glasser, director, Social Security Department, International Union of United Automobile Workers, testified before the Senate Subcommittee on Health, on health maintenance organization proposals. He spoke on behalf of the international union and the Health Security Action Council.

I include his testimony as part of the CONGRESSIONAL RECORD:

TESTIMONY ON HEALTH MAINTENANCE ORGANIZATIONS

(By Melvin A. Glasser, director, Social Security Department International Union, UAW before the Subcommittee on Health, U.S. Senate Committee on Labor and Public Welfare)

My name is Melvin A. Glasser. I am Director of the Social Security Department of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), and a member of the Health Security Action Council.

I have with me Mr. Max Fine, the Executive Director of the Health Security Action Council and Mr. Jack Beidler, UAW Legislative Director, who are joining me in this testimony.

Mr. Chairman, I wish to express my appreciation to you and the members of this Committee for holding these hearings on Health Maintenance Organizations. This Committee is providing a major service to the American people by examining in depth the many facets of the health care problem in this country. As I hope to demonstrate, it is only through understanding of the problems in depth, and dealing with them concurrently and in an integrated way, that we can provide effective solutions.

I am delighted with the opportunity to discuss HMO's for I have been associated with them for many years. I am a Board member of the Group Health Association of America, and serve on the Board of Directors of the Community Health Association of Detroit initially organized under UAW leadership, and of the Metropolitan Hospital Board, which is associated with the Community Health Association.

Over the years our Union has played a key role in helping to initiate, organize, or encourage development of prepaid group practice programs in a number of communities in the U.S. and in Canada. Our members are participants in prepaid group practice plans in eleven communities. Our stake in them is substantial and our conviction about their essential soundness has been supported by the willingness of our Officers and Board to invest significant sums of money in their programs. We believe, with the Administration and the sponsors of S. 1182, these organizations hold high promise of providing better quality, more accessible, and more economical health services than are generally available today.

And the need for these kinds of organizations was never greater. Measured by any index we can devise—life expectancy, infant mortality, incidence of disease or quantity or quality of health care services available—the health of the American people is deteriorating in comparison with other countries. Two years ago President Nixon recognized the growing health care danger when he said—and I quote—"We face a massive crisis in this area and unless action is taken both administratively and legislatively to meet that crisis within the next two to three years, we will have a breakdown of our medical care system which would have consequences affecting millions of people throughout the country."

The Administration states the "cornerstone" of its program to avoid the breakdown is the Health Maintenance Organization. The President's health message, and the testimony of Secretary Richardson and Assistant Secretary DuVal warms the hearts of many of us who for a number of years have been pointing to the advantages of prepaid group practice, now dubbed with a more marketable phrase, Health Maintenance Organizations.

For example, they point to the lower hospital utilization of group practice subscribers, lower rates of surgery, lower annual costs, which at the same time produce more favorable results in terms of a variety of health indices—premature births, infant mortality, mortality of the elderly—than the outcomes of traditional modes of medical practice.

The President had even more glowing praise for the accomplishments of group practice organizations. Comparing prepaid group practice with what the President describes as the prevailing, illogical, inefficient and isolated system, Mr. Nixon observes that:

"Some seven million Americans are now enrolled in HMO's and their number is growing. Studies show that they are receiving high quality care at a significantly lower cost. . . . Patients and practitioners alike are enthusiastic about this organizational concept. *So is this Administration. . . .*" (Emphasis added.)

With all this glowing rhetoric regarding prepaid group practice, why are we concerned about this aspect of the President's program. Precisely because we believe it is largely rhetoric, with little substance.

The first and perhaps most distressing weakness in the Administration's proposal in S. 1182 is that it does not recognize the essential interrelationship of financing and organization of health services. It proposes that a very small boy do a man's job. I wonder what the stockholders of a large corporation would think of a corporation executive who proposed to bring about a major redesign of an enterprise which spends $70 billion annually, with the investment of $23 million, that is with 0.03% of annual operating revenue. At the same time the proposal incorporates payment of $70 billion in incentives to keep the "system" operating the way it has been; but this is in essence what the Administration's HMO plan does.

S. 1182 calls for HMO's "to provide comprehensive health care services, including institutional services, efficiently, effectively, and economically." But when one looks at existing prepaid group practice plans which provide reasonably comprehensive health services, including preventive services, the funds required by these plans for ongoing operations are greatly in excess of those the Administration is proposing be available in its health insurance financing bills.

For example: Various Administration

spokesmen have suggested that the family premiums under the National Health Insurance Standards Act would run between $350–$390 per annum. The individual, of course, would be required in addition to pay substantial co-insurance and deductibles.

On analysis the average Family Health Insurance Program will cost between $500–$600 per family per annum: largely because the costs of providing health care to the disadvantaged are understandably higher.

Therefore, by the Administration figures, which provides that HMO's may receive up to 95% of the standard insurance premiums, the great bulk of covered families would have available $370 per annum, and the disadvantaged $570 per annum. These figures need to be looked at as a baseline for HMO program costs.

The Harvard Community Health Plan in its recently negotiated contract with the Massachusetts Department of Welfare is receiving $737 per annum for a family of four. This represents a 20% reduction in rates charged in the previous year. The Community Health Association of Detroit has offered the Michigan Department of Social Services a contract to provide prepaid group practice services to the disadvantaged at approximately $15 per individual per month or a family rate of $720 per annum. The Kaiser Plan of Portland, Oregon, a well established Plan with a great deal of experience in working with the economics of medical care, probably has the lowest rates for medical care for the indigent of any HMO in the country. Its base rate is $50 per month to which they add $7.50 for administration, record keeping and for certain outreach functions, bringing the total premium to $690 per annum.

Finally, the UAW negotiated health plans with the auto companies provide less than comprehensive benefits, in that they do not include out-of-hospital, home and office physician services, home health services, visual services, or preventive services. The annual composite premium (combining single and family premiums) for UAW–GM workers in Michigan this year is $672. This figure should be compared with the maximum of $370 to be made available under the Administration's basic insurance proposal.

The burden of these figures, Mr. Chairman, is to document the view the HMO's are meaningless unless they have members. The funds available in the Administration's health insurance proposal will simply not provide anywhere near what is required to support HMO's on a continuing basis.

I recognize that there are two possible replies to this assertion. The first is that consumers will help pay for the costs through co-insurance and deductibles. For the poor and disadvantaged this is largely inapplicable. If they had the funds to share in the costs of medical care they would probably not be eligible for the FHE program in the first place. Furthermore, it goes directly counter to the purpose of the HMO to suggest that economic deterrents would be introduced to delay the individual from using preventive health services and from going for early diagnosis and treatment. Economic deterrents may be sound in automobile insurance; they are not where human lives are at stake.

The second proposition that is frequently advanced is that labor unions and other groups would be free to buy supplementary insurance to make up for the serious shortage in funds in the administration's proposal. This too, however, is unrealistic. In any number of communities where we have attempted to develop prepaid group practice plans we found that either the nature of collective bargaining agreements, or the economics of the industry involved would not provide sufficient premiums to cover the cost of an HMO program. Most workers would have to pay very substantial out-of-pocket additional monthly premiums to join these HMO's. This is a disincentive to HMO development. It is a problem in Providence, R.I. today.

Almost 9 years ago, Mr. Chairman, I was personally involved in Boston, Mass. in attempting to get labor and other consumer groups together to organize a prepaid group practice program. I failed—not because there was lack of interest or support. There simply were not enough funds in the private insurance premiums then being paid to support a health maintenance organization. Under the auspices of the Harvard Medical School a splendid program has now been organized in Boston. It continues to have great difficulties in bringing in enough members to make it economically viable, due to the same factors I encountered 9 years ago.

We in the labor movement believe in HMO's. We support them. Our experience of many years convinces us that they cannot be developed apart from the rest of the health insurance programs. Unless they are an integral part of a sound, properly financed program, they are likely to offer promise combined with disappointment.

When it comes to providing initial support to plan, organize and institute HMO's, again I regret to state there is more form than substance in S. 1182. In the evaluation of Dr. John R. Hogness, President of the Institute of Medicine of the National Academy of Science, "the HMO provisions, as currently conceived, constitute sub-optimal support in many ways and would not appear to be a major threat to the insurance industry at this time. . . .".

The Administration proposes to make available some $23 million to plan and initiate approximately 100 HMO's. In addition, Secretary Richardson proposed that $22 million be made available to cover the early start up period in which members' premiums do not cover the salaries and operating expenses of health plans. These figures exclude hospital bed construction.

Since the Administration believes it will be possible to start 100 HMO's in the first year or so, by Dr. DuVal's estimate somewhere between $100 million and $250 million will be required for the early start up period, not the $22 million to which Secretary Richardson earlier testified. The discrepancy is so great that one questions the realism of the planning. Furthermore, the experience in New Haven, Connecticut; Providence, Rhode Island; Columbia, Maryland and Boston, Massachusetts indicates that the $230,000 planning funds are far too low, and the year or so for organizing is certainly not borne out by current experience.

For the record, Mr. Chairman, the Community Health Association of Detroit took some four years to plan and organize, and required an investment from the UAW of $7,600,000 to make it a viable institution. This included the purchase and remodeling of a 170 bed hospital.

One of the most recently developed and carefully planned HMO's, the Community Health Care Center Plan of New Haven, Connecticut, has been in the planning and development stages for over four years. It has made no investment in hospital beds because it will be using the Yale Medical School hospital. It will admit its first patient early this fall. Its cost to date is estimated at $4,669,000.

Another aspect of the Administration's proposal that troubles us is the wide open invitation that is given to profit-oriented financial interests to come into the field. Yesterday, Dr. Duval stated, "the HMO concept is based upon the same principles as the established prepaid group practice plans embodied in such groups as the Group Health Association in Washington, D.C., and the Kaiser Foundation Health Plans on the West Coast." I do not believe the Administration's spokesmen and those of us who have been associated with prepaid group practice over the years have the same understanding of the principles. Financial interests and insurance companies make investments for the purpose of receiving profits in return. Health programs make investments for the purpose of securing health returns.

We are deeply concerned that the many profit-oriented groups who are now studying the HMO's in S. 1182 and negotiating with HEW, see them as devices to make a "quick buck" while receiving "start up" support from the taxpayer. There is no evidence that these private enterprise corporations will be directed to quality performance.

On the contrary, we believe, Mr. Chairman, your Committee's knowledge of the serious problems created for the health care system when 90% of the nursing home beds in this country are privately owned and operated for profit and are almost continually being exposed as institutions which often provide miserable patient care, should raise serious doubts as to whether profit-making belongs in health services. The reports of the inadequate, slipshod and often erroneous findings of private for profit laboratories paid by Medicaid and Medicare raise further doubts. These experiences, and the dubious ethics and escalating costs when physicians directly or indirectly have financial interests in drug stores and health care institutions, as well as the stockmarket manipulations of private corporations who entered the health care field to take advantage of the public funds available under Medicare and Medicaid, should cause the Congress to pause a long time before these evils are perpetuated through the health maintenance mechanism.

It is our view that health is not simply another commodity available in the free marketplace like soft drinks and washing machines. It cannot and should not be subject to the values of those whose motives are fiscal rather than human.

And it concerns us, as I believe it will your Committee, that there appears to be every likelihood that it would be the "for profit" HMO's which would receive major stimulus, leaving relatively little of the available funds for non-profit health oriented prepaid group practice developments.

Yesterday, Dr. DuVal testified that 60 new HMO's can be planned and 50 others begin operations during the present fiscal year. Yet I call to your attention that neither the Congress nor the general public has yet been let in on the regulations, the guidelines, or the standards to be required of HMO's. It is not reassuring to speculate about the type of HMO program which may receive generous support.

We can well imagine a string of HMO's being developed and franchised around the country, like McDonald's hamburgers, for the benefit of profit-motivated HMO management, and with the government underwriting the costs.

Never mind the absence of quality controls.

Never mind the strong encouragement of such socially abhorrent practices as experience-rating in which the sick, the poor, and the minorities are not wanted.

Never mind even the additional costs, for enrolling the healthy will not provide relief for the sick. And we have 25 years of experience with the private insurance industry which has demonstrated again and again their use of selective underwriting to assure that they can and will select the good risks for their programs.

There is deep concern among many of us who have worked in this field for years over the absence of defined standards, the looseness of participation requirements and the open invitation for the profit-makers to move in on the taxpayers.

If the purpose of the Health Maintenance Organization proposal is to be realized, it is important that both consumers and providers of health care services have effective in-

centives to cause them to develop and to join HMO's. However, in our judgment, the Administration's program provides no such incentives. Indeed as each new piece of evidence emerges in the form of Administration testimony, one sees greater reliance on the existing system and the status quo, than on HMO's.

There is evidence neither in S. 1182 nor in the Administration's statements to date that consumers are to have any meaningful role in the development of the new programs. We believe every HMO which receives any support from public funds should be required to have substantial consumer participation from the onset of planning to the operation of the program.

In reporting on the chaotic and crisis ridden conditions in health care in this country, the Citizen's Board of Inquiry into Health Services in America last year stated "consumers have no real or effective role in the planning, organization, or delivery of health care. Providers and other health care professionals are firmly in control of our health care delivery system. Consumers and providers, because they are pursuing different and usually competing interests, are often at odds in determining what health services are needed and how they should be delivered."

S.1182 perpetuates this inequity. In 1971 it is not likely, in our judgment, that new health programs will succeed without meaningful consumer participation.

We feel obligated, too, Mr. Chairman, to bring to your attention our grave misgivings about the concept of providing priority in S. 1182 to "medically underserved areas". Our experience with poverty health programs for the poor leads us to believe that HMO's, as embodied in this Bill, will further perpetuate the separate but less equal system of health care for the poor we have in this country.

Our extensive contacts with the poor and with minority groups convince us they do not wish to have special services. They wish to share in decent services which all Americans should have. Furthermore, experience in attempting to organize health care programs for so-called disadvantaged areas again and again has demonstrated that it's exceedingly difficult, if ever possible, to develop quality services in isolation, no matter how much money is expended on them. The many studies of the public charity hospitals—Bellevue in New York City, Cook County in Chicago, and LA County in California—provide striking evidence that expenditures of large sums for health care of poor people isolated from the rest of the health system are counter productive.

In addition, this is the most expensive way of providing prepaid health services. When HMO's spread costs over the good risks and the poor risks far better assurance is given to the economic viability of the programs.

Mr. Chairman, we have been highly critical of the Administration's HMO proposal—not because we wish to be negative, but because we believe in its objectives. Based on substantial experience, we are convinced that the objectives of this proposal cannot be achieved apart from the objectives of the complex of health insurance proposals before you. We are convinced that the absence of sound standards, the open invitation to profit-making organizations to feed further at the public trough, the absence of consumer participation, the lack of realism in financial and organizational planning, and the further encouragement of separate programs for the poor, make it highly unlikely that S.1182 can be anything other than another diversion, another small program of limited usefulness.

But we have not come here today simply to be negative; we believe in HMO's. We believe it is crucially important that the system for the organization and the delivery of health services in this country be restructured. There is before the Congress a proposal which we are convinced will develop HMO's more rapidly and more realistically and bring about the other essential changes in America's health care system. This is the Health Security Bill S. 3 now before the Congress.

Organized labor and dozens of other consumer, professional and civil rights groups are supporting this Bill because it deals realistically with financing and restructuring at the same time. It provides for the leverage of large public funds, the total income of the health care system, to offer the incentives to change. It sets standards for new types of health delivery organizations. It makes possible the development of a multiplicity of new patterns. It does not use the weight of massive premium income to give primary support to the existing ineffective solo practice, fee-for-service system, although it enables it to continue for those who wish it. It eradicates the concept of separate but less equal services in health care. Through the Resources Development Fund, it makes available annually sums of money far in excess of those proposed by the Administration to encourage innovative experimentation and change.

It is the only health program before the Congress which provides universal coverage, comprehensive and equal benefits for all, and effective controls on both the costs and the quality of health services.

There are some, Mr. Chairman, who have questioned S. 3 because it is too ambitious, because they believe that change should be brought about on a piecemeal basis. Our examination of S. 1182 today, I believe, is a convincing case illustration that the piecemeal approach is self-defeating.

Bagehot, the British historian, once said it is not possible to get across a chasm in two leaps. America faces a chasm in its health care.

THE APHA'S VIEWPOINTS ON HMO'S

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, the American Public Health Association, which has done such excellent work in informing the public about issues in public health, has developed an analysis of health maintenance organization proposals now before the Congress.

I include the analysis as part of the CONGRESSIONAL RECORD:

HEALTH MAINTENANCE ORGANIZATIONS: A POLICY PAPER

I. INTRODUCTION

In response to the widely recognized crisis in American health services, various recommendations have been offered to modify the "delivery system." In tandem with some type of national health insurance, it is proposed that organizations be established to assure responsibility for the total health care of defined populations, on the basis of fixed annual contracts.

The concept of these organizations is not new. With varying degrees of comprehensiveness, they have functioned in the past and are functioning under the designation of "prepaid group practice plans," "health cooperatives," "medical foundations," "comprehensive health insurance programs," or by other names. With somewhat wider implications on their role, these organizations are now being designated by the current federal administration as "health maintenance organizations" and special bills have been introduced in Congress to promote their formation (e.g. 92nd Congress, H.R. 5615, the Health Maintenance Organization Assistance Act of 1971.) The Health Security Bill (introduced by Senator Edward M. Kennedy as S. 3 in the 92nd Congress) speaks of them as "comprehensive health service organizations." The "Ameriplan" proposed by the American Hospital Association calls for "health care corporations" to be organized in each state. To generally describe these various types of health entity, this document will speak of "health maintenance organizations" (HMO), since this phrase has gained wide currency.

II. BASIC POLICY

The American Public Health Association considers the encouragement of effective Health Maintenance Organizations, as defined in this document, as sound policy for the production of the public health. Within the definition of HMO, however, a wide range of features, with greater or lesser soundness, is possible. This document will discuss the major issues involved in terms of (a) financial support, (b) services, (c) population coverage, (d) patterns of delivery, (e) sponsorship, (f) special safeguards required, and (g) implementation.

With respect to each feature, the general issues will be defined, followed by a position of the American Public Health Association on the issues. Some of the issues are complex and elusive, so that it is only feasible to suggest a general policy orientation, the details of which would require decision at future times and places.

Relevant to this policy statement on Health Maintenance Organizations, the APHA must emphasize that personal health services are only a part of the total health protection of individuals; provision of a safe and healthful environment is fundamental at the same time. Moreover, the basic dependence of health on the total social setting in the community and nation must never be overlooked.

III. FINANCIAL SUPPORT

The current wave of interest in Health Maintenance Organizations has arisen in connection with the mounting discussion of national health insurance. With observation of rising expenditures for medical care, and anticipation of a shift of greater shares of these from the private to the public sector of the economy, there is mounting concern that the money be wisely spent. HMOs are seen as a mechanism for promoting this objective.

Yet there is a danger that an HMO movement might be promoted as a diversionary strategy, in substitution for national health insurance. While HMOs have value, therefore, under various forms of economic support, it is important that their development be promoted in association with and not in place of a program of national health insurance.

The HMO idea represents, indeed, a combination of a financial arrangement with a health care delivery system. The financial arrangements, including methods of determining the amounts of payment, are an essential aspect of the HMO.

Methods of payment for medical care in the prevailing health system, based on concepts of cost or charge reimbursement, fail to provide incentives for efficiency and economy. Financial arrangements and methods of payment should properly stress economy and efficiency, without loss of quality. This requires adherence to the principles of prepayment of a fixed amount for a designated period of time, using appropriate budgeting or other prospective plans, and calculated on a per-person or per-family basis.

Some proposals would base the per capita premium payments on an amount calculated as a certain percentage (e.g. 95 percent) of the expenditures (actuarially adjusted) for covered services rendered to

beneficiaries in an area through ordinary non-HMO-type arrangements. Such financial arrangements, however, ought not to discriminate against HMO development in areas that are currently-served or which have low per capita expenditures for health care at present.

APHA Recommendation. Whether or not national health insurance, covering the entire population for a wide range of benefits, is enacted, there is great value in promotion of effective HMOs.

To reach the populations in greatest need of health care and to have stability, with potential for sound growth, it is important that HMOs be provided adequate and continuing financial support. Therefore they should preferably be promoted under the umbrella of a program of national health insurance, covering everyone with economic protection for comprehensive services.

Regarding detailed financial arrangements for support of HMOs, they should be paid in advance on a per capita (including per family) basis for the services coming under their responsibility. The premium payable should be calculated by the HMO to be reasonably related to the budgeted needs of the organization—this amount to be negotiated with the purchasers of HMO services. With respect to financial support from governmental programs for their beneficiaries, payments could be based on amounts less than, equal to, or more than the average expenditures of the program in an area for the range of covered services provided through non-HMO arrangements. Determination of whether or not there would be equal or higher capitation payments in an area should depend on the need for encouraging location of an HMO in that area or on the adequacy of current expenditures for covered services in the area.

IV. SERVICES

A Health Maintenance Organization should theoretically take responsibility for a totally comprehensive scope of personal health services. This responsibility could be assumed by either (a) direct provision of, or (b) arrangement for, the health services, or (c) both these methods.

The range of possible services may be defined along several dimensions. In terms of a time sequence, they may be categorized as: (a) health promotive and preventive, (b) diagnostic, (c) emergency, (d) acute medical care, (e) long-term care, and (f) rehabilitation. In terms of place of care, the benefits may be categorized as (a) ambulatory, (b) in-patient, and (c) home care.

As a practical matter, health service programs usually find it necessary to categorize benefits along still another dimension—the technical modality involved in the delivery of the service. By this dimension, a full range of personal health services would include the following:

(1) Health education, case finding, and other preventive services—including environmental health services insofar as necessary;

(2) Primary health care (including services of physicians, nurses and allied health personnel) in the office or clinic, the hospital, or the home—including emergency care;

(3) Specialist physician care (including services of allied health personnel) at all places;

(4) Hospitalization in short-term general hospitals;

(5) Long-term hospitalization in general and special (mental, tuberculosis, etc.) institutions;

(6) Complete dental care;

(7) Laboratory, radiological, and other special diagnostic examinations (EKG, EEG, etc.);

(8) Radiation and other special theraples;

(9) Prescribed drugs (including blood administration);

(10) Skilled nursing home or extended care facility services;

(11) Home health services;

(12) Ambulatory mental health services;

(13) Active in-patient psychiatric care;

(14) Special nursing services; including allied nursing personnel;

(15) Rehabilitative services, including physical, occupational, and speech therapy;

(16) Vision care, including eyeglasses;

(17) Prosthetic appliances and equipment (hearing aids, braces, wheelchairs, etc.);

(18) Medical-social services;

(19) Podiatry services;

(20) Transportation to services, when medically necessary, including ambulances;

(21) Other services, such as nutritional consultation.

It is evident that any listing of this type entails certain logical inconsistencies. Virtually all the above categories of service have implications for prevention and rehabilitation, as well as for diagnostic and curative purposes, even though special services for prevention and rehabilitation (categories 1 and 15) are identified separately. These semantic difficulties spring from the pluralistic nature of our health care system, and they will hopefully disappear as a more integrated and comprehensive system is developed.

With respect to Health Maintenance Organizations, all the above services may be offered (directly or indirectly) within a certain geographic area where the HMO is located. Special arrangements would then be necessary for "out-of-area benefits," when an HMO beneficiary is away from this home area or is referred elsewhere for certain services.

APHA Recommendation. As a general policy, the APHA favors the widest possible scope of direct service (rather than indirect arrangement for them) by the HMO.

In practice, this ideal policy will doubtless require adjustments to various social and environmental realities. In any event, an HMO should always stress preventive service, early medical care, and continuity over time. It should also take an active rather than passive approach to health services, reaching out to identify the needs of its members.

As a *minimum* desirable array of services for which the HMO would take financial responsibility, the APHA recommends the following:

(1) Health education, case finding and other preventive services, as above;

(2) Primary health care, as above;

(3) Specialist care, as above;

(4) Hospitalization in short-term general hospitals;

(5) Laboratory, radiological, and other special diagnostic examinations;

(6) Ambulatory mental health service;

(7) Prescribed drugs (including blood administration costs), preferably by generic names;

(8) Suitable *alternatives* to active care in a general hospital (in skilled nursing homes or organized home care programs), but not solely custodial in purpose;

(9) Radiation therapy;

(10) Dental care, exclusive of purely cosmetic orthodontics;

(11) Rehabilitation services, including physical, occupational, and speech therapy;

(12) Vision care, including eyeglasses;

(13) Prosthetic appliances, as defined above;

(14) Ambulance services, when necessary;

(15) Medical social services.

All the above services should be available on a 24-hour basis, as may be necessary and should maintain high quality standards. It is to be noted that no limit of days is suggested for general hospital care; this should be a matter for medical determination. Institutional care, however, would not be a minimum requirement for HMOs, except when this is an alternative for active care in a general hospital.

With respect to each of the 15 categories of service listed, direct provision by the resources of the HMO is the preferred mechanism; indirect arrangement, through some form of sub-contract or agreement with independent providers, is the second choice.

All of the above 15 types of service, it is realized, might not be immediately feasible for an HMO, either because of lack of available resources or the inability of an enrolled population to purchase them. Insofar as this is true, the first 8 services listed are proposed by the APHA as an absolute minimum for HMO validation, beyond these, the sequential order of services listed should guide decisions on HMO development. With respect to services not included in the above list, however (e.g. mental hospital care or podiatry), indirect arrangements for services would be acceptable. Such supplemental services need not be under the financial responsibility of the HMO.

V. POPULATION COVERAGE

A key feature of Health Maintenance Organizations is the assumption of continuing *responsibility* for the health care of a defined population at all times. It follows that people must, in some feasible way, be enrolled in the HMO, and they must be accessible to its services.

Under traditional American principles of "free choice," any person should be free to join or not to join an HMO. Thus, the proportion of the national population covered by HMOs might vary from zero to 100 percent.

APHA Recommendation. As a general policy, the APHA recommends that HMOs be available as an option to the whole national population, and that people be encouraged to enroll in them. The degree of achieving this objective will depend on the efforts at implementation (see below).

In order to assure the availability of HMOs to populations in medically underserved areas, it is important that medical resources be strengthened in such areas with emphasis on provision of trained manpower. This requires special support for the development and ibprovement of health facilities and the expansion of health manpower in inner city ghettoes and low-income rural areas. Adequate transportation is also essential.

At the same time, there would be hazards in development of HMOs exclusively for the poor. The quality standards of such organizations might have a tendency to deteriorate, even with adequate financial support. Therefore, geographic (area-wide) planning of HMOs should consciously attempt to encompass persons of a wide range of social classes in each organization. Obviously, there should be no means test or any other bar to enrollment in an HMO based on race, creed, color, political belief, or any other personal characteristic. This may require special measures to deal with the problem of children and dependent adults.

The number of persons enrolled in an HMO is relevant to its programmatic, fiscal, and administrative soundness. It is difficult now to state an absolute number of persons which should be minimum or maximum HMO enrollment. As a general policy, the population covered within a particular HMO should be large enough to achieve fiscal soundness for the adequate provision of the minimum scope of health benefits proposed above (for example, a large enough hospital if such a facility is operated by the HMO). For a maximum size, the limit should be placed at the limit of effective controls over quality, access, and economy of health care.

VI. PATTERNS OF HEALTH CARE DELIVERY

There is an almost infinite variety of patterns by which health services may be deliv-

ered, considering the many modalities summarized earlier and the many circumstances of time and place. In brief, however, these patterns may be epitomized as the "individual provider model" and the "group provider model," which might be applied within an HMO.

The *individual provider model* of physician's care, for example, has been the prevailing one in the United States. Under this model, physicians work in solo or independent practice, usually receiving reimbursement on a fee-for-service basis (although other mechanisms of payment might be possible). Each practitioner—generalist and specialist—has certain informal relationships with the others. Fee-for-service financial claims might be subject to some sort of professional and scientific quality control and standards before payment.

Similar patterns of activity apply to other types of health service under the individual provider model. With respect to dental care, drugs, physical therapy, and other modalities, an HMO could provide or arrange for these services through individual practitioners. Likewise for hospital care, the individual provider model would involve services by separate and sovereign hospitals of different sizes and functions.

The *group provider model* of physician's care has typically been known as group practice. Under this model, physicians work in teams of generalists and specialists, along with various allied health personnel. Remuneration is principally on the basis of drawing accounts or salaries (full-time or part-time) or through other schemes not related to units of service rendered. In the facility operated by the medical group, it is feasible to have a wide range of diagnostic and therapeutic equipment.

Corresponding patterns could apply to other elements of health care under the group provider model. Dental care, for example, under an HMO, might be furnished by teams of dentists and allied personnel. Moreover, grouping might apply to various technical modalities, so that dentists, pharmacists, physical therapists, and others work together on the same team with physicians. Hospitals, under the group provider model, would be part of a regional network, in which services are graded according to the capability of each facility. Basically the group provider model would mean coordinated organization, both horizontally and vertically, involving all specialized types of health personnel and facilities.

The above description of the two basic models for health care delivery is somewhat over-simplified. In practice, a particular HMO might encompass use of the individual provider model for some services and the group model for others. Within one HMO, the group model might be feasible at certain locations, while the individual model (for example, in a thinly settled rural area) might be best at other locations.

APHA Recommendation. In general, the APHA favors maximum use of the group provider model for HMOs, wherever feasible. It is this pattern which can best offer coordinated, rather than fragmented, service and continuous, rather than episodic, medical care. Nevertheless, it is recognized that an HMO using the individual provider model would still constitute progress over current prevailing patterns of medical care.

The group provider model permits maximum use of ancillary personnel, with appropriate supervision, in the interests of economy. The teamwork of personnel with various specialized skills promotes quality of work. Under salaried remuneration, incentives for maximizing services (often beyond medical necessity) are eliminated and replaced by the incentives of peer review and merit promotions. Economies of scale can be achieved, and modern management techniques can enhance the efficiency of all personnel. Coordination among all the personnel involved in health care permits more sensitive response to the needs of the whole patient, as well as continuity of care over time. The available evidence suggests that the group provider pattern, along with prepayment mechanism support, yields lesser rates of hospital use, at considerable savings. It also appears to yield a better health status outcome, as reflected by lower mortality rates in the population served, compared to matched populations served under the individual provider model.

It is realized that the HMO concept, with its fixed annual contract for assurance of health care to a population, could yield economies under either the individual or the group provider models. Even with fee-for-service remuneration to individual practitioners, economies could be attained through proration of fees, if necessary, under the constraint of an annual per capita contract. Moreover, formally organized relationships among the various providers of service in an area would be necessary under either the individual or group provider model of HMO. The objectives of quality promotion, prevention, and coordination, however, could more easily and successfully be reached under the group provider model. For these reasons, the APHA favors use of special incentives to encourage the group provider pattern of health care delivery in HMOs.

VII. SPONSORSHIP

The pattern of structure and operation of an HMO is bound to be affected by the body sponsoring its formation. There are several types of existing entity which might have potential for sponsoring or becoming health maintenance organizations. Among these are:

(1) Consumer associations (including labor unions);
(2) Employer-employee groups (including health and welfare trust funds);
(3) Industrial corporations;
(4) Medical societies;
(5) Medical group clinics;
(6) "Neighborhood health centers;"
(7) Community hospitals;
(8) Teaching hospitals and/or medical schools;
(9) Local government agencies (such as Health Departments);
(10) Non-profit health insurance plans (such as Blue Cross or Blue Shield);
(11) Commercial insurance companies;
(12) Other private medical enterprises.

These, and potentially other types of sponsoring entity, might be already in existence or newly formed for the purpose of establishing and operating an HMO. Conceivably, combinations of the above entities such as groups of hospitals, consumer associations combined with neighborhood health centers, or employer-employee groups combined with medical group clinics might so function.

Under any form of sponsorship, a range of services might be offered by an HMO, as well as various mixtures of population coverage and various patterns of health service delivery.

APHA Recommendation. In the light of past experience and the probable incentives associated with diverse forms of sponsorship, the APHA recommends that certain types of sponsoring agency are more likely to achieve HMO objectives than others. In general, these are sponsoring bodies which are both: (a) public or non-profit and (b) influenced by substantial consumer participation. Among the 12 types of sponsoring body listed above, special encouragement should be given to the formation and operation of HMOs by organizations which meet both of these criteria. This should be done through priorities applied in the implementation of HMOs (see below).

VIII. SPECIAL SAFEGUARDS REQUIRED

In the operation of the HMO concept there are certain hazards. The pursuit of economy can lead to the deterioration of the quality of health care, if surveillance is not diligent. Accordingly, certain safeguards are necessary.

APHA Recommendation. To prevent the distortion and even corruption of the HMO idea, the APHA recommends the following specific operational safeguards.

(1) Equitable selection of risks should be assured in the enrollment process. HMOs should be prohibited from excluding from membership persons with a high risk of illness, such as the aged, the disabled, or the poor. Within a reasonable range of variance, each HMO should be expected to enroll persons with a wide spectrum of liabilities to ill-health.

(2) Economies in the use of services should be reasonable and not at the sacrifice of quality. Thus, controls over excessive use of hospitals, diagnostic tests, or prescribed drugs should not result in reductions of such services below the level of patient needs. To assure this, continuous surveillance, through "medical audits," enrollee evaluations, and other mechanisms, will be required.

Beyond these two basic safeguards, others would be required with respect to the features of particular HMOs. If an HMO receives priority support because of consumer-participation or sponsorship, the consumer role should be determined to be truly operative in planning, policy determination, and in review of services. A "non-profit" HMO should be ascertained as genuine and free from under-the-table bonuses or other forms of subtle profit-making. If preventive services are offered in the spectrum of services, evidence should be furnished that they are really furnished to all HMO members.

To exercise these safeguards over HMO operation, public agencies should be responsible. These monitoring agencies should function within state governments, applying federal standards and criteria. In the mechanisms for such monitoring there should be a majority of consumer representation, to give reliability to the concept of public accountability. As much as possible such mechanisms should be insulated from domination by health care providers and from partisan political interference. The interests of children and dependent adults shall be adequately represented.

In addition to such surveillance functions, these public agencies should play a positive role in improving the general health care delivery system. They should promote sound use of all health resources by HMOs, fair competition among them, effective application of quality controls, and general extension and development of the HMO concept.

IX. PROMOTION AND IMPLEMENTATION

In order to modify the health care delivery system through promotion of the HMO concept, several practical steps would be necessary. The problems in establishment of HMOs are numerous, and there are many barriers between the theory and the practice. To implement the idea, deliberate actions are possible, from federal and state governments, in the way of encouraging HMOs along sound lines.

APHA Recommendation. Among the many steps that might be taken by government to promote HMOs, the following are recommended by the APHA.

(1) Federal grants for planning and organizational purposes should be given to non-profit and governmental bodies for the establishment or further development of HMOs. These grants should be available to meet construction costs, initial staffing, and other start-up costs. The most generous grants should go to sponsors of HMOs serving disadvantaged populations. In addition, for initial operating costs, low-interest loans should go to young HMOs until they reach a period of financial solvency.

(To acquire funds for such assistance grants, substantial new federal funds should

be appropriated. A government strategy which expands support of one program by cutting needed support from another only serves to fool the people.)

(2) Technical assistance should be offered by the government to local bodies or groups of consumers interested in forming or enlarging HMOs. The Department of Health, Education, and Welfare should appoint and assign consultants for such assistance including consumer leadership development. Non-governmental persons, with knowledge or experience in the HMO concept, should also be engaged for technical assistance to states and local bodies.

(3) In the operational phase of a national health insurance program, financial incentives toward HMO implementation should be provided. To encourage doctors and other providers to participate in HMOs, administrative policies should permit an HMO to retain a certain percentage of the difference between its costs and the average health care costs of the unorganized sector. Thus, efficiency in health care delivery would be rewarded through higher net earnings of the component providers. Other methods of rewarding continued efficiency should also be explored.

(4) To attract persons into HMO membership, a wider range of benefits should be authorized than those available to persons obtaining their health care through the unorganized sector. It will also be necessary to support a massive educational program, to acquaint the general population with the HMO concept. Since this concept differs from traditional patterns of medical care, such education would probably be necessary for attraction of enough members into HMOs.

(5) Legal barriers in the states, which would obstruct the formation or development of HMOs, should be eliminated. In general, these barriers are laws restricting the "corporate practice" of medicine or the sponsorship of prepayment health care plans. The states should be induced to eliminate these restrictive statutes or the latter should be struck down under constitutional prerogatives of the Federal Government. Moreover, state laws for licensure of health personnel and facilities should be modified to permit (a) reciprocity between states and (b) flexibility in developing new classes of health personnel to meet pressing needs. Such reciprocity and flexibility would be necessary for proper staffing of HMOs.

(6) To permit exercise of the safeguards mentioned earlier on risk selection and quality maintenance, techniques for monitoring HMO performance must be developed. Surveillance agencies in government must develop evaluative tools for measuring the health status outcome of the services reaching populations. The quality of care and cost-benefit analyses should depend increasingly on information about health and disease experience, rather than merely the structure and process of medical care. Government agencies should support the data-collection systems necessary for such evaluations, both inside and outside HMOs.

Beyond these six specific actions for implementation of the HMO idea, the APHA repeats the all-important necessity for a program of national health insurance. Only through adequate and universal economic support can the HMO idea be effectively implemented.

TURNER ROBERTSON RETIRES

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 9, 1971

Mr. FISHER. Mr. Speaker, the pending retirement of Turner Robertson as majority chief page comes as a keen disappointment to all of us. Through 41 years of faithful service to this body, he has earned and attained a high degree of respect and appreciation by the entire membership.

To me and to most of those who have served here, he has always been a friend. Always quiet and modest, I doubt that he has ever been criticized by anyone. The quality of service he has rendered should be emulated by all public employees.

To Turner and his family I extend my best wishes.

ROBERT TYRE JONES, JR.

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. CONTE. Mr. Speaker, one of the true giants of American amateur athletics, Robert Tyre Jones, Jr., has lost his final match—a 20-year battle with a crippling disease.

In an age where athletes sell deodorant and hair tonic and bargain for seven-figure contracts, I feel compelled to recall Bobby Jones' love affair with the game of golf, an affection which led him to passionately protect his amateur standing, he resisted all attempts to commercialize upon his success and played golf only because he loved it so. When he retired at 28, there were no more courses to conquer.

Now only Jack Dempsey remains from "The Big Four of Sports"—Jones, Dempsey, Babe Ruth, and Bill Tilden—whom we followed so diligently and admired so deeply during our youth. But Bobby Jones was my favorite, and I am sure there are thousands across the country who share my feeling and truly mourn his passing.

I need not recount the records he set, especially the never-equaled "Grand Slam of Golf." The tournament he founded, the Masters, continues to bring enjoyment to millions of people throughout the world each year.

I would, however, like to pause a moment to remember his honesty, decency, and commitment to fair play. When praised for his sportsmanship, Jones commented:

> There is only one way to play the game, and any decent man should know which way that is. You might as well praise a man for not robbing a bank.

I am certainly not praising Bobby Jones for not robbing a bank, but rather for setting a standard of gentlemanly conduct which still leads the way on the golf courses of America and throughout the world. He passed this same sense of honor and dedication to decency onto his son, Robert T. Jones III, who was for many years a resident of my congressional district.

Now, golf has lost "the Great Master," and America has lost one of her finest citizens. My deepest sympathies go out to his wife, his son, and his three daughters, and to all those sports fans in every corner of the globe who respected him as I did.

ILLEGAL ALIENS ADD TO CALIFORNIA'S ECONOMIC WOES

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McDONALD of Michigan. Mr. Speaker, the influx of illegal aliens into California and our Western States has worsened an already bleak economic picture.

In Los Angeles County alone, it is estimated that there are about 1 million persons in need of some form of assistance. About one-quarter are people who can be classified as "disadvantaged"—poor and unable to get work.

These people are especially hard hit by the presence of illegal aliens in the labor market.

According to a study by Dr. Paul Sultan, professor of economics at the Claremont Graduate School, illegals during the past 5 years have gradually been moving from agriculture into industry.

Some of his findings:

First. Illegal aliens in the California work force are increasing at a rapid rate.

Second. Apprehensions in the California farm work force increased from about 14,105 in fiscal year 1967 to about 67,437 in fiscal 1970.

Third. Illegals are in the agricultural work force an average of 6 months or more.

Fourth. Some 60 to 75 percent of those apprehended return to the United States at a later date.

Mr. Speaker, Manpower Administration records in San Francisco show that illegals are finding employment in every conceivable type of occupation, from giant conglomerates to the "mom and pop" corner store.

Immigration records in San Francisco list some 2,500 firms and individuals who employed illegals between January 1968 and December 1970, primarily in low-wage and low-skill industries.

These are the jobs they are taking from our own disadvantaged.

According to the Department of Labor's Manpower Administration, the entire State of California had "substantial unemployment"—the most severe category—in August. Most of the State has been in this category all year.

In the Los Angeles-Long Beach area alone, there were almost 250,000 unemployed in August, up from 224,000 the year before. In the San Francisco-Oakland area, the rate was 93,700 compared with 74,700 the year before.

The nine major labor areas in the State had a total of 505,800 unemployed in August. In 1970, the total was 431,100.

A good chunk of this increase has obviously been caused by the upsurge in employment of illegal aliens.

PADRAIC COLUM HONORED

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FLOOD. Mr. Speaker, Mr. John P. Cosgrove, president of the American Irish Foundation, recently led a delegation of dignitaries to Enfield, Conn., to honor Padraic Colum, the grand old man of Irish letters, on the occasion of his 90th birthday. The world-renowned writer was presented with a cash award of $2,500 and a scroll of appreciation by Mr. Cosgrove. Ambassador William Warnock, of Ireland, and Joseph Gannon, of Boston, a foundation director, participated in the ceremony at Enfield, where Mr. Colum now resides.

Mr. Cosgrove, a highly respected Washington journalist for many years, and former president of the National Press Club, is a native of Pittston, Pa., a city which I have been privileged to represent in the House for nearly a quarter century. He became president of the American Irish Foundation earlier this year, and was recognized for his efforts for American Irish culture by Prime Minister John Lynch at the Irish Embassy last March.

The American Irish Foundation was founded in June 1963, under the patronage of President John F. Kennedy and President Eamon de Valera. Both Presidents recognized the long historical association between Ireland and the United States, and the innumerable contributions to their mutual cultural growth and scientific development. Both Presidents were concerned that this association would remain as viable and meaningful in the future as it had in the past, and that the people of both Ireland and the United States would enrich for future generations their cultural legacy of the past.

The American Irish Foundation was created as the means through which this rich historical association could be sustained. Its purpose was simply expressed at that time: To cultivate and nurture an enduring cultural, scientific, and business exchange program of people and ideas to the mutual satisfaction and benefit of both counties.

Following President Kennedy's untimely death, President Lyndon B. Johnson joined President Eamon de Valera as honorary chairman, stating:

> It is indeed an honor to lend my support to a project which both President de Valera and the late President Kennedy helped establish and which we all hope will prove of mutual benefit to both our countries.

The American Irish Foundation endorses and supports the following activities:

The advancement of cultural, intellectual, educational, literary and scientific reations between the United States and Ireland.

A reciprocal exchange program of grants and fellowships for American and Irish students, teachers, lecturers, writers, musicians, artists, and professionally and technically educated men and women to study, teach, lecture and perform in each other's country, independently of or in cooperation with American and Irish colleges and universities.

The interchange and distribution to members of cultural and scientific publications, both fiction and nonfiction.

The production of motion picture films for distribution to American schools and the lay public.

A cooperative program with American Irish organizations and associations to assist them in carrying out objectives mutually beneficial to both countries.

A cooperative program with American and Irish business companies and corporations in building and sustaining bridges of trade and commerce to the mutual benefit of peoples in both countries.

Cooperation with other educational societies in the restoration and preservation of Ireland's national monuments of historical and architectural importance, and in obtaining and preserving for future generations historical amenities of the countryside already a part of Ireland's rich national heritage.

The citation presented by the foundation hailed Mr. Colum for his skill in making the Irish heritage accessible to countless Americans. "Poet, dramatist, story teller, collector of folklore and critic, he is a brilliant exemplar of the many-sided Irish literary tradition."

Mr. Colum was born in Ireland on December 8, 1881, and has lived much of the time in the United States since 1914. He is the surviving member of the brilliant generation of men and women whose literary powers produced the "Celtic Renaissance" in the early decades of this century. He was a friend and colleague of William Butler Yeats, John M. Synge, and Lady Gregory. His first poems were published by Arthur Griffith. One of his early plays, "The Land," was the first success of the Irish Theater. With James Stephens and Thomas MacDonagh subsequently one of the heroes of the revolution of 1916, Mr. Colum founded the Irish Review.

After moving to this country, he and his late wife, Mary, a well-known critic in her own right, were prominent figures in New York literary life in the 1920's and 1930's. Because of his notable talent for transcribing in written form the traditional oral folk tales of rural Ireland, Mr. Colum was invited by the Hawaiian Legislature in 1923 to write the traditional tales of the Polynesian people and make them available to a wider American audience. That invitation was the beginning of a long, friendly association between Mr. Colum and the people of Hawaii.

Mr. Colum's many works include "Wild Earth"—poems, "A Half Day's Ride"—collected essays, "The Big Tree of Bunlahy"—short stories, "The Road Round Ireland," and many stories for children such as "The Boy Who Knew What the Bird Said," "The Golden Fleece," and "The Boy Apprenticed to an Enchanter."

Although now bedridden, Mr. Colum is keenly alert and actively at work on his autobiography. Prior to this award, the foundation had previously extended financial assistance to Mr. Colum to assist him in arranging his papers and preparing his autobiography.

Much of the story of the great life and literature of Padraic Colum was presented by the famed writer and critic, Alan Denson, in the December 8 issue of Irish Times. Mr. Denson is the author of "Letters from AE," and is recognized as a compiler of biobibliographies of many authors and playwrights.

The text of his story follows:

PADRAIC M. COLUM

Padraic MacCormack Colum, eldest of eight children born to Patrick Colum (Work-house Master at Longford) and his wife, Susan (*née* MacCormack, of Crossdoney, Co. Cavan) was born at Longford Workhouse on December 8th, 1881.

"The fathers in that generation were not very satisfactory"—so Padraic Colum declared to me about fifteen years ago. Having been obliged to resign his respectable appointment, the poet's father joined a gold-rush to Colorado, his wife and their children moving to her family home during Patrick's foreign tour. That was the sole benefit derived from his trip. "My father is the only man I've known able to cross America twice without finding any work," said his son.

But although she wasn't then alive, the poet's youngest, and last, surviving sister has augmented the record persuasively: "Ah, he was able to do that because we had some relatives out there, and he would move on from one to another, until he reached his destination." Give or take odd jobs, the poetic truth seems to be: a father ambitious, in 1887 an adventurer after fortune. Fortune proves fabulous. Story-book success impossible. Nerve gone, father returns home in 1890. He then begins working as a clerk at Sandycove Railway station, and is later promoted Stationmaster. His two elder sons, Padraic and Frederick (with their two sisters), having moved away from their maternal grandparent Connolly's home at Crossdoney, attended Glasthule National School at Sandycove. The master there, Denis Condon, stirred Padraic's interest in literature. This was a third initiation into story-telling, balladry and poetry. From infancy until his father left Longford for America, in 1887 he had seen and heard the stories of the dispossessed and homeless. In County Cavan his uncle Michael Burns (married to Padraic's mother's sister, Mary MacCormack) had taken on the road, marketing fowls; and Michael Burns was a balladsinger. Then from 1890, in Sandycove, the poets were shown to him in print.

Attending school until 1897, for several years Padraic and Fred worked part-time to help their father, delivering parcels. Their mother died in 1897, her youngest child being three years old. In 1898 Padraic was employed full-time at the Railway Clearing House in Kildare street. Their father's misfortunes evidently sapped his morale. Padraic and his brother Frederick assumed financial responsibility for the family whilst they were working for the Railway, after their father lost his job at Sandycove. This mundane work, and the domestic responsibilities, the poet has declared were a helpful brake on his tendency into introspection.

Thomas Hughes Kelly, son of a wealthy American banker, Eugene Kelly, gave Padraic Colum a small allowance—or "scholarship"—for five years, to enable him to study and write full-time. Consequently Colum resigned from the Irish Railway Clearing House in May, 1904. A fortnight after the event, *The United Irishman* reported the ceremony at which his colleagues presented Padraic Colum with a revolving bookcase—it is before me as I write this notice, the brass plate incised appropriately from his colleagues and an "Address in Irish."

In 1907 Padraic Colum's first book of poems was published. He had considered calling it "Heather Ale"; his friend, George C. Gillespie lodged a copyright version at the Library of Congress, with that title, in December, 1907. The published volume, issued by Maunsel and Co., was called "Wild Earth" and

was dedicated "To A. E., who fostered me." Among the book's reviewers was Thomas MacDonagh, one of whose two children has said the steadfast kindness of Padraic Colum when their parents were both dead prematurely, neither of them would forget. Although I have seen no reference to this, I have deduced from reading the last poem in the late Donagh MacDonagh's posthumous collection "A Warning to Conquerors" (Dolmen Press, 1968) that the "Old Poet on a Beach" was Padraic Colum, whom he describes with justice and dexterity:

Pale blue old eyes, wisest in all save guile,
They have outlasted all contemporaries—
The far-famed, selfish ones who sacrificed
Friend, kin and patron for the histories . . .
He on Canteras beach alone survives
Into our age, in hope on the sea-wall.
Unhaunted by those ghosts he mind is still
Unjealous as the sun that shines on all.

"Poor dear Padraic", one who knows him well has said to me "he gives all away: him with his shoe-laces knotted to save buying a new pair. And so often those, many years younger than he is, don't realise how old he is, or how tired he gets; though he loves their company. One night he walked home from the Shelbourne, to Ranelagh, through the snow, because nobody thought to bring him home or get a taxi. He'd sat on steps now and then, to rest."

Mary Catherine Maguire (born at Collooney, Co. Sligo, June 13th, 1884, died at New York, October 22nd, 1957) has set down in her autobiography, "Life and the Dream", an account of her early acquaintance with Padraic Column. They were married in 1912; to their sorrow the marriage was childless. There have been waspish commentators on Mrs. Mary Colum's temperament; but the wasps' literary testaments haven't proved as durable as hers. The natural confidence of an artist suffuses every chapter. What could anyone expect but matchless understanding from Padraic and Molly after reading the chapter in which she wrote of their friends Elinor Wylie and William Rose Benét? With unaffected simplicity Molly wrote of Padraic staying with Benét in his flat, so he would not be alone with the coffin after Elinor's death. The Colums have been friends indeed. Among Padraic Colum's benefactions to Irish institutions are several to the Yeats' Museum at Sligo town. These include an oil portrait of Molly Colum. "My wife was a red-head; you know? You know they are reputed to be partly deaf; although Molly wasn't. She used to say AE's was the 'the portrait of a deaf woman by a blind man.' AE was very short-sighted."

In 1914, virtually penniless their single tickets supplied by an aunt, Josephine Colum (in Pittsburgh), Padraic and Molly emigrated to America which remained their domicile; but with frequent visits to Europe and elsewhere after 1922.

Introduced by a nephew of their friend, Sarah Purser, Padraic Colum was temporarily employed by the Carnegie Institute to advise on the production of some Irish plays. Having written of British assaults on Irish civilians in Ireland, in an Irish newspaper, British officials in America were anxious to spoil Padraic's lecture prospects. But John Devoy's supporters then discovered Padraic Colum's quality of mind. Seumas MacManus urged Devoy's readers to ask for Colum as a lecturer, and their future prospects in America improved. (Devoy's paper, *The Gaelic American*, gave Padraic Colum a good deal of space.) Other friendships were made—at the MacDowell Colony, in New Hampshire (introduced by the American poet Edwin Arlington Robinson).

In New York they rented the apartment formerly used by John Cowper Powys, whose impressions of Padraic will be found indexed in the second edition of his "Autobiography."

The artist Willy Pogany (1882–1955) illustrated some stories commissioned from Padraic Colum for publication in the *Sunday Tribune* (New York); as "The King of Ireland's Son" their collaborative venture was a publishing success. With Pogany, and several other gifted artists, Colum has written many other children's books, including versions of Homer and of Scandinavian and Welsh sagas. The Hawaiian Legislature invited him to re-tell their island lore before Poly-*amnesia*. "At the Gateways of the Day" (1924) and "The Bright Islands" (1925) contained his re-telling of Hawaii stories, poems and folklore. As with almost every line he has written, these books have been subjected to incessant revision.

An augmented edition of "Wild Earth" (1916) consolidated his poetic reputation in America. But despite several collective editions of his verse, contractual barricades have, so far, prevented him from issuing a representative volume of "Collected Poems." The 1953 volume hearing that title, long out-of-print, was followed by "The Poet's Circuits" (1960), in which are reprinted "A Poor Scholar of the Forties," "The Ploughter", "A Drover", "A Connachtman", "The Ballad-maker", "Cradle Song", "An Old Woman of the Roads" and other early poems in which he wrote with a force and originality comparable only to the traditional ballads. His brevity, emotional incandescence, and avoidance of mere sentimental decoration, were immediately memorable. They have long been remembered where the poet's name is unknown. An irrefragable beauty evolved by heart and mind in unison had gained anonymity; the only escape route from becoming a tame tiger in literary salons, or a tired sheep in pastoral magazines. But with those familiar lyrics, in 1960, were published recent poems in which the "inevitable word" is set in metrical alliance to express ideas with a calm intensity expressed by few poets: in "Raftery", for example:

For what is fame beside a loss
That every day can bruise?
The shine upon the buckles broad
Of a worn pair of shoes.
Or even like dance music heard
Upon a rain-swept road
When every lively step has failed
And gone the wishful crowd.

(This was first published in *The Irish Times* on March 28th, 1959.)

His imaginative writing, and recreation of ancient myths (such as "Orpheus; Myths of the World", 1930—which has 20 magnificent engravings by Boris Artzybasheff), includes the novels "Castle Conquer" (1923) and "The Flying Swans" (New York, 1957; Dublin, 1969, Allen Figgis). "Castle Conquer" was translated into Irish (1939), and "The Flying Swans" into German (1960). Based on the German translation of "The King of Ireland's Son", to Germany belongs the honour of having made the first film founded on an original book by Colum, "Fidelma" (1967–68)—"Hansel and Gretel" (1952–54) was based on the translation by him and his wife.

The biography of his friend "Arthur Griffith" (1959) was completed after much labour and prolonged interruptions.

A summary article cannot contain a just appraisal of a writer gifted with such varied narrative talents. Some will love best the short stories about children in Ireland, or itinerants; other the dramas, the poetry, or folklore.

Five years ago, in his 85th year, Padraic Colum spoke a selection from unpublished poems, together with some of his "Irish Elegies", to a Dublin audience. The "Elegies", he said, were not lamentations over the dead, but evocations of the ever-living. Their composition originated in the judicial murder of Roger Casement, which had shocked him. He decided to make verse portraits of some of the men and women he knew and admired.

Ripeness in judgment, kindness to the distressed, and endless patience whilst confronted by the squalls of temperament with which most of us make existence difficult for ourselves and our friends; these are salient characteristics which all Padraic Colum's sincere admirers would recognise as his. "I don't know about 'beautful'. To me the best description of the Irish race is 'The silver-simple people.' It fits the classic statue of 'The Dying Gaul,' too," he said.

The ineffable sweetness of "Name and Legend" (from "Then I was Mad") perfectly mirrors the absolute loyalty Padraic Colum has exemplified towards those persons and places chance or choice gave him to love. The aging poet anxiously walking daily to Stephen's Green, to watch the children, the ducks, birds, trees. The man whose manner has dignity without pomp; delicacy, reticence and warmth. A man whose mind was valued 70 years back, by George Sigerson and John O'Leary (with whom he spent many hours, on Sundays, talking and listening). The man who watched as Oliver Sheppard's monument to Mangan was unveiled. Now an old man glad to have tea at the Country Shop, after sitting near to Kettle's monument; near to J. B. Yeats' Studio; near in place, and yet by time separated from persons still present to his mind. Memory the link, yet now he is as one of his latest poems depicts—"Expecting No One."

The seagulls fly up from the darkened river—
Their flight disordered—there is emblem here.

In this book the title-poem first recalls a seventeenth-century Gaelic poem addressed by Thomas Costello to Una MacDermott. Secondly, the "Images of Departure" are drawn from John Hughes' marble carving "The Finding of Eurydice" currently hidden from public view in an unlit corner at Dublin's Municipal Gallery of Modern Art. As with Colum's latest plays, so in his latest poems, the imagery is shown to be urgent with life's graces:

And I am stayed before the marble pair,
John Hughes' Orpheus and Eurydice . . .
Departure here! But not as in the speech
Perpetuated—Costello's proud words—
"My shadow on your street will not be seen."
They have not aged, this pair; they well remember
The eagerness of first companionship
The dreams, the ardours, and the prophecies.
Her head upon his head, his bowed-down head,
The lyre behind his back, the sentence passed,
But momently the clasp that salves farewell . . .
The gazers move with recognitions due
To names and figures that are trophies here:
I stand before your marble pair, John Hughes,
To know that, like a bird down on a branch
Stray, unbeckoned, out of a wide sky
Has come to them the moment of accord.

REPRESENTATIVE DIGGS RESIGNS AS A UNITED NATIONS DELEGATE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FRASER. Mr. Speaker, the gentleman from Michigan (Mr. DIGGS) resigned from the U.S. delegation to the United Nations today. Mr. DIGGS is not given to acting precipitately. We know that his decision came after much thought and soul-searching. The materials which follow these remarks detail the U.S. southern African policies that deeply trouble

Mr. DIGGS and led to his resignation. These policies of the Nixon administration should trouble all of us:

PRESS CONFERENCE STATEMENT BY CONGRESSMAN CHARLES C. DIGGS, JR.

When I was informed of my assignment to the United Nations, I was fully aware, of course, that I would become a part of an instructed delegation. But I only undertook the assignment after being assured that there would be opportunity for input. Indeed, at the initial meeting of State Department officials with the delegation, we were assured that the Department would welcome our interest and that our concerns would be granted full consideration. On Monday, November 29, however, during a meeting of the General Assembly, I was informed that a vote was coming up within that hour on apartheid and that the United States was to vote against one and abstain on three of the resolutions relating to the Report of the Special Political Committee. Out of courtesy to the Government, I walked out of the Assembly and left a staff person to cast the votes. That afternoon, I dispatched a cable to the Secretary of State (copy of text is Attachment #1), emphasizing my position on consultation. Although, more than two weeks and several voting instructions later, I did receive a reply, my request for consultation was ignored insofar as decisions on voting were concerned. Admittedly, in the press of the work here at the Mission, there is not the optimum time frame for discussion. Even so, time for consultation could have been found, if there had been a real interest on the part of the Administration in giving me opportunity for input into these vital questions on Africa.

I have been especially concerned with our position on the resolutions on the Arms Embargo; on the work of the Special Committee on Apartheid, and on the dissemination of information on apartheid. The reasons which have been furnished for these votes (Attachment #2: letter from Mr. De Palma of Dec. 14) appear tenuous and inadequate to me. Additionally, although I understand it is a long-standing position, I cannot accept the argument that apartheid is not a "crime against humanity" as anything except legal verbiage to support a policy position (see Attachment #3: cable to the Secretary on this. The Department classified its response).

In company with South Africa and Portugal, the United States voted against this year's resolution on the "Question of Territories under Portuguese Administration" (A/C.r/L.992). I believe that my problems with this position are evident from the following partial catalogue of the U.S. difficulties with this resolution:

We objected to deploring Portugal's refusal to recognize the inalienable right of the people of those territories to self-determination *and independence* in accordance with GA Resolution 1514, the Declaration on the Granting of Independence to Colonial Counties and Peoples".

We objected to the expression of deep concern over the "continued and intensified activities of those foreign economic financial and other interests which contrary to the relevant resolutions of the General Assembly are directly and indirectly assisting the Government of Portugal in its colonial wars. . . ." To those who would argue that the Azores Agreement is a matter of bilateral concern, I would point to this and many other similar resolutions of the General Assembly.

We objected to the statement that the colonial wars waged by Portugal in these territories seriously disturbed international peace and security. The United States continues to keep vigilance to avoid any steps which would indicate a frank acknowledgment that the situation in the Portuguese territories is a "threat to international peace and security", and therefore, constitutes a Chapter VIII situation. Further, hiding behind an irrelevant "domestic jurisdiction" argument in relation to territories within Chapter XI of the Charter, we objected to interfering with Portugal and urgently calling upon it to end the wars and grant self-determination and independence to the peoples of these territories.

The United States abstained on the General Assembly resolution on Namibia. Inter alia:

We had difficulty with a provision deploring support to South Africa, which enables South Africa to pursue its repressive policies in Namibia, and calling for the termination of such support.

We found difficulty with a provision calling upon all States to refrain from economic relations concerning Namibia, although we acknowledge that the General Assembly is the legitimate administering authority for Namibia.

We were concerned about the financial implications of a clause inviting the Specialized Agencies to give full publicity to Namibia and to the conditions prevailing there.

Although we acknowledge that South Africa is illegally present in Namibia, we object to the clause calling upon States not to recognize rights or interests in property or resources in Namibia.

As in the case of the resolution on the Portuguese territories the hypocrisy of the positions enumerated above is self-evident.

The United States has voted against the UN resolutions on the "Activities of Foreign Economic and Other Interests which are Impeding" the granting of independence to countries under colonial domination. This resolution (as contained in A/C.4/L 1005) affirms that the activities of foreign economic and financial interests constitutes a major obstacle to the political independence of these countries and deplores the support given by other States to such interests in exploiting the resources of these areas without regard to the welfare of the people. These positions are supported by much of the evidence resulting from the hearings and investigations of the House Subcommittee on Africa. Further, irrefuted testimony has shown that the condition of the majority in South Africa has actually worsened economically and financially since the development and industrialization of that country. For regardless of the growth of an economy, unless all the people are given an opportunity to participate fully and freely, a full economy does not mean benefits to those segments whose free participation is excluded. In South Africa, economic growth has not meant greater spending power for the Africans. A study prepared for a UN agency, the Unit on Apartheid, "Poverty, Apartheid and Economic Growth", deals directly with this question. The position of the United States on "the need for trade to help Black Africans" is not based on fact. I am also concerned with an indication that the United States is allying itself with South Africa's "outward policy".

We would have supported the resolution and effort to have more information on apartheid disseminated, but this would have been an addition to the UN budget, and we are opposed to anything that increases the UN budget. Therefore, we abstained. I find this explanation inadequate, because we do support changes in the structure in the UN that will call for more money.

As a firsthand witness, I have found stifling the hypocrisy of our Government which, while uttering its abhorrence of apartheid, unflaggingly votes in opposition to any attempt to act, rather than orate, with respect to apartheid and the minority regimes of southern Africa.

The deterioration in U.S. policy on Africa, reflected here at the UN in our votes on critical resolutions on Southern Africa was continued by the hypocrisy shown by the Administration during the hard fight we made in Congress against the Byrd Amendment to the Military Procurement Bill. This amendment would permit the importation of Rhodesian chrome. If enforced, it would make the U.S. an international law breaker and put us in violation of our UN obligation under Article 25 of the Charter to enforce the Security Council decisions to embargo all trade with the illegal Smith regime in Zimbabwe. The Administration, while emitting soft noises of adherence to sanctions, utterly failed to convey the cues to Congress which sophisticated people look for to determine the seriousness of the Administration's interest in defeating a particular measure. It was clear that the White House was not concerned in stopping the effort to undercut the sanctions. Consistent with that posture of this Administration is a suspicion that out of the Nixon-Heath meeting in Bermuda this coming Monday or Tuesday, there may come an understanding that the United States will support the British on the Rhodesian settlement proposals—settlement proposals which do not accord with the inalienable right of the people of Zimbabwe to self-determination. A position of supporting a unilateral British decision that the rebellion of the Smith regime was ended would be consistent with our opposition to a resolution (A/C.4/L.998) providing that it is the UN which must find that "a non-self-governing territory" has attained a full measure of self-government in terms of Chapter XI of the Charter.

At this point, I wish to make clear that the people here at the U.S. Mission to the UN have not been responsible for this situation. Many people at the Mission, including the Ambassador, have been frustrated in their desires for a more enlightened policy because of the instructions that have come down. They have fought for a more enlightened position and have lost to the European, to the economic and to the military groups which have been dominating policy *vis-a-vis* Africa issues, as well as to those "watch dogs" of Southern African policy who have relegated unto themselves the decision-making authority so that positions on this area are the peculiar responsibility of the White House at the National Security Council level.

My concern about the drift in our decision-making was heightened last week when the State Department announced the conclusion of an agreement with Portugal continuing U.S. base rights in the Azores and providing a $436 million quid pro quo for Portugal. This enormous, unprecedented and anomalous commitment was made to a country which was not only refused to recognize its obligations, under the UN Charter, of self-determination for the people of Angola, Mozambique, Guinea-Bissau and Cape Verde, but is waging wars against the peoples of each of these African territories.

The Government of Portugal has been undergoing severe financial difficulties because of its expenditure of approximately one-half of its budget to fight these wars against the legitimate aspirations of Black people in Africa for freedom and independence.

The Caetano Government has also been subject to much domestic criticism for this diversion of 50% of its annual resources away from the development of its own country which is the least developed in Western Europe, to maintain a colonial empire.

Having visited two of the so-called Portuguese territories in Africa, Angola and Mozambique, in 1969, I visited the other two—Guinea-Bissau and Cape Verde, last August. I have seen first-hand the exploitation by the Portuguese of their African colonies and their subjugation of the people, and the inordinately low state of the economy of these territories.

I have seen that whatever the Portuguese are doing for the people of these areas is attributable to the pressures of the Liberation movements. At the same time, it was clear that the Portuguese do not admit their legal

obligations to grant self-determination to the peoples of these areas. Entering into a pact to provide Portugal with vast amounts of economic assistance is, therefore, incredible.

What is the justification for the extraordinary economic assistance program for Portugal in this agreement, in which the aid proposed for Portugal through loans from the Export-Import Bank of the United States is more than four times the Exim assistance program to Portugal in the whole period from 1946 to 1970?

Does this agreement not add a new dimension to the already deeply perturbing indications of NATO interest in buttressing the white minority-ruled areas of Africa?

Does not our Azores agreement with Portugal appear to represent a feeling that Portugal is threatened by the successes of the freedom fighters militarily and economically? Portugal is suffering a trade deficit of approximately $498.8 million dollars. The liberation forces hold substantial territory in Angola, Mozambique and Guinea-Bissau. Has there been a call to the NATO countries to come to Portugal's rescue to which the United States has responded?

I should stress that my quarrel is really much deeper than the injection of such huge sums into Portugal—although (when I consider our alleged inability to put money into crucial areas for the 23 million Blacks in the United States) I find the amount staggering. But, I object most strenuously to the U.S. commitment to bail Portugal out from the economic and political consequences of its nefarious policies in Africa *without* any commitment and definitive action by Portugal towards ending the wars and towards granting independence to the peoples of these areas.

This decision by our government dramatically climaxes a series of actions which this Administration has taken both against the true foreign policy interests of the United States vis-a-vis Africa, and against the interests of Africa itself.

The character of this Administration's support to South Africa has changed. Until now, there has been a sub rosa alliance with the forces of racism and repression in southern Africa, as indicated:

By the relaxation of the arms embargo to permit the sale of light aircraft to the South African military and of troop transport planes to Portugal;

By the sale of Bell helicopters to the Portuguese;

By the quiet reversal of our former policy of limited Exim involvement in South Africa for a policy of substantial Exim exposure in South Africa;

By the erosion of our policy here at the United Nations on African questions beginning in 1969, first to abstaining on important issues on African policy and, finally, to actually voting against such resolutions.

In the Azores Agreement, this Administration has announced both an open alliance with Portugal and a decision which I can interpret only to mean "partnership" in the subjugation of the African people. The hard line on African issues with which I have been confronted here at the United Nations must have been a precursor of this decision to become directly involved with Portugal in a pact which is in flagrant violation of numerous General Assembly resolutions on Portugal and the territories under Portuguese Administration (For text of statement submitted to the President with request for No. 4).

As a member of the United States delegation to the United Nations, I have tried in vain to get underway a real consultative process on U.S. positions here at the United Nations. However, the Azores Agreement is a watershed. After much thought I have decided that considerations of integrity and of the now desperate need to turn U.S. policy around from the perilous course on which it has embarked require that I completely disassociate myself from this Administration on African policy.

The conclusion of the Azores Agreement compels me to cut any ties that bind me to the foreign policy of this Administration. Although it is nearly the final hour of this General Assembly, the new commitment of this government to actively assist Portugal in waging wars against Black people constrains me to act. I am therefore submitting my resignation to the President.

TELEGRAM

The following telegram was sent to Secretary of State William P. Rogers, with a copy to The Hon. Henry A. Kissinger, Assistant to the President for National Security Affairs, on November 29, 1971:

Walked out of General Assembly today rather than follow instructions regarding report of SPC (Pt. II) (A/8504/Add. 1), Pt. A (Arms Embargo, U.S. abstaining), Pt. C (on behalf of work of the Special Committee on Apartheid, U.S. abstaining), Pt. F (Situation in South Africa resulting from policies of Apartheid, U.S. voting no), Pt. G (dissemination of information on Apartheid, U.S. abstaining).

Explanation of U.S. rationale totally unacceptable to me. Informed of U.S. position on these votes about 11 o'clock approximately one hour before the Resolutions were to be voted on, and while in attendance at the General Assembly session. There was no time to register dissent, and out of courtesy to the U.S. Government, I left Grigg to cast vote.

You are hereby placed on notice, however, that under the separation of powers principle of our Constitution, and as a member of the legislative branch of the government, I consider (1) that I should be afforded full consultation on all votes in which I am expected to participate, i.e., (a) I should be fully briefed in advance on the proposed United States position and on the basis therefor, and (b) there should be adequate opportunity for my discussing a revised position with USUN and Washington and for reconciliation of any points of difference, and (2) that, certainly in the absence of such consultations, any voting instructions that I may receive are non-binding.

Hon. CHARLES C. DIGGS, JR.

DEPARTMENT OF STATE,
Washington, D.C., December 14, 1971.

Hon. CHARLES C. DIGGS, JR.,
House of Representatives,
Washington, D.C.

DEAR MR. DIGGS: Secretary Rogers has asked that I reply on his behalf to your telegram of November 29, 1971, objecting to the position of our government on four resolutions on apartheid.

The Department is sincerely appreciative of the part which Members of Congress have played over the years as part of the official United States Delegations to successive General Assemblies. We believe our efforts at the United Nations derive strength from the participation of Members of Congress, particularly from the new ideas and perspectives which they bring to bear on some of our perennial problems.

I regret that you have found consultation inadequate between yourself and the Mission. As you know, the General Assembly session usually develops a momentum of work in which the pressures build up as deadlines become tighter and tighter. Both we in the Department and the Mission regret that at certain periods these pressures have not permitted coordination and consultation as close as would be desirable. We know, too, that your own responsibilities as a member of the House of Representatives have occasionally created difficulties of scheduling.

While we welcome dissenting views and fresh appraisals of policy, we strongly believe, and are pleased to note from your telegram that you also do, that the United States must speak with one voice in the General Assembly. If it were otherwise, the resulting confusion would not redound to the credit of our country.

In the particular cases you cited, there may have been some misunderstanding about the status of the instructions we had issued. Voting in the General Assembly plenary normally confirms the voting position taken in committee. This was true in the cases of the four resolutions on apartheid cited in your telegram. Instructions on all of these resolutions had been sent to the Delegation by November 15 and were to govern our actions both in the Special Political Committee and in the plenary. I understand that because of your other obligations you were not able to patricipate in all discussions on this subject at the United States Mission, but that the instructions were discussed with you at the earliest time when you were available in New York, well before the question was considered in plenary on November 29.

The four resolutions cited were particularly troubling to us, and I would like to review briefly our position on each of them. We instructed the Mission to abstain on the Arms Embargo resolution (Part A of Section II of the Special Political Committee's Report) principally because it would sweep aside the reservations made by Ambassador Adlai Stevenson in 1963 and which continue to govern our policy on this question. As you know, we have applied an arms embargo to South Africa, subject only to honoring our existing contracts and "our right in the future to interpret this policy in the light of requirements for assuring the maintenance of international peace and security." The resolution also confirmed Security Council Resolution 282 (1970) on which we had abstained because its sweeping provisions carried with them the danger of weakening, rather than strengthening, the measure of compliance required to give practical effect to resolutions of the Council.

We also abstained on the resolution establishing the Apartheid Committee's Work Program (II.C), on budgetary and other grounds. The Work Program entails, among other things, sending representatives or delegations to international conferences concerned with apartheid, which would further strain the already existing UN budget crisis. The resolution also endorsed the Apartheid Committee's plans to prepare and publish periodic reports on "collaboration" between governments and private enterprises with South Africa. Such activities can only exacerbate the differences in approaches among those, including the United States, who are seeking to put an end to apartheid practices, and in our view would represent a rather short-sighted position on how best to accomplish this goal.

Our Mission was instructed to vote against the general resolution on South Africa's policy because it was based upon a call for Security Council action under Chapter VII of the United Nations Charter. As you know, Chapter VII action is to be taken in connection with threats to international peace or breaches of international peace. We cannot agree that, bad as the situation in South Africa is, it represents a threat to the peace within the meaning of Chapter VII. This resolution also reaffirmed the right of the people of South Africa to eliminate racial discrimination and apartheid by "all means at their disposal" including, obviously, armed force. We do not believe that such a course of action would be at all in the interest of the majority in South Africa.

We abstained on the resolution on Dissemination of Information on Apartheid (II.G). Our position again was derived from our concern over the financial implications of an

extensive public relations campaign at a time of severe budgetary stringency.

You are probably aware that we were able to support five other resolutions on apartheid which were also voted in plenary on November 29. While not entirely acceptable in all respects, these five resolutions were a step in the direction of promoting peaceful change in southern Africa and encouraging UN adoption of non-extreme, practical steps to induce South Africa to abandon its policy of apartheid. Unfortunately, the four resolutions which you cited were not measures of this kind.

This government has made it plain on many occasions, in deed as well as in word, that we regard apartheid as an abhorrent practice and a criminal affront to human dignity and conscience. But in seeking to end this practice, we must be careful to distinguish between practical steps which would work toward betterment of the condition of the black majority in South Africa, and steps which would not only not help but could actually worsen their situation.

If you would find it useful, I would be most happy to discuss these issues further with you personally.

Sincerely,

SAMUEL DE PALMA,
Assistant Secretary for International Organization Affairs.

U.S. MISSION TO U.N.

NOVEMBER 22, 1971.

From Congressman DIGGS:

SPC resolution on Bantustans came up during my absence. I was shocked to learn of instruction and U.S. position that construing apartheid as "crime against humanity" is "unwarranted". This is one of the things that seriously impairs our credibility. I therefore request Department to show cause in most comprehensive way for rationale this position, including all precedents used for this interpretation, all other nuances that go into it, bearing in mind that obligations of each member State under the Charter, specifically Articles 1, 55 and 56.

STATEMENT SUBMITTED TO PRESIDENT NIXON REQUESTING POINT-BY-POINT REPLY

(a) That the United States Government must be required, and is herein called upon, to explain the enormous, unprecedented and anomalous commitments which the United States is making to Portugal in connection with the Ag eement to extend U.S. base rights in the Azores—an Agreement under which Portugal is to receive in the next two years (the Agreement expires on February 3, 1974) the following quid pro quo:

$15 million in P.L. 480 agricultural commodities;

the loan of a hydrographic vessel at no cost;

$1 million for educational development programs;

$5 million in drawing rights for non-military excess equipment;

the waiver of MAAG support payments $350,000) for the MAAG (Military Assistance Advisory Group) to Lisbon;

$400 million of Exim loans and guarantees for development projects.

(b) That specifically, the government is called upon to address each of the following points:

1. From the point of view of U.S. interests, the new Agreement with Portugal represents an unusual and anomalous commitment. There is no apparent justification for the *quid pro quo* in the new Agreement.

(a) The general availability of funds for foreign economic assistance has been diminishing since 1967. In that year, funds for economic assistance totalled $5,120 million. In 1968, they were $4,634 million. In 1969, they were $4,067 million. Last year, they totalled $4,711 million. The Export-Import Bank is an exception to the rule; its funds have been increasing in the last few years. But the question must arise why loans and credit guarantees to Portugal are rising at a moment when federal funds are so scarce, and when total appropriations for economic assistance are falling.

(b) The funds projected for commitment to Portugal are out of all proportion to previous development commitments through the Export-Import Bank to either Europe or Africa. The total of Export-Import Bank loans to Africa in the whole period 1946–1970 was less than $358 million. The total of long-term economic loans to Europe from the same source in that period was only $753.7 million.

(c) The projected commitment is also out of proportion to any previous commitments to Portugal itself. That country received less than $50 million in the whole period from 1946–1970 through the Export-Import Bank. The present Administration is proposing to provide more than four times this amount in the next two years alone.

(d) The projected new commitments would constitute a tremendous drain on the funds of the Export-Import Bank. They would represent about 10% of the average annual commitments to all countries from the Bank in the last few years; and this does not even take into consideration the $200 million in Exim credit guarantees.

(e) The question which remains to be answered, therefore, and it is a most important question, is why a small nation of 8.6 million people should receive such extraordinary special treatment.

2. The United States, furthermore, is now going through the worst balance of payments crisis in its history. We now have the largest deficit on record. Unemployment has risen to high levels as a consequence of deflationary measures designed to remedy that situation. In this context the Administration has undertaken an Agreement with a small European country which will lead to a substantial increase in the foreign exchange costs of our economic assistance. Again, the question must arise why Portugal should qualify for such special treatment.

3. Total U.S. dollar flows to Portugal and its overseas territories now exceed $400 million. (See Table below). These flows are important to that country's balance of payments. The Administration is now proposing a substantial increase in these flows through the loans provided for in the new Agreement.

Portugal and overseas territories: Gross flows of funds from North America *

(1969, millions of dollars)

1. Imports from Portugal and overseas territories	$166
2. Freight and insurance on merchandise	3
3. Other transportation	11
4. Travel	79
5. Investment income	29
6. Other government	6
7. Other private	24
8. Unrequired transfers (pension remittances, et cetera	89
9. Nonmonetary Sectors: Direct Investment	6
Total	413

* These figures refer to flows from the U.S. and Canada. U.S. funds account for almost the whole of the total.

Source: IMF Balance of Payments Yearbook, August 1971, vol. 22.

4. The Portuguese are now running a trade deficit of just under $500 million. This deficit is, to an important degree, the result of the drain on Portugal's economy created by the pursuit of three colonial wars in Africa. Additional, and substantial, assistance to Portugal in this context will have the effect of helping it to continue those wars at the very moment when it is being forced to consider seriously whether it ought to withdraw from its overseas territories.

5. It should be noted that parts of the new Agreement can easily become open-ended commitments. The expanded commitment under P.L. 480 may well be increased still further when the Agreement is reviewed two years from now. The provision dealing with excess equipment is *already* open-ended. Secretary Rogers' letter clearly states that $5 million for this purpose is not to be considered a maximum ceiling.

6. Dollar flows to Portugal, from both the private and the public sector, are already on a scale amounting to "economic intervention that might just decide the outcome of the colonial war." The new Agreement increases that indirect assistance by a substantial amount and changes the character of our commitment to Portugal.

7. The political context cannot be ignored. Particularly:

The liberation forces control large areas of Angola, east and south of the Central Plateau.

In Mozambique the liberation forces control several provinces and operate freely south of the Zambesi River.

In Guinea-Bissau, the PAIGC have forced the Portuguese to leave the countryside and to retreat to the urban areas and a few scattered military bases.

The obvious effect of the Azores Agreement is to enable Portugal to continue waging the three wars in Africa.

8. There is nothing to indicate that the military value of the Azores is of overriding importance to U.S. security so that it merits such an inordinate expenditure. Further, the fact that the base Agreement remained dormant for the past 10 years (since 1962) indicates this.

9. The injection of huge sums for economic and educational assistance, as well as aid in kind, into the Portuguese economy, in the existing internal situation of considerable domestic unhappiness with, and criticism of, wholly disproportionate budgetary expenditures on colonial wars, will greatly assist the Caetano Government in dampening the domestic antipathy to the wars and thus to continue their prosecution.

(c) That, if the Administration cannot provide a statement of compelling reasons for making this Agreement, it must be considered as admitting that it is the intention of the Administration to directly assist Portugal in waging these wars against the peoples of Guinea-Bissau, Angola and Mozambique.

(d) That the United States Government respond to the following questions:

(1) What projects were reviewed, or are contemplated for Exim loans?

(2) Are these projects in Portugal, that is in so-called "metropolitan Portugal" as distinguished from Guinea-Bissau, Angola and Mozambique?

(3) Are similar increases in Exim loans being considered (i) for South Africa, (ii) for majority-ruled African countries?

(e) That, in view of the implications of this Agreement for the United States, the Administration explain why this Agreement was entered into by the executive agreement route rather than as a treaty and submitted to the Senate for its advice and consent to ratification.

(f) That the Administration explain the discrepancy between its claimed lack of funds to assist Black business in the United States, with its 23 million Blacks, on the one hand and, on the other, its expenditure of tremendous sums to assist the economy of Portugal, a country with only 8.6 million people, and thus to assist the waging of wars against Black people in Africa. According to its reports to the Congress, the Federal Government is now giving only $213.8 million in loans to minority businesses in this country (including Blacks and Spanish-speaking Americans), whereas the sums projected for

Portugal in this Agreement are more than double that amount.

PROGRESS OF UNIFORM LOSS REPORTING TO CONTROL TRANSPORTATION CARGO THIEVERY

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. BIBLE. Mr. President, may I invite the attention of the Senate, the Congress, and the country's transport and shipper communities to what I believe are several significant and affirmative first steps taken within the past several months by the Federal Maritime Commission and the Interstate Commerce Commission to combat the growing crisis posed by the theft, pilferage, and hijacking of truck, air, rail, and ship cargo—a racket that cost American shippers conservatively last year more than $1 billion in losses—a 17-percent increase over the previous year. We are hopeful that we may add the third Federal transportation regulatory agency, the Civil Aeronautics Board, to this accomplishment honor roll before too long, as well.

When the Small Business Committee, of which I serve as chairman, began its hearings 2½ years ago into the impact on small business of increasing cargo thievery in all transport modes, one of our biggest obstacles was to get a realistic picture of the true extent of losses so we could focus on just how big the problem really was then and is today. It was a real surprise to learn that no governmental agency and no private trade or service organization keeps or has access to records of theft or damage losses, total tonnage, or value of cargo shipped in this country.

Consequently, with the help of Library of Congress statisticians, the Comptroller General's office, reputable insurance underwriters, national news media, some transport industry representatives, law enforcement people, and others, we made some estimates for both 1970 and 1971, the latter showing losses for that year of $900 million for truck theft and hijacking, $110 million for air cargo, $250 million for railroads, and $210 million for maritime shipping.

Some carrier industry representatives poo-pooed these estimates as excessive, but they could come up with nothing substantive to controvert them. However, they were good enough to be used by the Attorney General of the United States, the Secretary of Transportation, a crime-busting U.S. attorney, national newspaper and magazine media, and many others. In fact, the first job contracted out by the Department of Transportation in its drive begun last summer to curb cargo crime activities, was to a company for the purpose of finding out just what the true extent of cargo theft losses are in the air, truck, rail, and steamship transport modes.

As I said before, our committee found out sooner than most of those who are looking at this problem, that any accurate totals of crime-oriented losses are difficult to estimate because there are no uniform loss reports requiring data of this kind supplied by the only people who can really know, the carriers themselves.

Our committee, in an official report to the Senate, recommended that such uniform loss reports should be required from all carriers as a basis for seeking to control a problem which has reached crisis proportions by the admission of most of the transportation industry itself. We urged the transportation regulatory agencies—the Interstate Commerce Commission, Civil Aeronautics Board, and Federal Maritime Commission—to promulgate regulations to require such reports. Our committee's recommendations to the Senate read:

It is axiomatic that the first step in arresting the upward trend in crime is the collection of information about it. To energize public agencies to action it is necessary to discover and reveal the actual magnitude of the loss as an actual cost to the public. To develop a sense of responsibility, it is necessary to establish at what point and under whose jurisdiction the bulk of the losses occurred. To devise strategies of crime prevention, it is necessary to ascertain in detail the techniques used by the thieves and the circumstances surrounding the theft. Your committee found that the collection of reliable data on aircargo theft and pilferage is utterly inadequate for all these purposes.

Losses are not reported systematically. Standards of reporting have not been established. There is no good way of telling at what point in the sequence of many events from point of origin to ultimate destination the loss occurred. The relation between extent of protection and value of shipment is haphazard. No data are available on a systematic basis as to the circumstances surrounding events of loss. The techniques used by thieves can only be guessed at; all we can say at this time is that they are successfully practiced, at a rapidly increasing rate.[1]

Based on information developed in hearings on the economic impact of aircargo theft, your committee accordingly recommends the following:

Recommendation 1.—That the Civil Aeronautics Board, based on its statutory authority provided by the Federal Aviation Act of 1958, should compel all U.S. air carriers, air freight forwarders and agents thereof, engaged in the carrying of goods and cargo by air, to report on a quarterly basis all cargo damaged, lost, missing, stolen, or presumed stolen, the value of such cargo, the amount paid, and the number of claims against the carrier for such damage, loss, stolen, or presumed stolen, cargo. The CAB should prescribe formally the standards under which such reports are to be prepared and submitted, in order to maximize the utility of the data collected for purposes of systematic analysis in the preparation of crime prevention programs and activities.

Should the Board fail to act to require these most essential data, it is the recommendation of your committee that legislation be offered to amend section 407 of the Federal Aviation Act of 1958 (49 U.S.C. 177).[2]

Therefore, to update the status of our recommendations to the Federal transportation regulatory agencies, I can report remarkable progress by the Federal Maritime Commission, under its energetic, dynamic and capable Chairman, the Honorable Helen Delich Bentley, who I can proudly say was raised in my own State and went on to be honored in the newspaper fraternity and to be chosen by President Nixon as the first woman ever to head a Federal regulatory commission.

The Maritime Commission promulgated a proposed mandatory uniform loss reporting rulemaking proceeding last August, calling for quarterly reports from all American maritime shipping of the number and dollar amount of freight claims paid according to specific commodities, causes of such claims, location or theft and/or robbery, and an analysis of claims received and processed.

I can state that the final steps are now in progress preparatory to adoption of the reporting system by a final Commission order. The proposed Maritime Commission loss report, more complete by the nature of the cargo covered than that now in use by the Interstate Commerce Commission for class I trucks, was challenged by maritime organizations.

We noted that one Pacific coast terminal association opposed the completeness of the form, proposing that all thefts under $1,000 should be eliminated by the filing procedure. As our own rebuttal, we wonder if that same company would want to assume any and all claims for loss or damage of $1,000 or less that it might have against a steamship line using its company terminal facilities, under the apparent logic that $1,000 losses and less are so insignificant that they raise shipping costs excessively. We believe we know that anwer because we doubt that any west coast or east coast marine terminal association is so profitable that it chooses to absorb all individual $1,000 claims.

Obviously, we were pleased to note that the Commission's proposed form would require all losses of $100 or more to be reported to the Federal regulatory agency.

It is true that the filing of the new forms will cost the carriers dollars, and Federal paperwork is always called burdensome, except when it provides a benefit to the spokesman. Our response here is that unless the real dimensions and facts about cargo crime can be pinpointed, then the public and the carriers right along with them will be suffering more, rather than less, from crime-inflated costs which the buying public eventually pays through higher prices.

To Federal Maritime Commission Chairman Helen Delich Bentley, to members of the Commission and their staffs, we say: We believe you have approached an affirmative decision that will benefit the entire maritime industry and the public it is permitted to serve. We believe your leadership will be more justified in the future than it is today. It seems to me that this is another fine example of a regulatory agency functioning not only to assist in solving the problems of the industry it regulates, but it also is an affirmative effort to meet the needs of the public affected so substantially.

And what about the pioneer transpor-

[1] "The Impact of Crime on Small Business—Part II," Report of the Select Committee on Small Business, U.S. Senate, on effect of cargo loss and theft in air commerce based on hearings before the Committee, May 23 and July 22, 1969, 91st Cong., 1st Sess., Senate Report No. 91-612, p. 5.

[2] Ibid., p. 14.

tation regulatory agency, the Interstate Commerce Commission, which approved uniform loss reporting on July 6, 1971, for the country's 1,500 class I motor truck common and contract carriers covering 72 percent of all intercity tonnage transported by firms with $1 million annual revenue or more?

Their reporting system, which went into effect last October 1, will see its first theft reports submitted to the ICC, with the conclusion of the first reporting period on December 31. We are hopeful that these results will demonstrate that loss reporting should be widened to include class 2 and 3 motor carriers, representing 22 percent of regulated interstate shipments.

And what about the airline industry, serving the American public with the fastest transportation, but possibly only snail-like fast, or slow, when it comes to protecting the shipper's interests by its attitude toward uniform loss reporting and the goal of dealing effectively with air cargo thievery?

We regret to say that the Civil Aeronautics Board's efforts toward uniform loss reporting have foundered—we hope only temporarily—since final industry comments were received 6 months ago. Again, in the interests of intermodal uniformity, we hope the CAB can see its way clear to move affirmatively and expeditiously, because we believe such reports can provide a true and timely picture of air freight theft, loss and damage, and thereafter permit effective steps to be taken to put the air cargo thief out of business. Now that the Interstate Commerce Commission, the Federal Maritime Commission, and the Department of Transportation are moving toward coming to grips with the cargo criminal, we are hopeful that the Civil Aeronautics Board can see its way clear to get back into step—a step toward helping the airlines deal with their problem, and thereby helping the air freight shippers get the service that the airline tariffs say those shippers deserve.

I commend to the attention of my colleagues and interested parties a fine address given by Federal Maritime Commission Chairman Bentley before the Second Annual Conference of the International Association of Port Police in Montreal, Canada, on October 5, 1971, analyzing this general subject from a maritime shipping point of view, together with a Federal Maritime Commission release of August 9, 1971, announcing the rulemaking proceeding for a quarterly, mandatory uniform loss reporting program.

I ask unanimous consent that these items be included in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REMARKS BY HELEN DELICH BENTLEY

It is a distinct pleasure for me to address the International Association of Port Police on the occasion of your Second Annual Conference. The fact that your organization can boast of active members from Canada, the United Kingdom, Africa, Portugal, and Puerto Rico, as well as from the United States, really substantiates that this organization is truly international in fact as well as in name. It also dramatizes the fact that each of you realizes that the approach to the problem of cargo security is and must continue to be international, if we are to combat it successfully. This problem is not confined to national boundaries, nor is it confined to vessels of any one particular flag. It is a problem in all parts of the world or else your Organization would not have the diverse membership it possesses.

You all, as professionals, realize that theft and pilferage of cargo is an insidious and infectious type of crime which spreads into areas adjacent to the ports and has a direct relationship with other criminal activities in the community, and you all are also aware that where there exists disorder at the community level, it by necessity affects the city, the state or province and as a consequence the nation.

How long has the problem of theft and pilferage plagued the carrier? How long has the shipper and consignee been victimized by shortages in shipments due to theft and pilferage? I don't think that anyone knows exactly how long the problem has existed; my guess would be that the Phoenicians may have been confronted with thefts but I dare say their remedies would not be acceptable today. Such things as cutting off the hands of a thief have long since disappeared from our civilized world. We do know that theft and pilferage and its related cancers have been with us for a long time and those of us concerned in this area are acutely aware that cargo losses are not diminishing but are increasing in scope and complexity.

It makes little difference if the cargo thief is an amateur or a professional; skilled or unskilled; organized or unorganized. The main reason the thief is continually attracted to cargo is in direct proportion to the easy accessibility to items which he knows he can dispose of with little or no difficulty. He knows disposition can be made through middle men or fences or simply to Mr. Average Citizen looking for a bargain. Just look at the type of items which are most frequently stolen or the subject of mysterious disappearance: cigarettes, liquor, pharmaceuticals, shoes and clothing, electronic equipment, appliances and specialty food items. Who is the consumer for these stolen and pilfered commodities? Mr. Average Citizen, of course. It is true that he may be purchasing some of these ill-gotten goods through what on the surface are legitimate outlets, where these goods are placed into commerce by the underworld. Here they compete with truly legitimate business, sometimes in competition with the actual owners of the stolen merchandise. Or, the thief may be selling his wares directly to the consuming public.

In any event, the soaring rate of losses in all modes of transportation as brought to light by the Senate Select Committee on Small Business and court statistics gives ample evidence that the problem is certainly not diminishing. In the United States during Fiscal Year 1970, the number of criminal cases handled in the Federal Courts which involved the offense of theft from interstate shipments increased 21% over the previous year; and though a large part of this increase is connected with cargo thefts in the trucking industry, we all must acknowledge that the other modes of transportation, particularly our port areas have also been faced with the same increases in thefts from cargo.

Why is this so? Why are thefts and pilferages, large and small, increasing in dramatic proportion? Aside from the general decline in the moral attitudes in our society which shrugs off or completely disregards this type of malignancy, the answer must rest in one obvious area. The thief, the pilferer, or the hijacker is stealing from those areas where he knows the chances of being caught are minimal because physical security approaches to the cargo he seeks are either nonexistent or inadequate or he has inside accomplices to pinpoint and facilitate his access to the desired cargo.

This problem has become so acute that the Select Committee on Small Business of the United States Senate, under the Chairmanship of Nevada Senator Alan Bible, has conducted hearings on this entire matter of crime in transportation, one facet of which focused on the problem on theft and pilferage of maritime cargo shipments.

The testimony at these hearings was dramatic to say the least. Witness after witness related to the Committee that cargo losses in the maritime industry were increasing at an alarming rate. An importer of shoes stated the theft and pilferage of their shipments had grown to such proportions that it was feared the company may be forced to go out of business.

An association reported that one of its members, another shoe importer, had its insurance premium increased 50%, and that its losses were ranging from 2% to 10% even when shipped by sea in locked sections; the losses on shipments in open stowage were even greater.

A food importer estimated yearly theft losses at 2% to 3% of his shipments.

A shipment of sunglasses was pilfered to the extent of 52%.

Another shoe importer—apparently a favorite target—followed a shipment by having an agent verify that the entire shipment was actually placed aboard the vessel intact. Yet, when the shipment arrived at the warehouse, it was pilfered to the extent of 20%.

It is true that generally where containerization is utilized, the amount of small pilferage tends to decrease. However, when losses occur in container-type shipments, they are usually more severe. A container of liquor can run in excess of $75,000, typewriters over $150,000; microscopes $120,000 and so on when one of these entire boxes is stolen the cost is *really* staggering. And, when some one or a group steals in the dimension of a full containerload of any type of cargo, you know as well as I do that the operation has to be organized and the thief knows beforehand that some one is going to take the goods off his hands. This in effect is stealing by contract. When shipments of this size are stolen, there has to be an impact on insurance rates and, consequently, on the cost of doing business which is reflected in higher prices to the consumers.

If only the taxpaying citizen would realize that it is always he, the consumer, who pays in the end, perhaps our morality and attitude towards crime of this nature would change. There is still nothing like an aroused public to deal with a particular problem. The total cost of losses due to theft and pilferage from the maritime industry were estimated by Senator Bible at over 100 million dollars annually, and further that efforts to prevent these losses were by and large ineffective. Deficiencies to combat maritime cargo loss were pointed out in three areas.

First and most notable was the absence of systematically collected data indicating the value of goods lost, identification of where goods have been stolen in the transport chain from manufacturers, through carrier to consignee. Without such data preventive measures are impossible to formulate.

Second was the problem of overlapping jurisdiction of law enforcement agencies which needs no explanation to a group such as yours, who are more familiar with this problem than am I.

And, thirdly the entire maritime industry itself: carriers, terminal operators, port and warehouse operators, as well as shippers, consignees and underwriters, have not done all they can do to prevent theft and pilferage of maritime cargo.

On June 24, 1971, before the Bible Committee, I testified that the FMC, cognizant of the fact that approximately 75% of the losses were going unreported, would under-

take to overhaul existing reporting requirements in order to establish a more effective loss reporting system. The staff of the Commission endeavored to find a way through existing reports or records to accomplish this goal and thereby not place a further paperwork and reporting burden on the industry. It was concluded that the U.S. Customs Discrepancy Report which had recently been revised to report shortages, overages and the reason therefor could be utilized for this purpose with respect to inbound cargo, if the data appearing in this report was correlated into an overall comprehensive report. It was the Commission's position that an analysis of the results of such a report, if made on a regular and timely basis, should pinpoint the trouble areas and permit those charged with custody of the goods to provide adequate protection and also aid law enforcement agencies in the event the cargo was lost or stolen.

We at the Commission were of the opinion after contacting carriers, insurance and governmental sources that the outbound problem (or exports) is not as great as the inbound foreign problem. One of the prime reasons for this theory was, of course, the fact that outbound cargo is normally held on dock for, a very short period, thereby reducing the opportunity for theft. Also, with the advent of containers, an export loss would normally not be detected until after delivery to a foreign consignee, a fact which would complicate any reporting system. It was our contention that the inbound or import trade where Customs clears the cargo, collects duty, etc., would be fully covered and would serve as an area where problems could be pinpointed; as the same piers and terminals are utilized for export cargo; it was our belief that if success was achieved with regard to imports, this would by necessity reduce the outbound thefts as well.

There followed a number of meetings with staff members of Senator Bible's Committee wherein the entire problem of cargo loss reporting was thoroughly discussed. Our sister regulatory agencies, Interstate Commerce Commission and Civil Aeronautics Board, had agreed to a rulemaking proceeding establishing a reporting system for loss and damage claims. Consequently, the FMC finally agreed to a proposed rulemaking on loss and damage claims which would be in some conformity with the ones proposed by ICC and CAB but geared more closely to the commodity codes utilized by the Bureau of Customs in order to reduce the reporting problems of the affected industries.

These proposed rules were published in the Federal Register on August 11, 1971.

Let me briefly outline what type of information the Commission is seeking in these proposed rules. As you can well imagine, it would be virtually impossible to design a set of data requirements for a cargo security program which would be universally applicable to all carriers or terminals. However, it is clear that certain summary statistics are necessary now and will be in the future to aid in the determination of just how big the problem is and thereby enable the development of programs to deal with it.

We have, in our proposed rules called for quarterly reports on freight loss and damage claims, from which we hope to obtain the following data on both import and export shipments:

1. The total value of goods stolen.
2. A measure of the quantity of goods stolen.
3. Identity of the commodities involved.
4. When and where thefts occurred.
5. Whether breakbulk, container or less than containerload shipments.
6. The relationship of losses to total volume carried.

This information is to be reported on three separate schedules. The Federal Maritime Commission in this proposed rulemaking has attempted to make this reporting system the least burdensome possible on the industry. As I mentioned earlier, we have proposed a commodity identification system which is based upon the commodity descriptions and codes presently being utilized by the U.S. Bureau of Customs in its program dealing with cargo security. Their commodity codes and descriptions have been in effect since April 1971 and have been a part of Custom's Discrepancy Report and Declaration which must be filed on a monthly basis by carriers and/or their agents.

We feel the information obtained from these reports will enable the Commission to gather a data base, which can be utilized by legislative committees, Government Agencies, regulatory, as well as law enforcement, and finally the industry itself. The industry itself is included because with data of such significance the industry will be able to pinpoint areas where problems exist. They can then formulate appropriate security programs to combat the specific trouble area. However, one fact has to be kept in mind concerning the Commission's proposed rules on loss and damage claims, and it is this—the information which will be reported if and when the rules are finally implemented, will not be of any immediate assistance to any type of law enforcement agency. The information will be after the fact type of information and will serve only to help identify the magnitude of the problem, which, I might add, will be an accomplishment because as of now we have no hard statistics at all and in addition it will indicate where problem areas exist. What we visualize is that in any area where a serious problem does not exist, then perhaps the Commission could excuse that port or that facility, or that carrier from the reporting requirements. We believe that we can make the reporting systems flexible, but first and paramount we have to know where and just how serious the problem is which we are facing. Statistical data of this type is vital if we are to analyze the problem, plan for and evaluate the results and thereby enable the responsible authorities to correct it.

There are other steps which the United States Government is taking in an attempt to meet its responsibilities. In June of this year there was formed under the direction of the Department of Transportation, an Inter-Agency Committee on Transportation Security. The activities of this Committee are under the dynamic leadership of Brigadier General Benjamin O. Davis, Jr., the Assistant Secretary of Transportation for Safety and Consumer Affairs. Representatives from all the agencies of Government which have any responsibilities in the transportation area are represented on this Committee. Meetings of the Committee are attended by staff officials of the various agencies who are drafting a coordinated attack on the entire problem of cargo security.

As a result, during June and July of this year the Department of Transportation, together with the Transportation Association of America, sponsored a Cargo Security Conference in Washington, D.C., which was called "Cargo Security Crisis—Meeting the Challenge". This conference lasted for four days and presentations were given by representatives of government, industry and labor. The first two-day sessions in June were devoted to Government representatives, while the last two days, in July, concentrated on the responsibilities of transportation management and labor. These sessions were well attended and the ball is rolling.

In addition, the Legislative Branch of the United States had introduced new legislation in this area. Bill S. 942 proposed by the Senate Select Committee on Small Business, establishes a commission on Security and Safety of Cargo, which will study this entire problem and its many ramifications and report its findings and recommendations to the President and to the Congress. Further, Senate Bill, S. 1654 or as it is called The Customs Port Security Act of 1971, has been introduced for the purpose of increasing the security and protection of imported and exported merchandise at the ports or points of entry in the United States.

So as I stated, the ball is rolling, and we must insure that this initiative once taken does not dwindle into meaningless dialogue, for we cannot afford for too much longer the luxury of rhetoric.

Let us consider for a moment management's role in this entire area of cargo security.

There is no doubt that in many areas concerned with the problem of cargo security, management's approach to the question have been relatively passive. In some firms inspection and control procedures are nonexistent. Corporate officials are often too far removed from the problem and consequently delegate this function to an individual with little or no direct contact with, or access to, top management. As a result, responsibility is not defined, new programs are not initiated or outdated ones are not redesigned, record keeping is not modernized. All of these factors militate against the carriers and place them in a position where it is extremely difficult, if not impossible, to work effectively with law enforcement agencies. After the goods are stolen, it often is too late for any police organization to apprehend the thieves or recover the goods or identify them as the stolen merchandise, even though the goods are actually located. The opportunity to steal must be sharply curtailed or the problem can never be solved, unless we revert to a police state and I'm not so sure that it would be solved even under those drastic measures. Management must act to analyze conditions, develop and maintain programs to prevent this type of criminal activity at the source of the problem. The old worn out cliche of "An ounce of prevention," is particularly apropos in such situations. After such a program has been implemented, top management should make periodic inspections of cargo security measures to insure that these programs are being fully implemented. Interest in such programs will by necessity filter down to all levels of the company to insure participation at more than just the higher levels.

Another area in which management can take an active role is to develop a continuing and professional relationship with law enforcement agencies. Some of the most pressing problems of our times have been resolved through mutual cooperation. Cooperation is imperative! Where problems exist industry groups can join together with existing law enforcement groups in an effort to effect a solution. But first they have to realize and admit that problems do exist and then have the intestinal fortitude to call in professionals to analyze the situation and suggest the remedial steps necessary and then to finally implement these suggestions. The "professionals" I refer to are members of law enforcement agencies such as your organization who possess the necessary expertise, have the desire and who can recognize what can be accomplished in a practical manner.

There is no doubt that to fight this expanding problem will mean spending money, and at this period of time such a statement to some will no doubt border on irresponsibility. But the entire nation is faced with such a grave problem—a cancer of such magnitude—that something must be done about it. I am convinced that the solution to this burgeoning problem will never be accomplished unless, for starters, there is complete cooperation and joint efforts expended by all segments of the Maritime Industry. And it will do no good, accomplish nothing, unless management and labor likewise become partners in this endeavor with

Government and local law enforcement agencies.

As I said when I testified before Senator Bible's Committee, we at the Commission recognize the problems and endorse the Committee's goals. It is my view that the problem can and will be alleviated within the framework of the many very able agencies and private concerns now attacking it provided adequate support is given to their enforcement efforts. Crime involving goods in transit is just a part of the overall crime problem confronting our nation and it is not just a police or a security problem—it is everybody's problem.

Everyone wants to drive the criminal somewhere else. If he is driven from the transportation area, he will find another area to prey upon. So long as there is a market for stolen goods, goods will be stolen. *The profit must be removed from crime. Crime must not pay.*

This may require more prosecutors, more judges to enable a speedy trial, stiffer penalties to act as a deterrent and more jails. These areas must receive attention.

The FMC welcomes the opportunity to cooperate as fully as possible in any program which will benefit our trade and commerce.

The International Association of Port Police must continue in its efforts not only to investigate and prosecute offenders but in addition it has to keep the pressure on the industry by alerting and informing management of areas where their security is not effective. You must continue to inform local, state and Federal legislators of the types of laws which will prove most effective. And, you must also undertake programs to inform the local citizens of existing problems and continue to seek their support for programs which you advocate. This last one may prove to be the most difficult and the most exasperating. The average individual simply does not realize how stolen merchandise, once it is channelled back in the mainstream of commerce affects him and his family in added costs, increased taxes and additional government regulations to combat illegal activity. However, I still am convinced that the great majority of our citizens are honest and law abiding and disapprove of thievery at any level of our society. It is through organizations such as yours that this public service can be accomplished or at least given the impetus it needs to make it infectious.

President Nixon in his inaugural address stated "We need the energies of our people—enlisted not only in grand enterprises but, more importantly in those small, splendid efforts that make headlines only in the neighborhood newspapers." Let us all whether we be in Government, law enforcement, labor or management dedicate ourselves to making some neighborhood headlines.

COMMISSION SEEKING RULES TO HELP CUT CARGO LOSS, THEFT

Acting to combat the growing losses in ocean cargo caused by damage, loss, pilferage and theft, the Federal Maritime Commission will institute a Rulemaking Proceeding addressed to the alleviation of these problems, it was announced today by Federal Maritime Commission Chairman Helen Delich Bentley.

Explaining the Commission's aims, Chairman Bentley said:

"In issuing the proposed rulemaking, the Federal Maritime Commission is following the urging of Senator Alan Bible (D., Nev.), who, as Chairman of the Senate Select Committee on Small Business, has been probing into cargo losses in the transportation field. The Interstate Commerce Commission and the Civil Aeronautics Board also have issued similar procedures involving the reporting of losses in their respective fields of transport.

"The rules under consideration call for reporting, within thirty days after the end of each calendar quarter, the number and dollar amount of freight claims paid according to specific commodities, causes of such claims, location of theft and/or robbery, and also an analysis of claims received and processed.

"Reports sought in this proceeding are designed to provide the Commission and other governmental agencies, legislative committees and Federal and local law enforcement agencies with the type of information which could have a beneficial effect in solving the problems of the entire industry.

"The information which the Commission would receive pursuant to this proceeding could be of great value in enabling the industry to pinpoint areas where problems do exist, and aid the carriers and terminal operators, as well as shippers and consignees, in combating the serious and continually expanding problem of cargo security.

"In view of the emergence of intermodalization into the foreign and domestic commerce of the United States, proposed rules will also apply to nonvessel operating common carriers by water (NVOCC) and any other type of intermodal carrier which may emerge.

"We estimate that the proposed rules will affect approximately 475 common carriers by water, 175 NVOCC's in the U.S. foreign trade, 69 domestic offshore common carriers, 195 NVOCC's in the domestic trade, and 400 terminal operators. To properly implement such a program, the Commission will be required to increase its number of personnel."

Parties who wish to participate in this Rulemaking Proceeding should address a request to: Secretary, Federal Maritime Commission, 1405 I Street, N.W., Washington, D.C., 20573.

SINAI PROPOSAL

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BINGHAM. Mr. Speaker, the following item from the November 22, 1971, issue of the New York Times by Stephen M. Schwebel, former State Department assistant legal adviser and now professor of international law at the Johns Hopkins School of Advanced International Studies, offers an interesting, imaginative proposal for treatment of the Sinai as part of a general settlement between Egypt and Israel.

The article follows:

A SOLUTION FOR SINAI

(By Stephen M. Schwebel)

WASHINGTON.—The Sinai peninsula occupies a critical position in the making of peace—and war—in the Middle East. A solution for Sinai would provide the essence of a settlement between Egypt and Israel.

The whole of the Sinai has been Egyptian territory since 1906. Israel reportedly has indicated a willingness to surrender the bulk of it, in the context of a general settlement, provided its forces remain in Sharm el Sheik to ensure free passage of ships bound for Elath, and provided that these forces are connected to Israel by the coastal road it has built.

In view of the history of the use of Sinai against Israeli shipping and security, these provisos have their point. Moreover, Israel can make out an arguable case under international law that, since it has taken Sinai in the course of legitimate defensive action, it may lawfully be ceded segments of that territory which it reasonably requires for its defense.

Whatever the historical merit and legal tenability of such claims, however, they have a fatal flaw: No Egyptian Government can be expected to accept them. If there is to be a peace agreement between Egypt and Israel, it cannot embody cession of territory which has been Egyptian for a half century. It is as implausible for the Israelis to expect such cession as it is for the Arabs—or the world—to expect Israel to relinquish a unified, and Israeli-ruled Jerusalem.

It has been suggested that the gap between the Egyptian position of full Israeli withdrawal and the Israeli position of partial cession can be filled by a United Nations presence. Israel has refused that suggestion, not least on the ground that the previous U.N. presence disintegrated precisely when it was needed most. However, the arrangements of 1956 need not be duplicated. Their admitted faults can be ameliorated, if not cured. One way of so doing, and at the same time of perhaps meeting both Egyptian and Israeli requirements, may be the installation of a United Nations force on the following terms:

Israeli would withdraw from the whole of the Sinai;

Egyptian sovereignty over the whole of the Sinai would be acknowledged and its civil administration would be implemented;

The whole of the Sinai would be demilitarized indefinitely and totally, apart from a force to be installed by the United Nations;

The mandate, composition, command, stationing and tenure of that force would be fixed by the Security Council with the express agreement of Egypt and Israel. The consent of both Egypt and Israel would be required for any change in those fundamental dispositions;

The force would have five battalions, each perhaps of the order of 500 lightly armed but mobile men, each battalion to patrol a designated zone;

The battalion in illustrative Zone A would be Egyptian; in B, Soviet; in C, Scandinavin; in D, United States, and in E, Israeli.

The advantages of such a plan are multiple. Egypt would save her sovereignty, territory, administration, oil reserves, bilateral control of the Suez Canal, and considerable face. The only Israeli presence would be submerged in that of a U.N. force, in which Egypt would be comparably represented. Yet Israel would have free passage through the Straits of Tiran under the eyes of Israeli units (even if they were to wear U.N. insignia).

Possible friction between the Great Power units would be minimized by the interposition of a band of peacekeeping stalwarts from small powers, such as the Scandinavian.

The United States and such other maritime and coastal states as it can attract should place anew on record their view that the Straits of Tiran (and more southerly approaches to it) comprehend international waters.)

The United States should give tangible evidence of that conviction by the occasional passage of American naval craft through those waters and the Straits; and, as a complementary measure, in the continuing absence of effective measures of Middle East arms control, it might endow Israel with a wider-ranging and more powerful naval weaponry than it now is able to deploy.

TRIBUTE TO CHRIS CHRISTIANSON

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, December 10, 1971

Mr. GUDE. Mr. Speaker, it is an honor and a deep personal pleasure for me to

join my colleagues in paying tribute to Chris Christianson. His dedicated service to the House of Representatives will be sorely missed. I want to wish Chris my best in his every endeavor in the coming years.

LEGISLATIVE PROGRAM

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DELLUMS. Mr. Speaker, in mid-November I printed in the RECORD a listing of the various major legislative proposals that I have sponsored during the first 10 months of the 92d Congress. The response to that listing was very encouraging, and so, to update the list for my constituents, I now include the following compilation in the RECORD:

LEGISLATIVE PROGRAM

ASIAN AMERICANS

H.R. 12208 (Mr. Anderson of California): To create a Cabinet Committee for Asian American Affairs.

CIVIL LIBERTIES

H. Res. 961 (Mr. Drinan): To lower the age to 22 to be a Congressman and to 27 to be a Senator.

H.R. 11659 (Mr. Dellums): To amend the Hatch Act so that federal employees can have wider participation in political activities and to protect federal civil servants from improper political solicitations.

H.R. 11882 (Mr. Rangel): To establish minimum treatment standards for federal prisoners and to create a National Prison Standards Administration.

H.R. 12318 (Mr. Biaggi): To establish procedures providing members of the military redress of grievances arising from acts of brutality and cruelties and to protect their constitutional rights.

H.R. 12331 (Mr. Dellums): To provide for posting information in post offices with respect to registration, voting and communication with lawmakers.

CIVIL SERVICE

H.R. 11658 (Mr. Dellums): To increase payments, benefits and coverage under workmen's compensation programs for federal employees.

H.R. 11660 (Mr. Dellums): To lower age and service requirements in the federal retirement program.

H.R. 11661 (Mr. Dellums): To eliminate restrictions on the rights of officers and employees of the Postal Service.

EMPLOYMENT

H.R. 12011 (Mr. Reuss): To expand the Emergency Employment Act.

FOREIGN AID

H.R. 11875 (Mrs. Abzug): To amend the aid program by increasing multilateral funding, by phasing out strict bilateral programs, by establishing an International Drug control assistance program, by phasing down military aid programs and by limiting aid and military assistance in Southeast Asia.

FOREIGN POLICY

H. Res. 705 (Mr. Helstoski): To increase American assistance to Bangla Desh.

H. Res. 752 (Mr. Helstoski): Calling for U.S. recognition of Bangla Desh.

H.R. 12330 (Mr. Dellums): For termination of exploitative activities of U.S. business concerns in the Republic of South Africa, South West Africa, Rhodesia and African territories under Portuguese control.

HEALTH

H.R. 11628 (Mr. Stuckey): To authorize grants and loans guarantees for construction and modernization of hospitals in the District of Columbia.

H.R. 11662. (Mr. Dellums): Increases the government's contribution to the costs of employee health benefit insurance programs.

SENIOR CITIZENS

H.R. 12328. (Mr. Dellums): To strengthen and improve the Older Americans Act of 1965.

H.R. 12329 (Mr. Dellums): To provide homemaking services for the elderly under the Vocational Education Act.

H.R. 12332 (Mr. Dellums): To allow an income tax credit for state and local real estate taxes for individuals over the age of 65.

PUBLIC LANDS

H.R. 6597 (Mr. Dellums): To strengthen the Federal Reclamations Act by enforcing the law's public interest provisions, by establishing a program of grants for public education financed by revenues from public water development and by creating a new authority to deal with environmental issues pertaining to public water development.

SOCIAL SECURITY

H.R. 11663 (Mr. Forsythe): To exempt ministers from coverage under the old age, survivors, and disability insurance program.

URBAN AFFAIRS

H.R. 11501 (Mr. Fauntroy): To establish a District of Columbia Development Bank.

WELFARE REFORM

H. Res. 1014 (Mr. Dellums): To assure that Food Stamp recipients do not suffer cutbacks under new Agriculture Department requirements.

THE NIXON ADMINISTRATION'S TESTIMONY ON HMO'S

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, on July 20, 1971, Dr. Merlin K. Duval, Jr., Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education, and Welfare, testified on S. 1182, the Nixon administration proposal for health maintenance organizations, before the Senate Committee on Labor and Public Welfare, Subcommittee on Health.

I include this important document in the CONGRESSIONAL RECORD at this point:

It is a pleasure for me to appear today in support of the "Health Maintenance Organization Assistance Act of 1971", embodied in S. 1182.

Health Maintenance Organizations constitute a key element in the President's health strategy, which he described in his health message to the Congress last February. By developing these organizations, the Administration seeks to stimulate important reforms in the distribution, effectiveness, and efficiency of health care. I believe that this bill, S. 1182, will be one of the most important health measures of the many your Committee will consider this session.

I should like to define what we mean by "Health Maintenance Organizations". First HMOs are organized systems for providing comprehensive health care. They are a means by which health manpower, health facilities and consumers can establish direct relationships which lead to convenient, efficient and effective health care. An HMO agrees ahead of time to provide services in a continuous fashion to each member thereby removing one of the frustrating problems of unorganized care—where patients have to find their way into and through a maze of specialized and unrelated services and facilities.

Second, members of Health Maintenance Organizations pay regular premiums in advance of any need for health care, which represents full payment for the member's care; there are no large deductibles or copayments which cause members to assume part of the risk of illness. This contrasts with the traditional methods of reimbursement for costs or charges after each service has been performed. Under the prepayment method, members pay a fixed amount, within which HMO's must operate, thus creating strong incentives for these organizations to do as their name implies—to maintain health, to prevent illness and progression of disability, and to uncover latent health conditions before they have advanced to the stage of great suffering and large cost to the patient as well as to the organization.

It is reasonable to expect that with this incentive, HMOs are most likely to immunize members' children, rather than have them contract a disease; to use the offices of its physicians and appropriate ambulatory care facilities, rather than the acute care hospital bed, when both are medically satisfactory; to substitute allied health manpower for the services of physicians whenever that is appropriate; and to substitute capital equipment for labor when that makes economic sense, all under a recognized obligation not to diminish the quality of care.

Let me add that prepayment does not force HMOs to reimburse their physicians or other providers of care by any particular method. They may, for example, pay some or all participating physicians on a salary basis. Or they may elect to reimburse physicians from the common pool on a fee-for-service or other basis. HMOs, moreover, are not limited to only one form or organization of medical practice. The HMO concept is based upon the same principles as the established prepaid group practice plans embodied in such groups as the Group Health Association in Washington, D.C., and the Kaiser Foundation Health Plans on the West Coast. There are now approximately 7 million persons enrolled in some 135 prepaid health plans of this type. However, organizations which use physicians practicing in an individual setting can be considered HMOs if the organization assumes the risk of physician and hospital services.

The experience of medical care foundations, sponsored by local medical societies, suggests that physicians practicing predominantly in individual practice can develop effective organizational relationships among themselves and with hospitals. There are now about 20 local medical care foundations, in various stages of operational functioning in six States, covering almost 1 million persons. The San Joaquin and Clackamus County plans are examples of such organizations.

The third element of our definition of HMOs concerns the membership. Unlike the traditional system, the HMO must formally enroll each member, thus establishing full responsibility for the member's care. It is essential that the enrollee have a choice of system for receiving care and that the financing mechanism not favor one delivery system over the other, as is the case with many health insurance proposals. This requires that the HMO have periodic open enrollments as well as disenrollment upon notice by the individual member. By requiring this freedom of choice, we place strong emphasis upon HMO responsiveness to individual needs of convenience, comfort and effective health maintenance.

Fourth, we expect HMOs to compete for members, not only with other HMOs in the area but with other modes of care. Our dis-

cussions with union and consumer representatives bolster our feeling that greater choice among HMOs as well as among alternative modes of care are greatly needed. At the same time, if HMOs are in fact a better mode of providing care as some believe, they should be forced to compete successfully for patients. In the past there has been no vehicle either for providers to compete for members or for consumers to make a rational judgment. The HMO is such a vehicle.

Finally, HMOs must be able to provide a comprehensive range of services. We have established four basic minimum requirements of comprehensive care: emergency care; in-patient hospital and physician care; out-patient physician care; and out-patient preventive medical services. As a result, it is somewhat unrealistic to expect HMOs to provide now more services than existing insurance plans cover. At the same time, we must anticipate a growing trend toward greater comprehensiveness of services.

In order to win the competition for consumers, HMOs will have strong incentives to offer additional health services and even complementary social services such as day care, transportation, outreach, and drug abuse treatment.

The definition of HMOs that I have given merely emphasizes the common elements of different organizations that currently provide good health care to satisfied beneficiaries and with a demonstrated efficiency that is difficult to achieve outside of such formal organization. Many HMO prototypes have been proving their effectiveness in meeting these objectives for many years. The incentives are not, therefore, hypothetical.

There is strong evidence that the frequency of hospital admission and lengths of stay for HMO members are lower than rates in the traditional system. Rates of elective surgery such as tonsillectomies are also lower. And some studies which compared prematurity and infant mortality rates between HMO-type plans and the traditional system have shown that the HMO has a more favorable experience. As you know, the difficulty of standardizing these comparisons makes absolute comparisons impossible.

Rather than prolong the discussion of performance statistics at this time, I shall refer you to the White Paper on our health policy, which was transmitted to the Congress in May.

Most of you who have examined carefully the problems associated with the provision of health care will generally agree that they fall into four or five categories: rising costs; maldistribution; lack of financial and geographical access; inefficiency; and personnel shortages. Furthermore, most of us, particularly the members of this Subcommittee, also agree that one of the key answers lies in developing organized systems of care. Whether HMOs, comprehensive health care organizations, comprehensive health service systems or ambulatory care centers, we have the same concept in mind.

For example, you, Senator Kennedy, have proposed the development and support of comprehensive health service organizations in your Health Security Act; Senator McIntyre has proposed, in his National Health Care Act, the expansion of the Nation's inventory of ambulatory care centers.

Senator Pell and Senator Mondale have proposed the establishment of area health services and health education corporations. Senator Javits would provide financial assistance and other incentives to develop "comprehensive health services systems." The "Health Rights Act" introduced by Senator Percy and Senator Scott would provide loans and grants for the development and construction of health maintenance organizations. The number of bills introduced in this Congress reflect a consensus on the need to encourage and support health maintenance type organizations to improve the delivery of health care.

In addition to this Congressional consensus, there has been a very gratifying response from the Nation generally, ince we first proposed the HMO concept in March of 1970. Literally hundreds of inquiries requesting information about HMOs and applications for assistance have been received.

The American Association of Medical Clinics reports that a large percentage of its 260 member clinics are anxious to explore the HMO concept; some such as Marshfield Clinic and Lovelace Clinic are in the process of developing HMOs right now. Three medical schools—Harvard, Yale and Johns Hopkins—are already sponsoring prepaid health plans, and 12 others such as Georgetown, George Washington and the University of Texas are actively engaged in planning HMOs.

Existing HMO-like plans such as Kaiser, Group Health Cooperative of Puget Sound and the Harvard Community Health Plan are expanding into new areas. Seven Blue Cross plans are sponsoring or supporting HMOs at this time, and an additional 13 are in various stages of planning.

The Group Health Association of America for several years has provided several communities with technical assistance in their efforts to start prepaid group practice plans. In addition, Blue Shield plans, commercial insurance companies, neighborhood health centers, hospitals, private industry, medical societies, and consumer cooperatives have all approached us for advice and assistance in developing HMOs under their sponsorship. With a small amount of funds made available through existing authorities in fiscal year 1971, we provided grants and contracts for some 50 organizations representative of these different interests in order to gain as wide a base of experience and expertise in HMO development as possible.

All things considered, this Administration is convinced that we need not be overly cautious or timid in encouraging the widespread development of HMOs. I would like to emphasize that HMOs are not designed to replace the existing system, but to provide the public with a reasonable, useful and less costly alternative emphasizing prevention.

Mr. Chairman this evidence of Congressional, professional, industrial and consumer consensus reassures us that we are moving in the right direction. I believe that the issue before us is not whether to develop HMOs, but how best to develop them. However, we must be careful not to underestimate the problems nor to overestimate the good effects of developing HMOs.

I would like to examine with you now the problems in getting HMOs started. I believe that your other witnesses will be able to speak in great detail about many of the problems we face in developing HMOs. However, the problems will generally fill into six areas:

First, HMOs are expensive to start and will require a large amount of capital. But, as I shall discuss shortly, the financial structure of the HMO is such that this capital need not be in the form of large amounts of equity or grant funds.

Based upon our discussions with successful HMOs, we estimate that it will require $100,000 to $500,000 to plan an HMO, depending upon the size and nature of the plan; the average cost we estimate at $250,000. It will require $1–2.5 million for many plans to get through the early start-up period in which member premiums do not cover the salaries and operating expenses of the health plan. Finally exclusive of hospital bed construction, HMOs will require up to $2.5 million in capital for health center rehabilitation or construction.

The second problem is the lack of management and technical expertise in HMO development and operation. There are few individuals with backgrounds in accounting, finance, marketing, law, and medicine all of which are involved in effective operation of HMOs. In addition, new HMOs are constrained by the limited technical assistance available to help in making multi-million dollar investment decisions and in assuming contractural liability for providing health care.

The third problem is the current unsuitability of Federal and private health payments to dual choice options with HMOs. Although most health insurance plans would make provision for paying HMOs, these proposals would generally not be effective until July 1973, even if passed this year. As a result, HMOs will continue to face the problem of converting Federal and private plans on an individual case-by-case basis.

Fourth, many consumers and physicians are relatively unaware of the advantages and disadvantages of HMO care. Without an adequate understanding, it will be difficult for them to make a choice based upon the merits of various modes of care.

The fifth problem lies in the general area of legal barriers. All states have some restrictions to HMO development which will need to be overcome, for example in the area of licensure or sponsorship. Twenty-one states have more restrictive laws which tend to require HMOs to operate under the Blue Shield laws or the insurance laws. Since HMOs operate in a different fashion than either, these laws make it difficult for HMOs to start.

Finally, new HMOs interested in using Federal assistance must relate to a variety of programs. For example, there are Federal programs which HMOs could draw upon for support in related activities such as manpower development, regional planning, or research. There are ten programs which pay for the health care of various Federal beneficiaries. This poses a difficult problem for HMOs interested in using more than one.

The Administration's health strategy is designed to deal with each of these problems. We have developed a series of both legislative and administrative steps to move quickly to develop HMOs. S. 1182, which we are considering today, is primarily directed at the problem of risk capital and building a technical assistance capability. The Health Maintenance Organization Assistance Act would authorize grants, contracts, loans and loan guarantees—a comprehensive and flexible package of support to help cover the costs of planning, initial operations, and construction. The direct grants, contracts, and loans will assist those who have limited access to private capital, while the Federal loans guarantee will assist those who have access to private capital, but find that lenders are reluctant to undertake the risks. In all instances, high priority would be assigned to HMOs intending to serve medically underserved areas or populations. Direct operating loans, grants and contracts would go solely to those areas. This new authority will add extensive scope, emphasis and flexibility to the activities we have already begun, under existing authorities, to build expertise and experience in the planning and organization of HMOs. Furthermore, it is our hope that the management expertise of responsible segments of the private sector will be attracted by the HMO concept.

In order to make health insurance suitable to HMO options, the Administration has proposed, and the Senate is now considering, legislation that offers those covered the option of having their health insurance premiums pay for membership in HMOs. In H.R. 1, the Social Security Amendments recently passed by the House, the HMO option would be extended to medicare beneficiaries. In S. 1623 the National Health Insurance Partnership Act, an HMO option is an integral feature of both the National Health Insurance Standards Act and the Family Health Insurance plan. I might add that some private insurance companies are moving now to provide dual choice to their

consumers, as are many State Medicaid Agencies.

In addressing the fourth problem, we are making every effort, and will continue to do so, to ensure that the people of this Nation are well informed about the choices available to them.

Our strategy is to encourage existing HMOs to expand the HMO option to broader income and geographical segments, and new HMOs to consider the full spectrum right from the start.

With regard to the problem of restrictive State laws, S. 1623 proposes to override inhibiting State laws affecting prepaid group practices by invoking the supremacy clause of the Federal Constitution for those practices which meet our requirements.

Finally, we are making every effort to handle administratively the problems created for HMOs because they have to deal with several suitable programs. The joint funding authority of the HMO Act would also help to simplify this task.

The HMO Assistance Act requests such appropriations as may be necessary for a period through June 30, 1976. When the bill is enacted, I intend to request a budget supplemental appropriation for Fiscal Year 1972 of $38 million of which $16 million will be for planning grants and contracts for initial operations of HMOs in medically underserved areas and $4 million for loans to public institutions. This request will also seek authority to guarantee loans not exceeded $300 million in total. These core funds will be supplemented by funds which we are already using for HMO development from other authorities, such as the Partnership for Health Program and the Health Services Research and Development program. With these amounts, we believe we can reasonably program approximately 60 new HMOs in the planning stages, and an additional 50 HMOs in the beginning operational phases during fiscal year 1972. However, our estimates are necessarily uncertain.

At this point I wish to explain why we need this particular legislation now.

First: The proposed Act contains a unique combination of financial devices with which to support HMOs of both public and private sponsorship. It combines direct funding through grants, contracts, and loans and indirect funding through loan guarantees, allowing the potential organizer of an HMO meeting the requirements of the Act to select the financial device most appropriate to his requirements for investment capital. No existing program authorities have this range of choice. Moreover, these devices alone, or in combination, can be used to support the planning phases and cover initial operating deficits, as well as support the construction of ambulatory care facilities. Existing authorities are not as flexible in allowing this range of support.

Second: The utility of HMOs for certain critical health care situations—as in economically deprived or medical scarcity areas—has not been fully realized. The HMO Assistance Act would hopefully provide the incentive needed to attract them into scarcity areas. The legislation, we have proposed, requires us to assign the high priority to HMOs in medically underserved areas. We do not, intend, however, to perpetuate two systems of health care. We also propose, in this Act, that the HMO option be extended to Indian populations, whose only recourse at this time may be a distant Indian Health Service facility.

Third: HMOs are difficult and time-consuming to start. If we expect our health delivery system to respond to the increase in demand of a National health insurance plan effective in 1973, we must begin *now* to build more organized options for providers.

Fourth: We seek to encourage efficiency in the use of Federal funds as well as in the use of existing resources. We have proposed in this legislation that we be given authority for the joint funding of projects. This authority would permit us to relate various programs, now supported under separate authorities, to HMO development. Community mental health centers, children and youth centers, OEO Neighborhood Health Centers and HUD grants for group practice facilities, and migrant health projects are but a few of fragmented efforts that could be brought together with this authority, giving order and sense to community health services.

We propose, further, that comprehensive health planning bodies review and comment on all applications for support of HMO development. I should note that while we want to encourage competition among HMOs and between HMOs and other forms of health care, health care resources are much too costly to warrant unnecessary duplication of effort.

Fifth: Finally, the level of interest in HMO development on the part of consumers and providers is increasing as a result of the emphasis during the past year. If we are to take advantage of this private initiative and maintain this momentum, it will be necessary to report a bill with the basic authorities of S. 1182. Furthermore, such a bill will sharpen the emphasis upon reform which we are trying to achieve in the delivery of health care.

This summarizes our position on the need and utility of Health Maintenance Organizations.

With the current high level of activity and interest in HMOs, Mr. Chairman, I think your hearings on this Act will prove of tremendous National interest.

While we must be careful not to underestimate the problems nor to overestimate the good effects of developing HMOs, we believe that HMOs will lead to improvements in the organization and delivery of health services, and encourage a desirable diversity and competition in the provision of health care. They do provide alternatives for the individual patient who otherwise must find his own way into and through the various levels of health care. And they provide a reasonable means for uniting the economic concerns of providers and the health interests of consumers.

For all these reasons, I urge your favorable consideration and speedy enactment of S. 1182.

GOVERNMENT AND INDUSTRY PROGRAMS TO COMBAT $1½ BILLION CARGO THIEVERY LOSSES

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. BIBLE. Mr. President, as calendar year 1971 draws toward a close, I believe it is appropriate that I make another of my periodic reports to the Senate, the Congress, and the American transport-shipper communities about efforts of the Government and the transportation industry to combat the crisis posed by the theft, pilferage, and hijacking of an estimated $1½ billion dollars in cargo shipments from truck, air, rail, and maritime carriers, last year—the biggest multi-billion-dollar racket nationally today.

The best estimates showed that for 1970 truck theft and hijacking led the crime list at $900 million, air cargo losses were $110 million, with some insurance executives saying that figure should be higher; maritime shipping at $210 million and railroad cargo thievery at $250 million.

Even though the thieves may have a good headstart so far, we believe it can be accurately said that progress is being made in dealing with that enemy. Not only is the carrier industry becoming more alerted to its responsibilities, but similarly, the Federal Government is trying to help coordinate a broad-scale campaign. But, there is a long road ahead to win this fight.

Two and one-half years ago when the Senate Small Business Committee, of which I serve as chairman, began investigatory hearings into the cargo theft problem, there was very little interest on the part of most carriers, the Government or almost anyone else except the small shipper suffering skyrocketing losses, some insurance companies who were being driven to the wall, and some carriers whose losses were canceling out their required insurance coverage.

Today, fortunately we believe that situation is changing. The Department of Transportation which showed no affirmative interest in 1969 and was severely criticized for its "rhetoric, vacillation, and negative attitude" by the Senate Appropriations Committee and the Senate Small Business Committee, is now marshaling an intensive effort to come to grips with the cargo crime crisis, headed by Gen. Benjamin O. Davis, Jr., Assistant Secretary of Transportation for Safety and Consumer Affairs.

To his great credit, Secretary of Transportation John Volpe last June called a 4-day cargo crime conference in Washington, marking the first time that a Federal agency or industry had really zeroed in on a broad effort to delineate the limits of the problem, to determine roles and responsibilities and to take an affirmative first step in exploring methods to deal with it.

Secretary Volpe announced before the conference: First, the organization of a Transportation Security Office within his Department to be headed by Richard A. Lally, a veteran Federal Bureau of Investigation agent, under General Davis' overall supervision; and second, the organization of an Intergovernmental Task Force under the President's direct authorization to seek out ways and means for all executive agencies of the Federal Government to assist air, truck, maritime, and rail carriers to curb growing cargo thievery in cooperation with State and local authorities.

The Department of Transportation has put together a 12-point Federal program including physical security measures and pilot security projects. Secretary Volpe has requested every Governor to designate a member of his personal staff to work with Federal and local organizations to push the program and to ascertain if State funding for such purposes can be secured through Law Enforcement Assistance Administration funding from the Department of Justice.

Likewise, the Department of Justice in a letter by Deputy Attorney General Richard Kleindienst to all U.S. attorneys, urged the prosecutors to give particular attention to cargo crime areas.

Additionally, the Transportation Association of America, directed by its president, Harold Hammond, and representing most major carriers and shippers, announced the formation of a transportation cargo security council made up of carrier, labor, insurance, shipper, and associated private industry organizations and manufacturers to assist in the Federal-State efforts.

In letters from Council Chairman Harold Hammond, on November 17, all 50 State Governors were asked to recognize the severity of the problem and to seek Federal funding for cargo security programs locally.

Also in the private sector, the American Trucking Associations' security arm, the Trucking Industry Committee on Theft and Hijacking, continued to step up its activities begun back in 1968 and 1969 and headed by James Fernan, a former FBI agent, as its director.

Unquestionably, the cargo transport industry today is plagued with losses never thought possible a few short years ago. As an example, hijackings of entire truck or trailer loads of cargo are on the increase, especially in the Boston to Miami corridor, with some $17.3 million worth of goods stolen in 318 hijackings in New York City alone last year and on the increase this year.

As another effort to meet this challenge, a number of southeastern trucking and insurance companies organized the National Truck Theft Association several months ago in Jacksonville, Fla., to focus attention and work out methods to deal more effectively with the hijack and truck theft problem and headed by R. J. Brauns of Indianapolis, Ind.

Still another effort in progress is my bill, S. 942, passed by the Senate in September and now before the House Interstate and Foreign Commerce Committee. It would establish a presidentially appointed Commission on the Security and Safety of Cargo, with 10 members drawn from truck, air, water, and rail carriers, cargo labor unions, shippers, import-export concerns, and the President's Cabinet. It provides for an indepth 2-year examination of methods to improve security in our entire carrier system, with an interim report after 1 year.

In addition to the study aspect, the bill would authorize the Secretary of Transportation to establish Federal security standards at all airports, seaports, and other commerce-associated areas after the Commission concludes its work. It would require development of crime prevention measures. A Commission report would be made to the President and the Congress preliminary in 1 year and final recommendations in 2 years. We realize there are no overnight, magic, or simple remedial measures to eliminate cargo theft and hijacking but we believe our legislation offers the broadest, most coordinated, concrete, partnership-type proposal yet suggested to face up to the problem that is not getting smaller.

In conclusion, I commend to my colleagues' attention the following documents which I include to elaborate on my remarks: First, an Associated Press news article outlining the truck theft-hijacking problem nationally; second, a letter from Secretary of Transportation John Volpe outlining the activities of his Department to build a theft deterrent program to assist the Nation's transportation system, including an outline of its 12-point cargo security program, a press release on the subject, and a copy of Secretary Volpe's letter to the 50 Governors; and third, a copy of Transportation Cargo Security Council Chairman Harold M. Hammond's letter to all 50 State Governors.

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

NEW TYPE OF HIGHWAYMEN TAKE TO AMERICA'S ROADS

PHILADELPHIA.—John Couts had been driving trucks most of his life and was used to the boredom of the traffic jam.

As his rig left a ramp of the Schuylkill Expressway near Philadelphia, something happened to relieve the boredom.

A man with a revolver jumped in beside him and said, "Don't get funny, Johnny." He didn't. He allowed himself to be bound and blindfolded and thrown in the back of the truck.

About fifteen minutes later two men opened the truck's back door. They unloaded the cargo—$135,000 worth of men's suits—and took Couts' wallet, which contained $122.

Couts never saw the suits or his money again.

James Neal, a 30-year-old Manhattan truck driver was stopped at a traffic light in downtown New York recently when two men approached him and asked for the time.

When he looked up from his watch, he was staring down the barrel of a pistol.

Police later found him handcuffed to a chain link fence in a deserted area of the borough of Queens. His truck and $40,000 worth of cloth on its way to Manhattan's garment district from Connecticut, never made it.

NOT INJURED

Neither Couts nor Neal was injured—most victims of hijackings aren't—but both will vouch for the fact that driving a truck can be a dangerous business.

What has become a dangerous business for the truck driver has become good business for the American criminal.

Claude M. Hamrick, counsel for the McLean Trucking Co., thinks "the underworld has found hijacking relatively safe and lucrative compared with bank robberies."

Available statistics bear him out.

Last year, according to some estimates, the take from the hijacking and theft of trucks was more than 100 times the $8 million the FBI says was stolen from banks in 1969, the latest year for which bank figures are available.

The FBI estimates the average take from a bank robbery is $4,500. The agency does not keep similar figures on truck theft and hijacking, but one private survey places the average take at $34,500 in goods.

Reflecting the entrepreneurial expertise of the legitimate businessman upon whom he feeds, the hijacker has brought a degree of sophistication to his field. Many of the fiscal laws which dictate legitimate business—such as that of supply and demand—apply to hijackers too.

During the recent copper strike, at one hijacking of a truckload of copper tubing was reported. Easter clothes are hijacked in the spring, appliances just prior to Mother's Day, and trucks hauling liquor are in special danger around Christmas.

But the field is a wide one, and some of the most unlikely items are hijacked. In April, a $20,000 load of mushrooms was hijacked near West Chester, Pa.

In the same month, hijackers helped themselves to $75,000 worth of hams at Elizabeth, N.J., and $50,000 in magazines in Hoboken, N.J.

FROZEN FISH

Last year, a truck containing $7,500 in frozen fish was stolen near Haddonfield, N.J., and in Philadelphia an American Diaper Service truck containing 9,000 diapers estimated to be worth $2,000 as diapers and $150 as rags was stolen on the street.

APA Transport, one of the larger carriers on the Eastern Seaboard, recently discovered the telephone line into its Scranton, Pa., terminal was tapped. Mark Lawless, chief of security for APA, believes the tap was installed by hijackers so they could keep track of "high yield" shipments.

"Fortunately we discovered it a few weeks after it was installed," Lawless said. "They could have killed us."

But, Lawless concedes, the hijacker need not resort to a phone tap to keep track of the movement of goods.

"If we employed nothing but moonlighting seminarians, the hijacker would have a hard time figuring out what was going where, but they always manage to pick up the expensive loads—the typewriters, the TV sets and so on."

"It's a people problem," says another trucking industry source. "When people break down, your security system breaks down. Organized crime moves in around the terminals and they get the drivers involved in loansharking activities, for instance.

"One day a driver can't make a payment, so the syndicate says 'just keep us informed on what moves when.'"

"Organized crime has got to be behind most of it," a source says. "There is the problem of having to 'fence' the goods once they're stolen, and since so few of the goods are recovered after they are stolen, it appears the fences are effective. Setting up a fence is an elaborate procedure, something beyond the capability of the average amateur."

Sen. Alan Bible, D-Nev., chairman of the Senate Select Committee on Small Business, which began investigating cargo losses in 1969, estimates $900 million was directly lost last year through the theft and hijacking of trucks.

Bible's committee estimates that only $110 million was lost last year through theft of air cargo.

Theft of rail cargo amounted to $250 million and $210 million was lost through theft of maritime shipments, Bible's committee estimates.

The $900 million, Bible points out, is only part of the loss to the national economy.

INDIRECT COSTS

"The ATA (American Trucking Association) told our committee . . . that for every dollar of direct loss, it costs motor freight from $2 to $5 in indirect costs in processing claims, paper work, and manpower," Bible said recently. "If we add the direct dollar theft loss, the carrier's indirect cost of $2 to $5 and the shipper's indirect cost of $5 to $7, we may be talking of cost to the national economy approaching $8 billion to $10 billion annually.

"It is the consumer," Bible said, "who pays for these direct and indirect losses."

The FBI and the major carrier insurance companies pinpoint New York City area as the area of greatest hijacking activity.

"In the past five years, going through 1970, the percentage of claims we have paid on major crimes and hijackings in the New York area have increased certainly 300 per cent, and I'm inclined to think maybe over 500 per cent," said Robert Begeman, vice president of loss prevention of the Transport Insurance Co., of Dallas, Texas.

Five years ago, Begeman said, hijackings hardly affected the motor carrier insurance business. "It started increasing in 1967, and in 1968 it really started getting bad," he said.

The cost to the carrier insurance, Begeman

said, has been staggering, and some of it has been passed on to the carriers and shippers.

Begeman said that until two years ago terminal thefts outweighed hijackings, but "in the last two years we have seen a flipflop in hijacking versus terminal thefts. The reason for this," he said, "is that the trucking industry as a whole has improved its terminal security to a point that it is easier to steal on the street or hijack it than it is to take it from the terminal."

FIRST PINCH

Chester H. Smith, general counsel to Sen. Bible's committee said small business is feeling the pinch first, and some bankruptcies have resulted directly from truck theft and hijacking.

"One insurance company which reported only two bankruptcies of motor carriers over 30 years, recently revealed that five trucking firms went broke (as a result of hijacking and theft) in 1970 alone," Smith said.

"The trucking industry," Smith said, "has been hiding it (the hijacking problem) under the table, and now the noose is so tight around their necks, they can't move."

Fred A. Harger, of Pilot Freight Carriers, one of the largest trucking firms in the nation, agrees.

"We do a hell of a lot of talking but see damn little action."

What disturbed him most, Harger said, was the trucking industry's attitude. Instead of being concerned over losses, he said, most carriers push the responsibility off on their insurance company.

"The hell with it. I'm insured. Let the insurance company worry about it. That's the general attitude that scares me," Harger said.

Recently, sources say, a new cost has been added to truck hijacking. Until about two years ago, hijackers usually abandoned stolen rigs after the goods were taken from it. Now they are beginning to keep the trucks.

Detective Henry Watson of the Florida Highway Patrol says hundreds of stolen rigs currently are being operated throughout the country.

"It isn't difficult for a thief to make a few basic modifications to a Broadway and turn it into a Mack, or a White into an International," he said. "So while police are looking for a carrier's stolen Broadway, the thief is operating under our noses in a tractor that has been repainted and modified to look like a Mack."

SUGGESTIONS MADE

An Associated Press survey of carrier security officers produced the following suggestions which most security officers felt could cut the incidence of hijacking and theft.

Do away with advertising on freight cartons and tractor-trailers. "These guys love to advertise," one said, "and this kills us. The hijacker would have a much harder time isolating the valuable shipments if they were unmarked."

Establish some form of central screening system for trucking company employes. "A driver can be fired for stealing from one company and get a job with another carrier in the same day," said another.

Prosecute more vigorously employes found to be stealing or aiding hijackers. "Too many of the companies are willing to buy the loss because they don't want trouble with the union, and because it takes too much time and trouble."

Requirement by the government of stronger security measures.

Stronger court action against hijackers and truck thieves. "Two men recently were brought into court on charges of stealing a truck and its cargo, together worth about $250,000," one officer said, "They were freed on $1,000 bail. In the same court a woman who was charged with shop-lifting and was picked up with $12 in her pocket was held in lieu of the same amount of bail—$1,0000.

Some action aimed at stopping hijacking and theft is being taken in Congress.

Sen. Bible introduced a bill under which "persons who steal, sell, or have stolen interstate cargo in their possession would face civil suits in federal court for treble damages."

"If the fences and shady merchants who buy this vast variety of stolen goods are hit in their pocketbooks, this should substantially help in drying up the hot cargo market," Bible said.

Another bill being sponsored by Bible would establish a Special Cargo Security Commission.

Most transport security officers are aware of these attempts to stop the problem which plagues them daily, and are thankful for them. But, as one said, "Hijacking and theft will never completely stop. Those guys are always a step ahead. You plug one hole, and they open another.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., October 23, 1971.

Hon. ALAN BIBLE,
Chairman, Select Committee on Small Business, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, in June of this year I accepted a new responsibility for this Department to lead an all-out effort by the Federal Government to attack the serious national problem of theft and pilferage of cargo in all modes of transportation. My decision to accept this responsibility stemmed from the investigative work, the hearings, and the encouragement of your Committee. It is therefore appropriate that I advise you of the actions taken over the past four months toward our common objective to build an effective theft deterrent program throughout the Nation's transportation system.

JOINT CONFERENCE ON CARGO SECURITY—JUNE 17–18 AND JULY 6–7, 1971

At this highly successful four-day Conference, top officials of Government, Congress and the private sector reviewed, discussed and documented ideas and recommendations for combating the cargo theft problem. It was the starting point for joint action to correct the problem. I commend you and your Committee for printing the proceedings of the Conference which are now available as Part 4 of the Committee's report entitled, "Impact of Crime on Small Business—1970–71."

The Transportation Association of America and the Department of Transportation will jointly sponsor a follow-on National Cargo Security Conference in 1972. It has already been scheduled for June 20–21 in Washington, D.C.

INTERAGENCY COMMITTEE ON TRANSPORTATION SECURITY

My letter of June 11, 1971, to the heads of Federal Departments and agencies concerned with the cargo theft problem, announced DOT sponsorship of the Interagency Committee which is chaired by General Benjamin O. Davis, Jr., my Assistant Secretary for Safety and Consumer Affairs.

Membership on the Committee now includes representatives of the Departments of Transportation, State, Treasury, Justice, Commerce, Defense and Labor, the General Services and Small Business Administrations, the Postal Service, the Federal Maritime, Interstate Commerce and Atomic Energy Commissions and the Civil Aeronautics Board.

The Committee met on June 23, July 27, August 27 and October 1. The next meeting of the Committee is scheduled for November 2. I want to stress that the Committee is not a study group—it is a Federal Task Force for the coordination of actions for the total Federal effort in combating crime in transportation.

TRANSPORTATION INDUSTRY CARGO SECURITY COUNCIL

Industry, recognizing the need for a forum and a voice in this new Federal effort, established on August 12, a Transportation Industry Cargo Security Council under the sponsorship of the Transportation Association of America, to work with us toward a common goal. Representation on the Council includes the carriers, shippers, freight forwarders, insurers and labor organizations. The next meeting of the Council is scheduled for November 4. Thus, two competent bodies are now established and are working together to solve a serious national problem—the Transportation Industry Cargo Security Council representing the private sector, and the Interagency Committee on Transportation Security representing the executive branch of the Federal Government.

DOT'S NEW OFFICE OF TRANSPORTATION SECURITY

Our Office of Transportation Security was created during June 1971 with responsibility for executing DOT's new role of Federal leadership for the protection and safety of passengers and cargo in the transportation system. The new office has four major elements: an Office of the Director responsible for overall program coordination and management; a Civil Aviation Security Division responsible for both ground and air security of aircraft and passengers; a Cargo Security Division responsible for the secure shipment of cargo in the transportation system; and a Program Development Division which will concentrate on the development of systems and procedures for assuring the application of the most modern technology possible in solving these problems.

FEDERAL CARGO SECURITY PROGRAM

The Department of Transportation, working very closely with the Interagency Committee and the Transportation Industry Cargo Security Council has developed a 12 part Cargo Security Program. It is intended that the Program be dynamic and viable. Changes are expected as new ideas and requirements are recognized on the basis of experience gained. (A copy of the Cargo Security Program is enclosed.)

PROGRAM LEADERSHIP RESPONSIBILITY

Responsibility for carrying out each of the 12 program objectives has been assigned to a specific individual best suited for the task in the belief that they way to get the job done is personal involvement and commitment by top flight people rather than a more general assignment to a department or agency. Six of the leadership assignments have been made to DOT officials and the other six have been accepted by key officials in the General Services and Small Business Administrations, the Departments of Treasury, Justice and Commerce and the Postal Service. DOT's Office of Transportation Security participates with and provides support for each program leader which further enhances close coordination between the 12 program areas.

NEW CARGO SECURITY MISSIONS WITHIN DOT

Last month I requested the major operating administrations of DOT—Aviation, Highway, Railroad and the U.S. Coast Guard, to incorporate cargo security within their established safety inspection responsibilities. Initial security surveys have already been conducted and more are scheduled. The results will constitute the basis for an ongoing DOT Cargo Security Program encompassing all modes of transportation. A good example of this type of activity is an action taken by the U.S. Coast Guard on October 12, 1971, directing District Commanders to implement immediately a surveillance and reporting program by all elements of the Coast Guard for increased protection of marine cargo against theft, especially during the period of the current work stoppage at certain ports.

DRAFT CARGO SECURITY GUIDELINES

Some 1,500 copies of the draft "Guidelines" were distributed throughout Government and industry since August 9, 1971, for review and comments. Over 50 sets of comments have been received—many are excellent and will contribute to a better document. Final publication is expected during January 1972.

CARGO LOSS REPORTING SYSTEMS

The consensus at the Joint Cargo Security Conference was that a meaningful and accurate cargo loss reporting system is necessary as one of the first steps in planning and developing a long term solution to the cargo theft problem. DOT has contracted with a commercial firm to design such a system so as to have a preliminary readout by January 1972 with a more detailed loss report for all carrier modes by June 30, 1972.

DEMONSTRATION PROJECTS

The Office of Transportation Security has identified and is now preparing to implement several projects for testing and measuring the effectiveness of security procedures and equipment which include: a model security program for a New Jersey pier; a device for railcars to detect and alert in the event of tampering or break-in; a locator radio beacon for hijacked trucks; and a simple locking device for railroad cars. The pilot projects will be a joint cooperative effort by the Federal Government and the private sector and will include participation by local and State law enforcement organizations as appropriate.

STATE AND LOCAL INVOLVEMENT IN CARGO SECURITY

On October 22, 1971, I signed a letter to each Governor of the 50 States enclosing and commending for his personal review, the report of the Proceedings of the Joint Cargo Security Conference. This letter urged the Governors to take a personal interest in the Cargo Security Program and suggested that a proportionate share of Law Enforcement Assistance Administration (LEAA) funding granted to his State be utilized for support of the program. I also asked the Governors to designate an official within their State to serve as a coordinator and point for liaison on cargo security matters.

MANUAL ON INVOLVEMENT OF ORGANIZED CRIME IN CARGO THEFT

The LEAA has provided funds to DOT to write and publish a handbook for managers and corporate executives on the relationship of organized crime to cargo theft. Some 30 proposals have been received from commercial firms for the preparation of this manual, which are now being evaluated by DOT. Publication is expected in January 1972.

Mr. Chairman, the wave that you and your Committee generated has gained considerable momentum during the past four months. This momentum will increase and expand as the Cargo Security Program moves out from Washington, D.C., to the States, cities and communities. The first year of the Program, in my view, will see much hard work for all the people involved in the effort to overcome inertia and complacency and establish a new attitude of security awareness.

I will not attempt to predict what will be reported at next year's National Cargo Security Conference. I am optimistic, however, that we will hear how specific theft deterrent measures are producing meaningful results, which collectively hold the answer to the cargo theft problem.

I am looking forward to your continuing support and participation at the National Cargo Security Conference next June.

Sincerely,

JOHN VOLPE.

CARGO SECURITY PROGRAM

As approved by the Interagency Committee on Transportation Security this date, the Cargo Security Program encompasses the following twelve items:

1. Cargo loss reporting.
2. Cargo accountability and documentation.
3. Packaging, labeling, containers, and seals.
4. Carrier liability, insurance, and loss claims.
5. Physical and procedural security measures.
6. Personnel security measures.
7. Coordination of Federal programs.
8. Coordination of State and local government programs.
9. Law enforcement and criminal prosecution.
10. Pilot projects.
11. Security research and dissemination of technical data.
12. Shipper and consumer activities.

NEWS RELEASE, DEPARTMENT OF TRANSPORTATION

Secretary of Transportation John A. Volpe today called on the governors of all 50 States to join the Federal Government and the transportation industry in a coordinated "get tough" program to combat the alarming rise in cargo theft and pilferage.

Noting that the loss resulting from such thefts amounted to an estimated $1.5 billion in 1970, Secretary Volpe declared that "the general public suffers because such losses are passed directly on to the public through increased prices."

In a personal letter to all the governors, the Secretary asked them for their "support and personal involvement as a team member." He pointed out that a 12-point Cargo Security Program already has been developed, approved and coordinated by the Federal Government, the transportation industry and labor organizations but lacks State and local participation.

As a means of implementing the Cargo Security Program, Secretary Volpe urged the governors earmark for this purpose a proportionate share of Federal grant funds made available to the States by the Law Enforcement Assistance Administration (LEAA). LEAA, an agency of the Department of Justice, has some $600 million it can grant in Fiscal Year 1972 to strengthen State and local law enforcement systems.

Enclosed with the letter is a report of the proceedings of the Joint Conference on Cargo Security which convened in Washington, D.C., last summer. This report (*), "Impact of Crime on Small Business—1970–71," is a compilation of the best ideas and recommendations of top officials of Government, Congress, industry and labor on the cargo theft problem.

Secretary Volpe urged the governors to appoint a senior official for continuous liaison with the Department's new Office of Transportation Security, which reports directly to Benjamin O. Davis, Jr., Assistant Secretary of Transportation for Safety and Consumer Affairs. This contact, the Secretary pointed out, is essential as the program moves from Washington, D.C., out to the States, cities and communities.

The governors were told that new cargo security measures and activities will appear soon throughout the country. He noted that the four major operating agencies in the Department of Transportation—Aviation, Highway and Railroad Administrations as well as the Coast Guard—will be incorporating cargo security with their established safety inspection responsibilities. He added that the Treasury Department's Bureau of Customs already has tightened its procedures to provide increased protection for international cargoes and now is expanding this program to the limits of its resources and authority.

"This is the start toward the objective to build an effective theft deterrent program throughout the nation's transportation system," Secretary Volpe declared in his letter. "New regulations and laws will be considered only where voluntary efforts fail to protect the public from the increasing diversion of private and national resources to thieves and organized crime."

LETTER ADDRESSED TO 50 STATE GOVERNORS BY SECRETARY OF TRANSPORTATION JOHN VOLPE

DEAR GOVERNOR: On June 17 of this year I accepted a new responsibility for this Department to lead an all out effort by the Federal Government to attack the serious national problem of theft and pilferage of cargo in all modes of transportation. The enclosed report of the Joint Conference on Cargo Security, where I announced my acceptance of this responsibility, contains the ideas and recommendations of top officials of the Federal Government, Congress and the private sector on the cargo theft problem. I commend this report for your personal review.

Under the direction of my Assistant Secretary for Safety and Consumer Affairs, Benjamin O. Davis, Jr., a joint plan of action has been developed and coordinated with other concerned Federal Departments, the transportation industry and labor organizations. A copy of this plan, which is entitled, "Cargo Security Program," is also enclosed. I am now seeking your support and personal involvement as a team member having a specific area of concern within your State, cities and communities.

New cargo security measures and activities will soon appear throughout the Nation. Last month I requested the major Operating Administrations of this Department—Aviation, Highway, Railroad and the U.S. Coast Guard, to incorporate cargo security with their established safety inspection responsibilities. The Department of Treasury through its Bureau of Customs has already tightened its procedures to provide increased protection for international cargoes and is now expanding this program to the limits of their resources and authority. This is the start toward the objective to build an effective theft deterrent program throughout the Nation's transportation system. This program will be based upon the principles of self-help, common sense and commercial incentives. New regulations and laws will be considered only where the voluntary efforts fail to protect the public from the increasing diversion of private and national resources to thieves and organized crime. Such losses, which in 1970 have been estimated at $1.5 billion, are passed directly on to the public through increased prices. Thus, cargo theft contributes to a double jeopardy—inflation and the support for organized crime.

Please note in particular Items 8 and 9 of the Cargo Security Program involving State and local governments and the criminal justice system. The Department of Justice through its Law Enforcement Assistance Administration (LEAA) is making available some $600 million in FY–1972 to strengthen State and local law enforcement systems. Most of the LEAA funds are made available to the States in block grants, with their expenditure within the States determined by a State Planning Commission appointed by the Governor. I urge that a proportionate share of these funds be utilized for support of the Cargo Security Program.

In addition to your personal support, I will appreciate being advised of your representative with whom contact may be established on a routine basis by my Office of Transportation Security. I recommend that he be a senior level official with a direct reporting responsibility to you.

I shall look forward to hearing from you.
Sincerely,

JOHN VOLPE,
Secretary of Transportation.

LETTER ADDRESSED TO 50 STATE GOVERNORS BY TRANSPORTATION CARGO SECURITY COUNCIL CHAIRMAN HAROLD M. HAMMOND

DEAR GOVERNOR: In a letter of October 22, 1971, Secretary of Transportation John A. Volpe appealed to you and all other state governors for your support and personal involvement in efforts to deal with the serious national problem of theft and pilferage of cargo which is estimated to have cost the American public $1.5 billion in 1970. In that connection, Secretary Volpe urged that a proportionate share of the $600 million available through the Department of Justice's Law Enforcement Assistance Administration (LEAA) be utilized for support of the cargo security program.

I am writing you on behalf of the Transportation Cargo Security Council to express strong support of Secretary Volpe's appeal and earnestly urge your favorable and early response to his request.

The Transportation Cargo Security Council was established last August following a four-day conference jointly sponsored by DOT and the Transportation Association of America in recognition of the severity of the cargo security problem and the absolute necessity of industry's and labor's active participation in on-going programs if meaningful progress is to be made. Membership of the Council is comprised of representatives of carriers, shippers, insurers, importers and labor organizations. The Council is now working closely with the Federal Government's Interagency Committee, composed of 13 Federal departments and agencies, in developing effective methods for implementing a 12-point cargo security program, a copy of which Secretary Volpe sent to you with his letter of October 22.

The industry groups and labor unions represented on the Council, through their state associations and local organizations, stand ready to assist and cooperate in every way possible with you and your designated representative in this vitally important program.

We would appreciate being advised of the name of your representative in this area for future routine liaison purposes.

You may be interested in the enclosed press release issued in connection with the Council's meeting of November 4, 1971.

Sincerely,

HAROLD HAMMOND,
Chairman,
Transportation Cargo Security Council.

TEXT OF S. 1182, THE NIXON ADMINISTRATION HMO PROPOSAL

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, on March 10, 1971, Senator JAVITS, with several of his colleagues, introduced the administration's Health Maintenance Assistance Act of 1971. The bill—S. 1182—was the subject of remarks made by Senator JAVITS on that date, but unhappily, the text of that bill was not printed in the RECORD. It is an important document, and I include it in the RECORD at this point:

S. 1182

A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Health Maintenance Organization Assistance Act of 1971".

AMENDMENTS TO PUBLIC HEALTH SERVICE ACT

SEC. 2. (a) Section 1 of the Public Health Service Act is amended by striking out "Titles I to X" and inserting in lieu thereof "Titles I to XI".

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title XI (as in effect prior to the enactment of this Act) as title XII and by renumbering sections 1101 through 1114 (as in effect prior to the enactment of this Act), and references thereto, as sections 1201 through 1214, respectively.

(c) The Public Health Service Act (42 U.S.C., ch. 6A) is further amended by adding after title X the following new title:

"TITLE XI—ASSISTANCE TO HEALTH MAINTENANCE ORGANIZATIONS

"CONGRESSIONAL FINDINGS

"SEC. 1100. (a) The Congress finds that—

"(1) the medical care system is not organized in a manner which encourages the provisions of medical care at reasonable costs,

"(2) the medical care system is oriented toward providing care once a health need has occurred rather than toward providing health maintenance and preventative health services, and

"(3) there is a serious maldistribution of medical care resources which has resulted in inadequate access to medical care in both inner city and rural areas.

"(b) The purpose of this title is to assist in remedying these deficiencies through encouraging the establishment and utilization of health maintenance organizations, particularly in medically underserved areas. This purpose is to be accomplished through grants, contracts, loans, and loan guarantees to encourage the establishment and expansion of health maintenance organizations.

"DEFINITIONS

"SEC. 1101. For the purposes of this title—

"(1) (and for purposes of title VII) the term 'health maintenance organization' means a public or private organization which—

"(A) provides, either directly or through arrangements with others, health services to individuals enrolled with such organizations on a per capita prepayment basis:

"(B) provides, either directly, or through arrangements with others and through institutions, entities, and persons meeting the applicable requirements of section 1861 of the Social Security Act, all those health services which a defined population might reasonably require in order to be maintained in good health, including as a minimum emergency care, inpatient hospital and physican care, ambulatory physician care, and outpatient preventive medical services;

"(C) provides physicians' services (i) directly through physicians who are either employees or partners of such organization, or (ii) under arrangements with one or more groups of physicians (organized on a group practice or individual practice basis) under which each such group is reimbursed for its services primarily on the basis of an aggregate fixed sum or on a per capita basis, regardless of whether the individual physician members of any such group are paid on a fee-for-service or other basis;

"(D) demonstrates to the satisfaction of the Secretary proof of financial responsibility and proof of capability to provide comprehensive health care services, including institutional services, efficiently, effectively, and economically;

"(E) has arrangements for assuring that the health services required by its members are received promptly and appropriately and that the services which are received meet quality standards which it establishes in accordance with regulations of the Secretary; and

"(F) has an open enrollment period at least every year under which it accepts up to the limits of its capacity and without restrictions, except as may be authorized in regulations of the Secretary, individuals in the order in which they apply for enrollment (unless to do so would result in failure to meet any requirement pertaining to size or the characteristics of its enrollees imposed under the Social Security Act as a condition of eligibility for payments under part B of title VI or title XVIII of such Act).

"(2) the term 'medically underserved area' means an area designated by the Secretary, after consideration of the recommendations (if any) of the appropriate State comprehensive health planning agency (designated by the State as required by section 314(a)(2)(A)) and the local area health planning agency (if any), as an area with a shortage of health services.

"(3) the term 'construction' means construction of new buildings, acquisition, expansion, remodeling, or alteration of existing buildings, acquisition of land, or acquisition of equipment (whether or not associated with construction).

"(4) the term 'local area health planning agency' means the agency or organization responsible for the comprehensive regional, metropolitan area, or other local area plan or plans referred to in section 314(b) and covering the area in which the health maintenance organization operates or proposes to operate, or, if there is no such agency, such other public or nonprofit private agency or organization (if any) as performs, as determined in accordance with criteria included in regulations, similar functions.

"GRANTS TO AND CONTRACTS WITH HEALTH MAINTENANCE ORGANIZATIONS

"SEC. 1102. (a) The Secretary is authorized, during the period beginning January 1, 1972, and ending with the close of June 30, 1976, to make grants to public or nonprofit private health maintenance organizations, and to any public or nonprofit private organization intending to become health maintenance organizations, and to enter into contracts with any health maintenance organizations or any organizations intending to become health maintenance organizations, to—

"(1) assist them in planning for the development or expansion of a health maintenance organization, and

"(2) pay all or part of the initial operating costs of such organization incurred as a result of its operation in or expansion into a medically underserved area.

"(b) No application for a grant or contract under subsection (a) may be approved except upon assurance satisfactory to the Secretary—

"(1) of the applicant's intent to form, create, or expand a health maintenance organization, if the application is for a grant or contract under clause (1) of subsection (a), and

"(2) of its intent to operate in a medically underserved area, if the application is for a grant or contract under clause (2) of subsection (a).

"(c) A grant or contract pursuant to clause (1) or (2) of subsection (a) may not provide the assistance described therein for more than two years in the case of clause (1) of three years in the case of clause (2).

"LOAN GUARANTEES AND LOANS

"SEC. 1103. (a)(1)(A) In order to assist private health maintenance organizations to establish themselves or to provide new or expanded health services, the Secretary, dur-

ing the period beginning January 1, 1972, and ending with the close of June 30, 1976, may, in accordance with the provisions of this part, guarantee, to non-Federal lenders making loans to such organizations for such purposes, payment of principal of and interest on such loans which are approved under this part.

"(B) In order to assist public health maintenance organizations in meeting the initial operating costs incurred as a result of their operation in or expansion into medically underserved areas, the Secretary, during the period beginning January 1, 1972, and ending with the close of June 30, 1976, may, in accordance with the provisions of this part and as specified in appropriation Acts, make loans to such public organizations.

"(C) A loan guarantee under subparagraph (A) may be only for construction of outpatient or other ambulatory care facilities, or for operating costs for a period not in excess of three years. A loan under subparagraph (B) may be only for operating costs for a period not in excess of three years.

"(2) No loan guarantee or loan under this section may, except under such special circumstances and under such conditions as are prescribed by regulations, apply to or be made for an amount which, when added to any grant under this or any other law of the United States, is—

"(i) with respect to any construction, in excess of 90 per centum of the cost of such construction, or

"(ii) with respect to initial operating costs, in excess of 90 per centum of such cost.

No such loan guarantee may apply to more than 90 per centum of the loss of principal of and interest on the loan.

"(b) The Secretary may not approve the application of a health maintenance organization unless—

"(1) he determines, in the case of a loan for which a guarantee is sought, that the terms, conditions, maturity, security (if any) and schedule and amounts of repayments with respect to the loan are sufficient to protect the financial interests of the United States and are otherwise reasonable and in accord with regulations, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States,

"(2) the term of a loan for which a guarantee is sought does not exceed twenty-five years if for construction, or fifteen years if for operating costs, or such shorter period as the Secretary prescribes, and

"(3) he obtains assurances that the applicant will keep such records, and afford such access thereto, and make such reports, in such form and containing such information, as the Secretary may reasonably require.

"(c) Guarantees of loans under this section shall be subject to such further terms and conditions as the Secretary determines to be necessary to assure that the purposes of this part will be achieved, and, to the extent permitted by subsection (e), any of such terms and conditions may be modified by the Secretary to the extent he determines it to be consistent with the financial interests of the United States.

"(d) In the case of any loan guaranteed under this section, the United States shall be entitled to recover from the applicant the amount of any payments made pursuant to such guarantee unless the Secretary, for good cause, waives his right of recovery, and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

"(e) Any guarantee of a loan under this section shall be incontestable in the hands of an applicant on whose behalf such guarantee is made, and as to any person who makes or contracts to make a loan to such applicant in reliance thereon, except for fraud or misrepresentation on the part of such applicant or such other person.

"(f) The cumulative total of the principal of the loans outstanding at any time with respect to which guarantees have been issued, or which have been directly made, under this section may not exceed such limitations as may be specified in appropriations Acts.

"(g) (1) (A) There is hereby established in the Treasury a health maintenance organization loan guarantee and loan fund (hereinafter in this section referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriations Acts, (i) to enable him to discharge his responsibilities under guarantees issued by him under this section, and (ii) for direct loans to public health maintenance organizations. There are authorized to be appropriated to the fund from time to time such amounts as may be required for the fund. There shall be deposited in the fund amounts received by the Secretary as interest payments or repayments of principal on loans and any other moneys, property, or assets derived by him from his operations under this section, including any moneys derived from the sale of assets.

"(B) Of the moneys in the fund there shall be available to the Secretary for the purpose of making direct loans to public health maintenance organizations only such sums as are appropriated for such purpose, or sums received by the Secretary as interest payments or repayments of principal on such loans and authorized in appropriations Acts to be used for such purpose.

"(2) If at any time the moneys in the fund are insufficient to enable the Secretary to discharge his responsibilities under this section to meet obligations under guarantees of loans under subsection (a), he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Secretary from such fund.

"(h) (1) (A) Any loan by the Secretary under this section shall bear interest at a rate comparable to the current rate of interest prevailing with respect to loans which are guaranteed under subsection (a).

"(B) No such loan may be made unless—

"(i) the Secretary is reasonably satisfied that the applicant therefor will be able to make payments of principal and interest thereon when due, and

"(ii) the applicant provides the Secretary with reasonable assurances that there will be available to it such additional funds as may be necessary to complete the project with respect to which such loan is requested.

"(C) Any such loan shall have such security, have such maturity date, be repayable in such installments, and be subject to such other terms and conditions (including provisions for recovery in case of default) as the Secretary determines to be necessary to carry out the purposes of this title while adequately protecting the financial interests of the United States.

"(D) No such loan shall have a term in excess of 15 years.

"(2) The Secretary may, for good cause, waive any right of recovery which he has by reason of the failure of a public organization to make payments of principal and interest on a loan under this section.

"GENERAL CONDITIONS

"SEC. 1104. No application for a grant, contract, loan guarantee, or loan under this title shall be approved unless—

"(1) the State comprehensive health planning agency (referred to in section 1101 (2)) and the local area health planning agency (if any) have had an opportunity to comment thereon in a manner prescribed by the Secretary, and

"(2) the applicant agrees to keep such records and make such reports to the Secretary as the Secretary may find necessary, for purposes of this title.

"JOINT FUNDING

"SEC. 1105. Pursuant to regulations prescribed by the President, where funds are advanced for a single project or program by more than one Federal agency to an organization assisted under this title, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

"FEDERAL PRIORITIES

"SEC. 1106. In approving any application for a planning grant or a loan guarantee, the Secretary shall give priority to those applicants which will provide new or expanded health services to medically underserved areas.

"WAIVER OF CONTRACT LIMITATIONS

"SEC. 1107. Whenever the Secretary determines it to be in furtherance of the purposes of this title, the function authorized herein may be performed without regard to such provisions of law or other regulations relating to the making, performance, amendment, or modification of contracts of the United States as the Secretary may specify.

"AVAILABILITY OF APPROPRIATIONS

"SEC. 1108. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act for the fiscal year ending June 30, 1972, and for each of the four succeeding fiscal years. Sums so appropriated for any fiscal year ending prior to July 1, 1975, for grants or contracts under this title shall remain available for obligation until the end of the fiscal year following the fiscal year for which the appropriation is made."

SERVICES FOR INDIANS

SEC. 3. Section 1 of the Act of August 5, 1954 (42 U.S.C. 2001) is amended by inserting "(a)" before "All functions" and by adding at the end thereof the following new subsection:

"(b) In carrying out his functions, responsibilities, authorities, and duties under

this Act, the Secretary is authorized, with the consent of the Indian people served, to contract with private or other non-Federal health agencies or organizations for the provision of health services to such people on a fee-for-service, or prepayment or other capitation basis."

THE AMERICAN MEDICAL ASSOCIATION AND HMO'S

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, the American Medical Association has set forth its views on proposals for national legislation on health maintenance organizations.

So that my colleagues and the public may be more fully informed, I include the informational paper of AMA—paralleling the report presented by the Council on Medical Service to the AMA House of Delegates in June, 1971—in the CONGRESSIONAL RECORD:

HMO'S AS SEEN BY THE AMA—AN ANALYSIS

BACKGROUND

The first public appearance of the term "Health Maintenance Organization" was March 23, 1970, when Department of Health, Education, and Welfare (DHEW) Undersecretary John G. Veneman presented the Administration "Health Cost Effectiveness" bill before the House Ways and Means Committee. This was followed two days later by a statement and press release from Secretary Robert H. Finch, also supporting the concept as a new approach to providing Medicare benefits.

Neither statement was specific as to the *organization*. They dwelt more on the idea of a "health maintenance contract"—a contract which would guarantee the Medicare beneficiary all Part A and Part B benefits, plus unspecified preventive services, at an annual rate per beneficiary negotiated in advance and less than the current average Medicare expenditures in the area.

Mr. Veneman's statement listed, as examples of "health maintenance organizations already in existence," the Kaiser Foundation, the Health Insurance Plan of Greater New York, the San Joaquin (California) Foundation for Medical Care, the Clackamas County Medical Society (Oregon), and organizations planned in Columbia (Maryland), Philadelphia, Rochester (New York), Cleveland, and Milwaukee. Mr. Finch's statement did not name names but described some of these same plans in general terms as types of HMO's.

Mr. Finch went on to say: "The kind and variety of arrangements which are possible go far beyond these beginning efforts. Some health maintenance organizations may be large corporations. In contrast, a group of doctors may elect to combine for this purpose for part of their time and continue their conventional practice as well. An existing hospital may combine with its medical staff to form such an organization, or it may develop arrangements with others and subcontract its services at a fixed rate. . . . We will not prescribe the form of a health maintenance organization but we will be concerned about the result it produces . . ."

LEGISLATIVE HISTORY

The Nixon Administration proposal was a separate Part C of Medicare, offering this "Health Maintenance Benefit" instead of Parts A and B. The Ways and Means Committee incorporated the recommendation in HR 17550, 91st Congress, the "Social Security Amendments of 1970," but with substantial changes, including making it a new Section 1876 of Title XVIII rather than a separate Part C. The House passed HR 17550 with the HMO option.

The Senate Finance Committee also accepted the HMO option but with a number of changes from the House version, and the Senate passed this version on December 28, 1970. Because of the lack of time remaining for the 91st Congress, a conference committee was not appointed to resolve differences in the two versions and HR 17550 died with the end of the session.

However, the Medicare-HMO proposal has been reintroduced as a section of HR 1, 92nd Congress, the "Social Security Amendments of 1971." The wording used is essentially that of the House-passed HR 17550, without the Senate changes. Introduced on January 22, 1971, HR 1 was still in committee in mid-March.

Administration Position: The Administration introduced the concept of HMO's, in somewhat looser form than that which emerged from the Ways and Means Committee, as an alternative to existing Medicare Parts A and B. Review of a number of interdepartmental papers from DHEW obtained in December 1970 indicates a Department assumption that the HMO section of HR 17550 would become law by the end of 1970. Many of the requirements and descriptions in these papers were directly related to the language of the Senate version.

However, a DHEW staff draft plan for HMO's, dated December 1970, makes it clear that DHEW considers it feasible to use existing grant, loan, and research funds to aid in the development of HMO's without new legislative authority. Programs suggested as resources include Regional Medical Programs, Social and Rehabilitation Service research, Medicare incentive reimbursement, National Institutes of Health health manpower, Hill-Burton loan guarantees and grants for ambulatory care centers, National Center for Health Services Research and Development, and miscellaneous Health Services and Mental Health Administration funds. A revised DHEW staff draft plan (January 1971), after HR 17550 died, operates on the same assumption.

The President's Health Message (February 18, 1971) endorsed HMO's as the prime new method of organizing health care delivery for quality and economy. The message recommends requiring public and private health insurance plans to allow members to enroll in HMO's where available, and would establish $23 million in planning grants, a $300 million loan guarantee program for start-up, and a $22 million grant and loan program for HMO's in scarcity areas—plus Federally-supported outpatient clinics in such areas—and would permit direct Federal contracts with HMO's to preempt state laws which obstruct their initiation or operation.

The message does not state clearly whether the funding mentioned is to be new or realigned existing funds (as suggested by the revised DHEW draft plan).

On March 4, 1971, HR 5615, 92nd Congress, was introduced to provide legal authority for this type of aid. The bill provides assistance to public or private organizations in planning and developing HMO's or in expanding existing ones through planning grants and contracts, grants and contracts for initial operating costs in scarcity areas, loan guarantees to private organizations for construction or acquisition of ambulatory care facilities and initial operating deficits, and direct loans to public organizations to cover initial costs in scarcity areas.

The bill also provides for review by state and local planning authorities and for administration, through a single Federal agency, of funds from multiple Federal sources. It permits contracting out Indian health care with the consent of the Indians served. This presumably would permit replacing United States Public Health Service clinics with HMO's in some areas. The draft legislation does not contain specific appropriation authorizations.

The Administration, while using essentially the same definition of HMO's as in the proposed Medicare amendment, hopes to encourage the use of HMO's in both public and private programs. DHEW believes significant aid in developing HMO's can be given from Federal funds under existing legislation and that care can be purchased from HMO's under such existing Federally-aided programs as Medicaid and Title V (Maternal and Child Welfare) without new legislation.

Also the intent seems to be to shift existing neighborhood health centers to an HMO-type operation, and the new (Office of Economic Opportunity) health efforts in the development of "health networks" appear intended to join several HMO's to serve a population of 100–200 thousand.

DEFINITION

NOTE.—Without actual laws and regulations, any definition of "health maintenance organizations" must be tentative. However, House and Senate versions of HR 17550 and the current HR 1 and HR 5615 contain definitions of an HMO which vary only in details. The general outline of an HMO definition may be inferred from these bills.

An HMO is a public or private corporation meeting the following conditions:

A. It provides health services to enrollees either directly or through arrangements with others, on a per capita prepayment basis* (H–S–A).

B. It provides enrollees with all services covered under Medicare Parts A and B (H–S), or with all services reasonably required by a defined population to be maintained in good health, with a minimum of: emergency care, inpatient hospital and physician care, ambulatory physician care, and outpatient preventive medical services (A).

C. It provides physicians' services directly through physicians who are HMO partners or employees (H–S–A) or through arrangements with an organized group or groups of physicians paid on an aggregate fixed sum or per capita basis (H) or through arrangements with one or more groups of physicians (organized on a group practice or individual practice basis) under which each group is reimbursed for its services primarily on the basis of an aggregate fixed sum or per capita basis, regardless of whether individual members of such groups are paid on a fee-for-service or other basis (S–A).

D. It demonstrates financial responsibility and the capability of providing comprehensive health care services, including institutional care, efficiently, effectively, and economically (H–S–A).

E. It has enrolled members, at least half of whom are under age 65 (H), except that the Secretary may delay for up to five years or waive this requirement where circumstances make it difficult or impossible for the HMO to comply. This requirement is omitted in Administration bill.

F. It arranges to have the required services received promptly and appropriately and provides services measuring up to DHEW quality standards (H–S–A).

G. It has open enrollment at least every two years (H) or at least annually (S–A) accepting eligible applicants on a first come-first served basis to the limit of its capacity, except where this would conflict with the half-under-65 requirement (H–S) or with Social Security Act requirements as to size or characteristics of enrolled population (A).

*(H)—House version, HR 17550, HR 1; (S)—Senate version, HR 17550; (A)—Administration version, HR 5615.

H. It has at least 10,000 members or is expected to reach this size within three years (S only).

The main differences in these definitions are:

A. The House and Senate versions cover only Medicare beneficiaries and related services to those provided under Medicare; the Administration minimum services would apply to HMO's serving non-Medicare patients.

B. The House version would require physicians' services not provided by the HMO itself to be provided through "organized groups" paid on a fixed sum or capitation basis; the Senate and Administration versions permit payment of solo practitioners and on a fee-for-service basis as long as the payment is through an entity which itself receives a fixed sum or capitation payment.

C. The House version mandates a 50%-under-65 enrollment; the Senate gives DHEW authority to delay or waive this requirement but adds a 10,000 minimum enrollment; the Administration omits both requirements.

D. The House has open enrollment every two years; the Senate and Administration annually.

INTENT OF HMO APPROACH

Most arguments for HMO's revolve around costs and utilization. In its report on HR 17550, the Senate Finance Committee noted that the usual present approach to payment, other things being equal, provides "an economic incentive on the part of those who make the decisions on which services are needed to provide more services." The Committee also noted that, ordinarily, an individual must "find his own way among various types and levels of service."

The Committee suggests that "a fixed annual payment from enrollees, regardless of the volume of services rendered," provides "a financial incentive . . . to control costs and to provide only the least expensive services appropriate to the enrollee's needs. . . . Moreover, such existing organizations assume responsibility for deciding on the services which the patient should receive."

The President's Health Message makes similar points. The traditional system pays doctors and hospitals, in effect, "on a piece work basis." There is no economic incentive for keeping people healthy. A fixed-price contract reverses the incentive; "HMO's therefore have a strong financial interest in preventing illness, or, failing that, in treating it in its early stages, promoting a thorough recovery and preventing any recurrence. . . . At the same time, HMO's are motivated to function more efficiently." The message compares HMO organization of medical resources with the supermarket approach to grocery-shopping, and claims that a team works more efficiently than isolated individuals, so that a doctor's energies go further.

The Senate Committee did express some reservations. "The Committee is concerned that . . . the health maintenance organization provision could turn out to be an additional area of potential abuse which might have the effect of increasing health care costs—paying a larger profit than is now or should be paid to these organizations—and decreasing the quality of services available or rendered."

The Committee expressed the hope that the safeguards it had added, plus the contribution of the proposed Inspector General's Office, would enable the provision to achieve its stated goals.

In essence, the claim is that HMO's will provide health care more economically than traditional methods, because the fixed reimbursement will encourage earlier treatment, prevention (where possible), and more economical use of health resources.

AMA POSITION

The position of the American Medical Association is clearly stated in its testimony on HR 17550 before the Senate Finance Committee, September 23, 1970:

"We support a pluralistic approach to the delivery of medical services . . . However, before any HMO program is initiated nationwide through legislation and held out as a realistic benefit available to all Medicare beneficiaries, we believe that cost and utilization data should first be developed with controlled demonstrations testing the capability of such a program to accomplish its purpose. There are questions regarding infact cost savings, as well as the quality of health care which may be provided when there are economic incentives to providers to reduce utilization. We would wish to assure that Medicare patients uniformly receive the best quality care. . . . We recommend that organizations delivering health care should be under the control and guidance of medical personnel."

This testimony was directed specifically at the Medicare-HMO option. No testimony has yet been offered concerning the Administration HMO-financing proposal (HR 5615), but the Association has in the past opposed discriminatory Federal financing aimed at fostering one particular method of organizing health care over all others.

RELATIONSHIP TO NATIONAL HEALTH INSURANCE

There is no apparent major conflict between the HMO concept and most current national health insurance proposals. The AMA Medicredit proposal is so designed that an HMO could be one of the organizations and agencies offering a qualified health care plan. The Administration's National and Family Health Insurance Plans would both presumably permit HMO participation. Similarly, the Kennedy "comprehensive health services organization" and the American Hospital Association Ameriplan "health care corporation" have basic likenesses to HMO's.

DELIVERY SYSTEM

The feature essential to an HMO under all three legislative proposals is legal responsibility for providing (not merely paying for) a broad range of health care services, including both professional and institutional services, and accountability for both the quantity and quality of services provided, with payment for such services on a prospective capitation basis.

Other features vary from bill to bill—the range of services which must be included, the size and age mix of enrollment, frequency of open enrollment, and provision of physicians' services (organized groups only or groups and solo practitioners). Any of these variations which become law will, of course, significantly affect HMO development, but the essentials listed above seem to delineate the basic HMO concept.

SPONSORS

The January 1971 Administration draft plan lists as a possible HMO "sponsors":

"*Providers* (e.g., fee-for-service clinics, medical foundations, community, public and teaching hospitals)

"*Consumers and the Government* (e.g., neighborhood health centers, public corporations)

"*Underwriting and Management Groups* (e.g., voluntary health insurance corporations, Blue Cross, private industry)

"*Combinations* (e.g., prepaid group practice plans)"

However, the type of program which can most easily convert to an HMO is one where professional and institutional services are already integrated. The Kaiser Foundation approach is almost always suggested as an HMO prototype; the few remaining railroad hospitals and such union-sponsored plans as the United Mine Workers of America medical program also might qualify easily.

Beyond this, the approach most readily adaptable to HMO operation would be based on a hospital, using the hospital staff, or on a medical school-teaching hospital combination. These approaches might need to expand ambulatory care facilities and would have to provide or arrange for extended care and home health services, but the hospital-physician interrelationship seems the most essential.

For this reason, most prepaid group practices are as yet a step removed from HMO status, since few prepaid groups aside from those previously mentioned have any intrinsic relationship with or control of hospital services. It does not appear that simply providing each enrollee with hospitalization insurance (whether Blue Cross or commercial) would be sufficient. Some special contract arrangement with a hospital or hospitals, whether direct or through an intermediary, would be necessary to permit the HMO to review hospital services to its enrollees and to assure entry to the hospital of both HMO patients and physicians.

Foundations for Medical Care: The Foundations for Medical Care require some special consideration, as medical society competitors with prepaid groups for the HMO dollar. Foundation spokesmen have indicated they expect foundations to be able to participate in this program; the inclusion of Foundation speakers on DHEW programs discussing HMO's indicates that the Administration also sees a role for them and, as noted above, the January revised DHEW staff draft plan specifically lists foundations as potential HMO sponsors.

Indeed, the Senate version of HR 17550 and the new Administration bill may intend such a role, in specifically authorizing services by solo practitioners and payment of physicians on a fee-for-service basis, as long as their total services are covered by a fixed-sum or capitation payment, as opposed to the House bill which would require physicians' services to be provided by HMO partners or employees or by organized groups.

However, the Foundations generally lack an integrated relationship with a hospital, just as do the majority of prepaid groups. A few Foundations do review services other than those of physicians and have established prospective review of hospital utilization for certain diagnoses, but usually they do not have the sort of over-all control and accountability for comprehensive services that the HMO concept implies.

Several California Foundations have established "prepayment" programs for Medicaid recipients. They do administer the total care provided on a capitation payment basis, with the physicians underwriting the program by accepting pro-rated fees when total costs exceed the capitation payment, but they do not appear to have reached the full level of responsibility demanded of an HMO.

It appears that a definite contractual relationship between a Foundation (or a prepaid group) and a hospital or hospitals, initiated either by the professional group or the hospital, will have to be a basic ingredient of an HMO contract with DHEW.

SERVICES PROVIDED

The high cost of institutional services in Medicare and other Federal programs is the stimulus for Congressional interest in HMO's. The separation of Medicare Parts A and B, with a payment for professional services independent of payment for institutional services, is claimed as a cost factor, and joining the two in a single payment is expected to create fiscal incentives for more economical care.

HMO's will be expected to place major emphasis on early treatment and on ambulatory rather than inpatient care, wherever possible. However, both the Senate committee report and DHEW staff papers indicate concern lest the emphasis on cost result in inadequate care. Regulations and directives will,

therefore, demand evidence that there has been no patient neglect.

This can imply more emphasis by these plans on periodic checkups and diagnostic tests—perhaps increased use of multiphasic testing as a means of discovering potential illness. There also could be some shift in patient-physician relationships, with the HMO reminding enrollees to come in for periodic testing, rather than the patient initiating the contact when he feels the need for treatment.

There may be some increase in the utilization of specialist services. The pro-HMO rhetoric about the patient "having to find his own way" through the maze of specialists and hospitals must be discounted, since any primary physician ordinarily handles referrals and admissions for his patients. However, when the specialist's services are included in the capitation payment, early consultation may increase, both to reduce hospitalization and to demonstrate the HMO's concern for the patient.

GEOGRAPHIC DISTRIBUTION

Although the January revised DHEW staff draft plan suggests, as a "feasible goal," making the choice between traditional and HMO care available to 90% of the population, the HMO approach may be difficult to apply nationwide. Some 50 to 60 million Americans live in rural areas, many sparsely populated. Rural America is one of the "underserved areas" to which the Administration bill gives funding priority for starting and supporting HMO operation.

The light population density, however, makes it difficult to envision an HMO pattern of operation, except one with a central HMO serving a comparatively large area (possibly an entire state), perhaps with outpatient satellites providing primary care and screening. The Senate version would require an enrollment of 10,000, and the January revised DHEW staff draft plan shows rural HMO's serving a 15,000 population, compared to 30,000 for urban HMO's. Either size limit would cover a large area in some rural states, and the President's Health Message itself speaks of the use of outpatient clinics and, possibly, Veterans' Administration and DHEW staffs to assist HMO's in "underserved areas."

Because rural areas attract proportionately fewer physicians, some such approach—primary care through physicians supported by an HMO or in Federal service—may be the most practical approach. However, in such areas, transportation and fairly sophisticated communication between the rural outpost and the central office may have to be an integral part of the HMO so that the patient can be assured of access to needed care that the local satellite cannot give and so that the primary physician can consult with his peers within the HMO structure.

Some features of programs such as Samaritan Health Services, which serves widespread rural areas in the Southwest, or the mobile clinics, used by some California Foundations to provide care to migrant workers, might become patterns for such dispersed HMO's.

In the inner city, there is already a definite tendency to turn the OEO-initiated neighborhood health centers into HMO's. Here, the prime needs for conversion would be to set up a capitation basis for payment and to establish contractual arrangements with hospitals and other backup facilities. With most staff on a salary basis, the professional component is already reasonably well-assured. The Administration bill would provide special start-up and operational funding for this type of program, to meet the needs of "underserved" areas.

In general, each HMO must determine geographic boundaries for its service area and must submit plans for initiation or expansion of a program to the appropriate comprehensive health planning agency. While the Administration bill gives funding priority to HMO's for scarcity areas, there does not appear to be any barrier to establishment of an HMO in areas already adequately served.

There is even some indication that DHEW might encourage overlapping of HMO areas, to provide some competition between them and to develop data for statistical comparison. The January revised DHEW staff draft plan assumes there will be some "system of multiagency approval" for HMO's seeking Federal contracts but, at this time, "no arbitrary limits on the number of HMO's in an area." The possibility of some form of franchising will continue to be explored.

How over-supply in one area can be approved as consistent with health planning while other areas remain undersupplied has not as yet been defined.

MANPOWER

HMO's do not directly increase the total physician supply. They may, however, improve the distribution of physicians and increase productivity, at least in theory. Special support and subsidy, either by the HMO itself or through Federal funding or staffing, might make practice in rural or inner city areas more attractive, through the provision of professional back-up and financial security.

Potentially, an HMO connection could give physicians serving in such areas easier access to consultation and diagnostic services and temporary replacements for continuing education or holidays. Concrete evidence that HMO's will make such a change is lacking.

Increased productivity is claimed to be the prime impact of HMO's on the manpower shortage. There has been considerable emphasis on the concept that the "health team" working together would be more efficient in patient treatment than the individual physician, and that by delegation of jobs which do not require extensive professional education, the physician can concentrate his skills on those problems which only a physician can handle.

This increased productivity is more assumed than proven. In the organized structure, there does seem to be greater use of technical aids and diagnostic tests, these being more readily available; there may also be a greater tendency towards fixed working hours. Some studies indicate that there is, in fact, little increase in productivity in a prepaid group over individual practice, although the number of auxiliary health workers per physician is usually significantly greater in the group.

HMO's are expected to make major use of auxiliary health personnel, such as "physician's assistants," to assume some of the routine semi-professional tasks. Indeed, the President's Health Message emphasizes this approach and suggests a responsibility for HMO's to provide clinical training for such workers. The message also suggests direct contracts between HMO's and DHEW as a means of avoiding state legal restrictions on delegation of tasks to such auxiliary personnel.

There does seems some indication that the use of physician's assistants may increase physician productivity. However, the area of the types of assistants which can and should be developed, the tasks which they can assume, and their acceptance by patients, physicians, and other health workers, as well as their impact on costs and productivity, are still being explored.

FEDERAL-STATE RELATIONSHIPS

The Presidential message speaks of "archaic laws in 22 States" which prohibit or limit "the group practice of medicine" and of laws in most states which prevent doctors from delegating certain responsibilities.

To avoid these restrictions, the President makes two suggestions: DHEW is to draw up a model statute that the states can adopt to "correct these anomalies," and the Federal government will contract directly with HMO's to provide care to Medicare and other Federal beneficiaries who choose the HMO option, these contracts acting to "preempt" any inconsistent state laws.

This is a modification of earlier recommendations considered within DHEW, particularly the recommendation of the (McNerney) Task Force on Medicaid and Related Problems that Medicaid reimbursement and other Federal funds be withheld from states which operated under these "archaic" statutes.

There is some question as to the importance of these so-called legal barriers. While some of the 22 states have laws circumscribing organization, administration, control, or insurance aspects of group practice and some do not have a law providing a specific legal basis for such plans, group practice do exist in some of these states, usually by judicial decisions. Competent legal opinion holds that probably no real barriers exist to legal development of HMO's.

Regarding the delegation of responsibility the AMA itself, in December 1970, suggested a moratorium on state licensure of additional health occupations, a national study commission to develop long-range solutions to establishment of credentials for such occupations, expansion of programs to maintain and update competence, and amendment of existing licensure laws to permit more delegations of tasks.

A number of states have already modified their practice acts to permit delegation of routine tasks to lesser-trained individuals without incurring liability. Innovative delegation is, in fact, already under way in many areas outside HMO's and without Federal contracts.

If Federal HMO contracts are established to "preempt" state laws, it should be realized that the HMO is probably free of those laws only within the bounds of the contract. [As a parallel, a Federal physician can treat Federal patients in a Federal hospital without being licensed in the state in which it is located; he cannot treat private patients in that state without a license.]

As long as the Federal contract and the state law remain in conflict, therefore, the HMO could find itself entirely dependent on the Federal contract for support—and some state legislatures will look with disfavor on an organization which uses a Federal contract to override state law. Such HMO's will have difficulty developing a non-DHEW clientele, and auxiliary health personnel may find their job mobility is limited.

PHYSICIAN RESPONSE

To some extent, the HMO "movement" exists in a vacuum. There is little evidence not only as to its effectiveness as a means of providing better care for less money, but also as to the reaction of physicians and patients. A theoretical model, being used in varying degrees by some three percent of the population, has been projected as a nationwide solution to health-care difficulties with almost no evidence that either physician or patients generally will accept and participate.

The prepaid group practice segment of the medical profession has grown steadily for many years, but the growth has been slow and it is still not the method of choice for a majority of the profession. This method of practice has certain attractions, however, both professional (such as ease of consultation and more adequate back-up staffing) and personal (such as more regular hours, covered vactions, and—by some indicators—higher income).

Nonetheless, many physicians prefer solo practice, whether out of individualism or because they feel they can respond better to patient needs in a one-to-one relationship. These physicians are not likely to accept the HMO approach, which can involve agreeing to an audit of medical practice and prorating physician fees to pay for other services. In addition, physicians today are trained

more for the treatment of illness than for the maintenance of health; their education is crisis-oriented, and some might feel professional dissatisfaction in seeing healthy patients.

Some proponents of HMO's speak of a "primary physician" to manage the care of every enrollee. In the current national mix of family physicians and specialists, there could be difficulty in implementing such a requirement unless some of the specialists in an HMO acted in a "primary physician" role, which could be unsatisfactory to both physician and patient.

PATIENT RESPONSE

Patient reaction to a number of features of HMO-care has been inadequately tested. While the number of enrollees in prepaid groups has increased steadily over the years, they still comprise less than 5 percent of the population. The so-called legal limitations may be partly responsible, but it also appears that patient demand has been less than established prepaid plans are capable of meeting.

Attachments to the more familiar forms of medical care run deep, and there are some suggestions that prepaid group practice becomes acceptable to consumers to the extent that they are dissatisfied with traditional practice formats. Some preexisting interrelationship among enrollees has been a factor in the establishment of many major prepaid groups: union membership among the mine workers and railroad employees, or employment by Kaiser Industries for the Kaiser Foundation. Conversely, many prepaid groups have been fairly selective as to their clientele. The effect of open enrollment is difficult to predict.

If HMO's are to have any preventive effect, it is essential that patients are seen while illness is still in its early stage or asymptomatic. This can create problems; some plans are already concerned because the lack of any financial barrier results in patients visiting when their only need is psychological, not physical. On the other hand, the "underserved" areas—inner city and rural—are traditionally areas where people do not seek care except in an emergency. Major re-education is needed for both types of patient.

The HMO may be more capable of adjusting some of the "amenities" of care to consumer demand—better appointment scheduling, specialist consultation without the need for long delay, evening office hours, 24-hour emergency coverage. But there is some question as to how generally patients will accept HMO's, particularly if all requests for physician services must first be screened by a computer (as has been suggested for some groups) or if the "primary physician" is not a physician at all but some other member of the "health team." (In some neighborhood health centers, the team leader may be a public health nurse or a medical social worker.)

One provision in particular could cause Medicare patients some hesitation in enrolling in an HMO. Both the House and Senate versions would make the HMO financially responsible only for emergency care outside the organization itself. Presumably, reciprocal agreements between HMO's could provide some coverage for enrollees away from home, but this is not spelled out; in law, the enrollee would have little Medicare coverage when away from the area served by his HMO.

(The Senate committee, recognizing this problem, would allow Medicare beneficiaries currently enrolled in an HMO to retain this type of enrollment—which permits Medicare payment for services outside the HMO—for up to three years, rather than accept the restrictions of the new HMO option.)

HMO COST PER ENROLLEE

Congress' basic incentive for HMO legislation is the belief that care will be provided more economically. This seems based primarily on a reported lower rate of hospital utilization for patients of existing prepaid groups than for other financing-delivery systems.

The data are not conclusive. The latest Social Security Administration report on private health insurance indicates that prepaid group practice plans which include hospital benefits indeed pay substantially less per enrollee for hospital care than Blue Cross, but substantially more for physicians' services than Blue Shield—so that the combined hospital-physician expenditures per person are higher in the prepaid groups.

Against this, it is argued that the prepaid groups cover more of the physician's services and that there is less to be paid out-of-pocket for group than for enrollees in Blue Cross-Blue Shield plans. However, data are incomplete on comparable premiums plus the amount of out-of-pocket expenses (e.g., care from non-group physicians) so the question remains open. It is further complicated by the fact that many group enrollees are from comparatively low-risk groups; open enrollment could make a significant difference in costs.

HMO COST FOR INITIATION OR CONVERSION

At this time, any estimate of the cost of establishing a new HMO or converting an existing program to meet HMO standards must be considered highly tentative. However, the January revised DHEW staff draft plan contains some estimates of the cost to the Federal government of such initiation or conversion, which are summarized with the above caution.

For a new urban HMO serving a 30,000 population, the estimate for construction (including hospital construction) is $4–$8 million. For an HMO for the urban poor, estimated start-up cost is $1.25 million and second year working capital, $1 million; for a "mixed" population (including some who do not need subsidy) start-up cost is estimated at $750,000 and second year capital at $500,000.

For a new HMO in each rural area serving 15,000, the estimate is $2 million for construction, $0.5 million start-up, and $1 million second year capital.

For a conversion of an existing program, Federal cost is estimated to be highest for public, charity, and medical-school-affiliated hospitals: $2 million for start-up and construction and up to $0.5 million in working capital. A prepaid group practice is assumed to need little for start-up, but at least half of them are estimated to need $0.5 million for working capital and $1 million for construction.

Only conversion and start-up funds are suggested for public hospital corporations ($500,000), fee-for-service clinics ($150,000), foundations ($100,000), and the Blues and insurance companies ($50,000). Industry plans are assumed to need no Federal funds.

The prospectus indicates some 80 existing organizations capable of HMO operation by July 1971, of which 52 would require some Federal funding, totalling $16.4 million for conversion, start-up, and working capital, and $24 million for construction. The cost of ambulatory facilities is estimated at $60 per square foot, with one square foot per enrollee.

PEER REVIEW

From the medical profession's point of view, it is of particular importance that the HMO itself must take legal responsibility for the quality of care. To quote HR 17550 (the content is essentially the same in both House and Senate versions and in the current Administration bill, with only minor editorial changes), the HMO is an organization which—

"(6) has arrangements for assuring that the health services required by its members are received promptly and appropriately and that the services that are received measure up to quality standards which it establishes in accordance with regulations."

This section, in and of itself, places responsibility on the HMO for both the appropriateness and the quality of all services which it furnished, whether or not the Administration's "review team" and the Bennett (Professional Standards Review Organizations) amendments to Medicare are enacted for Medicare surveillance.

If the HMO is a medical group or foundation, this may pose a problem only insofar as the mechanics of reviewing non-professional services are concerned. If, however, a non-medical agency is the HMO and it contracts for physicians' services, that agency places the statutory responsibility for quality and appropriateness outside the medical group.

Regulations could well accept peer review as meeting the legal requirement, or other review amendments to Title XVIII might make the question moot. In their absence, however, the language of these bills presents at least the potential of an HMO review of professional peer review, and certainly some disincentive to widespread professional participation.

CONCLUSION

To the HMO concept itself, the Association has no clear-cut policy objection. The AMA supports a pluralistic delivery system and the right of both patient and physician to choose the system within which they encounter each other, as long as that system exploits neither patient nor physician.

As a corollary to this position, the Association opposes governmental intervention on behalf of any one method of practice over all others, or any unfair competitive advantage given such a system. For this reason the position on the Administration bill is not yet determined. In regard to the proposed Medicare—HMO changes, the Association has simply recommended that HMO's be thoroughly tested before being incorporated in the program.

Although the Association has not yet opposed HMO's, the individual application of the concept will have to be judged on its merits in each instance. Some potential organizational patterns suggest that a non-medical organization may exercise control over the provision of medical services.

THE 92D CONGRESS: A RECORD OF SUBSTANTIAL ACCOMPLISHMENT

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. HUMPHREY. Mr. President, the record of the first session of the 92d Congress is one of substantial accomplishment, despite the lack of clear and effective Presidential leadership and despite at least two appalling Presidential vetoes.

Major actions by Congress this year include—

Enactment of a tax relief and economic stimulus program, but one passed only after the administration—which virtually ignored the deteriorating economy until late summer—did a 180-degree turnabout.

Enactment of the National Cancer Act, of which I was an original sponsor, and which commits the Federal Government to a sustained and intensive effort to find a cure for this dread disease.

Senate passage of a major drug abuse control bill, along lines which I proposed—more vigorous law enforcement

and medical research coupled with expanded community-level education and rehabilitation programs, and all coordinated at the highest level of government.

The establishment of expanded programs to combat hunger, after successful congressional efforts to beat back proposed administration cuts in the summer and school lunch programs for children.

The enactment of long-overdue election campaign reform law, despite earlier White House objections.

Progress on behalf of farmers accelerated, ironically, by the Senate fight and the razor-thin confirmation of the President's nominee for Secretary of Agriculture, Dr. Earl Butz.

And approval of the constitutional amendment lowering the voting age to 18.

At the same time, however, the record of congressional accomplishment was marred by the President's refusal to exercise clear and effective leadership.

The President vetoed two of the most badly needed proposals enacted by the Congress—the Public Works Acceleration Act, and the Economic Opportunity Amendments of 1971, with its provision for a comprehensive child development program.

In vetoing the bill providing for the acceleration of public works projects, the President showed a callous disregard for the Nation's millions of unemployed and for the urgent public service jobs needed by virtually every American community. Only under intensive public pressure did he support the enactment of the Emergency Employment Act—which was originally included in the broader manpower bill that he vetoed in 1970.

If he really cared about the unemployed, if he really cared about building a new prosperity, here was a golden opportunity for affirmative action to simultaneously meet the critical public facility requirements across America. Instead, the President chose the veto.

His veto of the child development program was an incredible, cruel, and heartless blow to hundreds of thousands of American families.

The establishment of this program could have been a major accomplishment, not just for the Congress, not just for the President, but for the Nation. But again, the President's answer to an urgent national need was "No."

And the President must be sharply criticized for his confusing and contradictory statements and lack of leadership on welfare reform and revenue sharing proposals.

I commended the President for proposing these measures. But after proposing them, he failed to lift a finger. He has been content to let them remain in committee, content with a "Go slow" approach, content to confuse the Nation by calling for a revolution in welfare and in financial aid to States and cities, and then asking that the revolution be postponed.

But the most glaring failure of Executive leadership has been on what should be the Nation's No. 1 priority—the economy—jobs, income, and production.

Congress very early gave the President the tools to combat the twin evils of the recession—rising inflation and rising unemployment. But month after month the President resisted using them.

Instead, he impounded some $12 billion in funds appropriated by Congress that could have had a significant effect in stimulating the economy and in meeting critical needs in health, education, and the improvement of our cities and rural areas.

He vetoed the accelerated public works bill and other measures that could have eased unemployment.

He stood idly by while the cost of living climbed to record heights.

He held a White House fair for agriculture, but did absolutely nothing to improve depression-level farm prices.

Finally, he acted—but only on the inflation front, and only after the economy had been permitted to deteriorate to the point where restoring prosperity may be a long and painful process.

But, 1972 is an election year, and I am hopeful that the message may finally have gotten through to the administration. If only in the President's own political self-interest, we are likely to see him adopting a number of proposals that Congress has insistently urged.

I look for the administration finally to begin releasing the funds it has frozen.

I look for some help for the farmer, because it has been made abundantly clear that the President is in deep political trouble in the farm belt.

I look for at least some gestures toward the cities, toward the poor, toward the hungry, toward minority groups.

And I hope with millions of other Americans that the gestures will be backed by commitment and substance.

The first session of the 92d Congress made progress on a number of important proposals that await final enactment in the second session.

I believe the top priorities in the second session should be—

A comprehensive program of expanded public service employment, economic development, and effective measures to break the welfare-poverty cycle;

Immediate action to restore decent farm price levels;

Enactment of genuinely constructive revenue-sharing and longer-range development assistance for cities and rural communities along the lines I have proposed in the National Domestic Development Bank Act and the Consolidated Farm and Rural Development Act.

Enactment of a comprehensive national health care program and a "medicare-type" program for children;

Passage of a comprehensive child development program, despite the President's opposition;

Adoption of the Universal Child Nutrition and Nutrition Education Act, which I have introduced, to provide a daily, free, nutritious meal for every American schoolchild; and

The completion of action on the type of legislation I have authored to increase social security benefits, to raise the exemption on earned income, and to reduce employee and employer contributions by applying Federal general revenues to part of the costs.

The achievement of such legislative goals can firmly establish the record of the 92d Congress for decisive action in meeting America's priority needs at home and in restoring our image of leadership in the community of nations.

RURAL AMERICA—CRISIS IN THE SEVENTIES

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ANDREWS of North Dakota. Mr. Speaker, the Mid-West Electric Consumers Association consists of municipal electric systems, rural electric cooperatives, and public power districts in the States of Montana, Wyoming, Colorado, North Dakota, South Dakota, Iowa, Minnesota, Nebraska, and Kansas. Its basic purpose is to advocate and support programs and policies which will bring low-cost electricity to everyone.

At their 14th annual meeting on December 8, Fred Simonton, executive director of the Mid-West Electric Consumers Association, delivered the following remarks which I wish to share with my colleagues and others:

RURAL AMERICA—CRISIS IN THE SEVENTIES

It is a pleasure once again for me to address and report to you people—the members of Mid-West Electric Consumers Association.

This is my eighth report to you. Like the others—it is a report about the activities of your association during this past year and to discuss and to make our plans—to chart our course of action of this unique organization during the coming year.

The strength of this organization, as of any organization of this kind, is only the strength that you have provided.

Your record of success and achievement since the formation of this organization stems solely from the strength that you as individuals have provided—through leadership, your leadership and determination—your courage—your ingenuity—but above all else—through unity, and your willingness to cooperate and work with one another—to put aside parochial—and even emotional interests and viewpoints—and to proceed together—in unity—toward common goals and objectives.

The strength that you have achieved by this unity—by this "one voice" for a very unique geographical region—has gained you national respect and attention.

Your one united voice must again be heard.

Your unity must continue to be demonstrated.

I have pondered for many days the message that I present to you this morning.

I have turned over and over in my mind the events of the past year and especially those of the past few months.

Preparing this report to you has been a most difficult task—the most difficult of my eight reports to you.

It is difficult because I cannot escape the conclusion that the consumer-owned systems of this great region face problems and challenges greater than any time in their history.

Preparing this message has been difficult because the most objective and honest appraisal that I can make of the event of the past year—and particularly of the past three months—leads me to conclude that our immediate challenge is primarily one of "holding the line"—of somehow salvaging our previous gains—of just holding onto our previous victories.

I am convinced that the strength that grows from your unity must be used now in its entirety to preserve those gains—to avoid erosion of your previous victories and to defeat—threats to your economic survival.

Survival.

Survival is our immediate challenge.

Survival—of the Le Olds concept of developing low-cost power on a regional basis.

Survival of the largest consumer-owned power pool in the nation—the Missouri Basin Systems Group . . .

—Survival of the REA 2% loan program.

—Survival of the very organizations which you represent at this 14th Annual Meeting.

I submit that the events of the past year and especially of the past three months can lead to no other conclusion and I say that to you—with absolutely no reservation.

This program—is today in deep trouble.

We are witnessing time and again the conscious decisions of federal policy makers to whittle away at our achievements.

We see a callous disregard of important policy officials for the need to wisely develop the resources and give opportunity to the people of the Great Plains.

We, because we took a very hard line—and because we fought very hard have thus far prevented the active effort of the Bureau to impose hydro rate increases—and on that issue we still must continue to fight.

We are witnessing this very day a continuation of an Administration policy of "malignant neglect" as the forces of energy monopoly drive up the cost of oil, coal and natural gas—and ultimately electric energy.

All who pay the light bills are the ones who suffer.

You heard yesterday in the panel discussion—Federal Water and Power programs—Why the Neglect?—that it is increasingly difficult, if not impossible to justify any new Federal water projects—and such policies have already been adopted resulting in not a single new project beginning in major public water or related resource planning.

Parenthetically this past year we witnessed completion of the North Central Power Study and the parallel completion by the Bureau of a reconnaisance water diversion study.

The manner in which these two studies were conducted may indicate the design of things to come.

In the North Central Power Study a 20-year power requirement study of utility consumers from Idaho and Utah to the Mississippi River the role of federal hydro-power, in what was to have been a mixed hydro-thermal expansion study, was all but eliminated with little protest—if any—from the Bureau.

But at the same time, and within the past few weeks a Bureau water diversion study was unveiled—which looks toward federal construction of a possible billion dollar plus water diversion system.

This water system would bring that most precious of water resources of the West—to the coal fields near Gillette, Wyoming, and Colstrip, Montana, where the large and enormously powerful energy companies—and the private power companies—and the railroads own resources that will require great amounts of water for development.

Is this the direction in which we are headed—a direction in which the Bureau of Reclamation abandons its preference customer constituencey—with which they have traveled so far and so successfully—to join a private power company electric pool and build vast public—public water projects for energy and utility monopolists?

In our fight for survival, we note attempts to impose greater restrictions upon the REA loan program through "backdoor" legislation to restrict portions of the REA loan program, particularly language to restrict REA loans to G & T's.

And, as Senator McGee said yesterday, contrary to the intent of Congress, the White House Office of Management and Budget has adopted a schedule of releasing REA loan funds at a level which does not comtemplate using one single dollar of the $216 million dollar increase in REA loan funds approved by the Congress for this fiscal year.

As you know now, the unprecedented victory of increasing this appropriation of $216 million has been turned to defeat by the decision of the Nixon Administration to withhold that increase from REA—a decision that in effect says that Congress does not exist—that what the Executive decrees is the law of the land.

This action by the White House—and the development of the plan by CFC and REA that would force G & T cooperatives to Wall Street for 70% of their loan funds—coupled with the critical financial needs of all rural electric cooperatives—were responded to by Senator George McGovern.

As Chairman of the Sub-Committee on rural electrification and farm credit of the Senate Agricultural Committee, Senator McGovern conducted, at our request, a special hearing on these problems in October.

The rural electric cooperatives of this region cooperated fully with this effort, and you gave the hearings maximum support.

The testimony at these hearings clearly demonstrated the urgent need to conduct additional field hearings and to investigate fully the present Administration of the REA loan program and the needs of the rural electric loan program.

Again, the "victory" of the beginning of the first oversight hearings on the REA program in nearly fifteen years was abruptly cut off by the Full Senate Agricultural Committee which has thus far refused the Subcommittee funds to conduct field hearings and to employ a minimum of staff.

We continue to work to reverse the decision to the White House regarding the increased appropriation. We continue to work to get funding for the McGovern Legislative Review of the REA program—and for that Review to be held in the field.

REA—for 35 years—has been the most successful of agricultural programs.

Unless we fight and fight hard and tough now—REA—a farm program—will become a Wall Street bankers program.

Further . . . a direct result of the White House decisions and action is this fact: the power companies now have an excellent opportunity to acquire the equities you have created during 35 years of careful and frugal operations.

Why? Private power companies dislike the cooperatives because they provide electric consumers with a yardstick for measuring utility performance.

While all phases of the rural electric program are under attack it is the generation and transmission program that is mortal danger.

If cooperatives cannot finance and build generating facilities and transmission lines they will obviously become helpless captive customers of the power companies.

We will pay the high price for bulk power or do without.

If the G & T program does—or is priced out of the market all electric consumers will lose the advantages that have come to all consumers in this region—because Nipco, East River, Rushmore, Central Power, Tri-State—L & O Electric, Central Montana, Upper Mo—and Dakotas Electric—Sunflower—Nebraska G & T—and Basin—are a competitive challenge for the electric power industry.

The results of a successful G & T program—and a diminished G & T program in this region is now clearly evident.

You have demonstrated that farmers can plan, build, operate and manage, large electric generating stations and participate in complex transmission arrangements—and your record of performance is unmatched.

On the other hand, we see what happens among the membership of Mid-West, when there is a diminished G & T program.

In Kansas, power companies are confident that a further 2% generation and transmission loan is not available to our cooperative members.

There, the private power company feels secure in applying a 73% higher wholesale power rate to their helpless rural electric customers.

The Kansas situation is only one example of the unlimited greed of the power companies and the institutions that provide their capital.

This brief look at the Upper region of the Missouri—and the Kansas situation—is all—or should be all—that is necessary to demonstrate that an adequately funded 2% REA loan program for distribution, transmission and generation is an absolute, fundamental necessity if farm people—are going to continue to own and operate the electric facilities you have built.

As we struggle to hold the line, our program is being whittled at from many sides.

We witness a Bureau of Reclamation reorganization plan that would physically split this group apart. State boundaries will be the cutting edge, the division, rather than the natural boundaries of this great region.

Under the plan that is scheduled to take effect next July, Minnesota customers of the Bureau are supposed to deal with an office in Chicago—Nebraska and Iowa Bureau customers would deal with the Bureau office in Omaha.

The rest of us would be talking to a Denver Bureau office.

This is supposed to be a plan to build greater efficiency into the federal government, but what kind of efficiency is it—that splits the Missouri Basin system into pieces—administratively separate from the rest of the system?

Is this, I ask, bureaucratic engineering to divert our attention from the fact that those engineers manning the Reclamation system in Region VI and VII are now but a diminishing skeleton crew of the people that are needed to run a large-inter-regional resource system—a system which ought to be growing today, instead of being phased out?

In western South Dakota and eastern Wyoming, a power supply proposal is unfolding that is aimed at enhancing the monopoly position of two power companies—Black Hills Power and Light and Pacific Power Light.

Further, it is a plan intended to obstruct enactment of a consumer power district law in Wyoming.

The plan proposed certainly will not produce the lowest cost power for consumers. nor will it be easy on a great public resource—the beautiful Black Hills of South Dakota.

Simply stated, Black Hills Power and Light and Pacific Power and Light have proposed a generation and transmission plan which will allow them to control future power supply in Wyoming, and in western South Dakota.

It is a plan to carve up Basin Electric and some of its members.

The Bureau of Reclamation and the United States Forest Service are in a position to turn this "newspaper engineering plan" for a monopoly into a plan for the public interest.

It could be a plan without ten million dollars of duplicating transmission investment—and without hundreds of miles of parallel transmission lines running side by side—but unable to assist each other electrically.

Yes, the Bureau and the Forest Service have the power—but do they have the will to turn it around—in the public interest—to save valuable resources—and money?

Our Association has attempted to establish open lines of communication and a relationship of trust and confidence with the Bureau of Reclamation.

Our member systems are preference customers under the Law.

We repay the Federal investment in power facilities. We pay the charges assigned to operation and maintenance of that system.

It is the Mid-West membership which pays the heaviest penalties if the Reclamation system cannot provide reliable services.

Unfortunately, I must report to you that I feel less well informed on the Bureau's plans for the future of their system and our power supply at the present time than at any time since I have been your Executive Director.

You—the members—report the same concern.

This is an intolerable relationship between a Government Agency and its principal constituents.

We must know what the Bureau is planning with respect to the management of the systems built with public funds—with tax dollars.

We are determined to have our proper opportunity to influence discussions that affect our members' welfare.

Because we attach great urgency to the obvious and serious information gap between the Bureau of Reclamation and its customers—customers given preference under the law, your Board of Directors has instructed me to arrange a Bureau of Reclamation—Preference Customer Information and Fact Finding Conference at the earliest possible time.

I shall do so.

We will expect complete participation by Regions VI and VII of the Bureau of Reclamation.

We urge now every Bureau of Reclamation customer to begin planning to have at least one representative from your top management team in attendance.

This Bureau-Customer conference is urgently needed.

Again, I urge our friends from the Bureau of Reclamation to recognize our plans as a real opportunity for them to regain the confidence of their constituents.

Within the last few weeks we have learned that the Bureau has given serious consideration to becoming a member of the MAPP Pool.

Whatever the plans and the proposal. It is my duty to tell you that power company management—private power company management—is obviously better informed than you—the preference customers and their organizations.

This is absolutely intolerable.

I am sure we all want our Bureau of Reclamation friends to understand here and now that we expect them to stop all discussion with MAPP and its spokesmen until they have discussed their plans openly and candidly with their customers.

We want to know—and we have the right to know how a MAPP Pool will affect the Bureau program.

We want to know what membership will cost the Bureau and its customers.

Above all, we want to be assured that they can discharge their contractual obligations to the existing preference customers pool if and when they affiliate with MAPP.

The MAPP Pool will be a principal item of business at the Conference. We will soon call.

Closely related to our concern for the Bureau's potential relationship with the MAPP Pool is a deep feeling of frustration developing as a result of the arms length, and less than candid relationship that Reclamation seems to prefer with its own Preference Customer Pool and the Missouri Basin Systems Group.

The Bureau needs to remember that the Congress of the United States has directed a special obligation on the part of the Federal Power program and its Administration towards the small and widely scattered consumer-owned electric utilities.

We will expect to discuss with Bureau of Reclamation officials steps that can and must be taken to make certain that the Preference Customer Pool receives the information required—that the Preference Customer Pool has the opportunity to participate in the decision making process, as their rights and interests are affected.

The Bureau of Reclamation and the Basin Electric Power Cooperative have completed Study 207. They have agreed on facilities that must be built by each party to maintain reasonable standards of reliability.

We need assurances the Bureau is aggressively seeking the funds required to build the facilities that they must build to meet their obligations in the region.

We must consider together what can be done if the Administration—the White House Office of Management and Budget—fails to budget for these lines or if the Congress fails to appropriate the money.

From time to time we receive word that small municipal systems within the marketing area are being denied Federal power—like White, South Dakota, and Aurelia in Iowa—denied Federal Power—even on a short term basis while substantial amounts of both power and energy are being made available to power companies.

This is another item that merits in depth consideration at a joint—give and take meeting between the Bureau and its preferred customers.

I want our Bureau of Reclamation friends to understand that we consider these matters of the utmost importance.

We expect to talk candidly to the Bureau of Reclamation at these sessions.

We expect the Bureau to speak to us candidly and openly.

We want these questions and others resolved.

We want a relationship of candor and confidence between the Bureau of Reclamation and its customers—re-established.

We will expect Reclamation to delay all decisions relating to the above items until these discussions have occurred.

We have worked for years through coordinated planning to produce for the people we serve—and what they properly demand—a modern, planned, efficient, inter-dependent power system in this region and country, developed not for the interests of profit, but developed for consumers.

In your coordinated regional planning—you have been the forefront of the struggle to complete the Missouri Basin hydro generating facilities.

. . . of proceeding with long term hydro-thermal power integration programs . . .

. . . of proceeding to construct large, efficient mine-mouth thermal electric generating plants with attention given to restoration of spoil banks resulting from strip mining operations . . . .

You have been the leader in preserving the present Bureau of Reclamation transmission grid, the backbone transmission system—and the development of an overlay of extra-high voltage transmission lines of the highest voltage and capacity that can be justified.

In keeping the lights on in the region—you have worked on increasing the amount of reserve capacity in the region and to provide for an adequate margin of power supply so as to foster industrial expansion in these sparsely settled states.

In your regional coordinated power supply planning you have helped develop plans so that the credit of municipal and cooperative enterprise could be effectively used to finance at reasonable cost—the sizeable generating and transmission facilities that are urgently needed.

Ahead of your time—you have refused to accept a proliferation of uneconomic generating stations, but promoted a mixed ownership regional power supply and transmission agency for optimum development of the resources of the region.

And you have—in the effort to achieve power supply on the Plains . . . worked for inter-regional extra-high voltage transmission interconnections to provide for greater system reliability.

All of us are aware that too many times, the things that are taking place throughout the region and nation and there are headlines that tend to scare us and intimidations. Well—there are tensions and there is confusion, but let me say without tensions over unmet needs, we would not have progress.

Because when there are not tensions, when there are not forces moving—as you have been moving, to make change for a better region, you have stagnation.

I don't think we should condemn the tensions that exist—whether we are developing water, electricity, the G & T program, financing—better housing, power supply—or other items.

Our challenge in achieving power for the plains is to continue to have programs to direct those tensions so that we can continue to make progress, so we, together can continue to do those things that have to be done.

POLICE PROFESSIONALISM

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. McGOVERN. Mr. President, the December 1971 issue of The Police Chief magazine contains an exceptional article on the issue of police professionalism, with particular emphasis on the question of college training for police officers.

The author, Commissioner William J. O'Rourke, who heads the Public Safety Department in Wilmington, Del., agrees strongly with the President's Commission on Law Enforcement and Administration of Justice in concluding that we should aspire toward 4-year college degrees for all police officers. And he supplies several compelling new reasons for that conclusion. I might say that I am in full agreement with his general view, and also with his recognition of the need for encouraging college attendance after entry into the police profession.

I commend Commissioner O'Rourke's article to my colleagues, and I ask unanimous consent that it be printed at this point in the RECORD.

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

SHOULD ALL POLICEMEN BE COLLEGE TRAINED?

(By William J. O'Rourke)

(NOTE.—Commissioner O'Rourke, in a letter accompanying this paper, comments, "Law enforcement education was one of the many workshops held during the IACP Conference in Anaheim. At the conclusion of the workshop, I discussed the opinions expressed therein with several others, including Robert R. J. Gallati, of the New York State Identification and Intelligence System; James P. Morgan, Jr., Public Safety Administrator, St. Petersburg, Fla.; and Thomas O'Rourke, former Chief of the New York City Transit Police. Their reaction seemed to be similar to mine. Therefore, on the flight home from

California, I wrote the enclosed article for your consideration."

(Commissioner O'Rourke has been head of the Wilmington Department of Public Safety, 1000 King St., Wilmington, Del. 19801, since February 1969. Previously, he was assistant professor of Social Science and Police Science at Morris County College, Dover, N.J., and a veteran of 22 years in the New York City Police Department, retiring with rank of captain. He received his B.S. (Magna Cum Laude) from the City University of New York, and is scheduled to receive the M.A. degree in Social Relations in June 1972 from the John Jay College of Criminal Justice.)

At the recent 78th Annual Conference of the IACP held in Anaheim, California, I was dismayed to find that the importance of college education for policemen was downplayed in the workshop titled: "Law Enforcement Education." The dominating opinions expressed in the workshop seemed to be that college training should be provided for those members of law enforcement who desire it and for those who aspire to higher rank. One panelist flatly stated that he disagreed with the President's Commission on Law Enforcement and Administration of Justice when it stated that in the future, all police officers should have a four-year college degree.[1] The suggestion was also made that a "commissioned class" of superior officers could be created for those law enforcement officers with a college education.

The reasons given for these opinions were similar to arguments that we have all heard in the past. They include:

1. Many excellent police officers do not have college training; therefore, college training is not a necessity for policemen.

2. Many policemen with a degree are not "good" police officers.

3. Minority recruitment will be hampered; it is difficult enough at present with only a high school diploma or a high school equivalency diploma required.

4. Many college graduate policemen will be bored and frustrated with performing routine police work.

5. Many college trained officers expect special consideration and preferred assignments.

6. Many officers only attend college for the monetary benefits involved: i.e., G.I. bill benefits, salary incentives, etc.

7. Antagonism at least to some degree, is created between the college trained and the non-college trained officers.

8. The necessary knowledge concerning people can be learned by officers "in the street," supplemented by in-service training.

These were some of the more prominent arguments against college training for police officers and I have to agree that they are all valid reasons to consider before taking a position on the issue of college training for police officers. However, it is my opinion that after having considered the above, we should continue to emphasize the importance of education for a police officer.

I base my opinion on the fact that in law enforcement the "product" we are dealing with is people; and just as the smart businessman insists that his employees know as much as possible about his product, it is good "business" for us to know all about our "product." In addition, our "product" is the most complex mechanism known to man; therefore, the learning process is longer and more difficult. Obviously, the social sciences and the behavioral sciences can be more easily learned in a formal college program than in the street, although I agree that both learning processes should be supplemented by in-service training programs in both sciences.

In logical sequence, the next question should be: *How important are the social sciences and the behavioral sciences to the man in the street?* My answer to this is that they are exceedingly important to the "man in the street" as it is he who is in closest contact with the public. He makes thousands of decisions concerning interaction with people during his career. Many times he isn't aware that he has made a decision; he merely reacts to a given stimulus with a routinized response. I believe that if he is more fully conscious and knowledgeable concerning the interaction he is involved in, he will have an advantage and, therefore, will be better able to control the given situation.

One example of this is when a hostile type is deliberately trying to provoke a policeman through the use of verbal taunts or profanity. He obviously is expecting the officer to return a hostile response to the stimulus of his taunt. Therefore, an unexpected response by the officer such as a laugh has a tendency to confuse the taunter, and gives the officer the advantage of not allowing the situation to escalate into an arrest unless the officer, in his best judgment, believes that he should make the arrest.

In discussing this type of situation with policemen in my department, I equate the example with Pavlov's experiments with dogs in which Pavlov proved he could condition his dogs to respond in the predictable manner to a given stimulus. I encourage the policemen not to allow themselves to be turned into "Pavlovian dogs" by giving predictable responses to the taunts (stimuli) of hostile types.

There are many other situations in which a knowledge of the social and behavioral sciences would prove of great value. This statement is supported by recent research into Family Crisis Intervention [2] and similar emotionally laden conflict situations conducted in New York and several other cities, which indicated that by raising the policemen to a para-professional level through increased knowledge of the social and behavioral sciences the policemen is better able to control more situations. The foregoing is only a few of the examples which could be offered to demonstrate the value of a college education to all policemen.

Higher education should also benefit the police through increasing the policeman's ability to articulate his thoughts, opinions, and feelings. This, in turn, should lessen the likelihood of the policeman resorting to physical means as a result of frustration that might result from his inability to express himself orally.

The performance of the Wilmington Bureau of Police has greatly improved in the past three years and I attribute this to the fact that during that time we have encouraged all our members to attend local colleges. In addition, we have had the NTL Institute for Applied Behavioral Science conduct intensive college level training programs in Human Relations (Social Psychology) for all members of the department. The course was recognized for credit at Brandywine College and Delaware Technical and Community College. We have included nine college credits in our recruit training program and have established a job requirement that all recruits continue their college education at the end of their recruit training. We have provided monetary incentives to those acquiring college credits and we will soon establish minimum college credit standards that will be required for promotion. I attribute, at least to a great extent, the above mentioned improved performance to the college training.

The results of the improved training and education are most noticeable in the handling of demonstrations. The men appear to be more calm and relaxed under difficult circumstances, and hence much more able to maintain their "cool." They are just as purposeful, and even more efficient and effective than they had been prior to this training. Recently, a local newspaper described them as being "relaxed" while handling a four-hour demonstration of over 500 people who were lying in the streets of Wilmington.

In answer to the previously listed arguments against college training for all, I offer the following specific answers:

1. These excellent officers might even be better with college training. Also, how many other journeymen policemen could achieve "excellence" if they had the additional advantage of a college education.

2. A college education will not eliminate all "poor" policemen. However, it should make them fewer in number by lifting some "poor" policemen up into acceptable levels.

3. Minority recruitment difficulties should not be increased if we do not require higher education at the entrance level. However, we should select only people with the potential ability to absorb college level training and then require them to attend college after they are employed. Any person who cannot achieve this level probably would not have the ability to perform well as a policeman and, therefore, probably should not be hired.

4. If looked at in the proper perspective and with the concern of a professional with full knowledge of the implications of what is taking place before his very eyes, the college educated police officer could consider his tour as eight hours of "social engineering" or "social research."

5. If a college education was commonplace in a department there would be no reason for a college educated officer to expect preferential treatment.

6. The monetary benefits are the reason that some officers attend college, but they still have to learn enough to pass in order to continue the benefits. Many of those who start this way find that the monetary benefits become a secondary motivation as their interest in learning increases. Of course, where there are abuses of the privilege such as receiving payments under two different programs (Federal, State, or City), this can be corrected by administrative order or by changing the law.

7. Granted that college training can become a divisive force in an organization, it can be eliminated by requiring everyone to attend college by initiating a program such as we have instituted in Wilmington. I would venture that the antagonism that would result from the creation of a "commissioned class" of policemen would be much greater.

8. Many of the problems in law enforcement today are the result of new members learning the "job" in the street rather than through formalized training. With the advantage of higher learning, the new member will be better qualified to select the "wheat from the chaff" in deciding which advice from the older members of the profession he will accept. Remember, the "commonsense approach" once indicated that the Earth was flat.

Based on the above, I conclude that the President's Commission was right when it recommended that in the future all policemen should be required to have a baccalaureate degree. However, I must qualify this endorsement by stating that for the present and for the near future, a college education should not be required at the entrance level. We should encourage or possibly require that new members of the profession attend college after being hired as policemen. By setting minimum standards of academic

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[1] The President's Commission on Law Enforcement and the Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, February 1967), page 109.

[2] *Training Police as Specialists in Family Crisis Intervention*, Law Enforcement Assistance Administration, National Institute of Law Enforcement and Criminal Justice (Washington, D.C.: Government Printing Office, May 1970).

achievement for promotion, we can motivate policemen to pursue their studies toward a degree at least to the extent that their individual circumstances permit.

NATIONAL HEALTH INSURANCE

HON. RICHARD H. ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ICHORD. Mr. Speaker, during the month of November a constituent from my district in Missouri, Mr. Thomas Michael Wood, president of Accredited Hospital & Life Insurance Co., testified before the Ways and Means Committee concerning proposed legislation for some type of national health insurance bill. Mr. Wood also submitted "A Comprehensive Report on the Subject of Compulsory National Health Insurance and a Recommendation for a Reasonable Alternative Thereto" to the Ways and Means Committee for their consideration.

Mr. Speaker, I believe that Mr. Wood has done some remarkable innovative thinking on a problem which the Congress must face in the near future. It is my understanding that the Ways and Means Committee will go into executive session after Congress reconvenes during 1972 to study the testimony and consider recommending some legislation to the House. Most of the plans I have seen in the past tend either to call for a governmental program which ignores the private sector or to favor the private interest of the medical profession, hospitals, and insurance companies with little concern for the public interest. However, Mr. Wood's suggestions would seem to preserve the best of the several alternatives by keeping health insurance in the hands of private insurance companies while setting up national and regional boards to protect the public interest at minimal cost to the Government.

Mr. Speaker, I believe that this proposal is worthy of the serious consideration of every Member of this House and I would like to submit the summary statement of Mr. Wood's report for the RECORD.

SUMMARY STATEMENT BY MR. WOOD

Health care, once considered an individual responsibility, is now being twisted to establish it as a "right", to be guaranteed by law. I believe this ignores the rights of everyone and places an unnecessary burden on the public . . . a burden that in our system of free enterprise has no place in the law.

One of the results of such a burden is inflation. Yet we are attempting at this very moment to curb inflation in the United States.

Some critics of the present system claim health care has become too expensive for the "average" American. Yet, in 1968, Americans spent equal amounts on health care and household furniture, equipment and supplies. In that year, the private consumer spent an average of $162.65 for health services and supplies . . . hardly an excessive amount.

Do Americans have a "right" to health care? I do not think one can argue that they do. Instead, what each individual has is a right to obtain the best health care available to him. To claim otherwise is to negate the rights of those who deliver the medical care and to ignore our free enterprise system, a system on which the United States has grown and prospered economically.

What has happened in countries providing some form of compulsory health insurance? Wage earners resent the high taxes used to pay for the insurance; malingering is encouraged; hypochondria has increased; and through over-utilization the costs soar.

The reason is simple: For most people there is a direct connection between a personally paid fee, no matter how small, and a return to health. They have a stronger will to recover if there is financial premium on the outcome of their fight.

Throughout the world, wherever some form of compulsory health insurance plan has gone into effect, confusion over costs and benefits runs rampant. The best way to prevent such confusion is to maintain the current competition between the providers of health care (doctors and hospitals) and also the competition that exists between the providers of health care financing (insurance companies).

The competing providers of health-care financing from which U.S. citizens now choose are doing a good job of providing benefits. By the end of 1968, over 85% of the entire population was covered for some hospital expenses; close to 80%, for surgical expenses; and 65% for regular medical expenses. Almost 90% of our population had some form of health insurance.

Reimbursements that year ranged from 60% for covered doctor visits at home or in the office, to 88% for covered hospital charges. Health insurance from which U.S. citizens now choose is definitely playing a large role in meeting the costs of medical care for the vast majority of Americans.

Compulsory health insurance is by the very nature of the word "insurance" a contradiction in terms. Insurance requires a mutual contract . . . so there must be freedom to insure or not to insure. Unfortunately, the concept of insurance is one of the least understood in the nation. One of my reasons for appearing before this committee is to dispel a few misconceptions.

Insurance companies are constantly striving to improve their products. For example, my own company now markets a policy that pays up to $50,000 for in-patient hospital and doctor care while containing virtually no internal limits. In order to provide this kind of comprehensive coverage, we included a $100 deductible. Similar high limit plans are in, or being added to the portfolio of many insurance companies. The deductible eliminates the small bills that anyone can reasonably be expected to pay for himself, while offering outstanding protection against the costs incurred by major accidents or illness. Trivial or small claims are too costly to administer. The insured does not get good value for his money when he buys insurance to protect against trivial economic losses. Such policies are contrary to one of the fundamental concepts of insurance.

The current system of competition between the financiers of health care acknowledges the fact that there is no such thing as "free medicine." Such care aways costs somebody something. Since, for the average family, these costs do not constitute a financial hardship, they should be allowed, even encouraged to meet their own responsibilities in this area.

Nationalized compulsory health insurance penalizes those people who have the pride and common sense to take care of their needs. A tax rate of the magnitude necessary to underwrite such a program will, ultimately, work only to destroy individual initiative and responsibility. Indeed, it creates the very conditions that are used as arguments for further federal action!

The financial expenses incurred for such compulsory programs are great; the costs to personal freedoms are even greater.

If the government sponsors such a program, there is little doubt that we will someday reach the point where the government will also feel the need to legislate against a person's abuse of his own health.

The choices presented to the Committee thus far have merely been between one form of nationalized compulsory health insurance and another. This is a false set of alternatives. Consequently, I would like to propose a program that would work effectively within our already established framework of free enterprise . . . that could provide care for all citizens . . . that could eliminate the need for government to go into the insurance business . . . at no cost to the government.

To begin such a program a national board would be established, composed of four groups; one from labor and management, one from the medical profession, one from hospital administrators, and one from insurance companies.

This board will in turn, establish regional boards composed along similar lines. Members of both boards will serve at the expense of their individual employers on a part-time basis; meeting just as would any corporate board of directors, to assure themselves and the nation that medical care is being offered as efficiently and as effectively as possible.

This kind of operation encourages competition among insurance companies, among doctors, among hospitals . . . to provide patients with the best medical care available. The end result of such competition will be a continuous upgrading of products, services, and care. The public can only benefit from such continual upgrading and improvement.

The establishment of the national and regional boards will increase the opportunities for free and open communication between private citizens, doctors, hospital staff members and insurance company personnel. It will also provide the necessary means of eliminating double benefits paid on the same claim by installing computers for cross-reference of claims paid on a regional basis. This, in turn, will cut out some of the difficulties faced today by insurance companies and will keep premiums at a more acceptable level.

Such a program also makes provision for funds to be used in research and education. If we are to continue our fight against disease, we need additional sources for research funds. The program provides for these funds by charging what amounts to a sales tax on premiums. This will provide a good, stable financial foundation for research to be administered by the national board. The funds will be redistributed to each region in direct proportion to that which was paid from that region.

I propose that much of this research be done in satellite facilities located primarily in geographic areas not having ready access to medical care facilities. This would enable the residents to receive medical care, and it would provide incentive to those interested in research to move to these now medically-depressed areas.

Finally, this program makes provision for those who become unable to take care of their own health care needs. I divide this group into two distinct categories: the transient poor possess the means to continue, with the proper incentive, to move throughout the economic strata. The permanent poor are those who become physically or mentally handicapped and because of their handicap, will be permanently disabled and without the ability or surplus funds to be self-supporting.

The permanent poor would be covered on an "assigned risk" basis. Insurance companies will be assigned a certain volume of this business to vary according to their ratio

of the overall volume of health insurance being written in their region. Costs will be born evenly among all who share a similar exposure to permanent disability and the ensuing potential poverty. Thus, the person who becomes permanently disabled need never again pay a medical premium, but he will be guaranteed that he will have available to him the finest medical care for the rest of his life.

The transient poor constitute a different kind of a problem. They should be encouraged to return to the job market as quickly as possible. In order to provide this encouragement, I suggest a system of tax credits for the employer. This relates to the transient poor insofar as, if he is unable to work for whatever reason, his employer would continue to pay his health insurance premiums for a reasonable period of time; thus absolving the transient poor of the need to go into debt over this item. If, however, the transient poor is unwilling to find another job, or to return to work, and is unable to qualify as being permanently poor, after a given period of time, his benefits will be eliminated, or he will be required to pay his own premiums . . . this is only fair in a system such as ours, where we are rewarded for our work, not our laziness.

To cover the "start-up" expenses of such an undertaking, I suggest a government-insured loan . . . from insurance companies to be used in setting up the national and regional boards.

This program, if established, will ultimately phase out the need for Medicare, Medicaid, and potentially, VA Hospitals and state institutions.

The key to success lies in mutual effort on the part of laymen, doctors, hospital staffs, and insurance personnel to work on a standard of self-improvement for the good of mankind.

I am convinced such a program will work, because I believe most Americans realize that for our way of life to progress and improve, it is mandatory for each individual to retain his freedom of choice. I am convinced that if the program is fully developed and properly presented to the general public, it will meet with an overwhelming acceptance.

WORLD CONGRESS ON AIR CHARTERS AND TOURISM

HON. HOWARD W. CANNON

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. CANNON. Mr. President, the Government of Spain has announced that a World Congress on Air Charters and Tourism will be held in Madrid, April 17–20, 1972. I request that the announcement be reprinted in the RECORD. It was issued by the Ministers of Aviation and Information and Tourism of the Government of Spain.

I think it is timely that the Spanish Government is calling this World Congress, to focus attention on the air transport and tourism industries, which are worldwide in their importance.

It was back in 1944 at Chicago that the rules which govern the conduct of air transport services were adopted. Since that time, we have seen a rather orderly development of our scheduled ticketed services, but not so in the development of mass or charter services. Tourism is growing faster than the world has before known, and it faces many problems.

Spain has faced up to the charter problem and I believe other countries must do so in this air age.

Our own Government announced its policy in June 1970. This was the first policy that recognized air charters as a valuable component of our air transport network, and it is for this reason, Mr. President, that I am extremely pleased that a World Congress will focus attention upon the total world air transport system.

It is my hope that our Government, along with other governments, will offer wholehearted support to the Spanish Government in the upcoming meetings.

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

SPAIN TO HOST WORLD CONGRESS ON AIR CHARTERS AND TOURISM—ROLE OF NONSCHEDULED AIR TRANSPORTATION TO BE HIGHLIGHTED

MADRID, SPAIN, December 20, 1971.—The impact of non-scheduled air transportation on world tourism will be highlighted at the First World Congress on Air Charters and Tourism to be held in Madrid, Spain, on April 17–20, 1972.

The Ministers of Tourism and Aviation of the Government of Spain today announced that they will sponsor the Congress, which will be the first international examination of developments in air transportation since the 1944 Chicago Convention on International Civil Aviation.

The aim of this conference is to study all matters pertaining to the development of tourism from country to country, generated by improved facilities and greater access to air transportation. Today, the consumer in all countries of the world, has a right to benefit from the development of international transportation.

Since 1965, the Spanish economy at large has seen the very positive results of a comprehensive and liberal tourism and air transportation policy which has allowed both scheduled and charter companies to improve considerably their services to the traveling public.

The World Congress will finalize recommendations to be made to all governments in order to implement, as soon as possible, regulations and decisions to maximize the orderly development of both scheduled and charter air transportation to serve fully the needs and requirements of the public during the next decade.

Mr. Victor Tarruella has been designated as Director of the Congress.

AMERICAN-WESTERN AIRLINES MERGER NOT IN THE PUBLIC INTEREST

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. UDALL. Mr. Speaker, I suppose I should not have been shocked when I first heard of the proposed merger of American and Western Airlines. After all, we live in the age of corporate giants—an age when your local shopping center may have been built by one of the big steel companies, when your landlord might just be some out of town conglomerate, when your favorite ball player might be salaried by a television network. It is a fact of life that small business is a vanishing species, and that the honest price competition we once knew has for the most part been sacrificed at the altar of the "growth stock" and the price-earnings ratio. We have been conditioned to quietly accept the sale of the local grocery store to the supermarket chain, attributing it to the inevitability of bigness in a world that becomes evermore impersonal and beyond our control.

Yet, there still are some mergers one cannot simply accept with a sigh, mergers that so unquestionably militate against commonsense and the public interest that sufficient outrage is stirred in the hearts of oldtime capitalists to halt them in their tracks. I contend that the proposed merger of American and Western Airlines is such a case.

The managements of American and Western Airlines are waging a vigorous battle to win approval of the merger, and they have rallied various municipalities, port authorities, and a few chambers of commerce—some of which may not have taken a thorough look at their own self-interest. Strong opposition has been voiced by labor elements such as the Airlines Pilots Association, the Stewardesses Division, the International Brotherhood of Teamsters, and the Brotherhood of Railway and Postal Clerks. They claim they will lose jobs, seniority, benefits, and that down the road air transportation will be restructured in a way that will deprive them of participating in a growing industry. Other airlines have opposed the merger on the basis that it would be detrimental to their future.

What bothers me most, however, is the relative silence of the traveling public. The public is always the first affected and the last to be heard from in merger cases. One important reason is the public has no one to plead its cause.

Presumably the Civil Aeronautics Board is entrusted with the responsibility of protecting the traveler. But many believe that, over the years, the Board has come to confuse what is good for airline profits with good service for the traveling public. While the two interests may coincide, they are not interchangeable. And the history of civil aviation in this country is replete with discouraging examples. The fact is the airline industry would still be languishing on subsidy, running a high unit cost, low volume, type of luxury business, had not external competition from the nonskeds and new technology forced them to accept their role in mass transportation.

Mr. Speaker, American is a large, financially healthy airline. Western is a smaller, financially healthy airline. There is no economic need for the two to merge, no public interest to be served. What there is, I suspect, is a corporate goal of American to become the Nation's largest trunk carrier, and the willingness of Western to be swept up into a deal that should bring its stockholders some quick capital gains.

Back in 1938, when Congress established the Civil Aeronautics Board, it planned a multicompany transportation system with real competition. The 16 lines that achieved grandfather rights under that act are now reduced to 11. Some disappeared, because their routes

were not economically feasible, and merger was the only way out. But none of them up until now ever disappeared just because of corporate convenience or caprice.

There are many factors that argue against permitting this merger to occur and they go right to the heart of the Nation's transportation problems and the general welfare of the traveling public. One consideration is of special importance to those of us who live in the western part of the country, away from the large population centers. This problem was highlighted in the brief submitted by the Department of Justice on August 31, 1971, setting forth Justice opposition to the merger on classical antitrust grounds. The brief is clear and forceful. The dangers it foresees as flowing from such a proposed merger are many, but let me call your attention to just one.

Western serves many of the West's smaller population centers. I can board a plane at Salt Lake City and fly to Great Falls with stops at Pocatello, Idaho Falls, West Yellowstone, Butte, and Helena. Then I can turn around and fly south to Denver with stops at Billings, Sheridan, and Casper. They may not be the largest cities in our country, but they are vital to the people of Idaho, Montana, the Dakotas, and Wyoming.

Both Western and American fly into Phoenix, and Arizona needs and appreciates the service of both airlines. American flies us to Texas, and on to the East, directly to San Francisco and to several other cities in California. Western flies us nonstop to Denver and Portland, and westward to Honolulu.

For those in my home State who favor this merger, let me cite the warning of the Department of Justice:

> Given the number of smaller cities on Western's routes, the relevant question is not whether American-Western will institute service benefits if the merger takes place, but whether it will terminate service to them. American's record has been to terminate service in medium-sized cities such as Milwaukee, not to maintain or initiate new service to small cities.

American is an aggressive, well-run airline. But it must be said that it has not shown much enthusiasm for servicing smaller communities. And these communities have the greatest need for air service. Many of them do not have the complex rail, bus, and highway systems that are so common in the east. Airports bring them into today's commerce, and their citizens are proud of their airports, pleased with the service they are now getting from Western. They would be extremely unhappy if anything happened to reduce or disturb that service. Yet this is American's track record as the Justice brief makes clear:

> American has suspended service to 29 cities in the last 20 years, each of which had a larger population than the largest city in Montana at the time that the service was suspended. Three of the abandoned cities had population in excess of the State of Montana.

Then Justice goes on to say that—

> The evidence indicates that there would be neither significant cost savings nor any significant improvement in service to the public if the proposed merger were consummated, but rather a significant chance of a decrease in service to smaller cities served by Western.

American abandoned Milwaukee with over 1.3 million inhabitants. In Western's entire route structure, it services only five cities with more population than Milwaukee.

American abandoned Akron, Ohio. Yet Western served 18 cities in Western States that have a combined population less than Akron had at the time American gave up on it. And it brings air service to such out-of-the-way places as Ketchikan, Alaska, and to Kodiak, and Juneau. What all of this means is that the people in many Western States will stand to gain nothing while risking substantial loss if this merger is approved. After the fact, American could not help but find temptation in the economics of snipping off small town service in order to concentrate on filling widebody aircraft off to lucrative tourist routes in the Pacific.

And there is another important issue, involving the future of the more than 42,000 employees of American and Western, which has received all too little public notice.

None of the employees of the two carriers, with the exception of a few dispatchers, are represented by the same unions. All of Western's employees are members of the Airline Pilots Association, the aviation division of the Teamsters, or the Brotherhood of Railway Clerks and Postal Employees. These organizations are as different as they are similar.

There is the extremely important issue of contract survival. American takes the position that as of the date of the merger, the collective-bargaining agreement of Western will cease to have any legal and binding effect. Further, American has taken the position that it has no obligation to deal with any of Western's collective-bargaining representatives. It is obvious that Western's personnel may find their protection nominal at best. When dealing with the integration of seniority lists, this becomes a matter of bitter dispute—an issue critical to pilots whose pay and promotions depend on seniority. Also, since this merger could result in a curtailment of hundreds of jobs, the "right to the job" falls in jeopardy, with the Western employees being the first to be sacrificed.

Labor organizations have recently urged the CAB to adopt procedures for collective bargaining requiring that the surviving carrier negotiate suitable provisions to meet the particular problems in hand. To date, the CAB has shown a monumental indifference to any new approach. The labor problem is just one troublesome aspect of this proposed merger, that makes one ask again: What are the invisible benefits that justify the obvious difficulties and problems that must result from mergering these two perfectly healthy and successful carriers?

Mr. Speaker, American's profit factor is of little direct importance to the citizens of the States in the West. What is important to them is the good air service which they are now getting, at least part of it from Western Airlines. The CAB must consider the importance of these communities to our Nation as it views this request to merge two of the country's healthiest air carriers.

There follows a chart comparing the size of cities now served by Western Air Lines with the size of cities which American Airlines has abandoned:

CITIES SERVED BY WESTERN COMPARED WITH CITIES ABANDONED BY AMERICAN

[In thousands]

Cities served by Western		Cities abandoned by American [1]	
City	Metropolitan area population [2]	Metropolitan area population [3]	City
Los Angeles	8,431		
Mexico City	3,400		
San Francisco	3,366		
Seattle/Tacoma	1,757		
Minneapolis	1,718		
		1,362	Milwaukee.
San Diego	1,337		
Denver	1,166		
Ontario	1,115		
San Jose	1,041		
Portland	989		
Phoenix	911		
Vancouver	900		
Sacramento	804		
Honolulu	652		
		646	Akron.
Salt Lake City	557		
		554	Scranton.
		423	Richmond.
		295	Peoria.
		281	Bristol.
Las Vegas	272		
		218	Binghamton.
		169	Midland/Odessa.
		164	Roanoke.
Anchorage	155		
		150	Springfield, Ill.
		132	Springfield, Mo.
		130	Abilene.
Reno	126		
		133	Lynchburg.
		110	Joplin.
		101	Elmira.
Sioux Falls	100		
		91	Texarkana.
		89	Parkersburg.
Great Falls	86		
Billings	84		
		77	Clarksburg.
Hilo	69		
Cheyenne	59		
Rapid City	58		
Idaho Falls	54		
Pocatello	52		
Acapulco	50		
Casper	50		
Butte	46		
		43	Big Spring.
Palm Springs	37		
Helena	33		
		28	Elkins.
Sheridan	18		
Pierre	13		
West Yellowstone	8		
Juneau	6		
Ketchikan	6		
Kodiak	4		

[1] Since 1960.
[2] As of Dec. 31, 1969.
[3] As of Dec. 31 of the year prior to the one in which the city was abandoned.

Source: CAB certificates, Sales Management, Survey of Buying Power, exhibit AW-52.

CHRISTIANS SUPPORT UNIFIED JERUSALEM

HON. EDMUND S. MUSKIE

OF MAINE

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. MUSKIE. Mr. President, in the coming Christmas period, it is expected

that a record number of Christians from every part of the world will be going to Jerusalem. This pilgrimage will be only part of the continuing pilgrimage that has already brought hundreds of thousands of Christians and Muslims and Jews to Jerusalem this year alone. That glorious city is open for all to come and to worship—or refrain from worshiping—as they please. Whatever arguments may persist on other aspects of the tragic Middle East situation, there can be only great satisfaction in the knowledge that this holy city is now completely accessible to anybody choosing to go there. In a world so torn by racial and national and religious tensions—India, Pakistan, Ireland, Vietnam—it is comforting to be reminded, as I was personally when I visited Jerusalem earlier this year, that peoples of diverse cultures and religions can indeed live in peace and with mutual respect. Not only are the holy places available to their respective adherents, but they are open to all people, regardless of religion, and in the last few years millions of people from all over the world have had the enriching experience of observing the symbols of other people's traditions and cultures.

As we approach the Christmas season, Mr. President, I would like to call to the attention of my Senate colleagues a most interesting document that has come to my attention. Prepared by the Interreligious Department of the American Jewish Committee, it is a compendium of recent statements made by Christian theologians and lay leaders in support of a unified Jerusalem. In the judgment of these observers, Israeli jurisdiction over Jerusalem is justified and should continue. All of us who pray for peace in the Middle East should give careful consideration to these impressive statements on one of the controversial aspects of the troubled Middle East situation.

I ask unanimous consent that there be printed in the body of the CONGRESSIONAL RECORD the document "Christians Support Unified Jerusalem" with an introduction by Rabbi Marc H. Tanenbaum, director of the Interreligious Department of the American Jewish Committee.

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

CHRISTIANS SUPPORT UNIFIED JERUSALEM

(Prepared by the Interreligious Affairs Department of the American Jewish Committee)

INTRODUCTION

A growing number of prestigious and representative Christian leaders are opposed to proposals for the internationalization of Jerusalem and want the city to remain under Israeli jurisdiction. That is the primary conclusion that emerges from a survey of Christian public opinion compiled by the Interreligious Affairs Department of the American Jewish Committee.

Conducted as a "trends analysis" report, the survey sampled public statements, speeches, news articles and editorials issued in recent weeks by Roman Catholic, Protestant, and Evangelical leaders and organizations in the Christian communities. While far from comprehensive, the sampling covered various regions of the United States, as well as Europe, Latin America, and Israel.

In addition, conversations held between American Jewish Committee representatives and many of these Christian spokesmen have led us to the conviction that these views which support the present status of a reunified Jerusalem under Israeli jurisdiction —while recognizing the legitimacy of Arab rights—represent in fact the feelings of thousands upon thousands of Christian people in this country and abroad whose voices thus far have been far from adequately heard.

Those who have charged with incredibly polemical language that Israel was engaged in "the Judaization of Jerusalem" and in "the suffocation of Christians and Muslims" in the Holy City have managed to attract the overwhelming attention for their viewpoint in the general mass media and especially in the Christian journals and media. To the uninformed, the impact of that anti-Israel —and in some cases anti-Jewish—publicity has been to suggest that there is a monolithic, or at least a majority, Christian sentiment that opposes the reunification of Jerusalem under Israeli sovereignty. The recent UN Security Council debate undoubtedly has reinforced that impression, especially since the Jordanian representative cited a whole range of Christian spokesmen—from Pope Paul VI to the National Council of Churches—as being uniformly identified with the Muslim position. (The Muslim position calls for the return of East Jerusalem to Muslim control, which was established in 1948 in the wake of the Jordanian military occupation of Jerusalem in violation of the 1947 UN Partition Plan.)

The frank intent of this document is to demonstrate that there is a substantial and growing body of respected and responsible Christian leadership whose positive sympathies toward Israel deserve to be taken into as serious account as those other Christian voices who have been more vocal and aggressive in advocating their anti-Israel positions. This leadership covers a broad range of the Christian communities—academic and intellectuals; seminaries, colleges and universities; clergy; religious teachers and nuns; theologians; committed Christian laymen and writers and editors of Christian journals.

At least five major issues emerge in this survey which command a consensus on the part of these Christian leaders:

(1) They oppose any possible internationalization or division of Jerusalem on the grounds that internationalization has never worked and would not be a viable solution since both Jordan and Israel adamantly oppose the plan. They share a widespread conviction that Israel should have complete control of the unified city of Jerusalem for historic reasons ("it is peculiarly and uniquely significant to the Jewish people as to no other people in the world") as well as for practical reason ("they are proving responsible trustees as is not liekly true of any other group.") They encourage further creative efforts by Israeli leaders to provide for "special (jurisdictional) arrangements" for Arab areas of Jeusalem. Several expressed the fear that an internationalization plan would lead to the introduction of troops from atheistic countries which could hardly serve the positive interests of any religious community in the Holy City.

(2) They applaud the behavior of Israel with respect to the holy places, characterizing it as "exemplary." Israel has already achieved the main purposes of internationalization which is to provide protection and free access. A Brazilian Catholic priest, who is also a member of the Brazilian House of Deputies, proposed "the internationalization of all holy places within the Israeli capital—Jerusalem; a proposal which is now being actively explored by the Israel government with Vatican, World Council, Eastern Orthodox, and Muslim officials.

(3) They deny categorically recent accusations that Israel has been "suffocating" the Christian and Muslim populations in Jerusalem and in Israel. Christians living in Israel for many years declare that such charges do not coincide with the true situation. While there has been Christian Arab emigration, this is not a current phenomenon, since it has existed at least for the past thirty years. In fact, they state, the contrary is true: since the end of 1948, the Christian and Muslim population of Israel has more than doubled. They also report that the exodus from Jerusalem is far less than that of the actual exodus of many Arab Christians from Arab Countries. They describe as "false" the charge that Israel is "abolishing Jerusalem's Christian character," and testify that "the Israeli authorities do not hinder us in accomplishing our mission." Finally, they assert that Western Christian churches receive their information from sources that are mainly Arab and therefore "it is understandable how the presentation of this problem is influenced."

(4) They conclude that the housing programs in East Jerusalem are "legitimate efforts on the part of the Israeli government" to renew slum areas of the City and to rehouse Arabs and Jews in new dwellings. The development plans are in no sense designed to oust the Arabs nor to "suffocate" the Christian and Muslim populations. Nor do they believe that the building plans on the outskirts of Jerusalem would diminish the sanctity of Jerusalem, any more than "modern building plans for the suburbs of Washington, D.C., would deprive the White House and the area around it of their historic meaning." (Msgr. John M. Oesterreicher).

(4) Of especial importance are the statements of various Christian theologians who, for the first time, affirmed that no theological reasons exist for opposing the return of Jerusalem to Jewish sovereignty. While evangelical Christians have acknowledged in the past that the restoration of the Jewish people to Jerusalem represented the fulfillment of Biblical prophecies, the declarations by Father Karl Rahner, one of the most authoritative Catholic theologians, and by Father Marcel Dubois, Dominican philosopher in Israel, among others, were precedent-setting and of potentially great importance for the future of Chrisian theological understanding of Israel. "I cannot see that the return of Jerusalem to Israel constitutes a real theological problem for a Christian such that reasons of faith would compel him to oppose the return," Father Rahner has written. Against the background of declarations of Church Fathers in the first four centuries, medieval polemicists, and the Papal statements to Theodor Herzl, founder of Zionism, all of whom regarded the destruction of Jerusalem as God's punishment of the Jews, Father Rahner's statement and those of other Christian theologians writing in these terms assume especial significance.

An individual but significant view was expressed by Father M. Nobre, of Rio de Janeiro, a Roman Catholic priest and member of the Brazilian House of Deputies, when he urged Pope Paul to move "to establish diplomatic ties with Israel," calling that "the desire of all Catholics the world over." Five other Brazilian deputies expressed full solidarity with the priest's views.

In sum, it is our hope that the study and wide dissemination of these statements will contribute to a balance and perspective in the mounting discussions over the status of Jerusalem, resulting in the avoidance of invective and the searching out of solutions that will reconcile Muslims, Christians, and Jews and one to another. For that is what Jerusalem, the City of Peace, ultimately is all about.—Rabbi Marc H. Tanenbaum, National Director of Interreligious Affairs, American Jewish Committee, October, 1971.

INTERNATIONAL

VATICAN POSITION ON JERUSALEM FIRM

VATICAN CITY, October 5, 1971.—A spokesman for the Vatican's Secretariat of State declared here this weekend that there has been no change in the Holy See's position on the question of Jerusalem since the Pope's speech on this issue June 21. The Pope on that occasion called for the granting of an international status to the holy places in Jerusalem. Vatican circles have since explained that this suggestion is different from internationalizing the city. The latter, they noted, is a strictly political matter while the former is a juridical one. The Vatican's announcement was made at the conclusion of the visit to Rome by Msgr. Pio Laghi, the Apostolic Delegate in Jerusalem. The Catholic prelate had consulted here with the Vatican's Secretary of State and other high officials on what the Catholic Church's reaction should be to the recent United Nations Security Council Resolution on Jerusalem and Israel's reaction to it. (Jewish Telegraphic Agency)

GREAT BRITAIN

CHRISTIAN ATTITUDES ON JEWS AND JUDAISM

"A City at Unity in Itself"—A plea for the present administration of Jerusalem was made by C. Witton-Davies, Angelican Archdeacon of Oxford, in the course of a review, in the *London* Catholic Weekly, *The Tablet*, 7 August 1971, of the new book by Dr. Walter Znder, *Israel and the Holy Places of Christendom* (London. Weidenfeld and Nicolson). The Archdeacon writes:

For the present, Jerusalem as the rest of the Holy Land, is united and open to all comers, as had not been the case since 1948 before the June War of 1967. Jews, Christians and Muslims can approach their sanctuaries freely and conduct their respective religious ceremonies there. Externally at all events Jerusalem is again a city at unity in itself, as it had been up to 1948, after which it was divided by the no man's land that ended the war following the termination of the British Mandate. Beneath the surface there remain divisions and suspicions, but no one in their senses wishes to see a return to the pre-1967 divided State. The Jerusalem municipality is well administered under the mayoralty of Teddy Kollek, who has earned great respect and even affection from Jew and non-Jew alike. No other seems likely to achieve such a measure of cooperation as he can claim to have achieved. His administration is fair to all alike who will respect the rules and conform to civic normalities.

It is difficult, if not impossible, to say anything about Jerusalem or about any part of Terra Sancta that cannot be construed as politically biased one way or the other. But opinions must be expressed, whatever the hazard. So I say, with the advantage of the experience of three pilgrimages since the June War of 1967 as well as over five years' residence during the latter days of the British Mandate and half a dozen visits during the years of military partition, that the present has within it the seeds of a just and lasting settlement of the many problems inherited from the past.

LATIN AMERICA

BRAZILIAN DEPUTIES URGE VATICAN TO ESTABLISH DIPLOMATIC RELATIONS WITH ISRAEL

RIO DE JANEIRO, August 9.—Six members of the Brazilian House of Deputies of both the government and opposition parties have asked the Vatican to establish diplomatic relations with Israel. They also proposed internationalization of the holy places in Jerusalem. The deputies took that stand at a special session of the House in Brazilia which was dedicated to Israel in connection with the transfer of the Israeli Embassy from Rio to Brasilia. One of the deputies, a member of MDB and a Catholic priest, Mr. Nobre, praised Israel's "political and administrative form of humanitarian socialism" and the "voluntary kibbutz system which characterizes the State's progress." Emphasizing that the anniversary of Israel's creation was "a great date in world history," the prelate warned against "increased anti-Jewish activities around the world" and censured the Catholic Church for maintaining "until not long ago" anti-Jewish expressions in prayer books. He also criticized Christians "who under the pretext of serving God," were spurring "furious anti-Semitism." He urged Pope Paul to move to establish diplomatic ties with Israel, calling that "the desire of all Catholics the world over." He also proposed internationalization of all holy places "within the Israeli capital—Jerusalem." At the same session, the other five deputies expressed full solidarity with the prelate's speech.

ISRAEL

The following story appeared in the September 26, 1971 issue of *Maariv*:

"Church leaders reject request to sign a petition to the U.N. concerning the 'Judaization' of Jerusalem."

Moslem public figures in East Jerusalem, recently met with Church leaders in the capital, and asked that they sign the petition to the Security Council of the U.N. on the subject of "Judaization of Jerusalem." The Church leaders rejected the suggestion for various reasons.

Jordanian authorities sponsored several meetings between Moslem personalities and Church leaders to convince them to take the same stand as they, on the eve of the Security Council discussion regarding the unification of Jerusalem.

It became known that most of these meetings, seven in number, were held with Catholic priests. During these meetings the Moslems made it clear that the silence of both Christians and Moslem public figures of East Jerusalem will be interpreted as a reconciliation with the unification of the city, and so they have a "public obligation" to voice their opinions.

All the priests that met with the Moslem leaders preferred to listen to the claims raised before them. As for taking a stand on the issue, the priests claimed that they are in Jerusalem to live here, and political matters concerning the city, should be the concern of the Church centers.

CHRISTIAN ARABS SPEAK OF ISRAEL AS FULFILLED PROPHECY

JERUSALEM POST.—Two Christian Arabs yesterday voiced apparent support of the fundamentalist belief that the establishment of Israel is the fulfillment of biblical prophecy. The pair were speaking at the third session of the Jerusalem Conference on Biblical Prophecy at Binyenei Ha'ooma.

Mr. Fouad Sakhnini, pastor of the Baptist Church in Nazareth, noted that politics had caused a division of opinion among Christian Arabs on the subject. Speaking of his own view, he said: "We Christian Arabs believe in prophecy with justice, recognizing the rights of Jews and the rights of Arabs."

Mr. Sakhnini said that Moslem Arabs completely reject the Jewish claim to the land as "political theology." "The Jews claim the right to a land that was theirs 2,000 years ago. The Moslems claim that the land was theirs 23 years ago (Israel) and four years ago (East Jerusalem and the administered areas.) They ask who has more right to the land."

A strong condemnation of Arab hostility to Israel was voiced by Mrs. John W. van den Hoeven, wife of the warden of the Garden Tomb in Jerusalem. Mrs. van den Hoeven, an Arab born in Sudan, said she had been brought up by her parents to hate and despise Jews. "Before 1948 it was because they killed Christ, even though my parents didn't care a penny for Christ. After 1948, the reason for hate was because they stole part of the Arab land from the Palestinians, even though my parents didn't care one bit about the Arab land or Palestinians."

Mrs. van den Hoeven, most of whose relatives are Moslems, said that the attitude of many Christian Arabs had been "tainted" by the Moslem majority among whom they lived. "Quite a few Arab (Christian) believers hate the Jews. The fault lies with the English and American missionaries who didn't teach us that to love Christ is to deny hate. I was born a Greek Orthodox, but I have become a Jew through the blood of Jesus Christ. I must love my brother, the Jew." Mrs. van den Hoeven said: "God has given the land to the seed of Abraham, which is Isaac not Ishmael (as the Moslems claim.)"

CHRISTIANS IN ISRAEL VIEW THE JERUSALEM DEBATE

The following article appeared in a recent issue of *Ma'ariv* written by Ada Luciani and Yosef Tzuriel, reporters in Rome and Jerusalem:

"Because of the fact that United Nations is about to consider its fate, we are dedicating this special issue to the city which, for the past 400 years, has been the center of world history." This giant headline appears on the important Italian weekly *La Espresso*, that publishes in its latest issue a special article on Jerusalem including an analysis of the city's history and its religious, social, political, economic and architectural problems.

In a long article—after objectively analyzing Arab and Israeli viewpoints pertaining to the present and future of the city—Victor Zeigelman quotes Christians who do not agree with the Vatican's fears and accusations of the "abolition of the Christian character" of the Holy City.

In the opinion of Father Tournay, President of the Welfare Organization "Caritas" in East Jerusalem, the Vatican's accusations "do not coincide with the true situation. The Israeli authorities do not hinder us in accomplishing our mission. As to Christian Arab emigration, it is true that three thousand Christians have left Jerusalem in the past four years.

"However, this is not a current phenomenon," continues Father Tournay. "Christian emigration from the Middle East has always existed, at least for the past thirty years. The Christian emigration has always been thought of as more important than the Moslem emigration. The Vatican receives its information from sources that are mainly Arab. Therefore, it is understandable how the presentation of this problem is influenced."

Another member of the priesthood, who remains anonymous also does not think that deliberate steps are being taken for the "abolition of the Christian character" of Jerusalem. "They do not disturb Jerusalem's Christian character, but they add Jewish character," he said. "The phenomenon of Christian emigration goes back many more years than the Israeli conquest."

MINIS—IN AMMAN, TOO

Israel should not be blamed should not be blamed for all sins. On the subject of the mini-skirt, for example, the same priest said: "People say the Israelis caused minis to be seen in East Jerusalem, but they may be seen in Amman as well."

The Archbishop Appleton also denies any "real pressure" upon Christians and he points out the economic motivation causing Christians to leave.

In the opinion of Father Jean-Marie Van Kang, from the Monastery of Saint Stephen, "The extreme Arab viewpoints are not to be taken to heart." He suggests an ideal solution, in his opinion, making Jerusalem "a free city, with its status assured by international pledges."

HIDDEN ANTI-SEMITISM

The Dominican Father Marcel Dubois, professor of philosophy at the Hebrew University in Jerusalem, firmly denies the accusations against Israel. "No one speaks of abolishing Jerusalem's Christian character. All this is false. Where were all these sensitive people when the Jordanians abolished the Jewish character of the Mount of Olives, when they destroyed the cemetery dating hundreds of years back? No one of the Christian world protested as the desecration went on before our very eyes."

"In Israel, however, opinions are voiced against the appropriation of Arab lands in East Jerusalem," says Father Dubois, who is critical of the Vatican.

"If the Church does not look at Israel in a Christian manner, if it does not recognize theologically, that this nation has a national goal that can only be fostered in Zion, then it has no right to pass judgment on Israel. The Church feels a bit paralyzed because it only recognizes the existence of the wandering Jew while the Israeli state and nation have no share in its theology. There is also that hidden antisemitism exist. . . . We would have more right to ask Israel to be faithful to herself, to heed the Arab problem, which is after all Israel's problem too, after we recognize Israeli's right to exist."

"The Christians are leaving Jerusalem"—thus protest the Vatican and the Jordanian government once every few months. If they had only made the effort to check out the numbers of emigrating Christians in the last decade, or to learn the facts from the directors of the churches themselves, who are permanently situated in Jerusalem, they would have seen reality differently.

NOT PERMANENT AND ROOTED

The emigration movement of Christian Arabs from Jerusalem to other lands did not originate after the Six Day War. The elders of Christian communities charge that the Christian population of the city has never been permanent and rooted. The reasons for that are mainly economic. The younger generation could not fit into the economic framework and therefore left the Holy City seeking new places to live. Many times it happened that at an older age, after saving up money and property or after tiring of the way of life in other countries, those of the younger generation who had left returned to their parents' homes in Jerusalem.

NO INTERFERENCE

The Fathers of the churches do not approve of comparisons made between Israeli and Jordanian authorities concerning East Jerusalem. They are careful not to refer to this subject in official talks. But in unofficial talks with Israelis, they speak of difficulties put in the way of the Christian communities during the Jordanian rule in order to limit their freedom—starting with permits for building through giving entrance permits to Christians and including setting up educational institutions.

Only in one field was liberalism shown by the Jordanian rule: they encouraged the foundation of welfare institutions by the Christian communities.

Since the unification of Jerusalem, the heads of the churches benefit from a much more liberal attitude than was prevalent during the Jordanian rule. They can come and go from Israel more easily; the Israeli Government does not interfere at all in the internal affairs of the Christian communities; they are exempted from taxes if necessary; they help them protect their holdings.

UNIFICATION OF FAMILIES

Apparently most of the Christian communities have no accurate record of births and deaths, of emigrations and visits among the members of their communities. But from the annual report of the Latin Patriarchate it appears that last year its population reached 4,000. That year there were 111 births and 34 emigrated. It can be argued that here there is no emigration in the true sense of the word, because the majority who left Jerusalem joined their children or parents who are in European countries and in the United States.

This proportion of emigrants is almost certainly the average rate of goers and comers among the Christian communities in Jerusalem. At any rate, there are no other figures. When governmental bodies sought to obtain details on the movement of emigrants from the heads of the churches, they were greeted with a shrug of the shoulders as if these facts have no significance. There were those who said that the number of the community was more or less constant.

At first Israeli officials turned to the heads of Christian communities, seeking details and explanations, whenever information was published by Vatican circles about Christian emigration from Jerusalem. Today nobody takes the trouble to verify or refute such declarations.

The first to adopt this approach were precisely the heads of the Christian communities themselves. Afterwards Israeli officials learned to do the same. Today, they all know that pronouncements and reality are not the same.

They know—although they don't say so openly—that political considerations guide the Vatican and the Jordanian rule in their declarations. Therefore, they prefer to keep their silence, as if nothing were said on a subject so well known to them.

EVANGELICAL POSITIONS

THE FUTURE OF JERUSALEM

(By Dr. W. R. White)

It is our profound conviction that Israel should have complete control of the city of Jerusalem. It is peculiarly and uniquely significant to the Jewish people as to no other people in the world. They are taking an interest in it and are proving responsible trustees as is not likely true of any other group.

The Mohammedans have their sacred city of Mecca, wholly in their hands as is proper. Although Israel wrested a part of Jerusalem by force from their possession, it was previously wrested from them by force by the same people from whom they have recently taken it.

To internationalize the city is not the solution for any problems involved.

The Christian world is profoundly interested also in Jerusalem but in the main they prefer that it be kept in the hands of Israel. They have proved to be superior custodians of the city and its sacred places. Any problem with the Mosque of Omar and similar shrines can be remedied by the proper treaty.

INTERNATIONALIZATION OF JERUSALEM OPPOSED BY DENOMINATIONAL LEADER

(By Religious News Service, June 23, 1971)

SEATTLE (RNS).—Dr. Arnold T. Olson, president of the Evangelical Free Church of America, said here that he joins other evangelical leaders in opposing a proposal that Jerusalem become an international city.

Dr. Olson noted that since 1967 the Israeli government has shown willingness and ability to grant freedom of worship and freedom of access to the Holy Places.

The president was here for the 87th annual conference of the Evangelical Free Church, coming to Seattle directly from Jerusalem whre he was keynote speaker at a conference on Biblical prophecy.

In opposing internationalization of Jerusalem, Dr. Olson said the Israeli government had been "open" in its rule of Jerusalem. He also argued that internationalizing of cities has always failed. There are no humanitarian problems in Jerusalem and there are "signs of Israel improving the living conditions of the Arab people," he added.

A DECLARATION ON THE STATUS OF JERUSALEM

We, the undersigned Evangelical Christians, committed to the integrity of Jerusalem, the Holy City, as the birthplace of our faith, want to commend the State of Israel for the scrupulous care with which it has protected Christian places and people.

Taking note that, throughout history, Jerusalem has never been the capital of ANY people except for the Jewish people, we are struck by the fact that since the Six Day War, all people are free to worship in the place of their choice, unlike the situation that pertained during the period 1948–1967.

The unity of Jerusalem must be preserved at all costs; internationalization, an idea which has never worked in history, would not be a viable solution.

Dr. Arnold T. Olson, president of the Evangelical Free Church of America.

Dr. Harold J. Fickett, Jr., pastor of First Baptist Church of Van Nuys, Calif.

Dr. John F. Walvoord, president, Dallas Theological Seminary.

Dr. G. Douglas Young, president, American Institute of Holy Land Studies, Jerusalem.

Dr. Myron F. Boyd, member of Board of Bishops of North America, Free Methodist Church, Winona Lake, Ind.

Dr. John Warwick Montgomery, professor of History of Christian Thought, Trinity Evangelical Divinity School, Deerfield, Ill.

Jerusalem, Israel, June 17, 1971.

It should be understood that the signers speak in their own name and not necessarily represent organizations or institutions to which they are attached. *Evangelical Beacon*, July 27, 1971.

ROMAN CATHOLIC POSITIONS

(The Reverend Karl Rahner, Roman Catholic Theologian, September 24, 1971)

Is Jerusalem part of Christian Dogma?

Once again the United Nations Security Council debates the status of Jerusalem. Once again the City of Peace is a city of controversy. And once again Jews will wonder what Christians really think about Jewish sovereignty over the Old City for the first time since the decades following the life and death of Jesus.

In the middle ages, Christian polemicists regularly proved that the Jews had been rejected by God, by pointing to the destruction of the Temple and the passage of Jerusalem into non-Jewish hands. Many Jews, hearing in their minds the echos of those old debates and recognizing how difficult it is to uproot the stereotypes of centuries, will wonder if, somehow, those old attitudes are not still around.

The Papacy has only intensified such rumination. Last May, the official Vatican publication, "Observatore Romano," spoke of the "Judaization of Jerusalem at the expense of the non-Jewish population." Last June, the Pope spoke to the College of Cardinals about Jerusalem's "mysterious destiny" and called for the internationalization of the city. Why? Why had 20 years of Jordanian rule produced no such statement?

As a professional theologian, I felt that it might be possible to clear up one aspect of the problem: is control of Old Jerusalem a theological matter for contemporary Roman Catholicism? I therefore wrote to Fr. Karl Rahner, generally recognized as the greatest living Catholic theologian and the intellectual father of Vatican Council II. I asked him if the old notions about Jerusalem were to be found in modern Catholic literature and, more important, what his teaching on this topic was. His answer is as notable for his directness and lack of equivocation as it should be useful in clarifying the Catholic theological status of Jerusalem. And at the end of his letter, please note, he extends his discussion to the question of the status of the State of Israel as a whole. Fr. Rahner has given permission to publish his letter. The translation is by Henry Schwarzschild.

Eugene B. Borowitz:

In response to your question, I should like to make the following comments:

(1) I have never given close consideration to the problem of the renewed sovereignty of Israel over the Old City of Jerusalem. I can therefore only make a few general remarks. For the same reason, I cannot point to the literature on this subject. I assume, however, that this literature, insofar as it exists, is referred to in the "Freiburger Rundbrief," with which you are surely familiar. It may also be appropriate to refer to Msgr. Oesterreicher's commentary on the declaration of the Second Vatican Council "Nostra aetate," in the second volume of the Council Commentaries, which are part of the Lexicon of Theology and Church, in order to understand the background of this question more fully.

(2) I do not know what reasons might have prompted Pope Paul VI to support the internationalization of Jerusalem. I should have to restudy the relevant declarations, but I do not have them at hand now. I gather that you know them well. Among the reasons that are at least objectively possible I can think only of the desire for a peaceful compromise between Israel and the Arab states and the opinion that the "holy places" of Christianity could best be safeguarded in this manner. One may differ about the weightiness of these reasons, but they should be judged calmly and objectively. In any case, they do not in my opinion comprise a real theological problem.

(3) I cannot see that the return of Jerusalem to Israel constitutes a real theological problem for a Christian such that reasons of faith would compel him to oppose the return. Christians once conducted crusades out of an historically conditioned mentality which is not, however, identical with the true nature of Christianity. After the crusades, Christians accepted the domination by Mohammedan peoples and states as a fact, without being prompted by their faith to undo the fact. I therefore do not accept the notion that Christians ought to oppose, on grounds of faith, the Israeli sovereignty over Jerusalem, especially since Christians are well aware of the ties by which the people of the New Covenant are spiritually connected to the Tribe of Abraham (Nostra aetate 4). I believe that Christian dogmatic reasons would be grounds for opposing this sovereignty only if there were a decisive objection on theological grounds to the very existence of a Jewish state (which sees itself as a political, not a theological, datum). But I am not aware of such objections or of such a theological problem that Christians have intensively considered in theological terms. (From *Sh'ma*, a journal of Jewish responsibility.)

ATLANTA, September 10.—The National Coalition of American Nuns today called for continuation of Jerusalem under Israeli control. In a statement issued by the Executive Council of the 2,000 member body, the Coalition opposed "any possible internationalization of the Holy City."

The statement continued, "Jews have always been in Jerusalem. It is their spiritual home and the daily prayer of the Jewish people voices their enduring historic relation to the city. Further, Israel has rebuilt Jerusalem pouring into it millions of dollars and more especially, untold human resources. Jerusalem is now available to all faiths and never before have the holy places been so protected and maintained."

The National Coalition of American Nuns is organized to study, speak and work for social justice. Its Executive Council met in Atlanta during the Leadership meeting of Women Religious, September 5th–10th.

TEXT OF STATEMENT ON JERUSALEM BY EXECUTIVE COUNCIL OF THE NATIONAL COALITION OF AMERICAN NUNS

The National Coalition of American Nuns expresses strong support for the current status of Jerusalem under Israeli control. We oppose any possible internationalization of the Holy City. Jews have always been in Jerusalem. It is their spiritual home and the daily prayer of the Jewish people voices their enduring historic relation to the city. Further, Israel has rebuilt Jerusalem pouring into it millions of dollars and more especially, untold human resources. Jerusalem is now available to all faiths and never before have the holy places been so protected and maintained.

JUDAEO-CHRISTIAN STUDIES DIRECTOR ACCUSES JORDANIAN BISHOPS

(By NC News Service, Apr. 22, 1971)

SOUTH ORANGE, N.J.—Jordanian bishops grossly misrepresented Israeli plans for Jerusalem in their recent letter to Pope Paul VI, charged the director of the Institute of Judaeo-Christian Studies here.

Msgr. John M. Oesterreicher, who heads the institute at Seton Hall University, said he found it difficult to take the bishops' accusations seriously, but felt compelled to issue a countering statement to clarify what he called the letter's "various falsehoods."

In their March 1 letter the Jordanian bishops urged the Pontiff to oppose Israeli plans for Jerusalem. They expressed fear that the Holy City would become a Hebrew city, with free access denied to Christians and Moslems, unless action were taken to preserve "its universal character unique and sacred to all mankind."

Signing the letter were Auxiliary Bishop Nemeh Simaan of Jerusalem, who heads the Latin-rite vicariate in Amman; Melkite-rite Archbishop Sabe Youwakin of Petra and Philadelphia, who also lives in Amman, and Greek Orthodox Bishop Diodoros.

The three bishops told of building plans by Israeli authorities "on the hills in the outskirts" of Jerusalem and proclaimed that such a project would radically change the complexion of the Holy City.

Msgr. Oesterreicher said that their claim is like saying that modern building plans for the suburbs of Washington, D.C., "would deprive the White House and the area around it of their historic meaning."

The monsignor said that the bishops' "notion that the buildings to be constructed in the hills of Judea would turn the Old City into a 'suffering ghetto' sounds more like a feverish expression or a propaganda device than a considered judgment."

The bishops are not content, however, "with frightening Pope Paul and the world that there will be a new stream of refugees," Msgr. Oesterreicher said, adding:

"They also want him and us to believe that the 'Hebrew Belt' will make free access to the Holy Places almost impossible.

Their fears would have some semblance of rationality, if that "Hebrew Belt" was a series of military fortifications or a row of police stations, and not a scattering of apartment houses.

"Whoever sold the bishops the idea that these dwellings will stop the free flow of pilgrims must suffer from an imagination run wild. What interest could the Israelis have in drying up so formidable a source of income as pilgrimages? As a matter of fact, the (Israeli) Ministry of Tourism uses every available means to encourage them."

Msgr. Oesterreicher said that "one could simply write off the bishops' predictions as highly emotional, did they not pass over in silence the fact that access to the Holy Places was greatly restricted under Jordanian rule."

Going further on the question of free access to Holy Places, once the Israeli building program is completed, the bishops asked the Pope: "Can we remain in silence confronted with such injustices and such an abuse of power?"

Msgr. Oesterreicher said he finds "such rhetoric totally unconvincing, not to say insincere.

"What I deplore most in their letter is not that the bishops are alarmists, which is bad enough, but that they pretend to sound the alarm in the name of Jesus," he added.

The bishops had written that "As Jerusalem is entirely and actually occupied by Israel, we feel that we are obliged—before God, before history, and before our conscience—to raise the voice of Christ. . . ."

To this the monsignor responded: "May I be so bold as to remind the three bishops that Jesus, God's Word to all men, was a Jew, not a Jordanian. It is my hope, however, that in His all-embracing love, He will repeat over them the unique prayer: 'Father, forgive them; they know not what they are doing.' "

PROTESTANT POSITIONS

LONG ISLAND BLACK CLERIC LAUDS ISRAEL: "HAS SOMETHING UNITED STATES LOST"

(By Charlotte Ames)

LONG ISLAND PRESS, September 24, 1971.—Israel appears to be on its way to becoming the Promised Land, says a black Long Island clergyman.

The people there "have something we in America have lost—the feeling of belonging and wanting to contribute to a great venture," is the opinion of Rev. Samuel R. Holder of Laurelton. "But we can recapture it. We must!"

How?—"First we have to conquer our fear of each other, then get to work eliminating our prejudices and then we can begin to change the face of our cities, working together to upgrade the standards of living of the less fortunate."

Rev. Holder, pastor of Dunton United Presbyterian Church in Ozone Park, is president of the Queens Interfaith Clergy Council. He was among 28 clergymen and college educators from throughout the U.S. chosen by the American-Israel Cultural Foundation for a study-tour of Israel aimed at better understanding between Christians and Jews.

He says he was unaware of any discrimination in Israel. and in fact "felt 100 per cent freer and safer than in America. There's scarcely any crime in Israel and people can safely walk the streets in the cities at night, something we here have lost the privilege of doing."

In most parts of Israel black people are a rarity, and there were times when young mothers apoligized to him because their children were so curious, he being the first black man they had seen.

"I gathered that political leaders there welcomed black people but don't particularly want them living in group segregation, preferring them to be dispersed and integrated," he says. There is one community of black Jews, mainly from America, and, in Haifa, he visited the International Training Center for Community Service, where some 1,000 Africans and Asians and 500 Israelis study nutrition and basic education together, the outsiders eventually returning to their homelands to teach others.

Perhaps the moment Rev. Holder feels most thrilled about was a meeting with former Prime Minister David Ben Gurion. "He told us that for 3,000 years the Jewish people throughout the world had been praying for the building of the Temple and now their prayers are being answered."

"Our most moving experience," he recalls when we climbed to Masada, the mountain citadel where in 72 A.D., rather than be captured by their Roman attackers the Zealot men slew their wives and children and then each other."

The group met with the mayors of many communities—Beersheba, Nazareth, Haifa, among others; studied for ten days at the Hebrew University in Jerusalem—"Intensive studies of the development of the State of Israel, biblically and historically, up to the present and looking to the future," visited holy places dear to men of many faiths;

spent a day at the Immigrants Absorption Center of Haifa. There, he says, people live for several months after arriving in Israel, are schooled in its language and customs and learn technical skills so they can step right into a job.

"At the center I met an American Jewish scientist who left the U.S. with his family because his daughter was on heroin. They are happy there, and the daughter is working and enjoying life in a kibbutz—and off heroin."

Rev. Holder says he "never appreciated this earth of ours so much as after seeing the deserts out of which these remarkable people are creating cities.

"We need to have this same kind of dedication to our country and to improving our communities. They are doing what seems totally impossible, and if we shared our goods and our talents, if each of us sought to contribute as these people do, life here would be so much more meaningful for all of us."

He is impressed with the clean cities—"You don't see trash and dirt in the streets!"—and with the priority given to schools and education.

He believes that "Our society in America will become more decadent and end in total failure unless we eliminate dilapidated school buildings, poor programming and lack of good teachers in black and other minority communities.

"Children must receive the best education possible to bring out their talents and constructively build our society."

He reports the Israeli people are "constantly improving their relationships with the local Arab people and improving their economic life."

"It's really unfortunate," he says, "that there is this apparent hate by many Arab heads of state for Israel, when you consider the fantastic job they have done. I'm convinced the same thing could be done in any part of the Mideast, but only if people will learn to rid themselves of religious and racial and national bigotry.

"From what I learned from both leading Israeli politicians and Arab leaders within Israel, the State of Israel makes technical and scientific skills available to those less fortunate, regardless of religion or race.

"I believe peace can come," he concludes, "but only if both sides negotiate together."

CLERIC REPORTS ON ISRAEL

NEWARK SUNDAY STAR-LEDGER, October 3, 1971.—Peace must be restored in the Middle East before Israel considers the return of Arab lands seized in the six-day war, according to a prominent New Jersey clergyman who toured Israel for two months.

Rev. Paul L. Stagg, general secretary of the New Jersey Council of Churches, said Israel "must always maintain a military presence in the former Arab lands, even if they are returned to the Arabs.

"I doubt, however, whether Israel would give up the Golan Heights because the kibbutz in the valley just below would be an easy target for the Arabs."

Under Israeli occupation, the Old City of Jersaleum, where most of the religious shrines are located, is easily accessible to persons of all faiths, he said, while under Arab control it was not.

"When it was proposed in the United Nations that Jerusalem become an 'international city' the Arabs partitioned it," he said.

After the implementation of the 1917 Balfour Declaration in 1948, in which Great Britain offered Palestine as a "national home for the Jewish people," the UN decided that both Arabs and Jews had an equal claim to the area.

"The Jews," he said, "accepted this decision, but the Arabs never did."

In reference to the Arab refugees who fled Israel after the war, Rev. Stagg asserted, "they fled because of Arab propaganda, not Israeli persecution.

"The Arabs in Israel are living better than before the country became a nation in 1948. They have better homes, food and education. The same Arabs who were in control of villages within the Israeli borders before the 1967 war are still in control of them today."

Israel, he believes, has no desire to be an occupying power. "The country's real desire is to affirm the lives of the Arab people within its borders as well as its own."

ECUMENICAL AND INTERRELIGIOUS POSITIONS

(Statement of Concerned Christians Adopted at Emergency Conference on Jerusalem and Israel)

As Christians concerned about peace and justice for all in the city of Jerusalem, we wish to take issue with recent statements in the general and church press which speak of the "Judaization" of the Holy City and the "suffocation" of its Christian and Muslim population. These statements also call for the "internationalization" of the entire city as a remedy for these alleged evils. Our purpose is to contribute to the debate provoked by these statements considerations we believe to be essential to a full and accurate perspective on these issues.

Our inquiry into the question of public housing in the Old City and environs has convinced us that the construction of these buildings is a legitimate effort on the part of the Israeli government to effectuate a renewal of certain slum areas of the City, to rehouse in new apartments Arabs from these quarters, to provide living space for a Jewish population increased by immigration, and to re-introduce a Jewish presence into the Old City from which it had been forcibly barred after the war of 1948. The development plans are in no sense designed to oust the Arabs, nor to "suffocate" the Christian and Muslim population. While we are concerned about the sacred character of the City, we believe that this housing is sufficiently removed from the holy places to avoid the change of diminishing the sanctity of the City.

We believe, further, that the claim that the Christian-Arab population is diminishing in Israel is incorrect. Since the end of the 1948 Arab-Israeli war, the Christian and Muslim population of Israel has more than doubled. The trickle of Christian emigration has not affected this upward trend. In Jerusalem, the non-Jewish total (Christian and Muslim) has increased steadily in the last three years. The question of emigration should be judged in contrast with the actual exodus of many Arab Chrisitans from Arab countries, particularly from Lebanon and Egypt.

It is apparent to us that internationalization of the entire City of Jerusalem is no longer a viable solution to the problem of conserving the peace, security and sacred character of the City and its Holy places. Since both Israel and Jordan are adamantly opposed to the plan, it is unworkable. Further, the behavior of the government of Israel with respect to the Holy places has been exemplary. It has achieved the main purpose of internationalization, which is to provide protection and free access—the chief goal of religious groups—and therefore must be considered a political rather than a religious concern. We recall with regret that no Christian bodies or national governments expressed concern about the denial of access for all Jews, or for Christians and Muslims in Israel, to their holy places during the Jordanian administration of the Old City. The same can be said about the desecration of cemetaries and synagogues during this period.

Should Jerusalem be internationalized at this point in history? The internationalizing body (the United Nations) now includes a large proportion of officially atheistic countries, or countries with no interest in or ties to the holy places of Christianity, Judaism, or Islam. Internationalization has never worked and the world has had its fill of divided cities. Both alternatives, internationalization and division, are undesirable.

There are many other possible formulas, short of internationalization of the city, which would better serve the aim of protecting the holy places. We believe that the choice of the best method should be left to negotiations carried on at the peace table between Israel and Arab countries. At that point the Christian churches, synagogues and mosques can voice their opinions as to the particular needs of their communities and properties in the area.

We are encouraged by such creative efforts as those already initiated by Israeli officials with Christian ecumenical and Arab civic leaders for special jurisdictional arrangements over the holy places and in Arab areas of Jerusalem. On the other hand, we regret all interventions that fail to take into account the political rights and sovereignty of the State of Israel.

(The signers of this statement speak in their own name and do not necessarily represent organizations or institutions to which they are attached.)

Signatories

Rev. Karl Baehr, Garden City Community Church, Garden City, N.Y.

Mrs. Claire H. Bishop, Editor of *Jesus and Israel*.

Father John G. Donohue, Catholic-Jewish Relations Committee of the Archdiocese of New York.

Dr. A. Roy Eckhardt, Professor of Religion, Lehigh University, Bethlehem, Pa.

Rev. Nancy Forsberg, The Clergy Association of Union, New Jersey.

Father Edward H. Flannery, Institute of Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Dr. Charles Fritsch, Professor of Hebrew and Old Testament Literature, Princeton Theological Seminary, Princeton, New Jersey.

Rev. William Harter, First Presbyterian Church, Margaretville, New York.

Sister Katherine Hargrove, Manhattanville College, New York City.

Rev. Lester Kinsolving, Episcopalean Columnist, San Francisco, Calif.

Dr. Andre Lacocque, Chicago Theological Seminary, Chicago, Ill.

Dr. Franklin Littell, President, Christians Concerned for Israel, Philadelphia, Pa.

Msgr. John Oesterreicher, Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Dr. Bernhard E. Olson, National Conference of Christians and Jews, New York City.

Father John T. Pawlikowski, Catholic Theological Union of Chicago, Chicago, Ill.

Sister Donna Purdy, Institute of Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Abbot Leo Rudloff, Benedictine Monk, Vermont.

Father John B. Sheerin, C.S.P., The Catholic World, New York City.

Dr. Elwyn Smith, Temple University, Philadelphia, Pa.

Sister Rose Thering, Institute of Judeo-Christian Studies, Seton Hall University, South Orange, New Jersey.

Sister Ann Patrick Ware, Assistant Director, Committee on Faith and Order, National Council of Churches, New York City.

Dr. George Williams, Harvard University, Cambridge, Mass.

Dr. Michael Zeik, Marymount College, New York City.

STATEMENT BY PROF. FRANKLIN LITTELL, CHAIRMAN OF "CHRISTIANS CONCERNED FOR ISRAEL" AT PRESS CONFERENCE ON JERUSALEM, NEW YORK CITY, JUNE 10, 1971

Four years ago the relationship between Christians and Jews suffered a severe shock. Just twenty-five years after the destruction

of European Jewry a "Second Holocaust" was threatened: for the third time in two decades the Jews of Israel were facing a massive assault, announced on enemy radio and in battle commands as a Holy War to kill the Jews. By a providential combination of courage and fighting skill, that disaster was averted.

But when the little nation was saved, Jewish leaders realized with grave emotional and intellectual shock that with ⅓ of the world's Jewish population already murdered in Christendom another major sector might have been wiped out in a Muslim jihad without any significant action by the United Nations to prevent it. Worst of all, where some of us sat—after forty years of apparently meaningful interfaith discussion and cooperation—the crisis was met by a thunderous silence in the churches. Such was the apparent lack of concern in the Christian churches! A statement even appeared under date of 7 July 1967, in the name of the General Board of the National Council of Churches, which talked of the continuing tensions in the Middle Eeast without even mentioning any of the most important factors: 1) Christendom's guilt for the Holocaust, 2) The prostitution of Islam in the threatened crusade against the Jews, 3) The Soviet Union's complicity in the attack, through heavy financing and arming of the aggressors.

Today the public is more aware, after the show trials in Russia, of the way in which Marxist governments are tied up with political anti-Semitism. But to some of us, who are Christians—and not Marxists or Muslims—the moral insensibility and theological wrong-headedness of the churches has focused attention. Since the "Six Day War" there have been several striking developments, indicating how a growing number of people of the churches is aware that our whole understanding of the relationship of the church to the Jewish people must be changed.

There is the Wayne State University Project on the Church Struggle and the Holocaust, now going into its third year of research and writing among Christian and Jewish scholars of different academic disciplines. Men like Eberhard Bethge, William Niemoeller, Emil Fackenheim, Eli Wiesel, John Conway, Gordon Zahn, Uriel Tal, etc. are working together in this effort to master the lessons of the recent past. There is the Seminar on the Holy Land in American Thought and Literature, jointly taught by Prof. Robert Handy of Union Theological Seminary and Prof. Moshe Davis of the Jewish Theological Seminary. There is a very vigorous Working Party of 10 Catholic theologians and 10 Protestant theologians, under the aegis of the National Conference of Catholic Bishops and the National Council of Churches, going into its third year of work; the theme—"Israel: the People, the Land, the State." Within the last six months several hundreds have joined a movement—"Christians Concerned for Israel"—which reflects a growing concensus among Christians that just as Anti-Semitism is the litmus test to identify emerging police states, so hostility to Israel is the specific sign of the rejection of Holy History by the Gentiles. For ever a century—and especially in the Left Wing and Right Wing Extremism of different parts of what was once blandly called "Christendom"—the most cruel blows borne by the Jewish people and the Church have come from renegade Jews and apostate Christians.

We might mention other signs of a recovery: the number of rabbis teaching in Catholic and Protestant seminaries and graduate schools of Religion . . . the plan to add a resident Jewish scholar to the staff of the Institute for Ecumenical and Cultural Research at Collegeville, Minnesota, and so on. . . . I think it is safe to say that the various Christian initiatives share certain common convictions.

(1) that the Holocaust was the major event in the recent history of Christianity—and not just a misadventure of Jews;

(2) that much Christian teaching about the Jewish people has been wrongheaded, indeed wicked, and that we must learn to think and act rightly on this front at the same time Catholics and Protestants are learning—after four centuries—to think and act as fellow-Christians;

(3) that the Church *needs* the Jewish people for several imperative reasons—to keep us from the "cheap grace" (Bonhoeffer) which is tossed around when God's Law is not taken seriously, to keep us from anti-historical and speculative heresies, to teach us in many ways to honor the covenant of fathers and sons;

(4) that the renewal of the spiritual life of the Jewish people, so soon after Hitler's victory over European Jewry and the slumbering conscience of Christendom is irrevocably tied to the rebirth of Israel as an historical nation.

We believe that the enemies of the Jewish people—who are also the enemies of the Christian faith, although not usually recognized as such so quickly—must be confronted by confessing Christians. After Auschwitz, there is no place for balcony-sitters on this issue! The threats to Israel's existence are both overt and covert, of open attack and subtle infiltration and corruption—in the pincer play which we now know so well from studies of anti-religious policies in the Third Reich and the Soviet Union and in the attacks on Israel since 1948.

Most unhappily, church organs and agencies have not always been immune to skillful manipulation by agents of Communist and/or Arab League propaganda—not to mention the wretched rise of fascist-type Anti-Semitism in the back woods of American church life. Recently there has been a mounting campaign to isolate Israel from friends, and to remove from her by indirect means and the pressure of public opinion what could not earlier be won by military attack.

This campaign has focussed on the issue of "internationalization" of Jerusalem and "recovery" of the Holy Places. A few days ago an Emergency Conference was held in New York, bringing together Catholics and Protestants of distinction from all over the country, and a statement was prepared for the guidance of the people of the churches. We present it to you now with no illusions as to our own infallibility, but with consciences now schooled in the certainty that in such a situation of all sins indifference and silence are the worst.

HOUSTON GROUP VOICES CHRISTIAN CONCERN FOR ISRAEL

On Wednesday, June 30, an ecumenical group met at St. Francis Episcopal Church to discuss the present urgent need for Christians to express their concern for Israel.

Recalling the horrors of the Nazi Holocaust and the continuing threats to the survival of Israel, the ad hoc group decided to seek affiliation with the national organization of Christians Concerned for Israel. Organized four months ago in the eastern U.S.A., Christians Concerned now numbers 300 members under the chairmanship of Dr. Franklin H. Littell, head of the Department of Religion at Temple University in Philadelphia.

Recently an emergency meeting of Christians Concerned met in New York City, later issuing a statement in support of the reunification of Jerusalem under Israeli jurisdiction. After discussing the position taken by the national group, the Houstonians issued the following statement:

"We appreciate the recent statement of Christians Concerned for Israel, and we commend the thrust of their recent news releases. Today it is particularly imperative that Christians speak out, voicing their concern regarding the great dangers which continue to threaten the well being, even the very existence of Israel as a free, sovereign state.

"We commend Israel for having made Jerusalem available to worshippers of all faiths. Therefore, we see no religious need to internationalize the city, nor do we consider internationalization a practical solution for political difficulties.

"We are deeply afraid that this proposal to internationalize Jerusalem—with its strongly prejudicial overtones—will be used by some to obscure the primary issue, which is the right of Israel to exist as a sovereign state.

"At this time, we call on all Christians in the community at large to join with us in expressing this concern. Anyone wishing to become a member of the Houston group is urged to contact Mr. Philip Libby at the local office of the National Conference of Christians and Jews." (228–5081)

The meeting was called by Sister Ann Gillen, Co-ordinator of Project Awareness, and Mr. Philip Libby of the N.C.C.J. Other members at the meeting included: Rev. Warren Dicharry, Rector of St. Mary's Seminary, already a member of the national Chrstians Concerned organization; Rev. Benedict Ashley, Research Professor at the Texas Medical Center Institute of Religion; Rev. Cal Rutherford, St. Francis Episcopal Church; Rev. Michael Falls, Palmer Memorial Church; Rev. Bryant Young, St. Stephen's Methodist Church; Rev. John Craig, Central Presbyterian Church; Dr. Lee Porter, First Baptist Church of Bellaire; and Judge Woodrow Seals, Chairman of the Board of Christian Social Concerns for the United Texas Methodist Conference.

The signers of this statement speak in their own names and do not necessarily represent the organizations or institutions to which they are attached.

CHRISTIAN PRESS REACTION

MIDDLE EAST—VATICAN'S VIEW

(By Father John B. Sheerin, CSP)

CATHOLIC NORTHWEST PROGRESS, June 11, 1971.—The already complex situation in the Middle East has been further confused by a very disturbing editorial in the Osservatore Romano of March 22–23. The editorial claims that the cause of peace in the Middle East has been harmed by Israeli efforts to bring about a measure of urban renewal in Jerusalem. The editor says that this is being done "at the expense of the non-Jewish population."

Why has the Vatican daily paper chosen to stir up this controversy at this time? The precipitating cause was undoubtedly a letter sent by three Catholic bishops in Jordan urging the Pope to oppose Israeli plans to redevelop the holy city by means of high-rise apartments and other new housing. "Thus, through the fanaticism of a people and its chiefs, the old Zionist dream is to be realized: to make of Jerusalem the exclusive center of the rallying of the Hebrew nation and the capital of Israel." The bishops warned that Christians would be encircled in "a suffocating ghetto" and the Christian holy places would become "museums."

I had never previously heard of bishops in one country protesting to the Pope about urban redevelopment plans in another country. Yet as I read the news dispatches about the bishops' protest, I said to myself: "Here we are again. We have been here before." During Vatican II in the 1963 session, bishops from Arab countries demanded the withdrawal of the Jewish declaration. Notable among them were Cardinal Tappouni, Patriarch Maximos IV and Patriarch Stephen I. In the 1964 session, opposition to the Jewish text narrowed down to Cardinal Tappouni who spoke in the name of all the bishops of

Arab countries, demanding the text be dropped. In the 1965 session, (cf. Rene Laurentin's commentary on the Jewish declaration, Paulist Press). Arab diplomacy had an opportunity to intrude into the theological discussion of the term "deicide," the upshot of which was that the text was slightly modified.

More surprising than the Osservatore's (and the bishops') nonplacets on high-rise apartments in Jerusalem were the editor's remarks on the "internationalization" of the holy city. He declared that Vatican policy favors "internationalizing" Jerusalem, basing his opinion on a talk recently given by Pope Paul in St. Peter's Square. The Pope said that "We have a grave right and a grave duty" to safeguard the holy places of Palestine, the continuing Christian presence there and "the statute of Jerusalem." This statute formulated the 1947 UN plan for internationalizing the city.

I think I am safe in saying that the common impression among Catholics in recent years has been that the Vatican had abandoned "internationalization" as impracticable. On numerous occasions Pope Paul had, with seeming deliberateness, refrained from using the word "internationalization" and it is noticeable that he did not use the word in the March 14 address. Nor has he registered any protest to the effect that the Israelis have been barring access to Christians to the holy places.

What could possibly have induced the Pope to shift his position? Some say that Spain and France, being pro-Arab, have influenced the Pope to shift position. This seems most implausible as the Pope is very much aware of how American Catholics would feel about allowing Russia to get a foothold in the holy city, which would be almost inevitable under a UN plan of internationalization.

The NCC release says "Israeli government officials are increasingly worried by—and irritated at—what they see as the Vatican's developing pro-Arab, anti-Israel policy." American Jews are equally disturbed, especially in view of the extremely good relations now existing between Catholics and Jews in the US. All we can do is to let our Jewish friends know that Osservatore Romano is not an official publication of the Holy See and that we Catholics await as eagerly as Jews a clear statement of the official position of the Holy Father on "internationalization."

A CATHOLIC REVIEWPOINT

ISRAEL AND JERUSALEM

(Editorial Comments by A. E. P. Wall)

The Baltimore, Md., Catholic Review, April 16, 1971.—Jerusalem, the holy city, continues to be not only a center of struggle but an object of struggle.

Israel, which controls the city, has stirred dismay throughout much of the world because of plans to build housing units in areas captured from Jordan. The U.S. Department of State has criticized the housing plans because the status of the city remains unsettled. U Thant has charged that the housing project violates United Nations Security Council resolutions. Objections have come also from those who believe that the housing project is inappropriate in terms of the beauty, and the special character of Jerusalem.

The project is not without its critics within Israel, and it is to be hoped that the Israeli government will act swiftly to review plans that do not appear to harmonize with the unique nature of Jerusalem.

While it is not possible for outside observers generally to support a poorly-conceived housing project, it should be possible to understand Israel's feelings about its capital city. An Israeli sees no more reason to internationalize Jerusalem than to internationalize Washington, Rome or Cairo. There are about 200,000 Jews and about 70,000 Arabs in Jerusalem.

Both L'Osservatore Romano and L'Osservatore della Domenica have recently published criticisms of Israeli positions on Jerusalem.

It might be more useful to the cause of brotherhood, which is so closely related to the cause of peace, for the Vatican and Israel to exchange formal diplomatic recognition. Normal diplomatic conversations between the two could produce not merely a happier frame of mind than can result from editorial criticisms, but they could lead to a discovery of much wider areas of cooperation.

There is absolutely no reason why normal diplomatic relations, one of the marks of a civilized society, should work against the interests of Arab Christians, as some seem to fear. Quite to the contrary, those interests might be served far better.

There is today, as Prime Minister Golda Meir said earlier this month, "complete freedom of access" to all holy sites in Jerusalem for members of all religions. This was not ture before the Six-Day War in 1967. As Mrs. Meir observed, the world "remained silent for 19 years, while Jordanian authorities prevented access to Jewish holy sites in the Old City of Jerusalem."

It is vital that Christians ponder not only the open persecutions that have brought pain and death to Jews by the millions, but that recognition be given to the special threats and insincerities of modern times.

There is talk today about creating a United Nations force, or some other international force, to preserve the peace of the Middle East. But Israel does not need a long memory to recall that only four years ago the United Nations Emergency Force was recalled from Egyptian territory along the Israeli border the instant Egypt demanded it.

Israel has never known frontiers or friendly neighbors. History gives the Jewish people reason to be cautious about the assurances of others, and history requires Christians to help remove the cause of that caution.

Neither political fervor, economic considerations nor sectarian interest should permit words or actions that have even the appearance of prejudice or hypocrisy.

WAR, PEACE, AND RELIGION

The Baltimore, Md., Catholic Review, April 16, 1971.—Emotions run high, and so do anxieties in the Middle East today. It is essential that the Church stand well above nationalistic influences in its support of peace with justice.

Clergymen in many parts of the world have prayed for the success of the armies of their homelands. During World War II, prayers were offered in Germany for an Axis victory even while they were being offered in Britain for an Allied victory.

It is possible for a priest, a bishop, a minister, a rabbi, to identify so strongly with a patriotic cause that he feels free to seek the institutional backing of his religion.

Three bishops in Jordan have appealed to Pope Paul VI to take a position on the Jerusalem question that would, in fact, favor Jordan. The three are Auxiliary Bishop Nemeh Simaan of Jerusalem, who heads the Latin rite vicariate in Amman; Melkite rite Archbishop Sabe Youwakim of Petra and Filadelfia, who also lives in Amman; and Greek Orthodox Bishop Diodoros.

In voicing their criticism of an Israeli housing plan for Jerusalem (see our editorial above) the three bishops wrote these unyielding words to the Pope:

"Thus, through the fanaticism of a people and of its chiefs, the old Zionist dream is to be realized: to make of Jerusalem the exclusive center of the rallying of the Hebrew nation and the capital of Israel."

The bishops went on to speak of a "Hebrew belt" and to warn that Christians would be encircled in a "suffocating ghetto," terms that hardly point the way to brotherhood.

There is little doubt that the three bishops are convinced that they are serving broad and lasting interests in their appeal to the Pope. In fact, however, they make it more awkward for the Holy See to seek peaceful solutions in a dispassionate and impartial way.

[From the Boston Pilot, May 1, 1971]

To the Editor:

Having just returned from a three-week visit in Israel, I am compelled by what I saw and heard there to take very strong exception to most if not all, of what Rev. Joseph L. Ryan has to say on page 12 of the April 24 issue of the Pilot.

The article fails substantially to prove anything at all about Israel bias it does perambulate from one reference to another and from one quotation to another, but there is, therein, no essentially honest facts from which one can conclude that "the Israeli government is engaged in discrimination and injustice against Moslems and Christians."

Father Ryan's use of the syllogism is very badly handled in the conclusions he reaches from the meeting of Pope Paul and Marshal Tito in spite of the fact that we of long memory can quite agree that the latter is an authority on aggression. We, of Roman Catholic persuasion, have come to expect much better rhetoric from Jesuits, but, frankly, Father Ryan's article is very bad propaganda and I wonder to what degree his views are slanted by his former academic position at Al-Hikma University in Baghdad.

A Spanish Catholic guide in Nazareth paid tribute to the efforts of the Israeli government in their use of world-wide contributions for purposes of remodeling the Church of Anunciation there. It appears that the government is administrating the archaeological excavations beneath the edifice as well as supervising the magnificent mosaic art in the Church of the proper three levels above. Were that things were going so well in the Church of the Holy Sepulcher in Jerusalem, where for many decades, I understand, Christian denominations have been unable to get together on necessary shoring of the structure.

It was a distinctly rewarding religious experience to have been able to attend the High Mass at the Holy Sepulcher on Palm Sunday. Isn't it true that during Jordan's occupation of Jerusalem, I would not have been permitted to do so? Isn't it true that Christians had access to this holy place only at Christmas time? And in addition, also, in the area of religious tolerance, isn't it true that Arabs in Israel are not even now permitted to pilgrimage to Mecca? The restriction is not the Israeli government's. What is true is that the Roman Catholic Patriarch of Israel could hardly be more harassed by the Israeli government than he was by Coptic Egyptian Christians on Palm Sunday morning. The Coptic's Services to the rear of the tomb of Christ were conducted concurrently with ours and the cacophony, however devout, was certainly, if not deliberately, an interruption of the Latinium ritual.

I have many reservations about Christian shrines in the Holy Land. I very much wish that I did not see so many things that I did see. It is imperative on Christians to get their own house in order. The threat is in no way from the Israeli government, the threat, rather is from within. But I want to add and very strongly, that the Roman Catholic administration of religious matters here is in the very good hands of Franciscan monks and with their performance, I have no argument whatsoever.

The Judaization of the Holy City of Jerusalem is becoming popular phraseology and Father Ryan impels himself to its use. The terminology refers to no new plague among the species. I feel it refers to the new housing units in E. Jerusalem, required by the expansion in the population of Jerusalem.

These new apartment houses are in good taste, made of Jerusalem stone and modern in their functional usefulness. They are on the outskirts of the city, nowhere in juxtaposition to the Holy City, and are of concerned interest to the growth and development of the city. The new housing is consistent architecturally with the new Hebrew University, the new government center and the Knesset (the Israeli House of Parliament). All of this new construction is merely the reflection of a new vitality in the Middle East—a vitality which may very well lift not only Israel but its neighbors as well into a new era of social and economic tranquility. Let us Christians prayerfully hope that this is so. The Jews against great odds and with the sweat of their brow have built what they have and deserve no less.

LOUIS MURRAY.

ASHLAND.

HEROIN—THE HOAX

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WALDIE. Mr. Speaker, in recent months, some of my colleagues in this Chamber have entered virtually reams of information concerning the possibility that the mainland Chinese are trying to destroy this country through the importation of heroin. Interestingly enough, this spate of information began flowing in at about the time the United Nations was debating and voting to accept the People's Republic of China for membership.

This situation was brought to my attention by a man who has done a great deal of research into the field of hoaxers, Mr. Morris Kominsky, of Elsinore, Calif.

It would be fruitless, Mr. Speaker, to try to change the minds of those Members of this body who feel that God-less communism is knocking on every door with a sack of opium, heroin, cocaine, or LSD for every child.

But, for the benefit of the rational people who sometimes look at the information contained in this RECORD, I include a rational statement about the narcotics situation in the world today, taken from Mr. Kominsky's book, "The Hoaxers: Plain Liars, Fancy Liars, and Damned Liars," in the RECORD, along with a review of the book by Renz L. Jennings, Justice, Supreme Court, retired, State of Arizona:

THE HOAXERS, PLAIN LIARS, FANCY LIARS, AND DAMNED LIARS

(By Morris Kominsky)

The great tragedy of present-day America is that most of our citizens do not understand that our country is traveling the same road along which Germany went before Hitler and his rich corporate backers assumed dictatorial powers over the people. This summarizes the conclusions of William L. Shirer, who viewed the rise of German Fascism first hand as a reporter in the 1930's, and told about it in his monumental book, "The Rise and Fall of the Third Reich."

It is one thing to tell the story of a great tragedy after it has occurred, but it takes tremendous courage and persistence to warn people in advance, so that tragedy may be averted. That is the great merit of this remarkable book, "The Hoaxers," written by Morris Kominsky of Elsinore, Calif.

As a result of eight years of painstaking research and investigation, Kominsky has produced a book, which Brigadier General Hugh B. Hester described by stating that every citizen "owes it as a patriotic duty to encourage wide readership of this exposure of the real conspiracy against the people of the United States. Unless this conspiracy against the human family can be brought to the attention of a very large number of our people, nothing can prevent this country from becoming Fascist. The whole U.S. foreign policy is oriented in this direction."

Kominsky exposes the liars in high places and in low places, who spread misinformation which misleads the people and causes them to acquiesce in diastrous policies. He exposes the anti-Semitic liars, the racist liars, the witch-hunters, and the war mongers. It is a gold mine of information, and still it grips the interest of the reader like a who-dun-it detective story. Moreover, Kominsky pulls no punches, but names the culprits. In addition, he has managed to tell the shocking story of the deceptions perpetrated against the people without losing his sense of humor.

With overwhelming documentation and impeccable research, Kominsky has furnished us the means by which we can put to rout the enemies of the people. That is the challenge of this book to all people of good will.

In the light of our Government's resumption of relations with mainland China, Kominsky's chapter on China reads like the work of a prohpet. When you hear and read the yarn that mainland China is allegedly the source of the international illicit narcotics traffic, his chapter, entitled "The Narcotics Hoax," takes you on a trip around the world and effectively demolishes this colossal lie, with incontrovertible proof and documentation.

Those people who are interested in fighting anti-Semitism will be delighted with the "ammunition" Kominsky provides, and especially his skillful demolition of the "Christ-killer" slander, which has caused the spilling of oceans of Jewish blood.

It is my considered opinion that every person who is seriously concerned about the future of our country, as well as of all mankind, should obtain a copy of this most remarkable book.

I have supreme confidence in the ability of the American people to turn this country around, but I also am convinced that they need the facts in this book, which I consider the most important book to reach the people of this country in many years. Homer Ayres, a writer of Sturgis, S.D., has best summarized the reasons why every intelligent citizen should own a copy of "The Hoaxers": "It is one of those books I would grab to save if our house caught on fire."

(NOTE.—Readers of The Voice who wish to obtain the book may write to Morris Kominsky, 400 E. Franklin St:., Elsinore, Calif. 92330, enclosing check in the amount of $12.50.)

THE NARCOTICS HOAX

(By Morris Kominsky)

(NOTE.—The author of this statement is a resident of Elsinore, Calif., and is the author of a recently published book, entitled "The Hoaxers: Plain Liars, Fancy Liars, and Damned Liars". The book has an especially interesting chapter, entitled "The Narcotics Hoax", and Mr. Kominsky has here summarized and updated the findings contained in that chapter.)

For many years the Ultra-Rightists have assidiously cultivated the notion that the Chinese People's Republic is the spearhead of the international illicit narcotics traffic. This canard has received substantial support, over the years, from Harry J. Anslinger, the former Commissioner of Narcotics, whose authority in the narcotics field has been just as difficult to challenge as that of John Edgar Hoover in other fields. Nevertheless, in "The Hoaxers", I have produced incontrovertible evidence that Mr. Harry Anslinger has contradicted himself on many occasions. In his book, "The Murderers", published in 1961, Anslinger tells of "a syndicated narcotics underworld that came into being in the 1920's and 1930's". He names the gangster, Lucky Luciano, as the one who "put together a super-syndicate that would dominate international crime, particularly the traffic in dope". All this was taking place some 20 years before the People's Republic of China came into existence.

Although Mr. Anslinger used the platform of the American Legion and many articles in the magazines, in order to label China as the main source of illicit narcotics coming into this country, he testified in 1950 before a Senate Committee as follows, in response to a question by the late Senator Estes Kefauver:

"The present main source of supply for heroin in this country is Istanbul, Turkey; for opium, it is Iran. There is a considerable amount of heroin coming in from Italian ports. I think that is a transit point for the heroin from Istanbul. The same thing can be said about French ports, Marseilles, and so forth. These countries are the main sources of supply."

In his testimony, before a Subcommittee of the Senate Foreign Relations Committee on July 17, 1954, Anslinger expressed his vehement opposition to the demand of the Chinese People's Republic for a seat on the United Nations Commission on Narcotics Drugs. One can only conclude that Anslinger's reason was that the seating of the mainland China regime on the U.N. Commission would have made it more difficult to hurl his unfounded charges. In a well-researched article that appeared in *The Nation*, October 15, 1955, John O'Kearney reported that narcotics officers in British Hong Kong and Singapore dismissed Anslinger's charges against the Chinese People's Republic as "political exaggerations." Another writer, David E. Walker, the author of "The Modern Smuggler," reported in an article that appeared in *The Nation*, July 15, 1961, that British officialdom "stubbornly rejects the Anslinger theory" that the Peking regime is distributing illicit narcotics as a deliberate political weapon.

For many years, the Bureau of Narcotics had been a division of the Treasury Department. Consequently, it operated under the supervision of the Secretary of the Treasury. In the course of Hearings on April 5, 10, 11, and 12, 1967, Senator William Proxmire wrote to Secretary of the Treasury Henry H. Fowler, asking some questions. Secretary Fowler's letter, which appears in the Report entitled "Mainland China in the World Economy" reads, in part, as follows:

"Your letter also asks this Department to comment on the extent to which trade in illicit narcotics might be contributing to the foreign exchange earnings of Mainland China. At present the Far East is not thought to be a major source of the illicit narcotics being smuggled into the United States. The drug chiefly implicated in smuggling from abroad is heroin. The Bureau of Narcotics has estimated that some 80 percent of the heroin reaching the United States is manufactured in France from opium diverted from legitimate cultivation in Turkey. Approximately 15 percent is thought to originate in Mexico.

"The remaining 5 percent might be attributable to sources in the Far East, but here it must be recognized that Mainland China, specifically the Yunnan Province, is only one of several active opium grownig areas. This crop is also cultivated in India, Thailand, Laos, and Burma. The small quantity of opium which may be coming out of Main-

land China and entering the United States in the form of heroin does not represent any significant sum in United States dollars."

Thus did Secretary Fowler explicitly deny the charges that had been bandied by Harry J. Anslinger and his successor, Henry L. Giordano.

Ever since President Nixon announced the sharp change in foreign policy towards the Peoples Republic of China, the Ultra-Rightists have embarked upon a frenetic campaign to spread the canard about its being the spearhead of the international illicit narcotics traffic. Among those who have engaged in this pastime are the John Birch Society, Christian Crusade, *Human Events*, Gerald L. K. Smith, *Free Enterprise*, and several members of Congress who have placed this false propaganda in the Congressional Record. One of these insertions covered some 11 pages of the Record.

The only semblance of truth in these charges in that a minute percentage of the world's illicit opium supply comes from remote jungle areas of Yunnan province, where it is cultivated in the same manner as moonshine whiskey is produced illicitly in the hills of Kentucky. As former Treasury Secretary Henry H. Fowler has conceded, and as we shall prove from other sources, this small amount of opium has been blown up to fantastic proportions by gentry of elastic morality.

Since the resignations of Henry J. Anslinger and Henry L. Giordano, the Bureau of Narcotics has become the Bureau of Narcotics and Dangerous Drugs, a division of the Department of Justice. In its Fact Sheet No. 3, the Bureau tells us:

"The North American continent is the principal target of illicit heroin traffic. The bulk of this drug is produced from opium poppies grown in Turkey. The raw opium is converted into morphine base in clandestine laboratories close to the growing areas and then shipped through Istanbul and Beirut and smuggled into France to be processed into heroin. At this point, the heroin may be smuggled directly into the United States or transported through Italy, Canada or Mexico. It is, nevertheless, destined for the United States market. . . ."

A UPI dispatch from Washington, D.C., on January 1, 1970, says:

"A White House source said yesterday that high-level talks with France, Turkey, and Mexico—begun at the direction of President Nixon—have raised hopes that most heroin shipments into the United States can be dried up within one to three years. . . .

"The source said that about 80 per cent of the heroin entering this country is made from poppies grown in Turkey and is processed in plants in and around Marseilles, France. Another 15 per cent comes from Mexico and *the remaining 5 per cent dribbles in from several Asian countries.*" (Emphasis is mine.—M.K.)

One of the most reliable and up to date reports on the international illicit narcotics traffic is contained in a series of 10 articles written by John Hughes in *The Christian Science Monitor* during May, June, and July 1970. Mr. Hughes traveled around the world for 5 months, for the purpose of this investigation. The articles were placed in the Congressional Record, beginning with June 4, 1970, by Congressman Howard W. Robison.

In his sixth article, which appears in the Congressional Record of June 23, 1970, Mr. Hughes points out:

"So far as the United States is concerned, Southeast Asia till now has been a minor producer for the American heroin market. Eighty percent of American heroin originates in Turkey. Perhaps another 15 percent comes from Mexico. Experts calculate that *the remaining 5 percent comes from Southeast Asia.*" (Emphasis is mine.—M.K.)

In describing the caravans that transport the illicit opium, Mr. Hughes says:

"Dominating the protection business are Chinese Nationalist soldiers left over from the war with the Communists."

With respect to the charges made continually by Christian Crusade, I call to your attention these remarks by John Hughes:

"But there is no evidence of a massive and calculated campaign by Peking to flood non-Communist countries with debilitating narcotics. Some Westerners have charged the Chinese with just such a plan. *But interviews with hundreds of narcotics experts in the past five months have failed to produce the proof.*" (Emphasis is mine.—M.K.)

Mr. Hughes then quotes a non-American expert, who points out that the American U–2 satellites could easily pick up any evidence of large scale opium production in China, and would be happy to make it public. The reason our Government has *not* made such claims is that they have no evidence of this charge.

One of the ridiculous canards being spread by Christian Crusade and that darling of the Ultra-Rightists, television commentator George Putnam, is that Yunnan province of China produces some 10,000 tons of illicit opium annually. In a letter sent to Senator Clifford P. Hansen on June 15, 1971, John E. Ingersoll, Director of the Bureau of Narcotics and Dangerous Drugs, stated:

"In Burma, Laos, and Thailand, opium is produced by tribal peoples, some of whom lead a marginal existence beyond the political reach of their national governments. Since the 1950's this Southeast Asian area has become a massive producer of illicit opium and is the source of 500 to 700 metric tons annually, which is about half the world's illegal supply. Up to now, however, less than ten percent of the heroin entering the United States comes from Far Eastern production."

It is clear that only inmates of a psychiatric hospital could possibly make 10,000 tons of opium out of 500–700 tons, unless, of course, sane people use this colossal falsehood as a Cold War propaganda gambit. Furthermore, the 500–700 tons comes from areas other than Yunnan province of China.

Perhaps the most conclusive evidence, of the real source of illicit narcotics entering this country, is to be found in the seizures of narcotics shipments destined for the U.S.A. market. In addition to those listed in my book, "The Hoaxers", the following seizures of heroin were reported in the *Los Angeles Times* during a period of slightly over 4 months:

1. May 30, 1971: $23 million dollars worth from Argentina.
2. June 1, 1971: $30 million dollars worth from France.
3. June 5, 1971: $35–$40 million dollars worth from France.
4. July 10, 1971: $34 million dollars worth from Panama.
5. September 20, 1971: $40 million dollars worth from France.
6. September 26, 1971: $40 million dollars worth from Italy.
7. October 9, 1971: $29 million dollars worth from Argentina.

Since the White House and other official sources have refuted "The Narcotics Hoax", some of the Ultra-Rightists, including De Witt S. Copp in *Human Events*, Professor Susan L. M. Huck in the Birch Society's *American Opinion*, and George Putnam on KTTV have taken to quoting an alleged North Vietnam defector and an alleged secret British Government document.

Through Congressman Victor V. Veysey, we posed four questions to the Bureau of Narcotics and Dangerous Drugs. The reply as sent to me by Congressman Veysey via telecopier reads:

"STATEMENT GIVEN TO CONGRESSMAN VICTOR V. VEYSEY BY THE BUREAU OF NARCOTICS AND DANGEROUS AND DRUGS, NOVEMBER 23, 1971

"British authorities in Hong Kong have consistently denied the existence of illicit drug traffic from mainland China. Instead, they have identified sources in Thailand, Laos, and Burma for the opium and other narcotics drugs entering Hong Kong, and point to seizures from Thai fishing boats to illustrate this.

"One unverified report was received in 1971 alleging that North Vietnam has undertaken to produce opium for export to the U.S.S.R. This information is being checked.

"From time to time, allegations are received concerning Cuba as a transit point for illicit narcotics. We have no substantive evidence that this is true, although due to the strategic location of Cuba, we are alert to possible activity of this type.

"Information concerning mainland China's involvement in illicit drug traffic occasionally emanates from sources in Taiwan. The so-called British report containing allegations against the Peoples Republic of China is largely referred to Taiwan sources, and is not represented as intelligence information."

From this it is clear that the indigenous Ultra-Rightists are simply echoing the tendentious news releases of the Taiwan propaganda mill and a phoney document issued by an Ultra-Rightist outfit in Britain.

In the interest of world peace, it is essential that people of good-will help to clear the air of malicious falsehoods, and if the problem of narcotics addiction in our own country is to be handled sensibly and effectively, the sources of the illicit narcotics must be accurately identified. From this standpoint, the purveyors of falsehoods are hurting the American people.

UNCERTAINTY, PHASE II, AND THE CONTINUED SLUGGISHNESS OF THE ECONOMY

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. HUMPHREY. Mr. President, it has been almost 2 months since the Nixon administration announced its phase II policies—better known as the postfreeze stabilization program.

The same uneasiness that accompanied phase I now is present in phase II:

Industry is still operating at 75 percent plant capacity;

Consumer savings still hovers around 8 percent;

Unemployment is still over 5 million;

The largest balance-of-payments deficit, $48.4 billion on an official reserve transaction basis for the third quarter of 1971;

For the first time in this century we are running a deficit in our balance of trade with other nations;

The Consumer Price Index is still abnormally and unacceptably high;

There has been total loss to GNP of approximately $126 billion in 1970 and 1971;

Minority group unemployment is shockingly high;

Farm parity is lowest in years; and

Thousands of workers exhaust their unemployment compensation benefits every week.

These are facts, Mr. President. But today, I want to deal with another aspect of phase II—the enormous and unreasonable uncertainty surrounding the Nixon administration policies.

We have been told over and over again that one of the prime purposes of the freeze was to get business moving again. The results, though, speak otherwise. Business is not moving. Even the Secretary of the Treasury has complained about the reluctance of business to invest, to step up production, to hire.

Why should he be so surprised?

Business must operate with a degree of planning. But who can plan under the Nixon administration? Business must have some idea of cost before it will invest. Before business will expand or hire new employees, it must have a reasonable picture of how it will be regulated, what the regulations will mean, and how the regulatory decisions will be made.

The sad truth is that the Nixon administration's economic policy is clouded by confusion, contradiction, and uncertainty.

Labor is not certain that contracts will be approved. Business does not know whether pass-through costs will be allowed. Landlords do not know whether they can raise rents. Consumers are in a quandary whether or not to spend. Teachers do not know if they will get increases. Families cannot plan on legitimate wage increases that will allow them to catch up from last year.

Rather than bring segments of the economy together, the Nixon administration has a divide and conquer technique—to confront and polarize rather than consult and reconcile.

In short, the uncertainty surrounding the failure of the administration to take responsibility, to exercise effective public leadership has led to a crisis of confidence—a crisis that affects business, labor, agriculture, and the public.

What is needed is fairness to all segments of the economy. But what we get from the Nixon Price Commission, for example, does not speak well for building the trust so necessary for economic stability.

Look at the price guidelines.

The new regulations issued by the Price Commission which are supposed to control prices by controlling profits have many loopholes. Although the administration is trying to characterize them as being very tough, they, in fact, will permit profits to rise by tens of billions of dollars.

The long and short of it is simple: The regulations are inadequate. They fail to come to grips with serious economic realities of the country. And they promise an end result of more unfairness for the consumer and more uncertainty for corporate interest.

There are four main loopholes:

First, there is no rollback provision. The regulations do not attempt to control prices unless an increase is proposed. And then only prenotification and reporting procedures are utilized.

Second, prices will be allowed to rise, but not above a level established as the business' "base period." This innocent sounding phrase gives away a great deal. For most companies, their profits can rise to the level experienced in 1968 and 1969. Nineteen sixty-eight was a good solid Democratic year, and corporate profits in that year was over $87 billion.

Third, the program will succeed or fail on the basis of consumer and public confidence. Confidence must be sustained. And to do so requires both the patriotic honest cooperation from corporate interest and a mechanism for fair enforcement to insure that cooperation. Although the Price Commission's statement says, "these policies impose close supervision on those segments of the economy which substantially affect price levels," there is in fact no effective enforcement machinery.

The Nixon administration is utilizing employees from the Internal Revenue Service as enforcement agents. The problem is apparent: Can the American people rationally expect fewer than 3,000 agents to monitor, investigate, and effectively keep the lid on increased prices in television repair, food costs, and clothing costs? And, can the American people reasonably expect competent, efficient tax men to switch gears back and forth between tax problems and price enforcement with equal knowledge and ability?

The American people want to have confidence that their complaints will be acted upon. But when the enforcement agencies are called—the caller is told, "it will take a written complaint," or "this agency does not have direct responsibility—you have to call our district office." In short, the complaints of people are being given the runaround. And nothing will dissipate confidence more than administrative and bureaucratic buckpassing.

The American people have a right to know whether or not 3,000 Internal Revenue agents can accomplish the task of stabilizing prices—where they count to the people—in the marketplace.

Finally, the uncertainty is compounded by the public statements of the Price Commission Chairman who has maintained that the Commission members will be but advisory to him.

How can any businessman, how can any consumer, how can any family plan expenditures on that basis? And I ask, how can the Nixon administration appoint such a Chairman who insists on acting in a manner contrary to all of our democratic tenets.

The foreign economic aspects of phase II have only added to the doubt and confusion. We must recognize that the way to end our trade problems and the way to end the confusion over international monetary exchanges is not to bludgeon our trading partners, not to practice economic brinksmanship, and not to engage in headline making grandstand diplomacy.

I am firmly convinced that we will not completely solve our economic problems here at home unless we also solve our foreign economic problems. And we can achieve a more lasting solution if we abandon big stick economics for joint international consultation and cooperative action.

The United States cannot retreat into isolationism.

The United States cannot afford to precipitate a trade war.

So, there it is, Mr. President, confusion, uncertainty, labor and business anxiety.

Our country needs a "national economic policy"—not a "new economic policy." We need a policy of reducing unemployment, reducing inflation, and increasing consumer confidence.

There are things we could do. We could honestly commit ourselves to the 1946 goal of full employment.

The central weakness of the Nixon economic game plan is the failure to attack the problems of unemployment and low farm income. The two are related—one out of every five jobs is akin to agriculture purchasing power. The lagging economy provides no new jobs. The work force increases, but the job market fails to keep pace. There can be no economic recovery while unemployment of 6 percent or more continues. But we do not have the programs or policies that will lead to full employment.

And we are not going to get them under an administration that refuses to invest in people, that refuses to utilize its resources for people-oriented programs, and that refuses to strive for balanced economic growth.

LEGENZA AND NAUGATUCK HONORED

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MONAGAN. Mr. Speaker, there are 27,011 secondary schools in the United States, and I think it is fair to estimate that at least 90 percent of these have baseball teams and baseball coaches. To choose the single, most outstanding coach out of some 24,000 candidates is a supremely difficult task. Such selection is indeed a great honor, not only to himself and his team, but to his family, his city, his State, and our country.

Raymond Legenza has earned that honor for himself and his team, his family, and the people in Naugatuck, Conn., a town of 23,000 in the district which I represent.

Considering his record—307 wins—44 straight wins—and 73 losses—the task of deciding on the outstanding coach was made easier for the American Association of Baseball Coaches, which has a high school division. The last game the Naugatuck Greyhounds lost was 2 years ago, in the finals of the class A State tournament. And that game lasted 2 days and 25 innings.

Raymond Legenza is an inspiration to thousands of people across the country. Not only to sports enthusiasts who have given him the highest honor they can bestow, but to everyone who admires and respects the professionalism, the pursuit

of perfection, and the pedagogic qualities Raymond Legenza embodies.

I am sure that my colleagues join me in sharing the pride of the people of Naugatuck, and extend a hearty congratulations and warm wishes to Raymond Legenza, his team, and his family.

An editorial follows:

[From the Naugatuck (Conn.) News, Dec. 21, 1971]

LEGENZA AND NAUGATUCK HONORED

Raymond Legenza of Naugatuck will be honored in Miami Beach, Fla., on the night of Jan. 5, 1972 as the Outstanding High School Baseball Coach in the United States.

Think about that for a minute. Even if you're not a dyed-in-the-wool sports fan, it doesn't take any sports genius to appreciate the magnitude of this honor.

It means that out of the thousands upon thousands of high school coaches all over the nation Ray Legenza of Naugatuck, Connecticut—a small New England town of 23,000 souls—is the best in the opinion of his peers.

We are fortunate indeed to have a man of Legenza's caliber in our midst. We have been to see his teams many times, yet when one looks at the baseball record he has compiled, it's easy to see how the National committee chose him. The 44-straight is fantastic in itself, when you know how easy it can be to lose a baseball game on one misplay—but the overall record of 307 wins and 73 losses has to be one of the finest records in the country.

The Greyhounds lost their last game two years ago in finals of the Class A State tournament. It was probably one of the best high school games ever played. The first game went scoreless for 15 innings and the second contest when replayed the following day went 10 more innings before Naugatuck was beaten.

Legenza has always taught the fundamentals of baseball perfectly. No Naugatuck team has ever beaten itself. They always hung in close and waited for their opponents to make the first mistake and then took advantage of that error or bad throw to win a ball game.

Hour after hour he has drilled his players in making the right pivot at a base, taking the throw on the short hop, charging that slow ground ball and hustling at all times.

There is none more astute at the game of baseball in the high school ranks. He seems aware of everything going on on the field at all times.

Ray Legenza certainly deserves the honor that is being bestowed. The recognition has long been overdue. Whenever anyone mentions high school or American Legion baseball, the name Legenza always pops up. Those who have played under him have always come back to thank him for his help in molding them as ballplayers as well as men.

Our congratulations go out to Ray, both from this newspaper and from the many hundreds of people whose life he has touched.

THE FARM REVOLUTION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HAMILTON. Mr. Speaker, agriculture is once again on the front burner. The controversy surrounding the President's nomination of Earl Butz as Secretary of Agriculture has prompted a number of newspaper comments on the problems besetting American agriculture.

These comments—two editorials from the New York Times, an article from the Wall Street Journal, and a column from the Post—are worthy of my colleagues' attention.

The items follow:

[From the New York Times]

THE FARM REVOLUTION—I

The short but sharp fight over the confirmation of Earl L. Butz as Secretary of Agriculture turned the spotlight on some unhealthy long-term trends on the nation's farms. Despite his estimable personal qualities, Mr. Butz encountered opposition because he epitomizes the rapidly growing power of giant conglomerate corporations which have extended their activities into agriculture and are already in a position to dictate the price, quality and variety of many foods.

As in any situation where two or three suppliers are able to dominate the market, the buyers—in this instance, every housewife and her family—become victims. The quality and variety of food in this country have already begun to deteriorate because many crops are grown, harvested, and marketed in ways which fatten corporate profit margins rather than please anyone's palate.

Corporate farming is most profitable if crops can be machine harvested. The quality of most tomatoes has declined because only hard tomatoes with thick skins can be picked by machines. The same process is now being applied to strawberries and other fruits and vegetables.

These invisible losses to the housewife are matched by the social costs to the small farmers and small towns of America. Not all farmers are as badly off as the chicken farmers who have become "poultry peons," but whether a small farmer is growing potatoes in Idaho, fattening cattle in Texas, or raising hogs in Iowa, he finds that the processors can whipsaw him on prices and the corporate conglomerates with their far greater financial resources can dictate the terms of competition.

Corporations and big commercial farmers have the capital to introduce modern technology rapidly with consequences which are unplanned and unprovided for. Thus, the mechanical picking of cotton evicted hundreds of thousands of sharecroppers and marginal farmers from the land within a few years and their migration contributed significantly to the welfare and housing crises in the cities.

Up to now, in the absence of any national policy or regional plan, the agribusiness corporations have simply availed themselves of technical change to maximize profits and have left society to cope with the human consequences. They have succeeded in stigmatizing critics of their narrow, single-minded approach as enemies of progress. But the nation no longer accepts this myth where the automobile or the supersonic transport or the strip mine is concerned. It is time to examine this technological mystique of "progress" in agriculture and subject it to rational choice and deliberate judgment.

[From the New York Times]

THE FARM REVOLUTION—II

A million family-sized farms were consolidated out of existence in the 1950's and another million in the 1960's. For ex-farmers, the postwar revolution in agriculture has doomed their cherished way of life. Small towns which live by serving farmers have also suffered. It has been estimated that one small town businessman goes under for every six farmers who quit farming.

Is the trend toward fewer farmers desirable? Is it inevitable? Does the taking over of the actual growing of crops and livestock by food processors and conglomerate corporations serve the public interest?

Earl L. Butz, the new Secretary of Agriculture, has evoked intense controversy because he answers these questions in the affirmative. He has predicted there will be a million fewer farms in 1980. Formerly a director of two agricultural conglomerates and a dean of Purdue University, which has close research ties with agribusiness, Mr. Butz is an unabashed apologist for corporate power.

Secretary Butz' assumptions of inevitability and progress are not necessarily valid. The rapid mechanization of Southern agriculture released many sharecroppers and marginal farmers not "to do something else useful," as Mr. Butz claims, but to rot on the welfare rolls in urban slums or—as Senate investigations of hunger have shown—to starve in rural slums.

The entrance of diversified corporations into agriculture has not produced better or cheaper or more varied food. America does not become a healthier, more diversified, more self-reliant society by reducing farmers to the status of corporation dependents wholly controlled by long-term contracts for their crops or selling in markets dominated by a few large companies.

If the nation is to contain and roll back corporate power in farming, however, there will have to be a legislative and political struggle as intense and prolonged as the effort to control the highway lobby. Senator Nelson of Wisconsin and several other Democrats have introduced a "Family Farm Act of 1972" which would require corporations owning more than $3 million in nonfarm enterprises to divest any lands used for agriculture.

But much more is needed, including a revision of the depreciation and capital gains sections of the tax law which favor corporations and wealthy non-farm investors, a law requiring processing companies to bargain collectively with cooperatives of small farmers, and a radical revision of farm subsidies and farm research priorities.

Far-reaching changes in the organization and technology of agriculture affect consumers and taxpayers as well as farmers. Only if these issues are brought out of the political ghetto of the farm bloc and made matters of widespread national concern can policies be devised which take account of all the costs and consequences of the farm revolution.

[From the Wall Street Journal]

MAKING ENDS MEET—CLINGING TO WAY OF LIFE, A FARM FAMILY FIGHTS FOR ECONOMIC SURVIVAL

(By Susan B. Miller)

SADORUS, ILL.—Charlie Stephenson grew a bumper corn crop on his 420 rented acres this year. When fall came, it took him and his wife, Ruth, a full month of exhausting 16-hour days to harvest the crop.

Each day, Charlie and Ruth rose before dawn and headed for the fields, leaving their children, Bob and Sue, to get themselves off to school. Ruth, her hair protected from the dust by a bandana, steered the big green combine across the fields while Charlie dried the corn and stored it. There was so much of it that, even with a new bin, the Stephensons ran out of places to put it. It looked certain to be a good year.

Then Charlie tried to sell the corn—and learned that, financially, there was no way he could reap what he had sowed. Corn farmers all over the nation, it seems, harvested the biggest crop ever this year. That depressed corn prices to about two-thirds of 1970 prices, and in the end Charlie Stephenson's profit came to about $6,000, or nearly $550 less than a smaller harvest brought him last year.

"Sometimes I feel like I'm beating my head against a wall," says Charlie, a sturdy, ruddy-

faced, 35-year-old. "I work harder and make less. We'll just have to tighten our belts again."

Charlie's plight is shared by most of the nation's 2.9 million farmers. Soaring costs of everything except the products they sell have squeezed farmers for years. But this year's pinch is particularly acute, and it seems certain to increase the rate—already 2,000 a week—at which farmers are going out of business. "Farmers are the only ones in the country who get stuck for being too efficient," says Mardy Myers, a farm income specialist with the U.S. Department of Agriculture. "Another year like this and you'll see a lot more farm sales."

Indeed, it is becoming apparent to more and more people that the small farmer like Charlie Stephenson is in danger of disappearing altogether from the American landscape. From California to New York, enormous corporate farms, consisting of thousands of acres of the best land and backed by enormous amounts of capital, have replaced farmers with a few hundred acres of land, no capital and plenty of debt. Three firms—Purex, United Brands and Bud Antle—produce so much of the lettuce sold in America that their hold on that market has sparked a rare agricultural antitrust investigation by the FTC. Earl Butz, President Nixon's new Secretary of Agriculture, was almost rejected by the Senate after he testified in favor of corporate farming and revealed that he was a director of such firms as Ralston Purina and Stokley-Van Camp. And Sen. Gaylord Nelson has launched an investigation into the corporate takeover of the farm, with legislation to save the small farmer in mind.

UNHAPPY IRONY

Ironically the demise of the farmer that so dismays some in the government of late, is in large part a result of government policy over the years. It is the biggest farms that receive the biggest subsidies and the most government-supplied irrigation water. Likewise, federal tax laws favor the corporation or the investor who farms on the side in search of a tax write-off over the family man who farms full time in search of a living.

The latest squeeze on the small farmer seems likely to hurt President Nixon's chances of holding the farm vote in the 1972 election. And the President's new economic program isn't likely to soothe the antagonism down on the farm provoked by Mr. Butz' nomination. Farm products are exempt from price controls, but the distinction is academic; farm prices are going down, not up. Meantime, under Phase 2 costs will continue to rise, though perhaps at a slower pace.

Farm family earnings have long trailed those of other wage-earners. Last year, farm families earned an average of $7,980, well below blue-collar family income of $10,340 and white-collar family earnings of $14,900. In the last four years, farm family income has grown at about the same rate as other family income, but that's mainly because more farmers are finding part-time jobs.

Charlie and Ruth Stephenson say they couldn't make ends meet with the money they make from farming. Ruth, an attractive, energetic 35-year-old, earns $1,500 a year running a beauty shop in what used to be the Stephenson's dining room and Charlie makes about $500 a year playing string bass with a dance band made up mostly of his neighbors. In more prosperous years, that money went for little "extras"—a sewing machine for Ruth or a redecorating of the children's bedrooms. Now, the money goes for living expenses.

CANCELED VACATION, OLD TRUCK

The Stephensons canceled an Arizona vacation they had planned for this year and Charlie says he won't be able to replace his 1949 Studebaker truck, even though he doesn't know how long that old clunker is going to last. Ruth would like to remodel her cramped kitchen, where the family can barely squeeze around the table, but "that will just have to wait," she says.

Still, Charlie says he has known lean years before and he counts them a small price to pay for a life he loves. The Stephensons live in a gray, two-story wooden farmhouse about 30 miles south of Champaign in some of the richest corn-growing country in the nation. Charlie's great-grandfather bought the land in 1896, and Charlie has wanted to farm ever since he was a boy. "I don't care if I ever leave the country. I'm happy riding my tractor and watching the corn grow," he says.

The Stephensons began renting the farm six years ago when Charlie's parents retired and moved to a nearby town. Charlie built an addition to the red barn to house his machinery and converted a little white shed, where he and his father raised bees, to a repair shop. Ruth grows a few vegetables in the backyard, but they don't amount to much, and an old canning cellar next to the house is unused.

Most mornings the family is up at 6:30, with a little prodding from Ruth, who fixes a large breakfast of bacon and eggs. Bob and Sue go to school in Atwood, eight miles away. By 8:30, when the bus pulls into their driveway to pick them up, Charlie can be found in a pair of yellow rubber coveralls, cleaning and polishing his equipment near the barn.

"He can't sit still. He always finds something to fix," says Ruth. Dressed in jeans and a sweater, she makes a fresh pot of coffee for her beauty parlor customers, who often stay to sit around the kitchen table and chat. "Charlie wasn't happy when I set up shop, but we needed the money. I'd make more in town, but then I wouldn't be here when Charlie and the kids need me," she says.

After dinner, Sue, 12 washes the dishes while Bob, 14, feeds the dog and five cats. Sometimes Ruth drives the kids to a 4-H meeting or a basketball game, but most often she sews or reads while the children do their homework or watch television. Charlie, whose collection of musical intruments clutters Ruth's sewing room, often closets himself in the kitchen with his string bass or tuba and plays along to whatever jazz music he can tune in on the radio.

ESCAPING THE TIME CLOCK

Charlie and Ruth both say they cherish the independence of farm life and the solitude of the flat, peaceful countryside. Cities terrify them—"I never know my way around and the traffic ties my stomach in knots," says Charlie—and they rarely journey farther than the small towns nearby to shop or see a movie. On weekends, Bob and Sue tear over the near-deserted roads in the area on a minibike and go-cart and canoe on a river close by. Charlie and Ruth say they can't imagine their children growing up amid the congestion of city life. (Bob and Sue, however, can imagine it. Both speak of feeling "kind of left out" living in the country.)

Before the family moved to the farm, Charlie worked in a nearby chemical plant. He earned a steady $7,000 a year, but Ruth hated his working nights and Charlie hated the routine of the job. "I never felt important. Any farmer who complains ought to punch a time clock. I'd much rather work for myself."

But the price tag for working for yourself is high. Farming requires plenty of capital, and young farmers starting up have a tough time finding financing. While an urban family might mortgage a house or buy a car on credit, most farm families also must borrow heavily every year to pay for new equipment and for the cost of running the farm. The average farm debt last year was about $19,000, nearly three times as high as it was a decade ago.

Charlie built up a $36,000 debt within a year after he took over the farm. Besides the Stephenson homestead, he rents another parcel of land nearby. He started out with a combine and his father's dilapidated plow and tractor. But the machinery broke down, and each year since Charlie has had to borrow more money for newer and bigger equipment. He is $25,147 in debt now and his interest payments this year will amount to about $1,200. "It just about breaks me keeping up with my machinery," he says ruefully.

LOOKING FOR LAND

That debt makes the Stephenson farm a touch-and-go operation. "One really bad growing season" would mean bankruptcy, Charlie says. There have been some close calls. The family barely scraped through the winter of 1966 after poor weather had damaged a crop and slashed their income. Two years later, hot weather scorched the corn, leaving some cobs with only a dozen kernels.

Despite all that, Charlie clings to the hope that hard work will overcome the travails of unpredictable weather and fluctuating prices. He says he expects to get his "feet on the ground" any year now and he is convinced that someday Ruth can stop working and the family will have the time and money to do things it can't afford now.

But it seems unlikely the future holds much of either leisure time or money for the Stephensons. The two of them can just barely manage the farm now during the months of planting and harvesting. To cut corners, Charlie haunts farm sales during the winter, looking for bargains on used equipment. He also spends hours in his shop tinkering with his machinery to save money on repairs. What's more, the only way Charlie can add income to meet rising costs is by farming more land. He calculates that he and Ruth could stretch their time and equipment over an added 100 acres.

But land around here is scarce. "If a fellow dies, his neighbors are bidding on his place before he has time to cool off," says Charlie. That's because most farmers are convinced greater production is the only way to make more money—despite the fact a bigger national harvest often means lower prices. "The farmer is an eternal optimist," says one banker who finances farmers, "He always thinks prices will go up."

NO SAVINGS, CHEAP STEAKS

The Stephensons don't participate in the government farm support program, which supports grain prices in return for limiting farmers' acreage. Charlie believes farmers would do better without "interference from Washington." Although he and Ruth are registered Republicans, he says he isn't sure he will vote for Richard Nixon again. He thinks the farmers' plight has worsened since Mr. Nixon took office and says the "White House cares more about its rose gardens than grain farmers." That, he says, applies to both parties. "There's not a dime's worth of difference between politicians. I wouldn't trust one if he told me the sun rose in the east."

Charlie's main concerns this year are closer to home. He won't be able to make a payment on the storage bin he recently added, and that means a bigger debt next year. He worries about his retirement—but has never been able to start even a meager savings account. "I ought to set aside $1,000 a year, but the cash just isn't there," he says. Charlie carries "only enough life insurance to bury himself," and concern about what would happen to his family if he lost his health gnaws at him constantly. He says an accident or a prolonged illness would ruin him.

But he counts his good friends on neighboring farms as insurance against that possibility. The sense of community survival is strong here, and Charlie often helps his friends out during planting or harvesting season. In return, a neighbor butchers a steer

for the Stephensons, and the family, as Ruth puts it, "eats steak at hamburger prices all winter." Charlie likes to recall the time a friend broke his leg just before harvest time and his neighbors banded together to bring in his crop. "What city folks have friends like that?" he asks. "Money can't buy them."

A TASTE OF CITY LIFE

Good times are shared, too. Nearly every Saturday Charlie plays with the dance band in some nearby town. Ruth spends the afternoon getting dolled up and then feeds the kids while Charlie dons a green jacket, black trousers, white shirt, bow tie and cumberbund. The band members' wives sit together at the dance, and afterward the whole group drives to one of the farms for their own party.

The Stephensons count as vacations the three or four weekends a year that Charlie plays a dance 60 or so miles away. The whole family comes along and stays in a motel, usually chosen for the size of its swimming pool. Bob and Sue often swim until 1 a.m., to Ruth's dismay, and the family has dinner at a restaurant. "They should have a taste of city life," says Ruth, an Arkansas girl who admits she is still uncomfortable when confronted with more than one fork.

On Sundays, the Stephensons drive to church 15 miles away. They go to the 8:30 a.m. sermon together, then the children attend Sunday school while Charlie and Ruth attend Bible class. By the time she has cooked dinner, Ruth is usually drowsy enough to fall asleep sitting in a armchair; she and Charlie usually rest most of the afternoon. Bob takes off with a shotgun, trailed by Sue, who isn't allowed to hunt, and tries to flush a pheasant from the brush in the ditches along the road.

Charlies says he expects that someday Bob will take over the farm from him. By that time, he hopes, it will be a more thriving and less debt-laden enterprise. Meantime, he doesn't let hard times get him down. "I wouldn't trade places with anybody," he says. "I never expected to get rich."

[From the Washington Post]

FARMERS' UNEASE—GOP'S PROSPECTS BLEAK IN MIDWEST

(By D. J. R. Bruckner)

LINCOLN, NEBR.—This place is quite mad. Football is the problem. But the Orange Bowl will be played within a few days and the University of Nebraska team will be seen for what it is, and then politics will be back. It will be back all spring through the May primary, and then all fall through the November election. That is not necessarily a good prospect for the GOP because, if Mr. Nixon ever had a game plan for the vast fields of the Midwest, it did not work.

It is a little startling to realize how debilitated the GOP is in this part of the United States. North and south of here, in a tier of states from Canada to Mexico, all the governors are Democrats. Democrats have hopes of winning the South Dakota Senate seat held by Karl Mundt. They may even have a chance to win the Nebraska seat held by Sen. Carl Curtis. In Kansas, if Gov. Robert Docking were to change his mind and run, they might unseat Sen. James Pearson.

In each case you can cite local reasons for Republican troubles, but you can also feel out here a sense of unease about the federal government, and in most people's minds that includes the President, even when he is bounding around the world summitting.

Right now you hear a lot of canny local humor about the new Secretary of Agriculture, Earl Butz, naturally. Much of it is commonplace. In the eyes of the farmers, every secretary for 25 years has eventually stepped on his own dinner plate. The difference is that Butz did it before he was even confirmed by the Senate.

It is not just that all his alliances and sympathies are with the great corporate foodgrowers against the small farmers or that he was nominated by Mr. Nixon with virtually no consultation with GOP farm state senators. No, it is a subtler feeling.

It is heartening to hear how many people on the streets know that Butz has poohpoohed the ecology movement. He seems to think protecting the environment is something of a fad and so a lot of people have concluded he is something of a clod. People who work farms, and those who live around them, have a little different feeling about the land and its wealth than Butz has expressed.

The concern, sometimes the bitter sarcasm, extends to the President who appointed Butz. The government moved into the corn market the other day, buying to push up the price. This is wonderful. The same government last year expanded the acreage that could be planted in corn, so that corn planting was up more than 20 per cent this year and the crop was a record-breaker.

Then Mr. Nixon exempted farm prices from his freeze of the economy and its subsequent controls, while the market was glutted. Now people are worried that, if the Phase 2 controls keep meat and poultry prices down, they will inevitably shrink the volume of production and thus depress the sales of feed grains. Everything the administration is doing about farms looks about as effective as Mr. Nixon's little "country fair" which was held in the rain on the White House lawn last May—after a winter when the farm parity ratio fell to its lowest level since 1933 and after a March when the President was booed by hog farmers in Iowa.

You see, none of these gimmicks impresses farmers very much. They are not even overly impressed by the Russian purchase of 140 million dollars in grains and the promise of more purchases. Out here they tell you to go ask the men on the Chicago Board of Trade or in the big grain companies about the benefits of such sales, for they are the men who will reap those benefits.

Lying under these specific concerns is an unease you find expressed more readily in the cities—and even in Nebraska the time is close when half the population will live in and around the two biggest cities, Omaha and Lincoln. There is an anguished sense of social disintegration which is deeper and more real than the literary anxiety expressed by the midwestern school of novelists 50 years ago. You find a common feeling that the wealth of America, like the wealth of the land people can see around them, is being squandered on a few powerful interests controlled by men who live elsewhere, and this is being done by the government.

Such a feeling is natural among agricultural people in a technological nation. There really are people who love the land. Does the sorrow of these lovers scorned get tuned into political action? Maybe. After all, everyone in the plains states shares the Oklahoma belief that it is a good idea to throw the rascals out every time you get a chance.

In the Presidential politics of 1972, much depends on who the Democratic candidate is. In more states than just this one the politicians, and some early polls, suggest that Sen. Edmund Muskie (D-Me.) or Sen. Edward Kennedy (D-Mass.) would have a more than even chance to turn midwest Democratic next year. A few of the politicians think Sen. Henry Jackson (D-Wash.) would be equally formidable if he campaigned hard. And who, among the pros and the early polls, is down the list? Sen. Hubert Humphrey (D-Minn.). That is not surprising, really.

It is widely known that Humphrey has depended for years on the support of the same huge agricultural business interests that Butz is enamored of. And, then, Humphrey has been in office so long—around and not around, as it were. He has in many states the problem Carl Curtis has in this one: The older people know exactly who he is and the younger ones would rather not hear about it. Mr. Nixon has more than just a little of that problem with people here, too.

You can certainly understand football mania—here and in the White House. It is escape, pure and simple. A relatively harmless one, too, for the spectators. Politics and human feelings, however, are not harmless at all.

BABIES AND BRASS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WALDIE. Mr. Speaker, two very interesting reports from United Press International have been brought to my attention by Mrs. Elizabeth A. Brown of Richmond, Calif., and Mrs. Lucille Gray of San Pablo, Calif.

There are countless comments I could make about each article separately, but the best argument is made when we read the two together. In a time when executives from the Transportation, Justice, and Treasury Departments can get a great meal for one-seventh the value, I wonder why a baby cannot get $20 worth of food a month that it must absolutely have to live.

Mr. Speaker, I submit the following articles from United Press International for inclusion in the RECORD:

CHEAP LUNCHES FOR TOP BRASS

WASHINGTON.—Federal government executives are feasting on cut-rate lunches, sometimes paying less than one-tenth the cost of the meal, the General Accounting Office reported yesterday. At one place, free booze is sometimes featured.

The report, prepared by the congressional watchdog agency at the request of Sen. Margaret Chase Smith, R-Maine, showed that a number of the executive lunchrooms in government buildings cater the best food bargains in the capital.

At the Transportation Department, for example, high-echelon employes pay an average of $1.51 for a meal that costs an average $16.05 to prepare and serve. "And that does not include the cost of space and utilities," said Mrs. Smith.

As ranking Republican on the Senate Space Committee, Mrs. Smith first ordered an investigation of the executive lunchroom of the National Aeronautics and Space Administration (NASA) which disclosed that $4.03 lunches were being served for 45 cents, partly through illegal purchase of food from military commissaries.

With that situation halted, she asked the GAO to conduct similar surveys at several other government agencies. The findings:

At the Treasury Department, executives pay $2.45 for a $14.31 meal; at the Justice Department, $1.66 buys a $7.10 repast; at the National Science Foundation, $1.26 buys $3.55 worth of food and at the Interstate Commerce Commission, a $3.53 meal can be had for $1.94.

Mrs. Smith said executive diners at the National Science Foundation on special occasions are served confiscated liquor obtained from the customs bureau.

WELFARE CHIEF WON'T PAY FOR TOT'S LIFE-OR-DEATH FOOD SUPPLEMENT

WATERTOWN, N.Y.—A four-month-old boy needs a special powdered nutrient food to survive. His family cannot afford it. And although the county welfare * * * the $21 a month the food supplement costs, he says he will not.

Because the boy's family hasn't been able to obtain the supplement on a regular basis, the county has had to pay more than $1,800 in hospital bills for the baby.

The baby is one of four children of a low-income Watertown couple. The father has been unemployed for part of the year and the family is receiving welfare. Medical expenses are covered by Medicare—but welfare officials say the food supplement is food, not medicine.

"I can underwrite the expense without filing for federal or state aid reimbursement in an isolated incident," Haswell P. Brayton, commissioner of the county's Social Services Department, said Wednesday, "but I choose not to because I think it would be whimsical and arbitrary of me to spend the money of the taxpayers of Jefferson County this way."

Brayton said he was not willing to pay more than the $40 a month the department allows for the child. A local pediatrician said the infant needs 16–25 ounces of the supplement, called Nutramagen, a day. This would cost $20.96 a month.

If the baby does not get the special food, which is prescribed by the family's pediatrician, he becomes dehydrated and has to be hospitalized for intravenous feeding.

"We have already picked up a $1,820 tab for hospitalization that resulted on three different occasions when the * * * any of the $74.22 a case food substitute," Brayton said.

The family has filed a court complaint over the matter, and a hearing has been scheduled for Dec. 15. Names of the family and baby were withheld at the parents' request.

Nutramagen is produced by Meade-Johnson of Evansville, Ind.

ALASKA FISHING INADEQUACIES

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BEGICH. Mr. Speaker, one of the most important industries in the State of Alaska is that of fishing. For too many years, fishermen in southeastern Alaska as well as other fishing areas of the State have suffered severe losses because of inadequate protection of their economic rights.

As a State legislator and now as Alaska's lone Congressman I have maintained a keen interest in the economic problems of Alaska's fishermen.

My first session in Congress has been very rewarding and perhaps one of the reasons it has been so is because of the real advances we have made in protecting Alaska fishermen when I introduced my fishing package legislation last fall. The problems of pollution and pollution control as well as the lack of protection of jurisdictional fishing boundaries have plagued Alaska fishermen too long. While much can be done on the national level, many of these problems can only be resolved by international agreement.

It is for this reason, it is with great hope that I look forward to the forthcoming Conference on Law of the Sea. While I know that all problems will not be resolved, I am confident that if organizations such as the Pacific Marine Fisheries Commission make known their concern we could put the Alaska fishermen in a better economic position in the near future.

With this goal in mind, I wish to place into the RECORD a copy of several resolutions passed by the Pacific Marine Fisheries Commission at their December meeting. In particular, I should like to call to the attention of my colleagues Resolution 2 which seeks reconsideration of inequities in recent provisional delimitation of Alaska's territorial sea and contiguous fishing zone and call for withdrawal of those provisional documents with adequate public hearings to be held in preparing for establishment of permanent lines of demarkation.

As you can see, Mr. Speaker, all these resolutions vitally effect the Alaskan fisherman, and I wish to present them at this time to my colleagues in the Congress.

The resolutions follow:

PACIFIC MARINE FISHERIES COMMISSION

RESOLUTION NO. 1—IN SUPPORT OF FISHERIES MANAGEMENT BY COASTAL, ANADROMOUS, HIGH SEAS GROUPINGS

Whereas, an International Conference on the Law of the Sea is scheduled to be held in 1973; and

Whereas, any agreement reached by the Conference will have a deep and profound influence on American fisheries for generations to come; and

Whereas, the preliminary proposals by the United States offer little or no protection for American fisheries; and

Whereas, our coastal fishery resources are being depleted due largely to effect of foreign fishing conducted without regard to sound conservation principles; and

Whereas, conservation is urgently needed, both to maintain our fishery resources on a sustainable yield basis and to secure our economic future in the fisheries;

Now be it therefore resolved, that the Pacific Marine Fisheries Commission urge the United States government to adopt the following proposals as its objective in the coming conference:

Coastal species

Fish and shellfish resources which live on or above the continental shelf and slope and/or the waters above the shelf and slope for reproduction and/or survival during the major part of their lives shall belong to the country off whose coast the continental shelf and slope occurs.

Anadromous species

Anadromous fish shall be the property of and subject to control by the coastal state of origin. Where anadromous fish are harvestable in the territorial waters and contiguous fishery zone of a country other than the country of origin, the nations involved shall work out harvesting rules consistent with adequate conservation principles and with due regard to the right of each nation to its proper share of the allowable catch.

High seas species

All species of fish of oceanic origin and habitat shall not be subject to control by the coastal nation. The conservation and management of such species shall be the responsibility of multinational control to be exercised jointly by the harvesting countries including countries whose coasts border the waters frequented by such species.

Underharvested species

Where stocks of fish are underharvested by the coastal nations to which they belong, provision shall be made by the coastal state for harvesting by other nations where such harvesting would not be unduly harmful to the conservation of other species in the area of harvest. Such harvesting shall be conducted under appropriate nondiscriminatory conservation rules promulgated by the controlling countries who shall be entitled to charge non-punitive users' fees of those engaged in the harvesting.

Be it further resolved, that the United States Department of State be requested to include on its official delegation at the coming Conference, including preliminary meetings, adequate representation from the United States fishing industry, and

Be it lastly resolved, that copies of this resolution be forwarded to the President of the United States, the Secretaries of State, Interior, Commerce, and Defense, to members of the House Merchant Marine and Fisheries Committee, to members of the Senate Committee on Commerce, to members of the Senate Committee on Foreign Affairs and to the Governors of all coastal states of the United States.

RESOLUTION NO. 2—OPPOSITION TO CERTAIN FEDERAL DOCUMENTS PROVISIONALLY DELIMITING THE TERRITORIAL SEA, CONTIGUOUS ZONE, AND CERTAIN INTERNAL WATERS OF THE UNITED STATES

Whereas, in early 1971 the federal government caused to be issued documents purported to delimit provisionally the territorial sea, contiguous zone, and certain internal waters of the United States; and

Whereas, these documents or charts were prepared by an interdepartmental committee of federal officials without holding any public hearings or obtaining any input from the several affected states; and

Whereas, some waters previously defined as internal waters of the State of Alaska are now provisionally defined as contiguous zone waters or high seas waters in which foreign fishing may be conducted; and

Whereas, the State of Alaska since statehood, and the federal government in prior years, have managed and protected the fisheries resources in these waters for the benefit of their citizens; and

Whereas, these documents have been distributed to certain foreign governments; and

Whereas, the United States Coast Guard in Alaska is under orders to use these charts as a guide for units assigned law enforcement missions, to aid in the determination of jurisdiction in the coastal waters of Alaska; and

Whereas, the United States government needs to protect the historic internal waters of the state against foreign fishing encroachment because of the existence of these documents;

Now be it therefore resolved, that the Pacific Marine Fisheries Commission respectfully requests the President of the United States to order that these documents be withdrawn from public and foreign distribution, and that they be disregarded for all purposes in determining the delineation of the internal waters, territorial sea or contiguous zone of Alaska, thereby allowing public authorities to proceed in the enforcement of the laws according to previously established practices; and

Be it further resolved, that public hearings by an impartial body in the affected states be held to consider establishment of lines delineating territorial, internal, contiguous, and international waters using an appropriate legal basis.

RESOLUTION NO. 4—ESTABLISH MINIMUM FLOWS FOR FISHERIES—SNAKE AND COLUMBIA RIVERS

Whereas, the Snake River and tributaries are major contributors to Columbia River anadromous fish runs; and

Whereas, the Snake and Columbia River anadromous fish runs are of international significance and contribute significant socio-economic benefits to the states of Idaho, Oregon, Washington, other coastal states and the province of British Columbia; and

Whereas, the Columbia and Snake River salmon and steelhead runs are totally dependent upon adequate minimum flows for upstream and downstream migrations, spawning, hatching and rearing; and

Whereas, minimum flows are directly af-

fected by river regulation for power and flood control and by upstream depletion;

Now be it therefore resolved, that the Pacific Marine Fisheries Commission goes on record as urging all Federal, State, and regional water planning, development and regulating agencies to establish minimum flows for fisheries on the Columbia and Snake Rivers; and

Be it further resolved, that in ongoing and future planning efforts the necessary studies to determine desirable minimum and optimum flows for fisheries be given equal priority with studies of other water uses; and

Be it further resolved, that copies of this resolution be sent to all federal water planning, development and regulatory agencies, the Water Resource Boards of Idaho, Oregon and Washington, the Governors of the States of Idaho, Oregon and Washington, to members of appropriate Congressional Committees, and the Congressional Delegation from member states of the Pacific Marine Fisheries Commission.

RESOLUTION NO. 6—RECOMMEND EASING OF ALIEN FISHING ACT PROVISIONS IN RELATION TO BOUNDARY TRESPASS BY CANADIAN FISHERMEN IN THE STRAIT OF JUAN DE FUCA

Whereas, the fishermen from Canada and the United States fish in the Strait of Juan de Fuca on co-mingled stocks; and

Whereas, fishermen of both countries fishing close to the international boundary may inadvertently cross over the line; and

Whereas, fines imposed under Public Act #88-308 may be excessive, considering the nature of the violation; and

Whereas, impositions of such fines may lead to the degradation of relations between the two countries.

Now be it therefore resolved, that we respectfully petition appropriate committees of Congress to study possible amendment of Public Act #88-308 to ease boundary trespass penalty upon U.S. and Canadian fishermen from the provisions of this law in the Strait of Juan de Fuca; and

Be it further resolved, that the proper committees in Congress be advised of this resolution,

Be it finally resolved, that upon adoption of this resolution by the Pacific Marine Fisheries Commission, this resolution be forwarded to the President of the United States, Department of State, Department of the Interior, National Oceanic and Atmospheric Administration, Members of the Merchant Marine and Fisheries Committee of Congress, Members of the Committee on Commerce of the Senate.

RESOLUTION NO. 7—IN SUPPORT OF STRENGTHENING TROLL SALMON ENFORCEMENT PROCEDURES

Whereas, there is a serious problem of enforcement of pre-season fishing violations in the troll salmon fishery; and

Whereas, this creates hardship and bitterness in law abiding fishermen; and

Whereas, this causes unnecessary problems in price negotiations; and

Whereas, harmony is desired within the industry,

Now be it therefore resolved, that the Pacific Marine Fisheries Commission recommends that the fishery agencies of Oregon and Washington give consideration to strengthening enforcement provisions in the troll salmon fishery, and instituting such other proceedings as would lead to a solution of the problem.

RESOLUTION NO. 8—MARINE MAMMAL MANAGEMENT

Whereas, Federal legislation has been introduced that would place all marine mammals under federal jurisdiction; and

Whereas, the Submerged Lands Act of 1953 confirms state title to and ownership of natural resources, including marine animals; and

Whereas, the Pacific states are engaged in active management and research programs to protect and manage animal populations within state boundaries; and

Whereas, authority to manage resident marine mammal populations is essential for comprehensive planning and development of the coastal zone by the states; and

Whereas, sea otters, elephant seals, land breeding harbor seals and sea lions are normally within state boundaries and are properly under jurisdiction of the respective Pacific states;

Now be it therefore resolved, that the Pacific Marine Fisheries Commission recommends that sea otters, elephant seals, land breeding harbor seals and sea lions be excluded from the proposed federal legislation.

RESOLUTION NO. 9—IMMEDIATE REIMBURSEMENT OF FINES FOR UNLAWFUL VESSEL SEIZURE BY FOREIGN NATIONS

Whereas, the policy of the United States is to support the principle of the freedom of the seas, and to this end this country at the present time does not recognize claims to jurisdiction over waters greater in breadth than 12 miles from the baseline of the territorial sea, and it is the view of the United States, acting through the Department of State, that under international law, it is not required to recognize such claims; and

Whereas, seizures of American-Flag vessels, have taken place as the result of territorial sea claims in excess of 12 miles from the baseline of the territorial sea by naval forces of foreign countries; claims which are strictly contrary to the position of the United States and other major nations with regard to the seaward limits of national jurisdiction; and

Whereas, such actions may cause United States flag fishing vessels to be driven from the high seas with resulting critical, if not fatal damage to the United States fishing industry;

Now be it therefore resolved, that the Pacific Marine Fisheries Commission strongly recommends the Senate of the United States to enact pending legislation amending the "Fisherman's Protective Act of 1967" providing for immediate reimbursement of fines imposed by foreign nations on U.S. flag vessel owners relative to the unlawful seizure of United States flag fishing vessels in international waters by foreign countries;

Be it further resolved, that the Pacific Marine Fisheries Commission submit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the Honorable Senator Warren G. Magnuson, Chairman, Senate Commerce Committee, and to the Honorable Representative Edward A. Garmatz, Chairman, Committee on Merchant Marine and Fisheries.

HORTON SALUTES CHARLES E. SWAN ON NOMINATION FOR NATIONAL VOLUNTEER AWARD

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HORTON. Mr. Speaker, there is much agreement today that the best solution for every community's problem is the involvement of its concerned citizens. Charles E. Swan of Rochester, N.Y., recently said:

Living in the city requires a certain price tag—that price tag is commitment. The government just isn't able to do everything. Citizens must be involved in solving community problems.

It is this philosophy and Charles Swan's willingness to put it into action that has prompted his nomination as a finalist in the National Volunteer Awards competition sponsored by the National Center for Voluntary Action.

Charles E. Swan, of 755 Cedarwood Terrace in Rochester, has been cited for his leadership in North East Area Development, Inc. (NEAD). He is a candidate for one of two $5,000 first place awards. The top awards will be presented in February 1972, at a banquet in the Nation's Capital.

A panel of five judges will make the final selection: H. I. Rommes, chairman of the board of A.T. & T.; Charles Evers, mayor of Fayette, Miss.; Walter Hickel, former Secretary of the Interior and former Governor of Alaska; Alvin Toffler, author of "Future Shock"; and Mrs. Jacqueline G. Wexler, president of Hunter College.

It is noteworthy, I believe, that Charles E. Swan was nominated for one of these awards by a NEAD board member who preceded him as president, Mr. William B. Eighme. Mr. Eighme was in a good position to appraise the outstanding work of Mr. Swan, and it was his considered judgment that Mr. Swan was indeed worthy of national recognition.

Mr. Speaker, I would like to join with the others in saluting Charles E. Swan and wish him well in the final judging for the National Volunteer Awards.

Recently, additional background material on this nominee was reported in a story in the Rochester Times-Union. Authored by Dolores Orman, it is an interesting documentation of the activities that led up to his nomination. I would like to share that now with my colleagues in the Congress, in paying tribute to Charles E. Swan.

Excerpts from the news story follow:

Swan served as president of NEAD from November 1969 until this month. During his term he restricted himself to part-time employment, devoting 40 to 50 hours per week to his NEAD office.

"He was able to make significant strides," said William B. Eighme, a NEAD board member who preceded Swan as president and who nominated him for the national award. "He was able to weld the people together on important issues." One achievement was the closing of the Eastside Incinerator.

NEAD brings together a broad range of citizens and background to cooperatively rebuild and revitalize their neighborhoods and environment. Its goal is the maintenance and improvement of all of northeast Rochester (about 47,000 people, including both deteriorated and well-to-do sections).

"I guess it's because living in the city requires a certain price tag—that price tag is commitment," said Swan explaining his involvement in NEAD. "The government just isn't able to do everything. Citizens must be involved in solving community problems."

Swan is currently NEAD's vice president for finance. He was appointed to the city planning commission in March and, among other things, is president of his neighborhood association a member of the board of managers of the YWCA's Operation Outreach program, and a member of the board of the Blue Cross and Blue Shield group practice program.

Swan, 36, is married and the father of three. He is a building products salesman.

TENTH DISTRICT LEADS IN RECEIPT OF FEDERAL FUNDS FOR ALL PURPOSES

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, it is interesting to note that during the last 6 years, the 10th District of the State of Wisconsin has been the No. 1 recipient of Federal funds for all purposes. Due to my efforts and ability to get results for my people, I have personally intervened in thousands of cases on behalf of industry, communities and individuals in the north country and have helped them whenever help was needed, and guided them whenever guidance was needed.

In the field of Government contracts for example, one of my first tasks when I inherited the Chippewa Falls-Eau Claire area was to save the National Presto Industries plant. This plant was marked for closing during the years of 1963 and 1964. At the request of the proper officials of the company, I intervened and saved the plant. It was a case of having the right man in the right spot; namely, the Armed Services Committee.

I pointed out to the Department of Defense the folly and the additional cost of Government procurement in St. Louis. I pointed out the efficient labor force and the lack of absenteeism among the workers in the north country. I exposed on the floor of the House the folly of building a $46 million plant in St. Louis when they already had an efficient plant in existence in the Chippewa Falls-Eau Claire area.

The result of my efforts is that today National Presto Industries is Wisconsin's largest Government contractor, and by having the work done in the Chippewa Falls-Eau Claire area rather than St. Louis, I have saved the taxpayers hundreds of millions of dollars.

Similar to my efforts on behalf of National Presto Industries, I have obtained the same results for at least a dozen more businesses in the north country.

The following figures will show what it means to have an active Congressman with the know-how to get results for his district. During the last 6 years, the 10th District of Wisconsin has been the No. 1 recipient of all Federal money of all the districts in the State. The fact of the matter is that for every dollar of all Federal taxes collected in the 10th District, at least $1.65 comes back to the district in some form of Federal Government expenditure in the district. You can count the congressional districts in the Nation which have this type of favorable ratio on the fingers of both your hands.

When I entered Congress in 1943, the 10th District was by far the lowest in receipt of Federal funds. For the last 6 years it has become No. 1 by far.

Federal Government expenditures for all purposes in the 10th Congressional District of Wisconsin for fiscal year 1970 typical of the last 6 O'Konski years

1st District	$229,965,449
2d District	349,307,010
3rd District	292,166,305
4th District	252,717,248
5th District	252,717,248
6th District	279,954,337
7th District	224,644,105
8th District	230,820,858
9th District	252,717,248
10th District	402,687,081

The 1971 and 1972 fiscal years will show an even greater number of Federal dollars spent in the Tenth District compared to other Congressional Districts in Wisconsin. These figures include all expenditures, even those not publicized for security reasons.

A TRIBUTE TO DR. GEORGE WASHINGTON CARVER

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BEGICH. Mr. Speaker, the heroes of the scientific world are many, and none is unworthy of our praise. Yet some stand out above the others in a manner setting them clearly apart, meriting our special consideration.

So it is in the case of Dr. George Washington Carver, the late genius in the field of agricultural chemistry, whose experimentation with the humble peanut was to revolutionize the economy of the Southern United States and open the door to scientific advances in several fields.

So long as cotton remained the chief money crop in the South, there was little hope of inducing Southern farmers to raise anything else. Yet cotton was ruining the land. To meet the crisis, Dr. Carver proposed the use of peanuts as a substitute for cotton, and when reminded that peanuts had only slight market value, he set out to alter the fact.

Through research, Dr. Carver discovered use upon use for the peanut, extending from salad oil to a remedy for paralysis, and soon the demand for peanuts was greatly increased.

Recognition of Dr. Carver's services has been given in many ways. In 1916 he was made a Fellow in the Royal Society of Arts in London. In 1923 he received the Spingarn Medal for the most distinguished contribution by a Negro in science. In 1935 he was appointed collaborator in the Bureau of Plant Industry, U.S. Department of Agriculture. Another tribute was a life-size bronze bust of Dr. Carver, done by the great Atlanta sculptor, Steffan Thomas, and paid for by Carver's admirers of both races.

In a period of our National history when racial prejudice was shutting out all but the most extraordinary talent in the Negro race, the abilities of this remarkable man, Dr. George Washington Carver, brought him to the full attention of the world.

His performance rendered him a giant of his time. It is for this reason, Mr. Speaker, that the Governor of Alaska has declared January 5 as George Washington Carver Day in Alaska. If there is no objection I should like to include a copy of Governor Egan's proclamation in the RECORD.

The proclamation follows:

PROCLAMATION

GEORGE WASHINGTON CARVER DAY

On January 5, 1972, Americans again honor the memory of an eminent American scientist, Dr. George Washington Carver, whose contributions to the world will ever benefit mankind. This date marks the twenty-sixth anniversary of his death.

Dr. Carver was born a slave, schooled in adversity, and honored in eminence. His life presents a shining example of service to humanity, and his career exemplifies America's capacity for opportunity and inspires individual achievement.

Dr. Carver, as an agricultural scientist developing new uses for the native products and natural resources of the south, and as a teacher, brought not only practical aids for a better life to the people with whom he came in contact in his travels through remote regions but also in many cases the first touch of culture the people there had ever received. He was not satisfied with scientific discovery for its own sake, but was passionately convinced that the results of research must be brought directly into the lives of the people.

Colleges and universities and other institutions have showered honors upon him because his life is an inspiration, to those of his own race and to all Americans.

Therefore, I, William A. Egan, as Governor of the State of Alaska, do hereby proclaim January 5, 1972, as George Washington Carver Day throughout Alaska and urge Alaskans to reflect upon and take inspiration from the life of this man who was one of the great scientific pioneers of our Nation.

Dated this 22nd day of December, 1971.

INFLATION AND THE CONSUMER PRICE INDEX

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WALDIE. Mr. Speaker, in a time when the entire force of Government is geared to fighting inflation, many Americans lose sight of the goal because of the terminology used to describe the battle.

In the midst of phase II, we find comments concerning the Consumer Price Index and how it reflects our progress. For we Members of Congress, it is frequently difficult to follow the score sheet. But, for the average American, inflation, price index, balance of trade and dollar devaluation are most confusing terms.

An excellent article, dealing with inflation and the Consumer Price Index has been brought to my attention. Written by Bob Kahn for the Montclarion in Lafayette, Calif., it explains administration strategy in its emphasis on the Consumer Price Index and offers a realistic evaluation of what that strategy is intended to do.

For this reason, I am happy to submit "Nixon, Phase II, and Reelection," for inclusion in the CONGRESSIONAL RECORD:

NIXON, PHASE II, AND REELECTION

(By Bob Kahn)

President Nixon suddenly changed his game plan as the pollsters told him that the key issue in the 1972 election would be domestic economic questions. The most im-

portant question will be: Is inflation under control?

President Nixon, of course, knew about the record-breaking foreign trade deficit that was coming up in the 3rd quarter and the implications of that (the additional drain of U.S. dollars would force further domestic inflation) when he imposed the freeze on August 15.

He was then faced with a major question: How does one tell whether or not there is inflation? The answer most often is to look at the change in the Consumer Price Index (CPI). Today we have tied many items to the CPI—increases under wage contracts, pay for retired military personnel, rental payments under long-term leases, and more.

Although the CPI figure is announced monthly for the United States (formerly announced by experts who were qualified to interpret it but under the New Nixon Monarchy, announced by press agents) and quarterly for all of the major cities, most people do not know how it is constructed.

The Bureau of Labor Statistics (Department of Labor) uses about 300 items as representative of price movements in the economy. The importance (relative weight) given to each price is based on a study of consumer expenditures in a large panel of middle-income families spread throughout the United States. This study also produces the product quality definitions that are used—in other words, the study does not include price changes in $200 men's suits or mink coats—but it does include lower price suits, nylon slips, men's broadcloth shorts, etc.

Figures on rents are based on studies of some 40,000 rental units. Home maintenance costs are for typical jobs (reshingle a roof, replace a hot water heater).

The present index is based on average prices in 1957 to 1959—which is expressed as 1957–59—100. Prices are roughly 30% higher than they were at that time.

The challenge that existed when Phase II was planned was a simple one. First, control of inflation was critical only until November 1972 when the next elections would be held. Mr. Nixon had promised that there would not be a Bureaucracy. The plea was made for voluntary compliance. In the beginning there was little mention of the punitive powers that were included in the enabling act that Congress passed a year ago—over Mr. Nixon's protestations (1) that it was not necessary and (2) that he would never use it.

Thus we have the challenge: control the CPI (prices outside the CPI really need not be controlled) so that regardless of what the true cost might be, prices would appear to be under control. And do it through at least November 1972. If this is accomplished, Mr. Nixon might get re-elected.

At this point in our story it is important to say that up until now no major effort has ever been made to control the CPI—it has been collected by a relatively independent, highly professional bureau in the government—and has been used rather than manipulated.

THE PLAN TO MANIPULATE

On Saturday, November 13, 1971 the Federal Register published the rules for economic stabilization, setting for the guides and functions of the Pay Board and the Price Commission. This was issued by the Cost of Living Council.

Price controls on other than retailers and wholesalers were to be handled in three categories—those firms with an annual volume in excess of $100,000,000 a year were called "prenotification" firms and they had to submit requests and get approval before they could increase any prices. Firms with sales between $50,000,000 and $100,000,000 were called "reporting firms" and they had to submit quarterly reports showing any price increases put into effect during the quarter. Firms doing less than $50,000,000 a year (the great preponderance of firms—and about half our manufacturing volume) were told to follow the general guidelines. They would be checked or complaints investigated, but generally there was no control.

Retailers and wholesalers were told that they could continue to use their historic and proven initial markups (that is, maintain the same percentage relationship between their initial asking price and the cost of the product, on a company-wide or department-wide basis) that they had enjoyed in the highest two of the three completed fiscal years prior to August 15, 1971.

In all cases, the amount of price increase taken could not produce a profit that was a higher percentage of sales than the company had enjoyed in the best two of the three fiscal years ending prior to August 15, 1971 (it is interesting to note that in a talk in San Francisco on November 23, Sherman J. Maisel, member of the board of governors of the Federal Reserve system, indicated that their projections based on a 2½% to 3% price increase indicated that under Phase II, sales would increase by 9% and profits by 15% thus they project that the entire economy will be in violation of the profit restraint provisions since when profits increase faster than sales it mathematically means that profits have increased as a percentage of sales!).

But the real "politics" is that the bulk of the items used (much more than 50% of the total) to compute the CPI are made by firms with a volume over $100,000,000—and these are the only firms where prenotification (and rejection) of proposed price increases exist. Fresh fruits and vegetables and meat, representing about 12% have no controls except demand and perishability. Utilities and transportation costs are controlled by governmental bodies already. Rents will be dealt with separately—and many are subject to annual leases. But by just controlling the prices of the limited number of firms with volumes over $100,000,000 the president has, for the first time, developed a means of controlling the CPI—with the objective of assuring his personal reelection.

CUBA: THE PURSUIT OF FREEDOM

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MONAGAN. Mr. Speaker, the Reverend Dr. Joseph F. Thorning, the "Padre of the Americas," has just written a penetrating review of Hugh Thomas' new book "Cuba: The Pursuit of Freedom." Because of the importance to the United States of Cuban developments and the experience and knowledge which Father Thorning brings to his analysis I insert his review in the RECORD, so that it may be available to a wider audience than that of America in which magazine it appeared November 6, 1971:

CUBA: THE PURSUIT OF FREEDOM

(By Hugh Thomas)

This is an encyclopedic approach to the geography, history and culture of Cuba. The period treated, 208 years, stretches from the British capture of Havana (1762) to the administration of Fidel Castro (1959–70). The dividing line, a somewhat arbitrary choice, is Fulgencio Batista's second seizure of power (1952).

At the time of its occupation by Lord Albemarle, Havana was described by the Abbé Guillaume Raynal as the "boulevard of the New World." Although Santiago de Cuba was still the headquarters of the Captain General, Havana was the port of rendezvous for treasure ships from Vera Cruz and Portobello. The galleons, laden with gold and silver, were convoyed under the protection of the Spanish grand fleet to Seville and Cadiz. Since thousands of seamen and soldiers had to wait from four to six weeks in Cuba for the treasure ships to assemble, they tended to transform Havana, not yet the "Paris of America," into a maritime roadhouse. The city, with its gorgeous tropical setting, overflowed with deserters, escaped slaves, gamblers, smugglers and crooks on the run, sailors looking for ships, prostitutes for sailors and "friars without fixed destination." The future capital early acquired that "unique, easy-going, brilliant but semi-criminal and cosmopolitan character that has marked it ever since."

British rule, fleeting as it was, proved the signal for an immediate descent on the island by English merchants. Dealers in grain, wool, linen, horses and sugar equipment established flourishing businesses. The slave trade, already horrendous, received a powerful impetus. While tobacco, hitherto the principal crop, continued to grow famous for aroma and flavor, its cultivation dropped to second place in the Cuban economy. Thomas emphasizes that the stepped-up import of slaves, combined with the long-term commercial arrangements then established (including debts), was the distinguishing mark of Albemarle's expedition.

The author, professor of history at the University of Reading, adds that, after Albemarle departed in January 1763, the increase in cheap labor hastened the trend toward the creation of a stubborn master, the sugar industry. Thereupon Thomas poses the question: Did dependency upon an overdeveloped export commodity make Cuba "a sugar palace or a sugar prison?"

Moreover, in the 1770's, the desire of the North American colonists to trade with Cuba and the French West Indies became "a fundamental cause" of revolt against Britain. A lucrative three-cornered commerce developed: smugglers carried rum from Havana to Africa for the purchase of slaves, whereupon the blacks were exchanged in Havana for molasses, which had been processed in New England as "juice of the cane," and exchanged for more slaves. For two generations, Thomas relates, Massachusetts produced the best "Antilles rum." And John Adams confessed that "molasses was an essential ingredient in American independence."

Equally detailed information is supplied by the author about the struggle of Cuban patriots for independence for many decades of the 19th century. Familiar names adorn the narrative: Carlos Manuel de Céspedes; José Martí; Antonio Maceo; Máximo Gómez and a host of other leaders. Participation by U.S. armed forces accelerated and ensured victory.

A number of men who held office in the young republic, however, failed to reflect the noble ideals of the Founding Fathers. Politics soon surpassed agriculture, animal husbandry and mining as a short-cut to easy money. Tourists flocked to the hotels, beaches, casinos and bordellos of Havana. Night clubs such as Sans Souci, La Tropicana and Montmartre acquired world renown. Cuba seemed a tropical paradise, teeming with delicious fruits, luxuriant foliage, fresh seafood, vegetables raised by industrious Chinese gardeners, beef, pork and poultry, washed down by rum, whiskey, beer and brandy. Side by side with a growing middle class, enjoying the highest standard of living in Latin America, there existed a multitude of unemployed, undernourished, largely uneducated *campesinos*. Some clue to the food habits of Cubans may be gleaned from the fact that they had the biggest per capita consumption of lard throughout the globe.

Major events in Cuba under the Republic

are recounted with a reasonable degree of accuracy and fairness. Biographical sketches of the principal figures, whether planters, bankers, entrepreneurs, lawyers, doctors, artists, poets or politicians, military men and gangsters, are presented in colorful detail. A number of U.S. diplomats are characterized as "proconsuls." In his discussion of U.S. policies from 1933, when Batista emerged as the "Strong Man" of Cuba, Hugh Thomas quotes at length from contemporary witnesses, including Sumner Welles, Jefferson Caffery, Earl Smith and subordinate officials in the State Department. Fulgencio Batista and Fidel Castro bulk large in this part of the narrative.

Harsh as are the author's appraisals of oldline Cuban politicians, the British scholar, widely acclaimed for his study of the Spanish Civil War, essays an even-handed evaluation of the Castro dictatorship. Thomas credits the regime with support for "a minimum wage, universal schooling and medicine," and a reduction in rural poverty. He also reports "the brutality of the gaolers, the arbitrary character of an unpredictable but ubiquitous tyranny, the tedium of an inefficient bureaucratic style and the melancholy of a society where eccentricity and private experiment . . . are damned."

Religion gets scant notice. Praise, however, is accorded to Santiago Archbishop Antonio María Claret (now on the calendar of saints); Félix Varela, priest-teacher of philosophy and pioneer in social reform; and many men and women once active in education, charity and health care.

Cuba's search for freedom continues.

THIS WEEK'S REVIEWERS

Rev. Dr. Joseph F. Thorning is the United States Honorary Fellow of the Historical and Geographic Institute of Brazil.

Rev. Msgr. James A. Magner, former director of Catholic U. of Am. Press, has written extensively on Latin America.

Quentin Lauer, S.J., is a professor of philosophy at Fordham University, New York City.

Keith J. Egan, O. Carm. teaches graduate and undergraduate courses in mysticism at Marquette University, Milwaukee, Wis.

SOUTHEAST ALASKA ROUTE AWARDED TO ONE AIRLINE

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BEGICH. Mr. Speaker, because so many people and many industries in Alaska depend on air service, I have always taken the position that whatever steps necessary to assure efficient and frequent air transportation in Alaska be implemented without delay.

Our aim is to have better service throughout Alaska by increasing competition among the carriers. In specific regard to the Southeastern Alaska routes, it is my position that better service and more competition is more important than saving Federal airline subsidy moneys.

All Alaskans are concerned about the recent Civil Aeronautics Board decision but the people of Southeast Alaska are particularly concerned.

The Mayor of the city and borough of Juneau has forwarded to me a copy of a resolution passed by the city council which expresses the disappointment and great concern of the citizens of Southeast Alaska over the matter of awarding the Seattle, Juneau, Ketchikan routes to only one airline. I am including in today's RECORD a copy of that resolution so that my colleagues in the Congress may be aware of the recent developments in air transportation in Southeast Alaska:

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

SERIAL NO. 94—A RESOLUTION URGING THE CIVIL AERONAUTICS BOARD TO AMEND ITS DECISION RENDERED IN DOCKET NO. 20826, FILE NO. 71–12–45, TO ALLOW OTHER AIRLINES THE RIGHT TO SERVE THE CITIES OF SOUTHEAST ALASKA

Whereas, good air transportation is essential to the growth and development of Southeast Alaska, and

Whereas, more passengers and freight move by air into Juneau and Southeast Alaska than into any area of similar size or many times larger, and

Whereas, past experience has proven that operation of the Juneau Municipal Airport is dependent on competition between freight lines to provide full and adequate freight and passenger service to the capital city of Alaska, and

Whereas, 1971 increases in both freight and passenger traffic indicate an urgent need for more, rather than less, air service to Southeast Alaska and connections to the Alaskan interior, and

Whereas, airport safety and capital improvements can only be obtained when adequate revenue is generated, and

Whereas, scheduled and unrestricted air service in and out of Juneau and other Southeast Alaska communities is the very life blood for the movement of freight and supplies needed to sustain this part of the State, and

Whereas, no network of railroads or highways exists to provide for alternate methods of immediate travel, consequently competition at the airport level is vital, and

Whereas, Western Airlines and its predecessor, Pacific North Airlines, were principal developers of air transportation in Southeast Alaska, and

Whereas, economic growth projections would anticipate rapid growth within the next seven year period for which adequate transportation is vital;

Now, therefore, be it resolved by the assembly of the City and Borough of Juneau:

That the City and Borough express its extreme displeasure and disappointment that the Civil Aeronautics Board in Docket No. 20826, File No. 71–12–45, has denied other airlines the right to serve the cities of Southeast Alaska on their Alaska routes between Seattle, Anchorage, Fairbanks and the Interior of the State, and urge the Civil Aeronautics Board to amend its decision, to allow other airlines to serve Southeast Alaska, in order to provide full and adequate freight and passenger service to the capital city of Alaska and other Southeast Alaska communities.

Adopted December 16, 1971.

JOSEPH A. MCLEAN,
Mayor.

CUSTOM, LAW PLAY INTO HANDS OF EMPLOYERS OF ILLEGAL ALIENS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McDONALD of Michigan. Mr. Speaker, it is tragic and ironic that both custom and the law seem to play into the hands of those unscrupulous farm operators in California who make a habit of hiring illegal aliens.

It does not matter how many times a farm or ranch is "swept" by immigration officers. The aliens sometimes are rounded up, sometimes not. But they keep coming back, so it is like a revolving door.

As Leonard W. Gilman, regional INS commissioner in San Pedro, Calif., has pointed out:

Most of the industry, ranch operations, truck gardening operations have employed illegal aliens. Some of the same ones that we apprehend over and over . . . know that they are illegal aliens. They know because they have been picked up as illegal aliens.

Gilman said in congressional testimony that the Immigration and Naturalization Service has records showing apprehensions running into the hundreds from a single employer and that the employers "well know they are aliens. They seek only aliens, and in many instances if citizens or resident alien laborers make application for employment in one of these places they are denied."

Here are some classic examples of how the law is flouted by the employer or employee because of custom:

Ray Shelton, senior border patrol agent in Bakesfield, Calif., is quoted in congressional testimony as having said that:

Agents do their best to get these illegal aliens before they can be warned, flee or hide out. On many larger farms, the presence of agents is made known through citizens' band radio hookups with field crews. Due to the "No Trespass" legal signs, patrolmen making a sweep must give notice to landowners that they are on the prowl before they go into private land.

In such circumstances, the Immigration people deserve a lot of credit for the apprehensions they do make.

But then we come to the matter of courtesy, which probably could be called custom, and this also plays into the hands of both employer and worker.

According to Herb Walsh, deputy chief patrol agent at Danville, Calif.:

Officers identify themselves to the owner, or whomever is in charge and whenever possible, as a matter of courtesy, tell the landowners that they are going to make a sweep and need access to carry out their duties, although we do not need prior permission to enter property to enforce the immigration laws.

If that is the case, it seems to me that this "matter of courtesy" should be abandoned as one step toward seeing that our laws are obeyed.

FEDERAL AIDS FOR SEWAGE AND WATER

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1972

Mr. O'KONSKI. Mr. Speaker, pollution has been a matter of concern to me, and I started to work in the direction of alleviating pollution in the north country starting in 1953. Immediatley after the Korean war, I could see that, unless the Federal Government stepped in with

stronger regulations and unless the Federal Government came up with Federal money, that pollution would run rampant.

In 1953 and 1954 Congressman BLATNIK and I conferred on many occasions to start Federal programs to help alleviate pollution particularly in the water area. We started by introducing bills to establish a fresh water laboratory at Duluth, Minn., costing several million dollars. We felt that, if we had a facility in the north country that could help analyze and test our waters, that we would then have a basis to work on in alleviating pollution.

It took us several years to get the bill passed, and about 3 years ago this laboratory started to function. It should be noted that my concern about pollution, particularly water pollution, started in the early 1950's, long before the professionals and others got on the bandwagon. Testing of our waters alone was not enough. I realized that the Federal Government had to solve the bulk of our pollution. I have introduced bills to get Federal Government financing in that area. Presently, we have the Farmers Home Administration offering financing in the area of pollution. We have HUD financing in the area of stopping pollution. We have the Economic Development Administration financing in the area of stopping pollution. It is my judgment that the Federal Government must triple the amount of money available to these agencies to stop pollution for the period of the next 5 years.

To give the people of the North an idea of what Federal financing has done in the area of sewage and water treatment plants and in the area of stopping pollution of our lakes and streams, the following is a list of Federal grants that have been made so far. In many of these instances listed below, I went to the communities and explained the program, helped with the application forms and followed the application through; and wherever there were problems, I helped to overcome those problems to get the application approved. I have appeared before committees to see that these programs were adequately funded. In this field I have been a leader and the list below will show we have gotten a good start in northern Wisconsin, but we need to do three times more in the next 5 years.

I include the following table:

Federal aid for water and sewer projects financed with Federal money during the O'Konski years

City	Amount
Amery	$129,505
Ashland	17,000
Barksdale	40,933
Barron	437,800
Bayfield	40,136
Birchwood	130,000
Bloomer	208,980
Boyd	62,250
Butternut	15,227
Cadott	114,300
Centuria	25,687
Chippewa Falls	697,089
Clayton	36,534
Clear Lake	163,000
Dallas	16,237
Deer Park	177,800
Dresser	42,935
Eagle River	30,000
Eau Claire	84,023
Elk Mound	364,150
Fairchild	211,239
Fall Creek	142,350
Forest	55,700
Frederic	35,496
Gilman	25,007
Glenwood City	56,220
Glidden	503,530
Grantsburg	24,010
Haugen	161,600
Hawkins	135,886
Hayward	476,000
Hudson	95,198
Iron River	711,300
Knapp	308,900
Knight	15,670
Lac du Flambeau	231,917
Ladysmith	42,756
Land O'Lakes	$206,500
Luck	80,643
Medford	44,000
Mellen	208,734
Menomonie	73,018
Mercer	179,000
Merrill	100,000
Minocqua	487,141
Minong	447,600
Montreal	6,000
New Richmond	74,730
Ogema	215,000
Osceola	84,152
Park Falls	350,000
Phelps	465,000
Phillips	379,911
Port Wing	96,985
Prentice	9,000
Radisson	388,000
Red Cliff	308,000
Rhinelander	752,260
Richmond	34,200
Rib Lake	85,540
River Falls	114,506
Roberts	13,137
Shell Lake	152,347
Siren	511,446
Superior	600,532
Tony	84,000
Washburn	36,962
Webster	162,350
Weyerhauser	250,350
Winter	31,000
Woodruff	40,000
Total	13,138,409

PRICE AND WAGE CONTROLS AND STORAGE OF ATOMIC WASTES

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, today I wish to call to the attention of my colleagues the results of my latest districtwide citizens' poll, which shows that residents of northeast and north-central Kansas overwhelmingly favor continuing controls over prices and wages and strongly oppose storage of atomic wastes in Kansas. The 4,129 residents of the Second District responded to a questionnaire mailed in November.

The questions and results were:

1. Do you favor continuing controls over prices and wages permitting increases where justified, but within definite limits?

	Percent
Yes	90
No	6
Undecided	4

2. Even if safety can be assured, do you favor the storage of radioactive atomic wastes in Kansas?

	Percent
Yes	20
No	73
Undecided	7

Citizens of the Second District obviously favor continuing controls on prices and wages, but many of those responding indicated that they were concerned about possible inequities and favoritism in the enforcement of controls. It is essential that fairness and equal treatment be assured or the program of controls will lose public support.

The response to the atomic waste storage question speaks for itself. Residents of this district do not favor the AEC proposal, even if safety can be assured. It is significant that such strong opposition to the project exists in this part of the State, most of which is some distance from any of the proposed sites for the atomic waste repository.

WASHINGTON NEWS NOTES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HOSMER. Mr. Speaker, there follows the text of my regular Washington News Notes which will be distributed in my congressional district in January:

CONGRESSMAN CRAIG HOSMER'S WASHINGTON NEWS NOTES

The "You Read It Here First" Dept.: Back in November when Treasury Sec. John Connally and President Nixon were still foursquare against devaluation of the U.S. dollar, this distinguished publication scooped the Washington Post and everyone else in forecasting an increase in the price of gold. In the November "News Notes," Congressman Hosmer reported:

"In the process, the U.S. $ also may have to be revalued from its legal price of $35 an ounce in terms of gold to around $37.50, which is about what many years of inflation have now made it actually worth."

For the record, the gold price increase went up to $38 instead of the predicted $37.50.

* * * * *

Night Life on the East River: While the Indian Army was rumbling across East Pakistan, the United Nations delegates were staying up nights trying to pass some sort of cease-fire resolution. From all the commotion, one might think that a resolution from the Security Council actually might have made a difference. Which, of course, it didn't. The U.N. once again was shown up at its pathetic worst.

To the liberals, the U.N. is the savior of mankind. To the conservatives, its a Communist-dominated demon. More realistically, however, we could say that the U.N., at best, is better than nothing. But the inescapable fact is that each member (or non-member) nation is going to act first and foremost in its own self-determined national interest regardless of the U.N. or any of its toothless resolutions. Which is exactly what India did.

The Congress is taking a closer look these days at how much "Uncle Generous" contributes to the U.N. coffers. But another group of Congressmen—Hosmer included—wants the U.N. to evict the Ukraine and Byelorussia, which are full voting members even though they are nothing more than provinces of the USSR. In fact, California probably is more entitled to a U.N. seat than those two.

A bit of arm-twisting for no-fault insurance: Early in the new Congress, Hosmer will lead a legislative push for no fault automobile insurance programs. Hosmer is preparing a Congressional resolution urging the States to adopt no-fault systems with the admonition that "Congress is not going to wait forever" on this issue.

Congressional Report Card—D Plus: The first session of the 92nd Congress had more minuses than pluses on its record. It did pass the 18-year-old vote amendment, a campaign spending reform bill, health manpower legislation and a major tax bill. But it failed to deal with Revenue sharing, welfare reform, reorganization of the Executive branch, and electoral reform, among other items.

And the Senate may have set a world indoor record for bush-league tactics, particularly the blatantly partisan grab for taxpayers' dollars to finance the Democratic Party's 1972 Presidential campaign.

Drive Underway to Speed Social Security Increases: Everyone generally agrees in the need for Social Security benefit increases and other improvements to the system. However, a major Administration proposal to do just that is included in H.R. 1, the huge welfare reform bill which is hopelessly stalled in the Senate.

Congressman Hosmer and a bi-partisan group of House members have launched a drive to separate Social Security from H.R. 1 so that it can be enacted quickly during the new session of Congress. Their chances for success are considered excellent.

The bill calls for a 5% increase in benefits, raising the limit on outside earnings to $2000, awarding widows 100% of their former husband's benefits and automatic increases tied to the cost of living.

Hosmer, You Old Fossil, You: The Long Beach I, P–T recently ran a "Letter to the Editor" to the effect that Congressman Hosmer, like J. Edgar Hoover, is too old, has been around too long and ought to be gracefully put out to pasture). This prompted the following letter to Hosmer (who is 56) from a lady in Seal Beach:

"Since when is age 56 supposed to be old . . . I agree that some of the old Congressmen should be retired, but how about starting with those senile old Democratic committee chairmen . . . P.S. I'm now 84 years young."

Full Speed Ahead on Wildlife Refuge: Chances for speedy Congressional approval of Congressman Hosmer's bill to create a National Wildlife Refuge at the Seal Beach Naval Weapons Station have brightened on assurances of hearings early this year by the Wildlife and Conservation subcommittee.

Hosmer has asked interested individuals and organizations to submit written testimony for the hearing record. If you would like instructions on how to prepare a statement in support of the bill (H.R. 10310), write to the Congressman care of Rayburn Building, Washington, D.C. 20515.

OCCUPATIONAL HANDBOOK

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. METCALF. Mr. President, in a year marked by massive unemployment, which now reaches 6.8 percent in my State of Montana, many young people and their parents are understandably concerned about a choice of a stable occupational future.

Some 40 million young people will enter the work force this decade and need as much information as possible about job prospects in the future.

The Department of Labor has published a comprehensive occupational handbook which is widely used by counselors and educators in advising young people.

This handbook lists those occupations which have promise of a stable future. However, those stable occupations will change as the Nation's priorities change, witness the field of aerospace employment.

Nevertheless, this handbook assembles readily available information to guide young people in selecting future careers.

I take this means to call their attention to a summary of the handbook, entitled "Occupations Outline Handbook in Brief."

BENGALI NATIONALISM

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. CHURCH. Mr. President, nationalism, the most dominate force in Asia today, has never been very well understood by U.S. officials. The failure of American policy with respect to Pakistan and Bangladesh is the most recent case in point.

The leading American Bengali scholar in this country, Prof. Edward C. Dimock, Jr., of the University of Chicago, provides an illuminating account of Bengali nationalism and the forces at work in the creation of the new nation of Bangladesh. Not only is his analysis erudite, but it is moving literature as well.

I recommend Professor Dimock's paper "On the Roots of the Crisis in East Bengal" to my colleagues and ask unanimous consent that it be inserted here in the RECORD.

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

ON THE ROOTS OF THE CRISIS IN EAST BENGAL

(An address by Edward C. Dimock, Jr., to the Consultation on the American Response to Events in East Pakistan, sponsored by the National Council of the Churches of Christ, Washington, D.C., November 11, 1971)

I think it is only fair to you to explain why I think I am here, rather than one of my numerous colleagues who are far more knowledgeable about the political and economic aspects of the situation in East Bengal than I am. I am here, I guess, because I have worked off and on in Bengal for the last 17 years, and on Bengal for all of that time, mostly on Bengali language and literature, particularly religious literature. That remark in itself will make you think that this is not going to be an unbiased talk; nor would I attempt to hide the fact that my sympathy is with the Bengali people in this latest and worst of an unholy series of trials. I hope my West Pakistani friends will forgive me this bias; I do not intend to make indictments, nor do I intend to condemn a people for the actions of an army. I would not like to see the American people condemned as a whole because of My Lai. But living in Bengal has made me love the Bengali people, or many individuals among the Bengali people; and among my friends in East Bengal some are dead, others are in danger of their lives, and still others, Hindu and Muslim, have had to leave their homes to join the millions of other refugees in India. And my work on the culture and literature of Bengal has led me to a position of profound respect for its beautiful poetry and music, subtle thought, and profound religious insight.

An attempt to undermine and destroy a culture with these qualities is, I think you will see, going to bias me against those who attempt the destruction. And if there are those among you who feel that there is something mystical about a culture that puts it beyond the reach of fire and steel, I would urge you to look at the culture of the gentle Tibetan people, whose monasteries, books, and libraries have been levelled, whose intellectual and religious leaders have been killed or driven to exile in India, and whose women have been taken into military brothels or as concubines to soldiers, that even the blood of the Tibetan people will after this generation no longer be theirs.

I will then make no pretense to purely objective analysis, because of my nature, the nature of my discipline, and because of my experience. The data which I will present to you are not quatifiable, and whatever conclusions I will offer will not be based on tons of rice, or monetary expenditure or military ratios; yet when I say, as I will say, that the Pakistan which we have known since 1947 is dead, I have confidence in saying it. Bengali pride, Bengali love for motherland, the intimacy of the Bengali family—all these things and others are so much a part of the essential makeup of Bengali society that their violation is intolerable. There is no way in which Bengal can return to a state of even edgy coexistence with the violators.

Yet, for all that, I shall try, in the course of this address, to stick to historical and what I see to be sociological and psychological facts. I pretend to some scholarship, and see my duty here as trying to present to you a type of background information which a non-specialist in the field would have no reason to know. I shall not deal with facts, or with opinions which function as facts, of who killed whom and in what order, or with facts of economic and other disparities between the wings of what was Pakistan. I shall deal, as best I can, with facts of culture.

Every region of the Indian sub-continent differs in various ways from every other region, and each region varies in different ways from the two main classical traditions that otherwise unite them—the Sanskritic tradition of Hinduism and the Perso-Arabic tradition of Islam. Bengal in some ways varies more than most. In the first place, long before the coming of Islam, Bengal was recognized as far from the heartland of the so-called Indo-Aryan people who had invaded India from the northwest and settled in the upper Gangetic plain. Bengal was quite literally beyond the Pale, and in early Sanskrit texts references to the place are nearly all despective and full of scorn. An early Jaina text points out that Bengal is a very unsafe place in which to travel, being filled with barbarians who think nothing of murdering even monks. Other texts say that Bengal is impure, and that anyone who is ill-advised enough to go there will have to submit to ritual purification upon his return to God's country in the upper Gangetic plain. And it is important that there is a legend that an early king of Bengal wanted to perform an elaborate Vedic sacrifice, but who could not find any priests in Bengal with sufficient knowledge of Vedic ritual to do it. So the king sent to the west for such priests, and they came and performed the sacrifice, and in return were granted land in the jungly frontier on which to set up social hierarchies with themselves at the top. And even

in Moghul times, generals were sent to Bengal as punishment, much as some of our ranking combat officers sometimes find themselves dealing with ordnance at posts in Georgia. The generals didn't like Bengal much for two good reasons. As one of them succinctly put it, the place was a malarial swamp. Besides, the Bengalis were always revolting about one thing or another, and often succeeding, because they knew the terrain and how to use it; it was hard for the heavy Mogul cavalry, their primary offensive weapon, to operate effectively in territory which was sometimes 90% water.

I am sure that the British too, if they had had any control over history, would not have chosen Calcutta as their first capital. But history, with her incomprehensible sense of humor, had seen fit to have Job Charnock established a trading post, which became a center for the East India Company and ultimately the capital, in those three little villages on the river, which became Calcutta. For the British never liked the Bengalis much either. If one gleans texts written by servants of the Company and others, one is struck by the frequency of phrases such as "toadying," "sly and deceitful," "cowardly," "poetic," "slight of build and dark of skin," "ridiculously pompous," and in general "not fit for soldiering." The people of the northwest, on the other hand, were "tall strong, and brave," "eaters of beef," people who had "weapons as extensions of their arms," "direct and truthful," "courageous enemies and staunch friends." And so the native regiments of the British armies were made up of these northwestern peoples—Panjabis, Pathans, Baluchis, Sikhs, warlike peoples with qualities very much like those the British considered their own. I'm sure they were happier when they moved the capital to Delhi.

Three asides at this point. First, although I would be insulting your intelligence to point out the absurdity of stereotypes, I would ask a little reflection on the notion that if there was anything in the British generalizations about the Bengalis, it may have been in the grudgingly publicized Bengali intelligence: perhaps Bengalis saw little point in going to fight somebody else's battle in a far-off place like Mesopotamia, a conclusion which some of American's intelligent people are reaching a bit later in time.

Second aside. Is it not coincidental that the attitude adopted by the British was the attitude traditional in some parts even of Hindu India; this attitude must have in turn been reinforced by the British when they were in control. The British contempt must have been obvious to troops from the northwest serving in the British army. For it strikes me that only a profound feeling of contempt can account for the savagery of the Pakistani army's actions in Bengal. I cannot believe that wanton murder and rape is a natural act of any human being. I must believe that it can come about only when the murderer or raper is either deranged or convinced that his victim is less than a fellow human being. Americans are not unfamiliar with the problem, for it is that presented to us by My Lai.

Third aside. There is a school of thought which holds, with some degree of justification, I believe, that America has traditionally held China to be its little underdeveloped child, India being in a similar though not identical position vis-a-vis Britain. This is a fairly complex thought, and if one follows it a little way, several different kinds of implications emerge. For one thing, it accounts for the national feeling of rejection which was clear in this country in the early 50's. We had gone to a lot of trouble missionarily and otherwise to make China a part of the modern world, under our tutelage, a healthy nation, Christian in attitude if not necessarily in faith. The Chinese had told us, their maternal parent, that they wanted to do it themselves. Again, since India was a British fief, that situation was well under control, and we didn't have to worry much about it. Britain was after all one of our own parents, a bit doddering perhaps, but quite capable of handling India. Until very recently, until in fact after World War II, there was little scholarly or any other kind of attention given to the sub-continent. There was no India lobby, and it is obvious that there still is none. And this fact in turn leads to the interesting speculation that perhaps some of the British attitudes toward Pathans vis-a-vis Bengalis has rubbed off on some of our own leaders. You can deal with Sandhurst types, bluff, direct soldiers who might not be the subtlest diplomats, but who at least let you know where they stand, and who won't go back on a promise. Or a treaty.

But I was trying to explain to you that if what some people say is true, namely that Bengalis are paranoid, maybe they have a right to be. But then, it is not paranoia when someone really is after you. All of these things—the geography of the country and the attitudes of others, have blended with the Bengali character to make the people of that part of the world feel set apart. And this is part of the Bengali pride I mentioned before. But lest you feel that I am setting up the same kinds of stereotypes I scorned before, let me lay two facts before you. The first is that the Bengali language is older than the English of Chaucer. The oldest texts we have (there may have been some older, but manuscripts do not last long in the humid heat of Bengal; the oldest ones were found in cooler Nepal) some people date as early as the 9th century. These are religious poems of an abscure but philosophically highly developed Buddhist cult. And the literary tradition has continued unbroken from that time, culminating, some would say, with Rabindranath Tagore, who won the Nobel Prize for Literature in 1913, the only writer from the sub-continent to win that prize. (This, by the way, is the same Tagore that the Pakistani government long before March 25, attempted to ban from Pakistan Radio, realizing, of course, what an important symbol of Bengali culture he is.) The literary tradition of the language, then, is extremely rich, and Bengalis in both East and West Bengal take an understandable pride in it. It is a heritage of a thousand years—or, if you want to consider Bengali in the light of its Sanskrit heritage, of nearly three thousand years—that some seek to wipe away. It is not loosened easily.

This orientation toward letters and pride in literary tradition is more comprehensible in the context of the Bengali pride in education, and this is the second fact. Someone has made the remark that the mukti fauj is probably the best educated army in the world, for indeed, it seems to be made up largely of ex-students of the three great universities and the staffs of these. In West Bengal, in fact, the strength of the value placed on education is such that it becomes one of the most serious political and economic problems of that state: what does one do with huge numbers of highly educated people when there are no jobs appropriate to their skills and training? Education is also a traditional value, like literature and language, and well before the introduction of western-style education by the British, Bengal was famous as the center of an extremely abstract school of logical philosophy called the navya nyaya, as well as other branches of traditional education.

These values come together in poetry. There is some truth in the old saw that when three Bengalis get together, the first thing they do is found a literary magazine. And it is in Bengali poetry that we can seek the Bengali spirit. And in some Bengali poetry that we can seek the Bengali spirit. And in some Bengali poetry can be found another reason why the situation can never revert to what it was. The army has miscalculated the strength of love for motherland as mother.

As you know, the national anthem of Bangladesh is Tagore's song *Amar sonar Bangla*, "My golden Bengal." It is not his best song, but it is also not atypical. It goes in translation something like this:

My golden Bengal, I love you.
Your skies, your breezes, ever with my breath play the flute.
O mother, in Phalgun the perfume of your mango groves drives me mad.
Ah mother,
What honeyed smile have I seen in your laden fields in Aghran.
What light, what shade, what boundless love, what changing bonds,
what sari's border have you spread round roots of banyan trees on banks of rivers,
O mother, the flow of words from your lips strikes my ear like a stream of nectar.
Ah, mother,
when the skin of your face draws tight, I float in tears.
In this your playroom, infancy passes away;
because I have smeared our body with your dust and mud, I consider life fulfilled.
When daylight is exhausted into evening, what lamps do you light in the house—
Ah, we all drop our toys and come running to your lap.
The grazing cows in your pastures, the crossing at the ferry,
all day the call of birds in your villages dappled with shade;
in your grain-filled courtyard the days of life edge away.
Ah, mother,
all of my brothers are your cowherds and planters.
O mother, I offer at your feet this my lowered head;
give me, O mother, the dust of your feet, to be the jewel upon my head.
O mother, whatever wealth this poor man has, I place before your feet.
O mother, no more shall I buy in the houses of others this so-called finery of yours, a noose around my neck.

Some of the imagery might be obscure to you, but certainly the notion of motherland is not. It is what some critics call a natural symbol: the mother, her culture, her experience, her very blood, make us what we are. But in Bengali culture, and in the poetry that expresses it, there is a dimension which does not appear in the West. For in Bengali, the child is not only part of the mother, but the mother is part of the child. The two are bound up in such intimacy that it is impossible to separate them. The mother, in Hindu imagery, is the great goddess, who protects and loves, even when the child is undeserving. And because she loves, she can be wrathful, the bringer of disaster, disease and flood. Or she is serene, watching her children at their play, in the evening lit with flickering oil lamps, or in the dawn across golden fields, or in the bright midday, stark shadows filled with movement of green birds. And she is power, the power which allows a man to stand alone and speak alone, and walk alone, when no other heeds the call. Her children are children of one mother, and therefore are themselves one; and they rise, as one, and walk, as one, even if alone. The poet wrote:

If when they hear your call and do not come, then go alone.
If no one speaks, forsaken one,
if all remain with faces turned away, afraid, then opening your heart,
open too your mouth and speak your mind, alone.
If all turn away, forsaken one,
if on the arduous path, no one looks back,

then trample the thorns of the path
and feet smeared wtih blood
march on alone.
If the light does not last, forsaken one,
if in the storm and rain of the deep night
the door is shut,
then by the fire of the thunderbolt light the
cage
of your own breast and burn alone.

The land, for the poets of Bengal, and they speak for the people of Bengal, is mother, and this is no metaphor, no abstraction. The mother's breath is the gentle southern breeze, and her breath is the poet's: your breeze he writes, with my breath plays the flute. He sees, when the mother smiles, fields the color of honey, brilliant light making welcome shade more dense. He sees too times when her face is pinched and wan, when the rain has not come to make the earth fruitful, and he waters it with his tears. The child plays in the morning. And in the evening, when the day is spent, and lamps are lit, he throws aside his games and runs again to his mother's lap. She too is mother who embraces him the end. The old song of the Bauls, those untutored mendicant village poets who are neither Hindu nor Muslim, says that "the days go by/and my once gaily decorated house/built of the earth/returns slowly to the earth."

The feeling is there, in Hindus and Muslims alike; the powerful Muslim poet Nazrul Islam writes:

We are two flowers on one stem (or, in a
Bengali pun, at one nipple),
Hindu and Muslim—
The Muslim the jewell of the eye, the Hindu
the breath—
That sky is one, where moon and sun swing,
in the lap of the mother,
One blood in the deeps of the heart, one is
the pull of that pounding pulse.

I think you see that when the current situation is looked at in this context, what we are dealing with is two very different views of what a nation is. The differences between these views constitute the reasons why people are dying on both sides. On the one hand is a view of a nation based on a commonality of religion. On the other is the view of a nation based on a natural unity, a unity of blood and heritage, which encompass religion.

But I was speaking to you of influences and attitudes toward Bengal on the part of the West—and you will have gathered by "West" I mean not only Britain and the United States, but also the western and northwestern parts of the sub-continent. For in the early 13th century another influence came from the west, this time from Afghanistan and Persia, which changed the history of the whole subcontinent. Islam had come to northern India, of course, much earlier, and there has even been an earlier trickle of individual Muslims, Sufis mostly, into Bengal. But the invasions of Bengal began in earnest in the early 13th century, and the Muslims ruled the place, it can be said, either from local courts in Bengal or from imperial courts in Delhi, until the defeat of Siraj-ud-ullah by the British at Plassey in 1757.

As usual, the historical situation in Bengal was complex. Peter Hardy, an historian of Islam at London, argues that Islam in India retained what he calls a "cultural apartheid" for Hindu India because before Islam came to the sub-continent it had already become a fully developed cultural entity. Islam came to India with a religious book, a complete set of interpretations of that, a set of laws, and a social structure which was fixed. It is true, he argues, that the Muslim rulers of Delhi and elsewhere used Hindus in the administration of their vast empires, and that Hindus sometimes reached positions of great power in this administrative network. But, he says, exchange on the level of culture was slight. It is possible to argue this. Akbar the Great Mogul himself was a student of Hindu (as well as Christian and other) scriptures; Dara Shikoh, the eldest son of Shah Jahan, was a profound and serious student of Hindu philosophy. And Abu'l Fazl, minister to Akbar, could write in his *Ain-i-akbari:*

It was for me then indispensable, to place in full evidence the Hindu system of philosophy, the degree of interior discipline, the graduations of rites and customs of this race, in order that hostility to them could be eliminated, and that the temporal sword be able to abstrain from drawing blood, and that the thorn of strife and hatred be caused to bloom into a garden of peace.[1]

And there were many syncretistic cults in the north, seeking the best from both Hinduism and Islam, and scorning the worst of both; one such was that of the great poet and saint Kabir in the 16th century. But, Hardy might say, and it would be difficult to argue this, these are the exceptions that prove the rule. Or they do not represent the high culture of either Islam or Hinduism: Kabir and the others came from, and spoke to, the lower cultural and religious orders.

The situation in Bengal is slightly more complicated. It is true that in Bengal as elsewhere in India there is the Muslim aristocracy, the *ashraf*, who, like those brahmans brought in to perform the Vedic sacrifice, look to the west for their heritage. A recent writer has put it this way:

The upper strata of the Muslim society in Bengal had thus been organized into a distinct social entity on the basis of an amalgam of history and fiction welded onto the body of material power.[2]

Whether justified by history or not, these look to the west for their lineage and their place in time; they do preserve the cultural apartheid of which Hardy speaks, vis-a-vis Bengal. But it is also true that in Bengal perhaps more than in northern India, there are shrines visited by both Hindus and Muslims, there are syncretistic religious cults, there are Hindu festivals celebrated by Muslims and vice versa, there are, on the village level, folk deities worshiped by both. And, most important, and cutting across all levels of society, there is a single language spoken by both. It is in this area that cultural apartheid between the ashraf and other Muslims in Bengal is most obvious; and it is in this area that the cultural identity of Bengalis of whatever stratum of society of whatever religious community, becomes most obvious. The writer just quoted puts it this way:

Thus in their thought, ideas, and even their language the ashraf remained, or at least posed to remain, alien to their co-religionists in Bengal, and looked down upon the Muslim masses because they thought themselves nearer to Islam, as they were closer to the Arabic and Persian languages, literature, and culture, which according to them were permeated with Islamic values, while the Bengali language and literature, subjected to the influence of the Hindus, was steeped in idolatry.[3]

In the words of Yaqinuddin Ahmad, writing in the *Moslem Chronicle* in 1896:

. . . the Muhammadans of Bengal had leaders who tried their utmost to belong to the northwest. They talked Hindustani, imitated Delhi or Lucknow manners, but in spite of that they were Bengalis.[4]

Or, a little earlier, Ni'am ud-din, writing in Zubdat ul masa'il in 1873:

The accomplished men of (Bengal) do not take themselves to Bengali books for the poor quality of the language, not worth listening to. . . . They do not like their children to read them; rather, it is is forbidden by many.[5]

In other words, one cannot take pride in one's language and literature, if one is a Bengali, and be a Muslim. Again in the *Moslem Chronicle*, an anonymous letter appeared in 1895, which included the following:

Several heathen customs have crept into the society and bedayets (innovations) and shirks (belief in local deities) are practiced with impunity every day by thousands of so-called Mussulmans in their feasts and festivals. There are places where widow-marriage is looked upon with hatred. . . . In every district of Bengal there are benighted places where people profess a corrupt form of Islam . . . they even openly worship Hindu gods and goddesses. Nearly all of the people (of Nadiya district) have Hindu names; their manners and customs are those of Hindus; they celebrate the pujas; they have caste distinctions too. We are choked with inward shame and mortification by witnessing a scene, which we did the other day in Taltola. . . . It was the day of Sripancami puja when we saw troops of Muhammadan lads, children of lower class people and reading in Hindu patsalas, carrying small flags and chanting heathen ditties in praise of Ma Sarasvati.[6]

I think the point is clear. If the Bengali ashraf felt—and perhaps feel—this way, how much more so would feel Muslims from the west, who have not even the taint of having lived in Bengal. As reported in the New York Times for May 13 last, a Pakistani army major, when questioned about the army's attack on Dacca University, replied: "We have to consider that an entire generation of students has been lost, because of the laxity and permissiveness of parents. You hear of alcohol drinking and raping going on at the university—things unheard of in a Muslim society."

If it is true that the army of a self-proclaimed Islamic state justifies its actions on the basis of a purging and purification of Islam, the question of who the people are who are being killed and driven from their homes becomes more than academic. They are first of all, Hindus, the source of the pollution; Hindus are also, according to this way of thinking, the primary support of the Awami League, which then takes on the same cast as the Islam of the cast generally: to the degree to which it is antitheocracy, it is not only politically but morally currupt. Then too there are all the non-ashraf people, who are so scornfully spoken of as being Hinduized. Of these there are, very broadly speaking, two separable groups: the educated middle and upper strata who are however non-ashraf in their attitude toward their homeland, and the lower class Muslims—cultivators, fishermen, and the like. The question becomes, where did all these Muslims, ashraf and non-ashraf alike, come from?

It is certain that even if the Muslim aristocracy has multiplied at a truly prodigious rate, they could not account for the huge Muslim population of Bengal. Furthermore, it has often been pointed out that most Bengali Muslims show extraordinary physical and sometimes social resemblances to their Hindu neighbors. The obvious theory is that there were, in the course of time, large-scale conversions. And then the problem is: if conversions there were, how did these come about, and what strata of the population were involved?

One line of argument is that the conversions were forcible, and indeed there are throughout history examples of how Hindus lost caste by being forced to eat, perhaps, forbidden food, and, no longer accepted by the Hindu community, became Muslims.

But examples of this are not really many, and by itself the phenomenon would probably not account for the vast numbers involved. Another argument is that lower caste Hindus and non-caste people found social and religious satisfaction in Islam, which did not discriminate so rigidly, and so converted voluntarily. And a third possibility is that the Sufis, those Islamic mystics who

Footnotes at end of article.

brought with them to India not only warm and congenial doctrine to soothe the spirit, but medicine and medical knowledge to heal the body, were received with hospitality and gratitude by the Hindu community; and the step from the mystical notions and symbols of some of the Hindu communities to similar ones of Islam was easily made. This too is possible, and it is perhaps a combination of all three historical forces that has resulted in the huge Bengali Muslim population we know today.

This still, however, does not answer the question, which is important, of who the converts were. Some writers have been at pains to point out that they must have come largely from the lower social orders because many Muslims today perform services similar to or identical with those performed by Hindus: cultivators, fishermen, weavers, and the like. And, this argument goes, as untutored people these would have had no knowledge of the high culture of either Hinduism or Islam; when they took on the mantle of Islam, they saw no conflict between the rites and customs of which they had been used—worship of animistic spirits, celebration of non-Muslim rites of passage, and so on—and those of their new faith. But still other writers contend the opposite—that the larger segment of the converted came from the upper strata of Hindu and Buddhist society.

The point, which I hope is clear, is that origin might be of considerable significance in assessing the attitudes of West Pakistanis toward Bengalis. It is important to Bengalis too; but I have never talked with a Bengali Muslim, nor have I ever talked with anyone who has talked with a Bengali Muslim, who does not claim to be a Muslim. The minimal requirement for acceptance of Islam is passage through certain preparatory rites, and recitation of the articles of faith, with conviction. When Bengali Muslims call themselves Muslims as well as Bengalis, this is to be taken very seriously, for it means that the people who have been attacked have been attacked by Muslim brothers, who are saying to them: We do not consider you Muslims. One cannot be a Bengali and be a Muslim. If this thought is accurate, what we are talking about has overtones of a crusade, a jehad. Is Pakistan still viable, if this is true? What will be the relations of a newly founded Bangladesh with India? What will be the role of those few Hindus still left in East Bengal? Will the new Bangladesh be a Muslim state, or a secular state in which Hindus will feel able to live? Has the oppression and persecution of Hindus made Bengali Muslims feel closer to them? For despite opinions and observations about Bengali Muslims being thinly disguised Hindus, the 17 years I mentioned earlier have seen some bloody communal riots, which suggests that in the recent past at least the two communities have felt far from brotherly.

It is not very satisfactory to leave you with such a series of questions of this kind. But I would be less than honest if I were to suggest that I were sure of any of the answers except one, and that is that there will be, sooner or later, an independent nation of Bangladesh.

Whatever the extent of our personal or professional interest in that part of the world, we had better recognize that our country is involved in that issue. For once, national expediency, self-seeking, and morality are all on the same side. The least we can do as a nation is not to hinder the emergence of a nation by trying to preserve a hopeless status quo. In our thinking, we Americans are apt to treat metaphor like logic, and identify historical situations with one another without realizing that historical situations are never identical. We are apt, for example, to say that the Bengal situation is like that of Biafra, without realizing that in Bengal we are not dealing with a corner of a country in revolt, but with the numerical and political majority of a country. We are apt to use the analogy of the American Civil War, with the caveat that people and nations ought not to interfere with the internal politics of their friends; if one were really looking for parallels, without identifying them, one might be better off to look toward the American Revolution, with its causes of exclusion from leadership, taxation without representation, and the rest. And above all, with our simplistic view of the rest of the world, we are apt to overlook the fact that political nationhood does not imply cultural unity, that in what was once Pakistan there were, and are, deep cultural divisions which can be integrated only by the purest of good will and subtlest of diplomacy, not by military might. So we as a nation must no longer hinder the aspirations of the people of East Bengal. And as a people, the least we can do is give every assistance to another people, homeless in West Bengal, beleaguered in East Bengal. For no people, no matter what their politics and no matter what their faith, deserves to suffer what the Bengali people have recently suffered, at the hands of nature, and it pains me to say, at the hands of their fellow men.

FOOTNOTES

[1] From the *Ain-i-Akbari* of Abu'l Fazl Allami, translated by H. Blochmann, Second edition, 1965, Imperial Book Depot, New Delhi.

[2-6] Quoted in Ashim Roy, *Islam in the Environment of Medieval Bengal*, Unpublished doctoral dissertation, Australian National University, 1970.

SPECIAL PROGRAM HELP FOR THE NORTH

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, when I first came to Congress, there was no Federal help for economic development in areas like the North. There was a Reconstruction Finance Corporation, but this was designed to assist big businesses, but there was no Federal help for small businesses or for individuals seeking to invest in new business ventures or improve or expand existing businesses.

I was the first Member of Congress to suggest that the Reconstruction Finance Corporation be abolished and that we set up a Small Business Administration to help small businesses and offer Federal assistance to entrepreneurs seeking new business ventures, expansion, or improvement.

In 1953 under the Eisenhower administration, we abolished the Reconstruction Finance Corporation and organized the Small Business Administration. I was the first in Congress to advocate this change, and I introduced legislation to bring this about.

After a short time, we realized that the Small Business Administration alone was not enough to provide the type of financial assistance needed in areas like the North, so we organized the Area Redevelopment Administration which was designed to assist more speculative businesses which could not qualify for help under the Small Business Administration. The Area Redevelopment Administration was designed to be a temporary agency; and so to help complement the program of the Small Business Administration, we organized the Economic Development Administration which was designed to make loans and technical assistance grants to areas of the north country.

In all of these areas, I was in the forefront of introducing legislation to establish Federal Government agencies to provide the type of financing needed for areas like the North. I am continuing my efforts and have introduced legislation to revise the Farmers Home Administration programs to enable that agency to make 40-year long-term, low-interest-rate loans to resort type businesses that operate on a seasonal basis and cannot repay loans the same way a normal business can. This legislation is now pending before Congress, and I shall continue my efforts and have introduced legislation resort owners of the North will be able to obtain the type of financing necessary to carry out the functions of their type businesses.

The people of the north have benefited greatly from the programs outlined above. Some of the largest loans made in the entire country have been made in my district. This has helped to provide many new jobs and new businesses and save existing businesses for the people of the north. Mine is one of the only congressional districts in the country that has offices for the Small Business Administration and the Economic Development Administration. I worked diligently to have these offices established, so the people of my district would have every possible opportunity to benefit from the programs that have resulted from the work I did in getting these agencies established.

To give the people an idea of what these programs have meant to the district, I am summarizing below the Federal outlays for the various agencies named above since I have been in Congress:

ARA, SBA, and EDA loans and grants to 10th Congressional District during the O'Konski years

Area Redevelopment Administration	$6,095,500
Small Business Administration	$21,850,000
Economic Development Administration	3,553,335
Total	31,498,835

ENVIRONMENTAL REQUIREMENTS FOR PIPELINE WEAKENED

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ASPIN. Mr. Speaker, an important report concerning the trans-Alaska pipeline has recently surfaced. Included below are my news release and a copy of the new and quite revealing document.

They follow:

ENVIRONMENTAL REQUIREMENTS FOR PIPELINE WEAKENED: ASPIN

WASHINGTON, D.C.—The Interior Department's environmental stipulations for the construction of the proposed trans-Alaska pipeline have apparently been weakened over the past year, according to an Interior document publicly released today by Rep. Les Aspin (D-WIS).

The document is a 48-page draft, dated September 30, 1971, of the environmental requirements for the building of the 780-mile Alaska pipeline, which is expected to be approved by the Interior Department next month.

Aspin, who is the leading congressional opponent of the pipeline, called the unpublished Interior document "incredible". He said that the environmental stipulations for building the pipeline are weaker in the September draft than those stipulations contained in the original Interior draft published last January, on which public hearings in both Washington and Alaska were held.

"While we (the conservationists and other Alaska pipeline opponents) have known all along that our chances of stopping the Alaska pipeline were slim, the very least we expected was that the vague and inadequate environmental stipulations presented last January would be greatly strengthened," Aspin wrote in a letter to Secretary of Interior Rogers C. B. Morton.

The Wisconsin Democrat said that this document, along with several other unpublished reports he had previously released, "prove conclusively that, in the case of the trans-Alaska pipeline, the Interior Department has been acting as little more than a subsidiary of the oil companies."

Alyeska, a consortium of several oil companies, has applied to the Interior Department to build an oil pipeline across federal and State lands from Alaska's North Slope to the southern, ice-free port of Valdez. In granting the permit for the pipeline's construction—which is expected to be challenged in the courts—the Interior Department will set up certain stipulations, or requirements, that Alyeska must comply with in constructing and operating the pipeline, so as to minimize its environmental impact.

In his letter to Morton, Aspin cited various instances where the September draft of the environmental stipulations was weaker than the earlier draft, including:

The new draft requires only that any personal or environmental damage resulting from either the operation or construction of the pipeline be "restored to the satisfaction of the Authorized Officer." The original draft required that any damage be repaired to a state "at least equal to the condition thereof immediately prior to such damage or destruction."

The importance of preventing water pollution is de-emphasized and made more vague in the new draft.

The original draft gave the Interior Department "the absolute discretion" to suspend or terminate pipeline construction or operation if any of the stipulation were not complied with by Alyeska. The new draft eliminates this absolute discretion.

Aspin said that while several minor improvements appear to be made in the new draft, the pattern of weakening the environmental stipulations is "clear and unmistakable."

He called on Morton to hold public hearings on the environmental impact statement expected next month, and to delay final approval of the pipeline for at least 90 days after the impact statement is submitted.

(Copies of both the January and September drafts of the stipulations are available for inspection in Rep. Aspin's office. A copy of the September draft will be placed into the next special issue of the CONGRESSIONAL RECORD published during the recess.)

STIPULATIONS FOR PROPOSED TRANS-ALASKA PIPELINE

(Stipulations to be made a part of any permit issued by the Departmnet of the Interior in connection with the proposed Trans-Alaska Pipeline.)

Prepared by Department of the Interior and the Federal Task Force on Alaskan Oil Development

(January 1971, (Rev. #7, 9-30-71) Working Draft, 2-Book)

INTRODUCTION

Construction of a forty-eight inch hot oil pipeline in Alaska involves many new environmental and technical problems. This pipeline and attendant facilities will affect aesthetics and the floral, faunal, and geophysical components of the subarctic and arctic environments. To minimize the effects on these environments require new engineering and construction techniques.

A large hot-oil pipeline buried for hundreds of miles in permafrost has no engineering precedent. Unique effects arise primarily from the loss of strength and change in volume of ice-rich soil when it is thawed by heat from the pipe. Unless these processes are anticipated and controlled, they may affect the mechanical integrity of the pipe and the stability of the adjacent terrain. Secondarily, thawing and the heat itself can affect natural hydrologic and biological processes, and construction procedures may result in unnecessary surface disruption if not properly controlled.

In addition to unique effects from thawing permafrost, a pipeline across Alaska whether buried or elevated is beset with potential problems from earthquakes, landslides, avalanches, glacier surges, and seasonal freezing and thawing. These are not new to pipeline engineers, but some may be complicated by the presence of permafrost.

Other factors requiring special consideration relate to biological resources which include migrating herds of caribou, rare or endangered species, nesting areas of migratory birds, fish spawning areas, and the delicate tundra biome. If not properly performed pipeline construction, operation, and maintenance can damage these reources.

The stipulations which follow were formulated to minimize adverse effects of the pipeline project. Regardless of whether or not specific stipulations related to each of these potential effects are explicitly stated herein, consideration must be given to each and specific design construction and operation provisions made for their control.

Definitions

As used herein, the following terms have the following meanings: "Authorized Officer" means the Director, Bureau of Land Management, or the person designated or delegated to act in his stead with respect to the subject matter of this permit. As used herein, it is synonymous with "Superintendant in Charge", as defined in 43 CFR, Section 2800.0-5(g).

"Pipeline" means the Pipeline right-of-way; all or any part of the Pipeline system constructed thereon; and all roads, structures, facilities, and appurtenances related thereto or used in connection therewith, whether located on or off the Pipeline right-of-way.

"Permittee" means each and every individual, person, or company including partnerships, corporations, joint ventures, associations, or any other business firms which participate in the ownership or control of the Pipeline and which are engaged in or become engaged in the construction, operation or maintenance of the Pipeline.

Notice to Proceed means an authorization to initiate Pipeline construction issued in accordance with Stipulation Q "Authorizations".

B. General

1. Acknowledgements of Permittee

Permittee by accepting this permit and commencing activities pursuant thereto, acknowledges each of the following:

That, except where the approval of the Authorized Officer is required before Permittee may commence a particular operation, neither the United States nor any of its agents or employees agrees to or is in any way obligated to examine or review any plan, design, specifications, or other document which may be filed by Permittee with the Authorized Officer pursuant hereto;

That the absence of any comment by the Authorized Officer or any other employee of the United States with respect to any plan, design, specification, or other document which may be filed by Permittee with the Authorized Officer does not represent in any way whatever any assent to, approval of, or concurrence in such plan, design, specification, or other document or of any action proposed therein;

That this permit, and the rights and privileges granted thereby, is subject to all valid existing rights in and to the land which is the subject of this permit, and that the United States makes no representations or warranties whatever, either express or implied, as to the existence or absence, number, or nature of such valid existing rights.

That these stipulations shall be a part of any Pipeline permits issued by the Secretary of the Interior in connection with the pipeline.

2. Authorized Officer

The Authorized Officer, and such representatives of interested Federal agencies as he may designate, may inspect the exploration, construction, operation, or any other activities of Permittee at any time.

For purposes of information and review, the Authorized Officer at any time may call upon Permittee to furnish any or all data related to pre-construction, construction, or operation activities undertaken in connection with the Pipeline. Permittee shall furnish the requested data as promptly as possible, or as otherwise required under the terms of this permit or other applicable permits. Such data specifically include, but are not limited to, records of all geological data, soil core drillings, and terrain temperature measurements made during pre-construction investigations; and test results, engineering standards, basic data and technical criteria relating to the design, construction, and operation of the Pipeline.

The Authorized Officer may require Permittee to make such modification of the alignment and installation of the Pipeline as he may deem necessary to protect or maintain stability of geologic materials, integrity of the Pipeline, fish and wildlife habitats, the environment, or the public interest.

In the event the Authorized Officer determines that Permitte has failed or refused to comply with any provision of this permit or any other permit issuer in connection with the Pipeline, the Authorized Officer, by written order, may suspend or terminate any or all of Permittee's activities under any or all of such permits. Permittee shall not resume such suspended or terminated activities until given written authorization to do so by the Authorized Officer.

All decisions, orders, and determinations of the Authorized Officer shall be appealable only to the Secretary of the Interior and shall not be suspended, but shall remain in full force and effect until the appeal is finally adjudicated.

3. Changes in Conditions

Unforeseen conditions arising during construction and operation of the Pipeline may make it necessary to revise or amend these Stipulations to protect the environment and the public interest. In that event, Permittee and the Authorized Officer shall agree as to

what revisions or amendments shall be made. If they are unable to agree, the Secretary of the Interior shall have final authority to determine the matter.

4. Equal Employment Opportunity

a. Equal Opportunity Clause. By accepting this permit, Permittee agrees that during the period of construction of the Pipeline and for so long as the Pipeline, or any portion thereof, shall be in operation, or for so long as this permit shall be in effect, whichever is longer:

i. Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. Permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Authorized Officer setting forth the provisions of this equal opportunity clause.

ii. Permittee will, in all solicitations or advertisements for employees placed by or on behalf of Permittee, state that all qualified applicants will receive consideration for employment without regard to race, religion, sex, color, or national origin.

iii. Permittee will send to each labor union or representative of workers with which Permittee has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Authorized Officer, advising the labor union or workers' representative of Permittee's commitments under this equal opportunity clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

iv. Permittee will comply with Executive Order No. 11246 of September 24, 1965, as amended, and regulations issued pursuant thereto 41 CFR, Chapter 69; 43 CFR Part 17.

v. Permittee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations, and orders of the Secretary of Labor, issued pursuant thereto, and will permit access to Permittee's books, records, and accounts by the Authorized Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

vi. In the event of Permittee's noncompliance with this equal opportunity clause or with any of said rules, regulations, or orders; this permit may be cancelled, terminated, or suspended in whole or in part and Permittee may be declared ineligible for further Federal government contracts or permits in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

vii. Permittee will include the provisions of this equal opportunity clause (paragraphs i through vii inclusive) in every contract, subcontract, or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each contractor, subcontractor, or vendor. Permittee will take such action with respect to any contract, subcontract, or purchase order as the Authorized Officer may direct as a means of enforcing such provisions including sanctions for noncompliance, provided; however, that in the event Permittee becomes involved in, or is threatened with litigation with a contractor, subcontractor, or vendor as a result of such direction by the Authorized Officer, Permittee may request the United States to enter into such litigation to protect the interests of the United States.

b. Certification of Nonsegregated Facilities. By accepting this permit, Permittee certifies that Permittee does not and will not maintain or provide for Permittee's employees any segregated facilities at any of Permittee's establishments, and that Permittee does not and will not permit Permittee's employees to perform their services at any location, under Permittee's control, where segregated facilities are maintained. Permittee agrees that a breach of this certification is a violation of the equal opportunity clause of this permit. As used in this certification, the term "segregated facilities" means, but is not limited to, any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin because of habit, local custom, or otherwise. Permittee further agrees that (except where Permittee has obtained identical certifications from proposed contractors and subcontractors for specific time periods) Permittee will obtain identical certifications from proposed contractors and subcontractors prior to the award of contracts or subcontracts exceeding $10,000 which are not exempt from the provisions of the equal opportunity clause, that Permittee will retain such certifications in Permittee's files; and that Permittee will forward the following notice to such proposed contractors and subcontractors (except where the proposed contractor or subcontractor has submitted identical certifications for specific time periods): Notice to prospective contractors and subcontractors or requirement for certification of nonsegregated facilities. A Certification of Nonsegregated Facilities, as required by order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a contract or subcontract exceeding $10,000 which is not exempt from the provisions of the equal opportunity clause. The certification may be submitted either for each contract and subcontract or for all contracts and subcontracts during a period (i.e., quarterly, semiannually, or annually).

5. Liabilities and Responsibilities of Permittee

a. Permittee shall abate as soon as practicable any condition existing with respect to the construction, operation, or maintenance of the Pipeline which may be causing harm or damage to any person, structure, property, land or aquatic habitat, or fishery and wildlife resource. Any structure, property, land or aquatic habitat, or fishery and wildlife resource harmed or damaged by or during the construction, operation, or maintenance of the Pipeline shall be reconstructured, repaired, rehabilitated, and restored to the satisfaction of the Authorization Officer by the Permittee.

b. Permittee shall be liable in accordance with the law of the State of Alaska for loss or damage to property of others or for bodily injuries to or the death of any person in any way arising from or connected with the construction, operation, or maintenance of the Pipeline.

c. Permittee shall be liable to the United States for any damage suffered or cost or expense incurred by the United States in any way arising from or connected with the construction, operation, or maintenance of the Pipeline whenever such damage, cost, or expense results from any breach of this permit or from any wrongful or negligent act of Permittee. Immediately upon written notice by the Authorized Officer of the nature and amount of such damage to or cost or expense of the United States, Permittee shall reimburse the United States therefor.

d. Permittee further shall idemnify and hold harmless the United States against and from any and all demands, claims, or liabilities of every nature whatsoever arising directly or indirectly from or in any way connected with any or all of the following: 1) The construction, operation, or maintenance of the Pipeline whether or not located on Federally-owned land; 2) The approval by the United States or any agent thereof of any design, plan, mode of construction, or research pertaining to the Pipeline or any part thereof; and 3) The use or occupancy, whether authorized or not, by any person whomsoever of any land owned by the United States which is the subject of any permit or right granted to Permittee; provided, however, that the provisions of this paragraph shall not be deemed to apply to injuries or damages to the extent caused by employees of the United States acting within the scope of their authority.

6. Bonding requirements

Within thirty (30) days after issuance of this permit, Permittee shall furnish the United States a bond or other security (hereinafter called "Bond") of such type and on such terms and conditions as are acceptable to the Authorized Officer in the principal amount of five million dollars ($5,000,000). Said bond shall at all times be maintained in force and effect in the full principal amount during construction and operation of the Pipeline and until released by the Authorized Officer.

Said Bond shall have the purpose of: 1) ensuring the performance by Permittee of each and every obligation of Permittee under the terms and conditions of any permit issued to Permittee by the United States in connection with the Pipeline; and 2) providing for immediate payment to the United States of any cost or obligation incurred by the United States in performing any said obligation of Permittee which, in the absolute judgment of the Authorized Officer, Permittee has not performed satisfactorily; and 3) ensuring the payment, within the amount of such surety bond, of any final judgment recovered against Permittee for loss or damage to property of others or for bodily injuries to or the death of any person in any way arising from or connected with any Pipeline operation.

Within thirty (30) days after issuance to Permittee of this permit each of the corporations which participate in the ownership or control of the Pipeline shall execute and deliver to the United States a corporate undertaking in favor of the United States in an amount and on such terms and conditions as are acceptable to the Authorized Officer. The purpose of the undertaking shall be to ensure the obligation of Permittee to Stipulation B–16, "Termination of Use".

These bonding requirements are in addition to, and are not intended to affect all other requirements of law nor are they intended to limit in any way Permittee's liability under any provision of law.

7. Housing and Quarters

Permittee shall furnish, on a reimbursable basis, such representatives of the United States as may be designated by the Authorized Officer with adequate meals, living quarters and office space, reasonable use of Permittee's communications systems, and reasonable surface and air transportation

during the periods of construction and operational activities. Permittee shall be notified in writing by the Authorized Officer at a reasonable time before need exists regarding the number of individuals for whom such services and facilities will be required.

8. Public Improvements

Existing telephone, telegraph, and transmission lines, fences, ditches, roads, trails, and other improvements shall be protected in all phases of Permittee's operations under this permit. All roads and trails shall be kept free of logs, slash, and debris. Damage to utilities and improvements shall be promptly repaired to a condition which is at least as good as the condition just prior to such damage.

No pipeline construction activity shall be conducted within one-half (½) mile of any designated recreation site (campground, wayside, park, etc.) unless such activity is authorized in writing by the Authorized Officer.

9. Federal, State, and Local Laws and Regulations

Permittee shall comply with applicable Federal, State, and local laws and all regulations issued thereunder, existing or hereafter enacted or promulgated, affecting in any manner construction, operation, or maintenance of the pipeline.

10. Pipeline Standards

a. General Standards: All design, materials, and construction practices employed in the installation of the pipeline shall be in accordance with safe and proven engineering practice and shall meet or exceed the following standards:

i. U.S.A. Standard Code for Pressure Piping, ANSI B31.4, "Liquid Petroleum Transportation Piping Systems."

ii. The Department of Transportation's regulations, 49 CFR Part 195, "Transportation of Liquids by Pipeline."

The above minimum standards shall be modified as necessary for application to the arctic and subarctic environments.

If either standard contains a provision which is inconsistent with a provision in the other standard, the more stringent provision shall apply.

b. Special Standards: i. The design shall provide for remotely controlled shut-off valves at each pump station, remotely controlled mainline block valves (intended to control spills), and additional valves using the best engineering judgment with due regard for wildlife habitat, fish habitat, and potentially hazardous areas.

ii. Excluding the pipeline ditch excavation, all practical means shall be utilized to minimize injury to the organic cover.

iii. Radiograph testing of all welds and pressure testing of the completed pipeline shall be conducted by Permittee prior to placing the system in operation.

iv. During the construction and operation of the pipeline Permittee shall protect the environment and maintain stability of geologic materials.

v. Permittee shall prevent undue interference with public access over or across the Pipeline.

vi. Permittee shall provide for continuous inspection of the Pipeline to assure compliance with the approved design and construction specifications and these Stipulations.

vii. Welder qualification must be by mechanical tests.

11. Survey Monuments

During the life of this permit, Permittee shall mark and protect geodetic survey monuments encountered. Such monuments shall not be disturbed, the Authorized Officer must be notified immediately if any violation of this provision. If any land survey monuments, corners, or accessories are destroyed, obliterated, or damaged Permittee shall employ a qualified land surveyor to reestablish or restore same in accordance with the "Manual of Instruction for the Survey of Public Lands" and shall record such survey in the appropriate records. Additional requirements for the protection of monuments, corners, and bearing trees may be prescribed by the Authorized Officer.

12. Environmental Briefing

Prior to and during construction activities, Permittee shall provide for environmental and other pertinent briefings of construction and other personnel by such Federal employees as may be designated by the Authorized Officer. Such briefings shall include fire prevention and suppression training for all construction personnel. Permittee shall arrange the time, place, and attendance for such briefings upon request by the Authorized Officer. Permittee shall bear all costs of such briefings other than salary, per diem, subsistence, and travel costs of Federal employees. In addition, Permittee shall separately arrange with the State of Alaska for such similar briefings as the State may desire.

13. Surveillance and Maintenance

Permittee shall during the life of the Pipeline permit and for so long as the Pipeline is in operation, conduct a surveillance and maintenance program applicable to the subarctic and arctic environment in a timely manner and designed to provide for public safety, prevent damage to any resources adjacent to the Pipeline right-of-way, prevent erosion from the Pipeline right-of-way, and maintain Pipeline integrity. The surveillance and maintenance program shall include an effective communications system.

Records on construction, operation, and maintenance activities shall be maintained by Permittee and regularly submitted as required to appropriate State and Federal agencies. Such records shall include surveillance data, leak and break records, and necessary operational data.

Roads and air strips shall be maintained by Permittee to give maintenance crews of Permittee and Federal inspectors access at all times to all valves, pump stations, and other facilities.

14. Electronically Operated Devices

Permittee shall screen, filter, or otherwise suppress any electronically operated devices that are installed as part of the Pipeline which re capable of producing electro-magnetic interference radiations, to the extent necessary so that such devices will not adversely affect the functioning of existing communications systems or navigational aids. In the event that physical obstructions such as towers or buildings are to be erected as part of, or in association with, the Pipeline their positioning shall be such that they will not obstruct radiation patterns of line-of-sight communications systems, navigational aids, or similar systems.

15. Oil Spills

Permittee recognizes its prime responsibility for the protection of the public and environment from the effects of oil spillage.

a. Reporting of Oil Leaks: All spills or leakage of oil shall be recorded and reported by Permittee in accordance with 49 CFR, Part 195 "Transporttion of Liquids by Pipeline" and 18 CFR Part 195 "Transportation of liquids by Pipeline" and 18 CFR, Part 610 "Discharge of Oil", and the Federal Water Pollution Control Act, as amended, PL 91–224, (33 USC 466 et. seq.) Sec. 11, (b) (4). Reports shall be filed with the Commander, 17th Coast Guard District, Juneau, Alaska.

b. Containment of Oil Spills at Storage Tanks: Permittee shall provide oil spill containment dikes or other structures around storage tanks at pump stations and at the Valdez terminal. The volume of the containment structures shall be at least: 1) one hundred ten (110) percent of the total storage volume of the storage tanks in the revelant area, plus 2) a volume sufficient for maximum trapped precipitation and runoff which might be impounded at the time of the spill. Such structures shall be constructed to withstand failure from earthquakes in accordance with Technical Standards Paragraph two, "Earthquakes and Fault Displacement", and shall be impervious so as to provide seepage free storage until disposal of their contents can be effected safely without contamination of the surrounding area.

c. Contingency Plans: Permittee shall submit contingency plans at least one hundred and eighty (180) days prior to scheduled start-up. The plans must conform to this Stipulation and the National Oil and Hazardous Substance Pollution Contingency Plan, 36 F.R. 162, August 20, 1971, and shall: (1) include oil spill control,[1] (2) specify that the action agencies responsible for contingency plans in Alaska shall be among the first to be notified in the event of a Pipeline failure resulting in oil spill, (3) provide for immediate corrective action including control and cleanup of oil spills and restoration of the affected resource, and (4) spell out that the Authorized Officer shall approve any materials or device used to control or clean up oil spills and shall approve any disposal sites or techniques selected to handle oily matter. The contingency plans shall include separate and specific oil spill techniques for cleanup of: (1) land, (2) lakes, (3) rivers and streams, (4) sea, and (5) estuaries.

The plan must be approved by the Authorized Officer prior to Pipeline startup. If at any time including without limitation during any phase of the construction, operation, or maintenance of the Pipeline; any oil or other pollutant should spill or escape from the Pipeline the control and total removal, disposal and cleaning up of such oil or other pollutant wherever found shall be at the expense of Permittee. Upon failure of Permittee to control, dispose of, or clean up an oil spill or to repair all damages resulting therefrom, the Authorized Officer shall take such measures as he deems necessary to control the spill, clean up the spillage, and restore the area including where applicable the aquatic environment to as near its original condition as possible at the full expense of the Permittee.

16. Termination of Use

Upon revocation or termination of the Pipeline permit or abandonment of any section of the Pipeline or of any facility related thereto or of any road authorized in connection therewith, Permittee as required by the Authorized Officer shall remove all pipe, pump stations, improvements, and materials and shall restore the land to the satisfaction of the Authorized Officer. Where approved by the Authorized Officer, buried pipe may be left in place provided all oil and residue are removed from the pipe and the ends suitably capped.

17. Pipeline Corrosion

Permittee shall provide detailed plans for corrosion resistant design and methods for early detection of corrosion. These will include: pipe material and welding techniques to be used and information on their particular suitability for the environment involved; details on the external pipe protection to be provided (coating, wrapping, etc.), including information on variation of the coating processes to cope with variations in environmental factors along the Pipeline route; plans for cathodic protection includ-controls to insure continuous maintenance controls to insure continuous maintenance of adequate protection over the entire surface of the pipe; details of plans for monitoring cathodic protection current including spacing of current monitors; provision for periodic intensive surveys of trouble spots and regular preventive maintenance surveys

and special provisions for abnormal potential patterns resulting from crossing of the right-of-way by other pipelines or cables; information on precautions to be taken in removing corrosive substances (e.g., saline water) from the crude prior to moving it to the pipeline. Permittee shall also provide comments on the need for plans for periodic internal pitting surveys by electromagnetic or other means.

18. Standards for Roads Other Than State Highways

Design, materials, and construction practices employed for ancillary roads constructed in connection with the Pipeline shall be in accordance with sound engineering practices for the arctic and subarctic environments. In addition to other terms and conditions of this permit, roads shall conform to the following requirements:

a. Ancillary Roads: Permittee shall construct such approved access and haul roads within the area permitted for Pipeline work. Permittee shall submit for approval a layout of all proposed access and haul roads. Roads shall be constructed to widths suitable for safe operation of the equipment at the travel speeds proposed by the Permittee. Permittee shall provide for the safe movement of traffic. The maximum allowable grade shall be twelve (12) percent unless otherwise approved.

b. Maintenance Roads: Maintenance roads shall be designed and constructed as permanent improvements and shall be maintained by Permittee for the life of the project unless maintenance responsibility is assumed by State or Federal authorities.

c. Temporary Roads: All temporary roads shall be "put-to-bed" by Permittee upon completion of their use unless otherwise approved by the Authorized Officer. "Put-to-bed" is used herein to mean that such roads shall be left in such stabilized condition that erosion will be avoided through the use of adequately constructed and designed waterbars, revegetation, and/or chemical surface control; that culverts will be removed by Permittee as directed or approved by the Authorized Officer; and roads shall be closed to use. Permittee's rehabilitation plan shall be approved by the Authorized Officer prior to termination of use of any road or any part thereof.

C. Native training

Permittee shall enter into an agreement with the Secretary of the Interior regarding recruitment, testing, training, placement, employment, and job counseling of Alaska Natives.

Continuously during Pipeline construction, Permittee shall conduct a pre-employment and on-the-job training program for Alaska Natives adequate to qualify them for initial employment and for advancement to higher paying positions thereafter.

Permittee shall do everything within its power to secure the employment of those Alaska Natives who successfully complete Permittee's training program.

Permittee shall inform the Authorized Officer of its discharge of any Alaska Natives and of the reasons therefor in advance of such discharge wherever possible or, if advance notice is impossible, as soon thereafter as is practicable.

Permittee shall furnish the Authorized Officer such information and reports concerning Alaska Native employment as the Authorized Officer shall require from time to time.

D. Regulation of public access

After Pipeline construction is completed, Permittee shall permit free and unrestricted public access to and upon ancillary roads except such areas thereof as may be designated as restricted by Permittee with the consent of the Authorized Officer.

During construction Permittee may regulate public access and vehicular traffic on ancillary roads as required to facilitate operations and to protect the public and wildlife from hazards associated with the Project. For this purpose Permittee shall provide warnings, flagmen, barricades, and other safety measures as necessary.

Permittee shall make provisions for suitable permanent crossings of the Pipeline where the Pipeline right-of-way and related access roads cross existing roads, foot-trails, winter sled trails, or other rights-of-way.

During construction Permittee shall provide alternate routes for existing roads and trails as determined by the Authorized Officer whether or not these roads or trails are recorded.

E. Pollution abatement

1. Pesticides and Herbicides

Permittee shall use only non-persistent and immobile types of pesticides and herbicides as set forth in an approved list which shall be furnished by the Authorized Officer together with application constraints.

2. Water Pollution

Permittee shall conduct its activities in a manner that will prevent pollution of land and water and will not degrade the present quality of Alaskan waters thereby protecting aquatic and terrestrial life.

Any material, sediments, or organic substances that cause toxicity or eutrophication shall not be released to any surface or subsurface waters in concentrations that violate the State of Alaska "Water Quality Standards" as approved by the Environment Protection Agency.

Mobile ground equipment shall not be operated in lakes, streams, or rivers except as essential for authorized operations.

3. River and Stream Crossings

The pipeline shall cross all rivers and streams underground unless a different means of crossing is approved in writing by the Authorized Officer. (See also Stipulation F.3. "Water Crossings".)

4. Thermal Pollution

At all underground water crossing the pipeline shall not degrade the water beyond standards set for thermal pollution in the State of Alaska "Water Quality Standards".

5. Air Pollution and Ice Fog

Permittee shall utilize and operate all facilities and devices in such a way as to minimize air pollution and ice fog. Facilities and devices which cannot be prevented from producing ice fog shall be so located as not to interfere with airfields, communities, or roads.

F. Erosion Control

1. General

The design of the Pipeline shall include specifications for the construction of erosion control and drainage features that will minimize erosive effects.

The erosion control measures shall be constructed to avoid induced and accelerated erosion and to lessen the possibility of forming new drainage channels resulting from construction and operation of the Pipeline. All control measures must be designed and operations conducted in such a way as to minimize disturbance to the thermal regime.

2. Stream Banks

Slopes of cuts through stream banks shall be designed and constructed to minimize erosion and prevent slides.

Unless otherwise approved by the authorized officer, temporary access over stream banks shall be made through use of fill ramps rather than by cutting through stream banks. Permittee shall remove such ramps upon termination of seasonal use or abandonment.

3. Water Crossings

At water crossings the pipe trench excavation shall stop an adequate distance from the water crossing to leave a protective plug (unexcavated material) at each bank. These plugs shall be left in place until the crossing grade is complete behind the plug and the pipe laying operation begun. The plugs shall not be completely removed until absolutely necessary. The trench shall be backfilled with stable material as soon as the pipe is laid.

4. Disturbed Areas

Permittee shall conduct all construction, operation, and maintenance activities with minimum disturbance to vegetation.

Disturbed areas shall be restored by Permittee as nearly as practicable to their original condition as follows:

a. All disturbed areas shall be left in a stabilized condition.

Stabilization practices as determined by the needs of specific sites shall include but not be limited to seeding, planting, mulching, and the placement of mat binders, soil binders, rock or gravel blankets, or structures.

b. Special attention shall be given to stream and river crossings so as to prevent erosion. Such measures shall not interfere with fish passage.

c. Excavated material in excess of that required to backfull around the pipe shall be disposed of in a manner approved by the authorized officer.

d. Seeding and planting shall be conducted during the first growing season and if necessary shall be repeated until successful. All other restoration shall be completed as soon as possible.

e. All trees, snags, stumps, or other woody material not having commercial or construction value shall be disposed of as approved by the authorized officer by controlled burning, burial, chipping and spreading, or other acceptable methods.

5. Disturbance of Natural Waters

All construction activities of Permittee that may create new lakes, drain existing lakes, significantly divert natural drainages, permanently alter stream hydraulics, disturb significant areas of streambeds, or appreciably degrade water quality are prohibited unless necessary mitigation measures are approved in advance by the Authorized Officer.

6. Off Right-of-Way Traffic

Permittee's mobile ground equipment shall not be operated outside the boundaries of the Pipeline, access or other roads, or other permitted areas except with the approval of the Authorized Officer or when necessary to protect life, limb, or public property.

G. Sanitation and Waste Disposal

All waste generated in construction and operation shall be removed or otherwise disposed of in a manner acceptable to the Authorized Officer. All applicable standards and guidelines of the Alaska State Department of Health and Welfare, the United States Public Health Service, and the Environmental Protection Agency, and other Federal and State agencies shall be adhered to by Permittee. All incinerators shall meet the requirements of applicable Federal and State laws and regulations and shall be used with maximum precautions to prevent forest and tundra fires. After incineration, material not consumed in the incinerator shall be disposed of in a manner approved in advance by the Authorized Officer.

Emissions from incinerators, pumps, motors, equipment and installations, and other burning material must meet Federal and State air quality standards.

The term "waste" as used in this stipulation means all discarded matter including

[1] Control is defined to mean: (1) detection, (2) location, (3) containment, and (4) clean-up.

but not limited to human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment. The best practicable portable or permanent waste disposal systems shall be used and shall be approved in advance by the Authorized Officer.

H. Small Craft Passage

The creation of any permanent obstruction to the navigation of small craft, is prohibited. The design of each water crossing shall be submitted for approval in accordance with Stipulation Q, "Authorizations".

I. Aesthetics

Permittee shall consider aesthetic values in planning, construction, and operation of the Pipeline. All permanent structures unless otherwise authorized shall be painted a color or colors that harmonize with their natural setting. In forested terrain tangents in the pipeline alignment across primary roads should not exceed six hundred (600) feet in length unless otherwise approved. The Authorized Officer may impose such other requirements as he deems necessary to protect aesthetic values.

J. Timber

Permittee shall identify clearing boundaries on the ground for each construction segment prior to beginning clearing operations. All timber and other vegetative material outside clearing boundaries and all blazed, painted, or posted trees which are on or mark clearing boundaries are reserved from cutting and removal with the exception of danger trees or snags designated as such by the Authorized Officer.

Prior to clearing operations, Permittee will enter into a contract with the United States for the purchase by Permittee of all merchantable timber situated within the Pipeline right-of-way.

All trees, snags, or other woody material cut in connection with clearing operations shall be cut so that the resulting stumps shall not be higher than six (6) inches measured from the ground on the uphill side.

All trees, snags, and other woody material cut in connection with clearing operations shall be felled into the area within the clearing boundaries and away from water courses.

In areas where use of heavy equipment would be detrimental to existing conditions, hand clearing will be used. Logs shall not be skidded or yarded across any stream without prior approval of the Authorized Officer.

All debris resulting from clearing operations and construction that may block stream flow, delay fish migration, contribute to flood damage, or result in streambed scour or erosion shall be removed.

No log landing shall be located within three hundred (300) feet of any water course.

K. Wildlife

1. Hunting, Fishing, and Trapping

Permittee shall inform its employees, agents, contractors, subcontractors, and their employees of applicable laws and regulations relating to hunting, fishing, and trapping.

2. Use of Explosives

At least thirty (30) days in advance of any blasting Permittee shall submit a plan for such blasting to the Authorized Officer for his review and approval. The plan shall be in accordance with State law and regulations.

No blasting shall be permitted underwater or within one quarter (¼) mile of streams or lakes without a permit from the Alaska Department of Fish and Game.

3. Buffer Strips

Except at approved crossings the pipeline shall be located to provide three hundred (300) foot minimum buffer strips of undisturbed land along streams. Requests for exception to this provision shall be submitted in writing to the Authorized Officer in accordance with Section Q, Authorizations. The request shall include a description of the design criteria and time necessary to restore or enhance the stream habitat.

4. Fish Spawning Beds

"Fish spawning beds" mean the areas, usually gravel, where anadromous and resident fish deposit their eggs.

Where channel changes cannot be avoided in designated anadromous fish spawning beds, new channels shall be constructed according to standards supplied by the Authorized Officer. Spawning beds shall be protected from sediment from all sources of construction activity.

Where soil material is expected to be suspended in water as a result of construction activities, sediment settling basins shall be constructed to permit the removal of silt before it reaches the stream or lake. Special requirements may be made by the Authorized Officer for each stream system to protect spawning beds. Permittee shall repair all damage to fish spawning beds caused by construction, operation, or maintenance of the Pipeline. Unless otherwise approved by the Authorized Officer, gravel and other construction materials shall not be removed from any river bed or stream bed or lake outlet which could be considered a fish spawning area.

5. Migration of Fish

Permittee shall provide for uninterrupted and safe passage of fish. Any artificial structure or any stream channel change that causes a permanent blockage to migration of fish shall be provided with a permanent fish passage structure that meets all Federal and State requirements. The proposed design shall be submitted to the Authorized Officer in accordance with Section Q, Authorizations, and shall accommodate the following:

a. Where necessary because of outfall erosion, stilling basins shall be constructed at the outflow end of culverts. To prevent erosion the pool sides shall be stabilized with appropriate methods.

b. Pumps shall be screened to prevent harm to migrating fish.

c. Abandoned water diversion structures shall be plugged and stabilized to prevent trapping or stranding of fish.

6. Seasonal Concentrations of Fish and Game

Key fish and wildlife areas may be closed to construction activities during periods of fish and wildlife breeding, nesting, spawning, or calving activity and during major migrations of fish and wildlife. The Authorized Officer shall provide Permittee written notice of closure.

From time to time the Authorized Officer shall furnish Permittee a list of areas where closure may be required together with anticipated dates of closure.

7. Big Game Movements

Permittee shall construct the Pipeline, both buried and above-ground sections, so as to assure free passage and movement of big game animals.

L. Antiquities and historical sites

Permittee shall engage an archeologist approved by the Authorized Officer to provide surveillance and inspection of the Pipeline for archeological values.

If in connection with any operation under this permit, Permittee encounters known or previously unknown paleontological, archeological, or historical sites Permittee shall immediately notify the Authorized Officer and said archeologist. Permittee's archeologist shall investigate and provide an on-the-ground opinion regarding the protection measures to be undertaken by Permittee. The Authorized Officer may suspend that portion of Permittee's operations necessary to preserve evidence pendng investigation of the site by said archeologist or his representative.

Six (6) copies of all survey and excavation reports shall be filed with the Authorized Officer.

M. Fire prevention and suppression

Permittee shall take all measures necessary or appropriate for the prevention and suppression of fires on the permit area and on other Federal lands. Permittee shall comply with all applicable laws and regulations and with the instructions and directions of the Authorized Officer concerning the prevention and suppression of fires.

N. Campsites

Permittee shall obtain from the Authorized Officer special land use permits for each campsite.

Upon abandonment or relocation of each campsite, the area shall be cleaned up and restored to a condition satisfactory to the Authorized Officer.

O. Material sites

1. Purchase of Materials

Permittee shall make application in accordance with 43 CFR, Part 3610, "Mineral Materials Sales," to purchase construction materials and consummate a materials sale contract. He shall submit a mining plan in accordance with 43 CFR, Part 23, "Surface Exploration, Mining and Reclamation of Lands," that must be approved before materials are removed.

Instead of stream material, Permittee shall utilize upland materials and existing material sites where reasonably available. Gravel and other construction materials shall not be taken from stream beds, river beds, lake shores or outlets of lakes that are or could be considered as spawning areas unless such taking is approved by the Authorized Officer.

2. Vegetative Screen

Permittee shall not cut or remove any vegetative cover within a minimum five hundred (500) foot strip between roads and material sites unless approved by the Authorized Officer. Permittee shall remove any debris created by construction activities.

Where primary roads intersect the Pipeline right-of-way, a screen of vegetation native to the specific setting shall be established unless waived by the Authorized Officer in writing.

3. Layout of Material Sites

Material site boundaries should be shaped in such a manner as to blend with surrounding natural land patterns. Regardless of the layout of material sites, primary emphasis shall be placed on prevention of soil erosion and damage to vegetation.

4. Fish Protection

If material sites are approved adjacent to or in certain lakes, rivers or streams, the Authorized Officer may further require the construction of levees, berms or other suitable means to protect fish and fish migration and to prevent siltation of streams or lakes.

P. Restoration

All cut and fill slopes shall be left in a stable condition.

Roads, haul ramps, berms, dikes and other earthen structures shall be disposed of as directed by the Authorized Officer.

Vegetation, overburden and other materials removed from surfaces of material sites shall be disposed of by Permittee at termination of use of the site in a manner approved by the Authorized Officer.

Upon completion of restoration, Permittee shall immediately remove all equipment, materials and supplies from the sites.

Q. Authorizations

1. In General

a. Notice to Proceed: i. Permittee shall not initiate any Pipeline construction without the prior written authorization of the Authorized Officer. Such authorization shall be given solely by means of a Notice to Pro-

ceed issued by the Authorized Officer. Each Notice to Proceed shall authorize construction only as therein expressly stated and only for the particular construction segment therein described.

The Authorized Officer will issue a Notice to Proceed only when in his judgment the design, construction and operation proposals are in conformity with the terms and conditions of these stipulaitons.

b. Definitions: i. "Construction Segment" as used herein means a portion of the Pipeline which constitutes a complete physical entity or stage in and of itself which can be constructed, independently of any other portion or stage of the Pipeline, in a designated area or between two given geographical points reasonably proximate to one another. It is not to be construed as referring to the entirety of the Pipeline.

ii. Preliminary Design—"Preliminary Design" as used herein means the establishment of project criteria (i.e., design, construction and operational concepts) necessary to delinetate the project to be constructed.

As a minimum it includes the following: criteria and project concepts; evaluation of field data used to establish the design criteria; drawings showing functional and technical requirements; reports of all test data compiled during the data collection and preliminary design evaluation; standard drawings (if applicable) or drawings to support structural design concepts of each typical facility or structure; proposed construction modes; outline project specifications; sample computations to support the design concepts; and bases for project siting.

iii. Final Design—"Final Design" as used herein comprises completed design documents. It should include the contract plans and specifications; proposed construction modes; operational procedures; schedules; design analysis (including sample calculations for each particular design feature); all functional and engineering criteria; summary of tests conducted and their results, and economic considerations pertinent to design and project life expectancy.

iv. "Construction Mode" as used herein means the type of construction to be employed generally with regard to the Pipeline (including whether the pipe will be buried or elevated).

2. Preliminary Design Submissions

Prior to applying for a Notice to Proceed for any Construction Segment, Permittee shall submit the preliminary design to the Authorized Officer for approval. Each submission for approval shall include the criteria which justify the selection of the Construction Modes. The Authorized Officer may request additional information if he deems it necessary.

3. Summary Network Analysis Diagram

a. Permittee shall submit a summary network analysis diagram for the entire project to the Authorized Officer prior to his consideration of any final design submissions. The summary network analysis diagram shall be time-scaled and shall include all activities and contingencies which may reasonably be anticipated in connection with the project. The summary network analysis diagram shall include:

i. Data collection activities.

ii. Submittal and approval activities.

iii. Preconstruction, construction, and post-construction activities.

iv. Other pertinent data.

b. The summary network analysis diagram shall be updated at thirty (30) day intervals, as significant changes occur, or as otherwise approved by the Authorized Officer.

4. Final Design Submission

a. Permittee may apply for a Notice to Proceed for only those Construction Segments for which the preliminary design and analysis have been approved. Each application for a Notice to Proceed shall be supported by:

i. Final design.

ii. All reports and results of environmental studies conducted or considered by Permittee.

iii. A detailed network analysis diagram for the Construction Segment including: Permittee's work schedules, permits required by State and Federal agencies and their interrelationships, design and review periods, data collection activities, and construction sequencing. The detailed network analysis diagram shall be maintained to reflect current status.

iv. All data necessary to demonstrate compliance with the terms and conditions of these Stipulations with respect to that particular Construction Segment.

v. Such other data as may be requested by the Authorized Officer either before submission of the application for a Notice to Proceed or at any time during he review period.

b. Period of Review:

i. The Authorized Officer shall review each application for Notice to Proceed and all data submitted in connection therewith within ninety (90) days. Said ninety (90) day period shall begin from the later of the following dates:

(a) Date of receipt by the Authorized Officer of an application for a Notice to Proceed.

(b) Date of receipt by the Authorized Officer of additional data pursuant to Stipulation Section Q.4.

(c) If the Authorized Officer requires Permittee to submit additional data on one or more occasions, the review period shall begin from the date of receipt by the Authorized Officer of the last submittal.

R. Technical standards

Both the preliminary design and analysis and the final design of each particular segment of the Pipeline, and of each component thereof, shall satisfy each of the following technical standards.

1. Construction Mode

a. There shall be an unobstructed air space of at least two feet between the pipe and ground surface; or

b. There shall be no greater heat transfer from the pipe to the ground than results from the use of an unobstructed air space of at least two feet between the pipe and ground surface; or

c. Below the level of the pipe axis the thermal disturbance shall be limited to competent bedrock, free-draining sand and gravel,[2] or ground naturally devoid of permafrost. Above the level of the pipe axis other materials may be present but it must be shown that they will remain stable under all credible conditions; or

d. Results of a detailed field exploration program and analysis indicate that pipe rupture and major terrain disruption will not occur at any place from soil instability. Effects and their interaction to be analyzed on a mile-by-mile basis to justify the proposed mode of construction shall include but not be limited to, thaw plug stability, differential settlement, seismic loading and weakening, and possible movement resulting from slope instability. As a prerequisite an acceptable comprehensive monitoring system of the Pipeline shall be developed which will include but not be limited to making deformation measurements sufficiently sensitive and prompt to detect the approach to operational tolerance limits (which shall be clearly specified) of the Pipeline; design specifications, operational requirements and feasibility analysis of such monitoring system shall be submitted to and approved by the Authorized Officer before burial of any segment of the Pipeline will be approved; such monitoring system shall be operational prior to transmission of oil through the pipeline.

2. Earthquakes and Fault Displacements

a. Earthquakes: The Pipeline shall be designed, where technically feasible, by appropriate application of modern, state-of-the-art seismic design procedures to prevent any oil leakage from the effects (including seismic shaking, ground deformation and earthquake-induced mass movements) of earthquakes distributed along the route as follows:

Zone	*Richter Magnitude*
Valdez to Willow Lake	8.5
Willow Lake to Paxson	7.0
Paxson to Donnelly Dome	8.0
Donnelly Dome to 67 deg. N.	7.5
67 deg. N. to Prudhoe Bay	5.5

Where such design is not technically feasible, the potential damage from an oil spill shall be minmized by special design provisions that shall include but shall not be limited to:

i. A network of ground-motion detectors that record and monitor continuously to detect and instantaneously signal the occurrence of ground motion in the vicinity of the Pipeline reaching the operational design acceleration. The critical levels of ground motions shall be approved by the Authorized Officer, and

ii. Rapid programmed shut-down and prompt close inspection of system integrity in the event of ground motion reaching the operational design acceleration, and

iii. A special contingency plan for oil spill control for each such seismically hazardous area which shall be filed in accordance with Stipulations B. 15.c. This plan shall specifically consider expected field conditions in the particular area in the aftermath of a destructive earthquake.

b. Fault Displacements: Prior to applying for a Notice to Proceed, Permittee shall satisfy the Authorized Officer that all recognizable or reasonably inferred faults or fault zones along the alignment have been identified and delineated, and that the risk of oil leakage resulting from fault movement and ground deformation has been adequately assessed and provided for in the design of the Pipeline for those sections. Evaluation of said risk shall be based on geologic, geomorphic, geodetic, seismic, and other appropriate scientific evidence of past or present fault behavior and shall be compatible with the design earthquakes tabulated above and with observed relationships between earthquake magnitude and extent and amount of deformation and fault slip within the fault zone.

Minimum design criteria for a segment of the Pipeline traversing a fault zone that is reasonably interpreted as active, shall be:

i. That the Pipeline resist failure resulting in leakage from 2 feet of horizontal and/or vertical offset in the foundation material anywhere within the fault zone and

ii. That no storage tank or pump station be located within the fault zone.

Where the pipeline in a ditch or embankment crosses a fault or lies within a fault zone that is reasonably interpreted as active, Permittee shall monitor crustal deformation in the vicinity of the pipeline. Such monitoring shall include annual geodetic observation on permanent reference marks established on stable ground. Said reference marks shall be positioned so as to form closed figures and to provide for detection of relative

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[2] Free-draining sand and gravel is defined as thaw-stable material meeting the following requirements:

(1) Material lies within the Uniform Soil Classification classes GW, GP, SW, and SP only.

(2) There is no excess (segregated) or massive ice.

(3) Thawing of the material IN SITU could not reasonably be expected to result in significant weakening from excess pore pressure.

horizontal and vertical displacements as small as 0.10 feet across principal individual faults within the fault zone and to provide for monitoring of crustal strain within an absolute error of two parts per million within the fault zone. Further, where annual slip on a fault exceeds 0.10 feet for two successive years, Permittee shall install recording or telemetering slip-meters. Data obtained from the monitoring shall be provided to the Authorized Officer at specified regular intervals throughout the operational life of the Pipeline. Said data shall be used by Permittee to aid in the initiation of corrective measures to protect the Pipeline from failure caused by tectonic deformation that would result in leakage.

3. Slope Stability

Areas subject to mudflows, landslides, mudslides, avalanches, rock falls, and other types of mass movements shall be avoided where practicable in locating the Pipeline. Where such avoidance is not practicable, the Pipeline design based upon sufficiently detailed field investigations and analysis shall provide measures to prevent the occurrence of, or protect the Pipeline against the effects of mass movements.

4. Stream Crossings and Erosion

For each region through which the Pipeline passes, the Pipeline shall be designed to withstand or accommodate the effects (including runoff, bank erosion, meander cutoffs, lateral migration, ice-jams, and icings) of those meteorologic, hydrologic (including surface and subsurface) and hydraulic conditions considered reasonably possible for the region. The following standards shall apply to such Pipeline design:

a. For stream crossings: i. The design flood shall be based on the concept of the "standard project flood" as described in Corps of Engineers Bulletin 52-8, Part 1.

ii. The depth of channel scour shall be established by appropriate field investigations and theoretical calculations using those combinations of water velocity and depth that yield the maximum value. At the time of maximum scour, the cover over the pipe shall be at least one-hundred and twenty percent (20%) of the computed scour, but not less than four (4) feet.

For overhead crossings comparable analyses shall be made to ensure that support structures are adequately protected from the effects of lateral scour, channel migration, undercutting, ice pressure, and degradation of permafrost.

iii. For culverts and bridges: Design for all culverts and bridges on pads and roads necessary for maintenance of the Pipeline shall be in accordance with criteria established by the American Association of State Highway Officials and the Federal Highway Administration and endorsed by the State of Alaska, Department of Highways, to accommodate a 50-year flood.

b. Erosion: Erosion control procedures shall accommodate and be based on the runoff produced by the maximum rainfall rate and snow melt rate combination reasonably characteristic of the region. The procedures shall also accommodate effects that result from thawing produced by flowing or ponded water on permafrost terrain.

5. Sea Waves

Oil transfer facilities, at the southern terminus of the Pipeline, shall be protected by cut-off devices at sufficient elevation to prevent major oil leakage from breaking of pipes by destructive sea waves comparable to those generated in Port Valdez by the March 27, 1964 earthquake. Design for such protective features shall be submitted in accordance with Stipulation Q, "Authorizations."

6. Glacier Surges

Surveillance systems sufficient to give adequate warning of impending surges, on any glacier that could damage the Pipeline shall be instituted prior to transmission of oil through the pipe. Procedures for initiation and operation of such surveillance systems and protective procedures in the event of such surges shall be submitted in accordance with Stipulation Q, Authorizations.

7. Construction

All pre-construction, construction, and post-construction operations shall be conducted so as to minimize thermal and other environmental changes and to provide maximum protection to wildlife and human beings. All working platforms, pads, fills, and other surface modifications shall be planned and executed in such a way that any resulting degradation of permafrost shall not jeopardize the pipe foundation.

Acceptable plans, procedures, and quality controls that ensure compliance with the above shall be submitted in accordance with Stipulation Q, Authorizations.

HISTORY IS MY BUSINESS—A HISTORICAL ANALYSIS: GEORGE BRINTON McCLELLAN, MAJOR GENERAL, COMMANDING, ARMY OF THE POTOMAC, 1861–62

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MAZZOLI. Mr. Speaker, Dr. Robert A. Clary, a neuropsychiatrist of Louisville, Ky., presented an extremely interesting and informative paper entitled "History Is My Business—A Historical Analysis: George Brinton McClellan, Major General, Commanding, Army of the Potomac, 1861–62," before the annual meeting of the Central Neuropsychiatric Association last fall.

Dr. Clary began his research in 1966, which he has described as "the pursuit of documented answers to the enigmatic and fascinating character of George B. McClellan."

Noting that the psychiatrist is confined to no special domain in the study of human behavior, Dr. Clary raises the pertinent, rhetorical question: "But who better should know and comprehend the value of an individual's past history in formulating the genesis of his personality and the interpretation of his behavior?"

As a further explanation of his perspective and purpose in undertaking the study of General McClellan's life and service, the author states:

The psychiatrist's specialized viewpoint can add a new and unique dimension to a more complete comprehension of well-documented historical figures. But, it is vital that we in the field of psychiatry not fall into the seductive trap of categorizing and "diagnosing" the individual under study, for it is not our task to casually label history's famous—or, infamous. Our purpose should be that of illumination—not elevation or degradation.

Mr. Speaker, I include the full text of Dr. Clary's analysis of General McClellan at this point in the RECORD:

HISTORY IS MY BUSINESS—A HISTORICAL ANALYSIS: GEORGE BRINTON McCLELLAN, MAJOR GENERAL, COMMANDING, ARMY OF THE POTOMAC, 1861–62.

(By Robert A. Clary)

Following the shattering defeat of the Union army suffered at the First Battle of Bull Run at Manassas Junction, Virginia, July, 1861, President Abraham Lincoln summoned to Washington, D.C., a thirty-four year old Major General, the promising, dashing, and flamboyant George Brinton McClellan, ordering him to reorganize the demoralized Federal Division of the Potomac.

On July 26th, 1861, the handsome, articulate, and highly personable young general stepped from the train into the hot dusty streets of Washington feeling that he had been called upon to save his country. McClellan presented a rather imposing figure in spite of his short stature (5 feet, 9 inches); very broad of shoulders, a full thatch of auburn hair, and, a demeanor unquestionably implying self-assurance, yet agreeably modest in behavior.

Soon after the American Civil War began with the Confederate forces firing upon Union-held Fort Sumter in Charleston harbor on April 12th, 1861, General McClellan began a successful campaign in western Virginia (now West Virginia). These comparatively minor but highly publicized and overrated victories brought immediate national acclaim to McClellan whom the newspapers labelled the "young Napoleon".

From this auspicious beginning as commanding general of the Union's principle army of the East, McClellan managed in just over fifteen months to become one of the most controversial, argued-about—and, most misunderstood, military figures of American history.

And, as such, he remains today.

There are few occasions when a man has been afforded such opportunity for historical greatness and still fewer men who seemed so superbly equipped for greatness than George Brinton McClellan. And yet, for over a century, McClellan's true role in this most terrible, but strangely poignant chapter of our history—the Civil War—remains obscured by the historian's perplexing and vehemently divergent opinions regarding the quality of his military leadership.

In reading Civil War history, one finds General McClellan portrayed as a shield and savior of the Union who was subverted by a set of unscrupulous Radical Republicans who preferred continuation of the war rather than see McClellan win battles that might result in his becoming a political threat to Republican control of the Union. There are some avid pro-McClellan writers who flood the reader with such a deluge of nauseously unctuous "evidence" in their support of General McClellan that offends even the least knowledgeable of students, while the anti-McClellan writers condemn him with an unending runnell of virtriol and venom; branding McClellan as an unquestionable traitor.

These two groups with such extreme views perform a real disservice to this complex and interesting man; for he was neither the pure saint as pictured by one group, nor, was he the villianous Judas as so convincingly protrayed by his detractors.

How is it that knowledgeable authorities, studying the same basic data, massive as it is, arrive at such opposing conclusions: That the Republican Administration deliberately withheld proper support from McClellan thus insuring his defeat so as to achieve the complete destruction of the southern economy and its "peculiar institution"—slavery. Or conversely, that General McClellan betrayed the trust of the Chief Executive all the while using his army as a weapon of political intrigue in order to insure the continuation of the war, thereby exhausting the resources of both North and South. This would insure restoration of the Union as it had been before eleven states seceded from the United States and thus—preserve slavery.

The purpose of my research, which began in 1966, has been the pursuit of documented answers to the enigmatic and fascinating character of George B. McClellan.

It was this "dualism" of McClellan, so aply described by Pulitizer Prize winning his-

torian, T. Harry Williams, that should catch and hold the attention of the professional whose training and skill is ever-focused upon the evaluation and the understanding of human behavior. And that professional is the psychiatrist.

The psychiatrist holds no special domain in the study of human behavior, but who better should know and comprehend the value of an individual's past *history* in formulating the genesis of his personality and the interpretation of his behavior?

It is the laborious, sometimes tedious—and sometimes incredibly interesting *history-taking* of the individual, living or dead, that is the basic diagnostic tool of all physicians, and, no branch of medicine utilizes the individual's history so exclusively—and so necessarily—as the psychiatrist.

The application of Adolph Meyer's Distributive Analysis (with modification) in gathering all possible data relative to the repetitive patterns of response as exhibited by General McClellan, beginning with the infra-red of his infancy to the ultra-violet of his death, combined with exhaustive research into McClellan's interpersonal relationships proved to be the most effective and feasible approach in the study of a man, now dead eighty-six years, and, one-hundred-ten years removed from his Civil War service.

So, after almost six years in the research of this man, and after the collection of more than one-half-million words—I say: History *is* my business—a business that I can logically and realistically apply in assisting the professional historian in his work.

The psychiatrist's specialized veiwpoint can add a new and unique dimension to a more complete comprehension of well-documented historical figures. But, it is vital that we in the field of psychiatry not fall into the seductive trap of categorizing and "diagnosing" the individual under study, for it is not our task to casually label history's famous—or, infamous. Our purpose should be that of illumination—not elevation or degradation.

I have had the fortunate (?) experience of meeting some well-known historical writers. Upon entering the dim hallways of historical research, be not surprised, if, on occasions, we are viewed as one might watch intently the approach of a leonine-faced, scabrous leper.

Regretfully, the professional historian and author-historians are not without basis in wrinkling their noses with disdain and dismay when contemplating the psychiatrist's role in historical research. One need look no further than a nauseous volume published in 1966; authored by Doctor Sigmund Freud and William C. Bullitt: *Thomas Woodrow Wilson, A Psychological Study*. This volume represents a travesty upon the field of American history and an important historical figure. The official news organ of the American Psychiatric Association, *The Psychiatric News*, gave this volume one of its most critical reviews.

We in psychiatry have much to offer the field of historical research, but, this contribution should be presented in an acceptable and understandable language and manner. The language of Greek mythology and words of innuendo have no acceptable place in historical research.

No less repugnant are those writers who amateurishly "play" psychiatrist and, who fling psychiatric terms about in wild abandon. One well-known author in just one chapter described McClellan as: "a Manic-Depressive since childhood"; as having a "persecution phobia" and spoke of "his schizophrenia." Not surprisingly, this fardel of psychological garbage flitted through fourteen printings.

George B. McClellan, the young general, upon assuming command in Washington in the summer of 1861, immediately began reorganizing the defeated Union army with amazing energy and truly impressive administrative skill. He rode-rode-rode about Washington, tirelessly visiting camp after camp, and within days the Capital's streets were clear of straggling and drunken soldiers. The numerous army camps developed an orderly hygienic look. McClellan exerted firm discipline upon the troops and relentlessly drilled them with parade after parade and endless grand reviews.

The people of Washington, and the North, were taken with the colorful young general—for awhile. As summer faded into fall the Army of the Potomac made not the slightest suggestion of moving against the cocky Confederates who were encamped scarcely twenty miles south of Washington, completely blocking all traffic on the Potomac River.

The impatience of the Administration, the President, and the people of the North incensed General McClellan. He fumed and stated that his greatest obstacle was the aging General-in-Chief, Winfield Scott; infirmed, dropsied, and now too close to mount a horse.

Arrogantly, McClellan ignored Scott, until finally in November, 1861, the old general insisted that his resignation be accepted.

Winter came and the largest, most superbly trained and equipped army ever assembled in North America marched along the banks of the Potomac and prepared for—winter. And in doing so provided newspapermen of the North with a clever new phrase—"All quite along the Potomac."

General McClellan now firmly believed the Washington politicians wished to push him into military disaster and failure. He continuously demanded increased infantry, artillery, and cavalry—invariably estimating the Confederate forces to be at least twice his number.

As 1862 began, General McClellan's woes multiplied. His erstwhile friend and confidant, Edwin McMasters Stanton became Secretary of War, vowing: he would make a President of Abe Lincoln; force McClellan to fight, or throw up. Stanton would soon become McClellan's harshest critic and most dangerous foe within the Administration. Also, in January, President Lincoln issued his first War Order, a truly remarkable document; perhaps the first time a commander-in-chief has ever ordered all armies to move forward on the basis of a man's birthday—Washington's—on February 22nd., 1862.

General McClellan persuaded Lincoln that a direct assault upon the Confederate army of General Joseph Johnston would be too costly in lives and material and offered elaborate plans for the capture of Richmond via a water route to the Virginia tidewater area.

Fearful of leaving the Capital vulnerable to sudden attack, President Lincoln reluctantly gave way to McClellan's pleas and thus began the fateful Peninsula Campaign of 1862. However, the rebel army occupying Manassas Junction suddenly withdrew and left McClellan's splendid army the unpleasant task of marching out to Manassas Junction, only to find many "Quaker" guns (blackened tree trunks) projecting from fortifications which McClellan had deemed invincible. Joseph Johnston's move required that McClellan alter his plans; he then chose to land his army at Hampton Roads in late March, and attack Yorktown.

McClellan, instead of attacking Yorktown with its fifteen thousand defenders (McClellan had at least eighty-thousand effectives), began a prolonged seige operation which greatly frustrated Lincoln who warned the young general that he *must act* offensively and aggressively to save himself.

A month later the same wily Joseph Johnston evacuated Yorktown a few hours before McClellan's elaborate cannonry was scheduled to blast the Confederates from their entrenchments. The hard-war advocates of the North were furious.

By late May, McClellan had inched his way toward the outskirts of Richmond, busily erecting fortifications. On May 31st. and June 1st., Confederate General Johnston savagely attacked the Army of the Potomac at Fair Oaks. The first day belonged to Johnston (who was severely wounded), the second day was McClellan's—it was a drawn battle.

The real significance of this engagement lay not so much in battle statistics. Johnston's wounds required his replacement by a Richmond desk-general whom Virginians then held in rather low esteem—and thus began the history and legend of General Robert E. Lee and the incomparable Army of Northern Virginia.

General McClellan spent the greater part of June sluggishly crawling closer to Richmond, bombarding Washington with incessant demands for reinforcements and pointedly telling Secretary of War Stanton and the President that the responsibility of any defeat suffered on the Peninsula must not rest upon his (McClellan's) shoulders but solely upon those who refused to adequately man his army. General McClellan continued his belief that his forces (now numbering one-hundred thousand men) faced a foe having an effective force of two-hundred thousand. Throughout June, McClellan planned an assault upon Richmond "tomorrow".

McClellan's "tomorrow" never came, for, on June 26th., Robert E. Lee began a series of ferocious battles, called the "Seven Days" which by July 1st., sent McClellan's army reeling back to Harrison's Landing on the James River, some twenty miles from Richmond. General McClellan sent frantic despatches to Washington implying the possible loss of the entire army.

Interestingly enough, by July 4th., there was a grand review and on July 8th., General McClellan had managed to find time to write an extraordinary letter—"the Harrison's Bar Letter" which he gave to the visiting President Lincoln. This letter outlined the course which McClellan felt Lincoln should follow in concluding the war and it *just* happened to coincide precisely with the policy of Northern Conservative Democrats—the party to which McClellan belonged and the party that was actively promoting him as the next president.

During July (1862), McClellan and his army sweltered along the humid James River as he urgently sought fifty to one-hundred thousand reinforcements. Lincoln laconically replied that he had not that number of soldiers east of the mountains, advising him that he was not restrained from moving on the offensive.

On August 3rd. (1862), McClellan was ordered to return his army near the vicinity of Washington and join the newly formed Union Army of Virginia, commanded by the aggressive and vociferous General John Pope, recently transferred from the West.

General McClellan's exceedingly slow return from the Peninsula and Pope's own incompetence offered Lee and his butternut-clad Southerners an opportunity that was eagerly accepted. On August 31st., and September 1st., the Union army again was soundly defeated in the Second Battle of Bull Run.

McClellan, left at Alexandria with scarcely more than one-hundred men, was restored to command by a troubled President Lincoln over the violent protest of most of the Cabinet. Many in the Administration were convinced that General McClellan had desired Pope's defeat and had withheld proper support from Pope's army. A depressed Lincoln had become convinced that the Army of the Potomac would follow no general other than McClellan. He was unquestionably correct in his judgement.

As the tattered remnants of the Union army straggled into the safety of Washington's fortifications, they saw General McClellan astride his favorite horse, "Dan'l Webster". The men of the Army of the

Potomac shouted, "Here's Little Mac" and threw their hats into the air; crying and cheering themselves hoarse.

Again, McClellan displayed unbelievable energy in reorganizing his army. On September 5th., Lee and his hungry gray horde crossed the Potomac River into Maryland. On the 6th., McClellan set his army marching toward Rockville, In just five days General McClellan had achieved the seemingly impossible task of reviving the Army of the Potomac.

On September 17th., 1862, the two armies collided in a fourteen hour battle which was—and remains—the bloodiest one day of combat in this nation's history. At Sharpsburg, Maryland, along the banks of Antietam Creek, these tragically gallant men simply stood their ground and savagely killed each other.

Factually, it was a drawn battle, with the depleted Army of Northern Virginia pugnaciously standing on its arms all day, Thursday, the 18th, with its back to the Potomac—and during the night, Lee's army quietly and sullenly slipped back onto Virginia soil.

The price of this dreadful day?—more than twenty-five thousand casualties on both sides—leaving on the field the bodies of over twelve-thousand young Americans.

The North claimed victory—and, indeed it was, tactically speaking. And more importantly, it gave President Lincoln the awaited opportunity to issue the preliminary Emancipation Proclamation which unequivocally and irrefutably sealed the war as one of all-out destruction—and doomed General McClellan.

Again, McClellan made no pursuit of Lee's army despite President Lincoln's direct order for him to cross the Potomac and engage Lee in battle.

In a familiar pattern, McClellan sent a stream of dispatches urgently pleading for more men, more horses, more shoes; not moving his army until the last week in October. By November 7th., McClellan's headquarters was located near Warrenton, Virginia. The night of the 7th. was chilling cold and a wind-blown snow blurred two figures approaching General McClellan's tent where he sat writing his young wife. Brigadier General C. P. Buckingham, sent from Washington by Secretary of War Stanton—accompanied by McClellan's replacement, Major General Ambrose E. Burnside—personally handed McClellan orders requiring him to report to Trenton, New Jersey to await further assignment.

General McClellan repaired to Trenton for orders—which never came.

Thus ended the military career of the young thirty-five year old general that just fifteen months before he had begun with such high hopes and yet-to-be shattered dreams.

General McClellan has been a most fortunate choice as a subject of historical research. He was a histrionic man with a keen sense of the dramatic, possessing an uncanny faculty for stirring controversy. He is given prominence in many diaries, memoirs, and autobiographies. Material relating to McClellan is almost inexhaustable.

Therefore it has been possible to study innumerable behavioral patterns and countless detailed descriptions of McClellan's interpersonal relationships. Strangely enough, much of McClellan's past has proved no more elusive than the time-shrouded past of my own life.

Now, I would offer some thoughtful perceptions, interesting glimpses, and some obviously biased opinions as recorded by George B. McClellan and those who knew and wrote of him.

George B. McClellan began his life in Philadelphia, Pennsylvania, on December 3rd., 1826, the third of six children, and the second son, born to Doctor George McClellan, a well-known but highly controversial surgeon. Doctor McClellan founded Jefferson Medical College which brought forth the extreme displeasure of Philadelphia's established University of Pennsylvania Medical College. General McClellan's mother, Elizabeth Sophia Brinton McClellan, was of a prominent Philadelphia Quaker family. Little was recorded of McClellan's mother.

However, Doctor McClellan, a volatile, dynamic, and extremely aggressive man, was duly noted by one of his most famous pupils, Doctor Samuel D. Gross, an internationally recognized surgeon (who taught at the University of Louisville in the mid-nineteenth century). Doctor Gross says of Doctor McClellan:

"As an operator [in surgery] he was showy, at times brilliant, and yet he lacked the important prerequisites of a great surgeon—judgment and patience. He frequently jumped at conclusions, and was therefore often at fault in his diagnosis . . ." [1]

Doctor McClellan was embroiled in constant conflict throughout his medical career; he had trouble with his peers, his patients, and, had one known street-fight. Friends described him driving his carriage about the streets of Philadelphia as a Jehu (a wild Roman charioteer). Doctor Gross labeled Doctor McClellan's temperament as "Mercurial".

Doctor W. Darrach, a fellow resident-physician of Doctor McClellan's gave this vivid description of General McClellan's father:

"My associations of him [Doctor McClellan] relates to his rapid walkings; rapid and constant talkings; his perpetual proscribings, manipulations, experimentings, his autopsies and operations. Rapidly at it and always at it!" [2]

Just four months after General McClellan's death in October, 1885, George B. McClellan, Jr., received a letter from General McClellan's elder sister, answering his request for information about his father as a boy. Frederica McClellan English give this image of General McClellan as a boy:

"You ask what sort of boy he [General McClellan] was. I remember him as the brightest, merriest, most unselfish of boys—tenderhearted—affectionate—full of spirit & life. Manly beyond his years, fond of books and study—& also of fun and frolic; & always the 'soul of honor'. . ." [3]

Doctor Gross recalled General McClellan as a small boy in the following:

"While studying medicine with his [General McClellan's] father, Doctor George McClellan, I used to pat his white head and give him candy . . . He might have achieved immortal renown as a soldier if he had possessed one-half the dash of his father. . ." [4]

I believe it safe to say that young George McClellan's early home life was hectic and most certainly unpredictable.

McClellan entered the University of Pennsylvania when age thirteen and when fifteen years, six months of age, he entered his plebe summer at the U.S. Military Academy at West Point.

As a homesick boy he wrote his sister the following:

"I am as much alone as if in a boat in the middle of the Atlantic, not a soul here cares for, or thinks of me—not one here would life a finger to help me; I am entirely dependent upon myself, & take the blame for all my mistakes." [5]

One should take careful note of the last phrase which speaks of taking the "blame" (responsibility) for all his mistakes, for this is an oft repeated theme found in McClellan's wartime writings.

A further glimpse of Cadet McClellan can be gleaned from a letter sent to his mother stressing the point that his military career compared quite favorably with his father's profession. McClellan writes:

"You seem to think the responsibility of a surgeon is much greater than that of an officer—but don't you see that while Father has the care of scores & hundreds, an officer is responsible for the life, health & well-being of thousands." [6]

This is a truly amazing forecast of General McClellan's attitude toward the men of his Army of the Potomac.

McClellan graduated second in the Class of 1846, then served with distinction during the Mexican War, resigning a captain's commission in 1857. His success both in military and civilian life was phenomenal. He became Chief Engineer of the Illinois Central Railroad Company shortly after leaving the Army and soon became Vice-President of that company.

It was during his stay in Chicago that McClellan became interested in politics; becoming an ardent Douglas Democrat and voting for the first time. He supported Stephen A. Douglas against Abraham Lincoln in the Senate race of 1858.

In 1860 McClellan accepted the Presidency of the eastern division of the Ohio and Mississippi Railroad Company of Cincinnati, Ohio. He then married an "army brat," Ellen Mary Marcy, daughter of Captain Randolph Marcy.

When the Civil War erupted on April 12th, 1861, with the Confederates opening fire upon Union-held Fort Sumter in Charleston harbor, McClellan was a highly successful business executive earning ten-thousand dollars a year.

McClellan re-entered military service and by late May, 1861, had attained the rank of Major General, U.S. Army, while conducting a successful campaign in western Virginia. McClellan breathed deeply the seductive fragrance of public adulation which the North offered its newest (and only) war hero. Twenty-four hours after his arrival in Washington, McClellan wrote his wife about his new-found fame:

"I find myself in a new and strange position here: President, Cabinet, General Scott, and all deferring to me. By some strange operation of magic I seem to have become the power of the land . . ." [7]

The powerful impact which McClellan's "new and strange" position had upon him (a man still six months away from his thirty-fifth year) is vividly revealed in an astonishingly candid letter to "Nell," his wife, written on August 9th, 1861:

"General Scott is the great obstacle. I have to fight my way against him. The people call upon me to save the country. I must save it, and cannot respect anything that is in the way.

"I receive letter after letter, conversation after conversation, calling upon me to save the nation, alluding to the Presidency, dictatorship, etc. As I hope one day to be united with you forever in heaven, I have no such aspirations. I would cheerfully take the dictatorship and agree to lay down my life when the country is saved . . . Pray for me, that I may be able to accomplish my task, the greatest, perhaps, that any poor, weak mortal ever had to do . . ." [8]

To General McClellan, who was a "soft-war" Conservative Northern Democrat, the tall, gaunt, story-telling Westerner in the White House represented a rustic bumpkin who was totally unfit for his office, a man who lacked moral courage, and, one who was the "original Gorilla". He felt that Lincoln, willingly or unwillingly, would be controlled by Radical Republicans whom McClellan considered a greater threat to the Union and Constitution than a rebellious South. McClellan's letters to his wife reflected a growing frustration and hostility toward the Union's power-structure as he wrote:

"I am becoming daily more disgusted

Footnotes at end of article.

with this administration—perfectly sick of it . . ." [9]

Soon after reaching the Virginia Peninsula, McClellan spoke of his feeling toward the Lincoln Administration in a letter written to Mrs. McClellan on April 11th, 1862:

"Don't worry about the wretches; they . . . can't do much more . . . History will record a sad record of these traitors who are willing to sacrifice the country and its army for personal spite and personal aims . . ." [10]

All in all, this is a rather astonishing attitude on the part of the army's commanding general, particularly, and *especially*, when he is about to commit his Army of the Potomac to the time-honored art of killing and being killed. Indeed, here represents the very essence of McClellan's dilemma i.e., a stifling, crippling, and intensely demoralizing double-bind which he must resolve—or, one from which he must escape. He was bedamned if he won for the detested Republican Administration, and, he was bedamned if he lost to the Army of Northern Virginia.

One should now recall Cadet McClellan's words that an officer "is responsible for the life, health, and well-being of thousands". It is not surprising that the general captured Yorktown by a prolonged, and much criticized seige, for was he to sacrifice thousands of lives for "traitors"—or—should he protect those lives. Now, hear General McClellan crow a bit to his wife (who had prodded him somewhat for his inaction), when Congress praised him in a resolution for the taking of Yorktown on May 4th, 1862. Gleefully he wrote:

"Are you satisfied now with my bloodless victories? Even the Abolitionists seem to be coming around . . . to have it recognized *that I have saved the lives of my men** and won success by my own efforts in the height of glory . . ." [11]

At Fairfax Court House just prior to sending "his" army into the Peninsula Campaign, General McClellan addressed the army, conveying his feeling to them. He stated:

"I am about to take you where you wish to be—the decisive battlefield . . . I am to watch over you as a parent over his children; and you know your general loves you from the depths of his heart. It shall be my care, as it has ever been, to gain success with the least possible loss . . . We shall share all this together; . . ." [12]

What parent could *willingly* offer his children death on any battlefield? What parent would even *contemplate* the sacrifice of his children for "traitorous" leaders of a cause whom he fully believed had set forth on a cause of evil?

Successful military commanders such as Lee, Grant, or Jackson did feed thousands of young American lives to the ever-hungry jaws of war—for, whatever opinion one has of war, death is the diet of battle, and, Robert E. Lee knew it and accepted this monstrous truth.

Most historians consider General McClellan politically unaware, but I seriously question this conclusion. Consider McClellan's words as he wrote his wife just five days (August 8th, 1862) after he and his army had been ordered back from the Peninsula. McClellan wrote:

"Their [Lincoln and his Administration's] *game** is to force me to resign; *mine** will be to force them to place me on leave of absence, so that when they begin to reap the whirlwind that they have sown I may still be in position to do something to save my country . . ." [13]

A most accurate prediction!

Following the unparalleled bloodletting at the Battle of Sharpsburg (Antietam Creek), McClellan's continued and provocative procrastination proved his "game" plan accurate for he *was* relieved of command. In Trenton, New Jersey, he waited—and waited—for orders which never came. Yet in 1864 he was nominated as the presidential "Peace" candidate of the Conservative Northern Democrat Party in opposition to Lincoln—and, just as he had predicted in 1862, he was "in a position to save the country" from that "villainous set" in Washington which he so despised. His defeat in the November, 1864, presidential election ended McClellan's Civil War "game", permanently and completely.

George Brinton McClellan, Jr., in his autobiography, *The Gentleman and the Tiger*, published in 1956, with its first chapter interestingly titled "My Dearest Friend was My Father". George, Jr. ably describes his father's deep, strong, firmly-held concept of "noblisse oblige" that, "makes him [General McClellan] almost always do the right thing at the right moment and in the right way".[14]

The American Heritage Dictionary of the English Language defines noblesse oblige as: "Benevolent and honorable behavior considered to be the responsibility of persons of high birth or rank". (p. 890) Could a man such as McClellan wholeheartedly become the instrument by which a man of low birth and crude vulgarity perpetuate himself in power? It is my belief that McClellan could not do so.

Could a man such as McClellan, consciously, and with premeditation, commit outright treason in order to oust the hated abolitionists from power? It is my belief McClellan could not do so.

This would constitute a no-win, no-lose situation—an intolerable and impossible emotional predicament, leaving only one avenue to relief—to get out, or, be put out. General McClellan worked diligently, persistently, and most provocatively in baiting the Administration into relieving him of command—which would, and did eventually result in his removal from the intensely painful razor-sharp horns of his own inner dilemma.

For example, General McClellan sent Secretary of War Stanton a telegram the night of the Battle of Gaine's Mill (June 27th, 1862) directly accusing Stanton of deliberate subversion, stating, if he, McClellan, saved the Army of the Potomac he would owe no thanks to anyone in Washington, condemning Stanton for having done his best to sacrifice the entire army. No general in history has done such, before or since. McClellan escaped any counter reaction as neither Stanton or Lincoln ever saw this paragraph of his despatch—an officer in the War Department deleted this preposterous invitation to "cut my head off". Something McClellan fully anticipated happening and, in fact, felt was inevitable.

I would have General McClellan close this paper by illustrating in his own words a rather obvious but remarkable rationalization following his defeat, and retreat, in the Seven Days Battle. General McClellan wrote:

"I have not done splendidly at all—I have only tried to do my duty & God has helped me—or rather He had helped my army & our country—& we are safe. I think I begin to see His wise purpose in all this & that the events of the next few days will prove it. If I had succeeded in taking Richmond now the fanatics of the North might have been too powerful & [made] reunion impossible. . ." [15]

*Author's emphasis.

FOOTNOTES

[1] *Autobiography of Samuel D. Gross, M. D.*, 2 vols., (edited by his sons, Samuel W. and A. Haller Gross), George Barrie, Publisher, Philadelphia, 1887, Vol. 1, pp. 33–4; hereafter cited as, *Autobiography, Gross.*

[2] *Eminent American Physicians and Surgeons*, p. 297.

[3] Letter of Mrs. T. C. English (nee' Frederica McClellan) to George Brinton McClellan, Jr., February 17, 1886, McClellan Papers, Library of Congress, Series 1, Vol. 105.

[4] *Autobiography, Gross*, Vol. 2, p. 29.

[5] Letter of Cadet George B. McClellan to sister, Mrs. T. C. (Frederica McClellan) English, June 28, 1842, West Point, McClellan Papers, Library of Congress, Series 1, Vol. 1.

[6] Letter of Cadet George B. McClellan to mother, Mrs. Elizabeth Sophia Brinton McClellan, August 5, 1842, Camp Spencer, West Point, McClellan Papers, L. C., Series 1, Vol. 1.

[7] *McClellan's Own Story*, George B. McClellan, edited by William C. Prime, Charles L. Webster & Company, New York, 1887, "Private Letters," July 27, 1861, p. 82, hereafter cited as *M. O. S.*

[8] *M. O. S.*, "Private Letters," p. 85.

[9] ibid., pp. 167–8.

[10] ibid., pp. 309–10.

[11] ibid., pp. 355–6.

[12] *The Rebellion Record*, edited by Frank Moore, 12 Vols., New York, 1862–71.

[13] *M. O. S.*, "Private Letters," p. 464.

[14] *The Gentleman and the Tiger*, The Autobiography of George B. McClellan, Jr., edited by Harold C. Syrett, J. B. Lippencott Co., 1956, Ch. 1, p. 59.

[15] McClellan to Mrs. McClellan, July 10, 1862, "Extracts from letters written to my wife during the War of the Rebellion," McClellan Papers, Library of Congress.

HARBOR DEVELOPMENT IN THE NORTH

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, the 10th District of the State of Wisconsin contains the wonderful shores of Lake Superior. My first reputation gained in Congress was that of being labeled "The Harbor Man." A look at the money I got for Lake Superior harbors shows that I well deserved the name.

There are four major steps to be taken that require legislation on the part of a Congressman to obtain harbor money. Each of these steps must be watched carefully and pushed by the Congressman before a harbor becomes a reality. A look at the distribution of the harbors on Lake Superior will convince anyone that more money per capita of population has been spent on the harbors of Lake Superior than on Lake Michigan or any of the other Great Lakes for that matter.

The point to remember is that a harbor is the result of a Congressman's individual efforts, and it cannot be achieved any other way. It takes four individual pieces of legislation to get money for a harbor.

A look at the figures below will give the people an idea of the results achieved by me for harbor development in the north country:

Federal aids for rivers and harbors during the O'Konski years

Ashland Harbor	$2,560,000
Bayfield Harbor	186,700
Cornucopia Harbor	631,200
Duluth-Superior Harbor	24,102,000
Port Wing Harbor	612,200
Saxon Harbor	530,200
Bad River (Mellen) Flood Control	(1)
Ashland Small Boat Harbor	(2)
La Pointe, Madeline Island	130,900

Washburn Harbor	(2)
Ball Park Creek at Bayfield	140,000
Chippewa River Levee at Eau Claire	(2)
Total	28,893,200

[1] Authorized.
[2] Pending.

In conjunction with harbor development, when I first came to Washington, I was confronted with the flood damage problem at Bayfield which almost wiped the city of Bayfield into Lake Superior. I immediately obtained approval for a flood control project, and only a year after I was in Congress a flood control project was erected in Bayfield so those people do not have to worry about being washed into Lake Superior every spring.

Presently, I have just gotten the Army Corps of Engineers to come up with a cost estimate for the protection of Bayfield Harbor. This harbor is being used so extensively that it needs more protection for the boats harbored there, and once again, I have responded to the call for help.

There are very few regions in the country that have excellent harbor facilities every 25 miles on their lakeshores as does northern Wisconsin. Thanks to my efforts as a Congressman, northern Wisconsin has some of the finest harbor facilities and flood control projects in the country.

HOUSE OF REPRESENTATIVES AT EL CERRITO HIGH SCHOOL

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WALDIE. Mr. Speaker, I have received a very important letter from Mr. Jeff Van Duzer, who served as Speaker of the House in a mock congress for his American experience II class at El Cerrito High School in El Cerrito, Calif.

This letter informed me that the legislative body, meeting in an extremely short session, enacted three separate pieces of legislation. He asked for my evaluation.

Mr. Speaker, I have answered Speaker Van Duzer's letter to the best of my ability, but I feel it was not a proper response in light of the work accomplished by this mock congress.

We must realize that the work they performed reflects the honest labor and concern of young Americans—people who will be voting and leading in the next 5 years. They are knocking on the door, Mr. Speaker, showing us what they can do if given the opportunity and, at the same time, giving us a good idea of what we have failed to do. Most important of all, they are providing a reflection of what young Americans consider the most urgent problems of America today.

I am submitting this enacted legislation to the CONGRESSIONAL RECORD so that my colleagues can share with me the wisdom and farsightedness of these young people. There are weaknesses in each bill. Two could easily be combined into one. No doubt, my colleagues in the House, and other areas of Government, will find their own particular objections to portions of each legislative idea. But, no matter what weakness exists, these ideas and concepts are the product of hours of work, compromise and deliberation, and they deserve our respect.

A BILL TO END U.S. INVOLVEMENT IN VIETNAM

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* that this bill may be cited as "E.C.H.S. Vietnam Bill of 1971."

SEC. 2. (a) On January 1, 1972 all troops in combat capacity (as defined in Section 3) in South Vietnam, will be removed from action, except in case of a full scale increase (as defined in Section 3) in hostile enemy action, and be replaced by South Vietnamese trops; by April 1, 1972 pending release of POW's by North Vietnam, the United States will withdraw all troops.

(b) If, however, the release of American POW's by North Vietnam is not accomplished by the due date, American troops shall go back into action.

SEC. 3. Definitions.

(a) Troops in combat capacity—all troops used or to be used for land and/or air combat.

(b) The Commander-in-Chief shall delegate authority to determine when there is such an increase and to take necessary action.

SEC. 4. Should the President deviate from these instructions, appropriations for the war shall be stopped immediately.

A BILL TO ESTABLISH FEDERAL CONTROL OF ALL PRISONS, INCLUDING STATE AND LOCAL PENITENTIARIES, FOR THE PURPOSE OF IMPROVING AND STANDARDIZING PRISON CONDITIONS

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States in Congress assembled that this act may be cited as the "Federal Prison Control Act of 1971".

TRANSFER OF PRISONS

SECTION 2. All prisons (defined in Sec. 25) shall be under federal control (as defined in Sec. 25) shall by March 31, 1972 supply the Federal Prison Board (as discussed in Sec. 7) with the following information:

(1) Number of inmates

(2) Number, names and work records of all prison employees

(3) Average duration of a prisoner at said institution

(4) Longest duration of a prisoner at said institution

(5) Location and name of prison

(6) Discussion of security arrangements, including such items as number of successful escapes, number of abortive escapes, number of guards on duty at a given time.

(1) A schematic drawing of the prison indicating cells, exercising areas, eating facilities, etc.

(8) A discussion of all reform measures sponsored by the aforementioned prison.

(9) A discussion of current problems (if any) that might affect the standardizing of conditions.

(10) Any additional information that the aforementioned Federal Prison Board may request.

SECTION 4. That the aforementioned Federal Prison Board (hereafter to be referred to as the FPB) shall investigate the various reports (discussed in Sec. 3) and at the conclusion of a visit to the said institution (discussed in Sec. 13) shall recommend the appropriation of funds (discussed in Sec. 14) to Congress in order to standardize and put under federal control the aforementioned prisons.

SECTION 5. That these recommendations (discussed in Sec. 4) be submitted to Congress no later than January 1, 1973.

SECTION 6. That upon Congress approval, the funds described in Sec. 4 shall be allotted to the FPB for distribution with respect to predetermined guidelines (discussed in Sec. 11).

SECTION 7. That the Federal Prison Board consist of 9 members; three appointed by the President of the United States, three appointed by the Senate Judiciary Committee and three appointed by the Speaker of the House of Representatives.

SECTION 8. That the FPB shall elect a chairman and establish its own rules of procedure (as defined in Sec. 25).

SECTION 9. That the FPB shall have a staff of 5,000 to be appointed by the chairman of the FPB (as discussed in Sec. 8).

SECTION 10. That all members of the FPB shall be appointed for a term of 5 years.

PROCEDURES OF THE FPB

SECTION 11. That the FPB must initially set guidelines for minimum sanitation, security, reform and recreation facilities in prisons.

SEC. 12. That the FPB and staff must investigate each report (discussed in Sec. 3),

SEC. 13. That the FPB and its staff must investigate the condition of prisoners, and the sanitation, security, reform and recreational facilities.

SEC. 14. That the FPB must make recommendations to Congress to appropriate funds in order that:

(1) All prisons meet minimum guidelines (discussed in Sec. 11).

(2) All prisons have a uniform standard for recreational, reform, sanitation and security facilities and a uniform quality of prison administration.

(3) All prison officials receive adequate salaries (to be determined by the FPB).

SEC. 15. That upon Congressional approval the FPB shall carry out the disposing of the allocated funds, for the purpose of achieving the goals (discussed in Sec. 14) by,

(1) Hiring or firing prison personnel.

(2) Requiring prisons to change various procedures.

(3) Contracting companies for building or remodelling prisons.

POWERS OF THE FPB

SEC. 16. That the FPB shall have the following powers:

(1) To establish guidelines for minimum standards (discussed in Sec. 11)

(2) To establish rules for its meetings. (Sec. 9)

(3) To hire and fire a staff of 5,000 (Sec. 8)

(4) To subpoena witnesses and information (Sec. 12)

(5) To investigate totally the prison reports (Sec. 12)

(6) To visit any section of a prison that is being investigated (Sec. 13)

(7) To recommend funds appropriation to Congress (Sec. 14)

(8) To hire and fire prison personnel on the basis of their previous record (Sec. 15)

(9) To require prisons to change procedures in order that conditions listed in Sec. 14 may be met (Sec. 15)

(10) To contract companies for building reforms that the conditions listed in Sec. 14 require (Sec. 15)

APPROPRIATIONS FOR THE ESTABLISHMENT OF FPB

SEC. 17. That Congress shall appropriate the following sum of money annually for the following reasons:

(1) $31,500 salaries for the FPB members.

(2) $75,000,000 salaries for the staff.

(3) $50,000,000 expenditures.

SEC. 18. That the total allotment of money annually not exceed $130,000,000 nor shall it fall below $120,000,000.

SEC. 19. That the appropriations to be recommended by FPB (as described in Sec. 4) be covered under later legislation.

AFTER THE INITIAL TRANSFER

SEC. 20. That after Jan. 1, 1974, the FPB shall be continued with a greatly reduced staff, the number of which shall be determined by Congress at the conclusion of the initial 5 year contract.

SEC. 21. That the FPB and staff (discussed in Sec. 21) shall continue as an organization with its members being hired or appointed for 5 year contracts.

SEC. 22. That the purpose of the aforementioned organization is to continue checks and investigations in order to insure the permanence of the goals expressed in Sec. 14.

SEC. 23. That as of Jan. 1, 1974 and everyday thereafter the FPB shall serve solely as an advisory committee with none of the powers previously described in Sec. 15.

DEFINITION

SEC. 24. That the following words when used in the Federal Prison Control Act of 1971 shall have the listed corresponding meaning.

(1) Prison—any penal institution where the prisoners ages exceed 18 and the average duration of a prisoner exceeds one month.

(2) Federal control—supported by Federal taxes.

(3) Local and state control—supported by local and state taxes.

(4) Rules of procedure—method of running meeting.

SEC. 25. That once enacted this legislation becomes law of the land and any divergence from the regulations set down within this bill constitutes a crime against the United States Government and is punishable by law.

A BILL TO EXPAND THE SYSTEM OF FELON DIAGNOSTIC CENTERS FOR FEDERAL PRISONS, TO EXAMINE ALL FEDERAL PRISON-BOUND FELONS

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* that this act may be cited as the "Federal Prison Diagnostic Center Expansion Act of 1971".

PURPOSE

SEC. 2 (a). To have all federal prison-bound felons tested extensively by full-time psychiatrists and other experts, to determine whether felons are eligible for probation, or should go on to prison. (b) To establish centers for this purpose.

APPROPRIATIONS

SEC. 3. There are authorized to be appropriated for carrying out this Act not in excess of $25,000,000 for the fiscal year ending June 30, 1972, and not in excess of $25,000,000 for the succeeding fiscal year.

ALLOTMENTS AMONG STATES

SEC. 4. From the sums appropriated pursuant to section 3 for carrying out this Act for any fiscal year, the Attorney General shall allot to each of the ten states containing federal prisons the sum of $2,500,000 for establishment and maintenance of a diagnostic center in each state.

AUTHORIZED ACTIVITIES

SEC. 5 (a). The authorized activities of these diagnostic centers shall be those stated in section 2(a)

(b) The centers shall have the authority to decide whether a felon is eligible for probation or whether he should be sent to prison.

ENFORCEMENT

SEC. 6. The Department of Justice shall be empowered to enforce this Act, and to make other rulings necessary to carry out this Act.

DEFINITIONS

SEC. 7 (a). The term "Diagnostic Center" means a center, in a state containing federal prisons, established for the purpose of screening federal defendants to determine their eligibility for probation.

(b The term "federal prison" pertains to prisons run by the national government, as opposed to those run by state and local governments.

(c) The term "felon" means a person who has committed a felony, that is, a crime considered more serious than a misdemeanor, such as burglary.

(d) The term "test" refers to psychiatric tests which may be given to felons at the centers.

(e) The term "full-time psychiatrist" means a psychiatrist employed by the diagnostic center who works full time (at least a forty hour work week), and not part time, testing felons.

(f) The term "other experts" means other personnel employed by the center, such as doctors or psychologists, who are qualified to test felons.

(g) The term "probation" means the action of suspending the sentence of a person convicted of an offense and granting him provisional freedom on the promise of good behavior.

(h) The term "other rulings" refers to legislation which the Department of Justice may have to carry out in order to enforce this Act.

EVALUATION

SEC. 8. Such portion as the Attorney General may determine, but not more than 1 per centum, of any appropriation under this Act for any fiscal year shall be available to him for evaluation (directly or by grants or contracts) of the programs and projects authorized by this Act, and in the case of allotments from any such appropriation, the amount available for allotment shall be reduced accordingly.

NATIONAL ADVISORY COUNCIL

SEC. 9. The President shall appoint a National Advisory Council on Federal Prison Diagnostic Centers, consisting of one member from each state containing a center, for the purpose of reviewing the administration and operation of this Act and making recommendations for the improvement of this Act and its administration and operation and for increasing the effectiveness of programs or projects carried out pursuant to this Act.

REPORTS

SEC. 10. The Attorney General shall include in his annual report to Congress a full report as to the administration of this Act and the effectiveness of programs or projects thereunder.

LOCATION

SEC. 11. Centers shall not be located on prison grounds, or within one mile of the prison. In states with one federal prison, the center shall not be located more than ten miles from the prison. In states with more than one federal prison, the center shall be located equidistant from the federal prisons in that state.

AIR SERVICE

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BEGICH. Mr. Speaker, the recent decision by the Civil Aeronautics Board to permit only one airline carrier in Southeast Alaska has caused considerable controversy in the State.

The people of Alaska share a concern in this matter, because air transportation plays such an important part in our lives. My position, which is shared by most Alaskans, is that our goal should be one of providing frequent and efficient air service throughout the State.

Many citizens and citizens organizations, especially in Southeast Alaska, have expressed their opposition to the recent decision and have forwarded to me their views so that they may be entered in the RECORD opposing the decision.

At this time, I include in today's RECORD a copy of one such statement:

STATEMENT BY ROBERT EMMERT GRAY, KETCHIKAN RESIDENT, OPPOSING THE CIVIL AERONAUTICS BOARD DECISION—RE: ALASKA SERVICE INVESTIGATION—DOCKET NO. 20826—CAB VERSUS WESTERN AIRLINES/ALASKA AIRLINES

Let it be established at the outset that my opposition to the recent CAB ruling vis-a-vis Western Airlines/Alaska Airlines lies in my deep conviction that Western Airlines has done nothing to warrant this punitive action in its behalf and Alaska Airlines has done nothing to warrant access to Western Airlines' market place. I do not oppose either airline's operating authority nor care to see either airline prevail to the total exclusion of the other. Further, the real pawns in this game of chance ordained by the CAB are the people of Southeast Alaska in particular and the State of Alaska in general.

The CAB erred twice in its recent ruling with regard to the award of air routes to, from, and within Alaska as it affects both Western Airlines and Alaska Airlines. The CAB imposed a predominently arbitrary set of conditions. Then, having presumed those arbitrary conditions as fact, drew arbitrary conclusions purported to be the needs of Southeast Alaska and the State of Alaska. The CAB erred both in its arbitrary estimate of Alaska's air traffic needs and again in its arbitrary conclusion as to how Alaska's air traffic needs should be resolved.

The CAB used as a criteria for justification of their suspension of Western Airlines in Southeast Alaska the statement that the traffic movement did not justify dividing the passenger load between two carriers. In the next breath the CAB has determined that a more frequent flight service by Alaska Airlines to those areas from which Western Airlines was suspended will result in a positive economic gain for Alaska Airlines.

The effect of the CAB arbitrary ruling combined to affirm, contrary to any established business criteria, that a financially sound, successful, unsubsidized business enterprise busily engaged in rendering a completely satisfactory level of passenger and air freight service between Southeast Alaska, Seattle, Juneau, and Anchorage should arbitrarily be disengaged from this service, purportedly in behalf of the public convenience, in favor of providing a financially, faltering, heavily subsidized business enterprise a degree of longevity not even they themselves could have conjectured prior to being arbitrarily legislated into a partially new, totally noncompetitive, unimpeded access to a market place they did not deserve in the first place, did not earn by virtue of pulling themselves up by their own bootstraps, and, finally, do not have the equipment, personnel, and financial position to even commence being able to serve at this time. Had the position of Western Airlines in the industry been sufficiently inadequate to warrant suspension from further eligibility on its present route assignment and the position of Alaska Airlines been so sound and strong as to warrant award of additional routings and responsibility then the action of the CAB in this case would be based upon reasonable ground. However, the reverse is true. The decision of the CAB in this instance is abso-

lutely unprecedented in the annals of bureaucratic involvement and on the face of it alone is absolutely flabbergasting.

In the market place public money is often used to protect the public convenience. I support this doctrine, for who would care to service the outposts of civilization with services in the face of more lucrative markets elsewhere? However, public money should not be used to shore up faltering business enterprises and at the same time use as a basis for such salvage operation the market place of a wholly successful enterprise not requiring public money. In this case I would readily conjecture the loss being arbitrarily imposed upon Western Airlines to be probably greater than the total assets held by Alaska Airlines. Mr. Giersdorf, Vice President, Alaska Airlines, was reported by the Ketchikan Daily News, Thursday, 16 December 1971 as saying that when Mr. Willis took over Alaska Airlines as President it was a $4 million dollar "basket case", inferring it was a non-profit organization by chance, not design. Now that Mr. Willis has exerted his influence, lo these many years, it has grown to a $40 million dollar operation. I take exception with this statement only in that it was understated and left unfinished. Street corner rumor has it that Alaska Airlines is in debt to the tune of $70 million dollars. Thus I leave it to you to draw your own conclusions. In my estimate, the transition has been from a $4 million dollar "basket case" to a $30 million dollar "casket case", and still a non-profit organization but this time not by chance.

I have further been led to believe by Mr. Willis that the financial position of Alaska Airlines is so unstable that the company actually failed to meet payroll commitments on several occasions. The fact that those payrolls ultimately were later met is most certainly no credit to the quality of the management. They are required by law to meet them. Further, with apparent debts of such magnitude that merger talks could not find serious interest is certainly no credit to Mr. Willis, either.

It appears that the financial condition of Alaska Airlines is such that access to means normally available to business enterprise is not warranted or available in behalf of Alaska Airlines. In this case it would appear that the CAB, in its effort to bail Alaska Airlines out of financial collapse, is favoring Alaska Airlines to the point of culpability.

Alaska Airlines merged with Alaska Coastal Airlines. Western Airlines merged with Pacific Northern Airlines. These were not forced mergers. They were negotiated mergers. These mergers gave each airline access to routes and markets each wanted but neither previously had held. Most likely each of these mergers were the best that the then existing condition of each airline could reasonably support. Western Airlines *is not* subsidized. Alaska Airlines *is* subsidized. In view of this present CAB decision I think that the Alaska Airlines merger history including all of its aborted attempts at merger warrants very close re-evaluation.

If the CAB is really interested in reducing input of public money one would think that solutions should be generated first within the operating authority of the subsidized airline. First of all, one would think that the subsidized airline must divest itself of all activities not directly related with movement of passengers and freight between authorized route points. In other words, what business does a subsidized airline have in investing in resorts and hotels for which their creditors records show an inability to meet obligations arising out of those activities. Pumping money out of the airline business is not the purpose for which subsidies are granted. Bringing tourists to an area simply because an airline has real estate there is not good business practice if it contributes to a greater need for subsidy, there or elsewhere. Hotel and resort management contracts, if this is the direction taken by Alaska Airlines, should be re-examined in light of their airline operations to determine if public monies were directly or indirectly involved. If concise separation of these operations is not readily obtainable then the integrity of Alaska Airlines is, indeed, at stake.

The full page Alaska Airlines ad in the Ketchikan Daily News of Tuesday, 14 December 1971, wherein Mr. Willis published four paragraphs, one each from four separate pages in the CAB ruling, purporting to show Alaska Airlines as the single airline entity most capable of doing all airline things best. One statement said with reference to Alaska Airlines, quote, "Moreover, its services will be superior in quality as well as quantity." end-quote. I can advise Mr. Willis and the CAB that the sentence is a gross misstatement of truth, for by my own experience in frequent flights with both airlines, I have learned quite differently. A further CAB commentary as to Alaska Airlines states that Alaska Airlines has long experience serving Southeast Alaska, Juneau, Yakutat, Cordova, and Anchorage and would concentrate on responding to the air travel needs of passengers in these Alaskan markets. Again, I say, the CAB erred in the face of facts to the contrary by uttering an arbitrary statement of condition upon which it again draws an arbitrary conclusion. Alaska Airlines has actually ceased service to Southeast Alaskan communities off-line from Ketchikan, Wrangell, Petersburg, Juneau and yet continues service to a resort which it owns or did own and may yet have a financial interest in. (ie: Bell Island). These off-line communities are now believed to be contracted out to air taxi operators. The CAB in paragraph No. 3 of Mr. Willis's ad castigates Western Airlines for not proposing routing solutions thought up by the CAB, in its deliberations, yet refuses to consider or is oblivious to the fact that Alaska Airlines is contracting out portions of its routes it chooses not to serve. This is not, *repeat not*, the high level of service to which the CAB alludes in behalf of Alaska Airlines. I do not derrogate air taxi operators but turning air routes over to air taxi operators most definitely downgrades service to these areas in which Alaska Airlines is stated by the CAB as being so capable of doing otherwise. If the CAB does not agree that this action represents downgrading of service than its action toward Western Airlines is unquestionably culpable. In the face of all this, it is incredible that the CAB would actually go on record with a decision so underserved to each of two parties to an action before it.

If you have ever had to get up at 3 AM on a cold winter morning in Anchorage to be able to catch the 4 AM limousine service to the Anchorage International Airport in order to board the so-called "Red-Eye Special", an Alaska Airlines Boeing 272 jet flight departing at 5 AM via Cordova and Yakutat to Juneau from which station Western Airlines services may be engaged onward South to Annette and Seattle or continuing service via Alaska Airlines may be used onward to Sitka and Seattle, you can readily appreciate the level of service to the passengers originating on Alaska Airlines as compared to those originating on Western Airlines. Alaska Airlines has to observe those hectic hours of flying in order to get that one particular jet airplane back up the line to meet northbound commitments. On some occasions it is obvious that Alaska Airlines has simply run out of steam. Unmarked aircraft have had to supplement regular schedules that Alaska Airlines company aircraft could not meet. This tells me that Alaska Airlines is underequipped. They do not have enough equipment to fly their present regular schedules. I am not aware that Western Airlines experiences such problems.

One further reference to the full page ad in the Ketchikan Daily News by Alaska Airlines: Close examination and response to this misleading ad about the CAB ruling statements laid on by Mr. Willis' organization will find that in taking paragraphs from the CAB ruling out of context and grouping them together as he has done without tear (pronounced tare) marking being indicated can be cruelly deceiving in the manner in which a lay person will read and infer meanings which if other material issues were examined simultaneously might well cause quite a different conclusion to be drawn.

In the final analysis, the CAB has arranged by power of its edict a very repugnant decision. It is a totally undeserved decision to each of the three parties affected by it: Western Airlines, Alaska Airlines, and the people of the State of Alaska. Routing solutions which will aid Alaska Airlines through broadened route authority, which will retain Western Airlines, and which will improve air service to all Alaskans are numerous. They are as readily available to the CAB as to anyone and perhaps even more so. Yet in the contention of the CAB they reach a solution in which justification to no one can be found if facts and good business practices are to be given credence. It appears to me that intervention of higher authority than the CAB is needed to correct an inequity of such magnitude and proportions that it dare not be allowed to stand unchallenged.

HOSPITAL AND MEDICAL FACILITIES

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, immediately upon being sworn in Congress, I was aware that among our greatest needs in the north was improved and expanded hospital facilities to serve our people. I was aware that this could not be done with local funds alone. The need for Federal aid in the field of medical facilities was obvious.

In each session of Congress, I have worked for and voted for programs such as the Hill-Burton Act, Economic Development Act, public works programs, and Upper Great Lakes Commission to make more Federal money available to help local communities improve and build better hospital facilities.

In many instances, these hospitals started with my appearance before the citizens of a community pointing out how they can organize the proper unit to make application for these Federal aids. In several instances, I was the first personal contributor in the local fund raising drive to get the local shares solicited to match the Federal dollars that were needed. In many instances, I helped prepare the application and guided the proper officials and followed the applications through the various agencies; and whenever there was a problem, I helped overcome that problem with the Federal agencies involved. As a result, northern Wisconsin during my term in office has more than 2,000 new hospital beds as a result of my help through these Federal aid programs. Per capita of population, northern Wisconsin has gotten more

Federal dollars than any other congressional district in the State under these programs for hospital and medical facilities.

The following table gives a breakdown by city:

Tenth District Federal money for hospitals and medical facilities for approximately 2,000 beds—Jan. 1, 1943, through Dec. 31, 1971, the O'Konski years

Amery	$358,772
Ashland	2,692,500
Eagle River	160,879
Eau Claire	4,307,967
Grantsburg	408,019
Hayward	657,823
Ladysmith	574,891
Medford	719,854
Menomonie	741,583
Mercer	30,000
New Richmond	946,406
Osceola	1,074,191
Park Falls	393,143
Rhinelander	572,209
Rice Lake	$263,449
Saint Croix Falls	785,969
Spooner	800,000
Stanley	763,742
Tomahawk	931,300
Woodruff	216,103
Total	17,398,000

SAN FRANCISCO DEFENDS AMERICAN RIGHTS AGAINST DICTATORIAL HUD DEMANDS

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WAGGONNER. Mr. Speaker, on December 13, 1971, the board of supervisors of the city and county of San Francisco in the great State of California adopted a resolution calling for a congressional investigation of HUD policies and practices relating to local building and related codes. The resolution made a reference to my own efforts to arouse public indignation over the unjustified and dictatorial practices of that agency. I am indeed gratified by this reference.

I am further informed that on the same day the same board of supervisors voted to reject HUD demands made upon San Francisco, thereby jeopardizing—in the view of Secretary Romney—the right of that city to receive some $38 million in Federal loans and grants. My heart goes out to the people of that city that they should be so mishandled by an agency of the Federal Government which would have no money to loan or grant to anybody unless it were provided by taxpaying citizens of all the States, including my own Louisiana. At the same time, I stand in admiration at the action of the San Francisco supervisors and their constituents who support them in this action. There is at least one great city in this country that is not for sale to HUD. The resolution follows:

RESOLUTION CALLING UPON CALIFORNIA'S CONGRESSIONAL DELEGATION TO INVESTIGATE THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ITS PRACTICE OF FORCING LOCAL GOVERNMENTS TO ACCEPT NATIONAL BUILDING CODES AS A CONDITION FOR APPROVAL OF HUD FUNDING

(A resolution of the board of Supervisors of the City and County of San Francisco, State of California)

Whereas, The programs of renewal and code enforcement are providing assistance to homeowners in bringing their buildings up to safe, sanitary standards and improving the neighborhoods as well as providing for commercial growth; and

Whereas, These programs rely in considerable degree upon funds from the Federal government through the Department of Housing and Urban Development (HUD); and

Whereas, HUD has advised the City and County of San Francisco that future funding of on-going programs and approval of new programs will require meeting of specific code requirements by inclusion into the Plumbing and Electrical Codes of San Francisco standards comparable to the model codes relative to plastic piping and non-metallic sheathed cable respectively; and

Whereas, This action by HUD is not only being directed at San Francisco but also to cities and counties throughout the United States; and

Whereas, These requirements of HUD are not specifically embodied in any legislation passed by the Congress of the United States and are solely provisions generated by the administrative staff of HUD in Washington, D.C.; and

Whereas, This method of forcing local governments to accept use of materials that have serious technical problems and lack performance data is coercive and dictatorial since it forces their acceptance on penalty of losing essentially needed federal funds and can be a precedent to further arbitrary edicts for other materials in the future; and

Whereas, The Congress, through Congressman Waggonner, Hébert and Dingell, has recognized this arbitrary and coercive activity by HUD but has not yet moved to curb such actions; now, therefore, be it

Resolved, That the Board of Supervisors of the City and County of San Francisco hereby memoralizes the Congressional representatives of the State of California to immediately request hearings in both House and Senate into those activities of HUD which force National Code requirements upon local governments as a condition for approval of HUD funding; and be it

Further resolved, That the Congressional intent of the present legislation be made more clear or new legislation developed to prevent HUD from acting in a coercive manner against local governments; and be it

Further resolved, That a copy of this Resolution be sent to the National League of Cities, the National Conference of Mayors as well as to the mayors of Los Angeles, New York, Chicago and Pittsburgh urging them to join in this request to the Congress, and be it

Further resolved, That a copy of this resolution be sent to the congressional members from California and to Congressmen Waggonner, Hébert and Dingell who have previously expressed concern over these actions by HUD.

Approved December 13, 1971.

COMMUNITY DEVELOPMENT IN VIETNAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FRASER. Mr. Speaker, a major portion of American policy in Vietnam has been largely ignored. Considerable time and money have gone into American pacification and community development programs. This is reason enough to examine them closely.

Mr. Dennis A. Rondinelli, assistant professor of urban affairs at the University of Wisconsin-Milwaukee, has written a balanced and penetrating paper on this aspect of American policy in Vietnam. Examining the American community development projects in Vietnam from 1968 to mid-1971, Mr. Rondinelli discusses the goals and objectives of the program, the problems of policy formulation and implementation, and finally offers an evaluation of the program. His paper follows:

COMMUNITY DEVELOPMENT AND AMERICAN PACIFICATION POLICY IN VIETNAM

(By Dennis A. Rondinelli)

The violence and destruction of the war in Vietnam have relegated American pacification and development policy in that country to the periphery of public attention. As a result an extensive and costly set of programs administered by the United States Agency for International Development (USAID) and the Civil Operations and Rural Development Support (CORDS) agency have escaped close public evaluation. The programs are worthy of scrutiny for a number of reasons. First, the United States government has spent more on development in Vietnam during the past ten years than in any other single country receiving foreign aid. The scope and intensity of efforts to promote political stability, social change, modernization and economic growth in Vietnam under pressures of time and domestic political adversity are unparalleled in the history of American foreign assistance policy. In addition, the efforts were made under conditions of military insurgency that may well characterize the situation in which American aid programs will operate in an increasing number of developing countries in the future. "The experience [in Vietnam] offers many lessons for application in other situations of equal long-term importance . . .," claims former CORDS director, William E. Colby. "These lessons may have been learned in the context of a war for a nation's survival in Vietnam, but the techniques and procedures developed are in many respects equally applicable to the problems of other developing nations."[1]

Finally, experimental development activities in Vietnam may provide an acid test of the feasibility of emerging theories of American development assistance. An assumption underlying the Nixon Doctrine is that American aid can guide the developing nations to a level of political stability, economic self-sufficiency and military strength whereby they can defend themselves from external aggression and internal insurgency without massive American military intervention. Congress, moreover, has tasked USAID Missions with promoting basic democracy among aid recipients. Title IX of the Foreign Assistance Act requires AID to place emphasis "on assuring maximum participation in the task of economic development on the part of the people of developing countries, through the encouragement of democratic local governmental institutions."

In light of the Vietnam experience it remains to be seen whether or not these Administration assumptions and Congressional mandates are realistic foundations upon which to base foreign assistance policy. This paper will examine the experiments in community development, one part of the overall Pacification Program in Vietnam, from the period 1968 to mid-1971. Its purpose is to describe the theoretical framework—goals and objectives—within which the program was conceived, to discuss the problems of policy formulation and implementation, and to evaluate the program in terms of both traditional community development goals and

[1] William E. Colby, "Title IX and Vietnam," paper prepared for delivery, USAID Title IX Conference, April 19, 1971, Saigon, Vietnam, mimeographed, page 1.

the broader aims of American counterinsurgency policy.

THE THEORETICAL FRAMEWORK

Community development programs in Vietnam were designed as pacification tools to unite the people in a partnership with the government to raise political, social and economic standards of the nation, thereby strengthening national security and increasing political stability. Underlying this sweeping objective was the assumption that the nature of counterinsurgency required a "bottom-up" approach to mobilizing political support for the Government of Vietnam (GVN). Loyalty to the government, it was thought, could be gained by stimulating the feeling of popular participation in local decision-making and by strengthening village and province governments as effective channels of political and administrative activity. Indeed, government strategy was molded by insurgent tactics. "The Communist concept of the 'People's War' in simplest terms represented a conviction by the Communists that they could seize control of the population and pull it out from under an opposing government structure," notes Ambassador Colby. "The GVN's 'Accelerated Pacification Campaign' of late 1968 was designed to reestablish the government's authority and presence in much of the countryside from which it had been driven." [2]

Community development programs were aimed at two political units: villages and provinces. Village Self-Development (VSD) is a program of loans and grants to generate sufficient local resources to implement small public-use and income-producing projects on a self-help basis. Province Development Funds consist of the National Fund for Local Development under the management of the Central Pacification and Development Council, and the Province Development Fund under the direct control of elected province and municipal councils. These Funds make available to the Saigon Capital, provinces and autonomous cities a portion of the national budget for public works and infrastructure development. In addition, attempts have been made to coordinate both programs with national development planning through formation of Province Priority Lists (PPLs), the Vietnamese version of the planning-programming-budgeting system.

Although they use economic instruments, the actual objectives of community development efforts in Vietnam are decidedly noneconomic. The programs have five major goals:

1. Political Development:

Community development projects were intended by American and Vietnamese program designers to be means to an end rather than ends in themselves. While reasonable attention is paid to economic feasibility, CORDS advisers and Saigon officials are concerned primarily with the program's political impact. VSD attempts to bring the benefits of government aid to the people where they live—in the villages and hamlets. While larger projects may contribute to national long-range development, American advisers argue that more immediate political support can be gained only by demonstrating the central government's concern with the welfare of the people at the local level. The political impact of large national economic development projects—dams, highways, power generating plants—often is not felt in the village, for many rural Vietnamese never travel more than 20 kilometers from their birth places.

USD was designed to cultivate and reinforce processes of local decisionmaking. People are required to work together in groups larger than the family unit. Although group interaction is difficult to achieve because of the strong-family oriented structure of Vietnamese society, counterinsurgency doctrine encourages broad social interaction to develop a sense of "community spirit." VSD is aimed at creating channels of cooperation between popular groups and local government officials. Province Development Funds and PPLs assist the provinces on a broader scale to create the infrastructure necessary for political unification and stability. Construction and repair of key roads and bridges and extension of basic public services receive high priority from the National Fund for Local Development in order to improve regional security, facilitate the extension of GVN provincial and local administration and expand commerce between rural and urban areas.

2. Local Development Through Self-Help:

USAID and CORDS officials insisted from the outset that local citizens and officials take the initiative in analyzing their own problems, searching for possible solutions and choosing projects. VSD emphasizes the concept of self-help: villages are required to contribute money, materials and labor for the implementation of projects. Once projects are approved, local groups themselves are responsible for completion.

3. Government Aid as a "Pump-Priming" Device to Encourage Local Self-Sufficiency:

GVN economic aid is intended as an incentive for villages to raise local resources adequate to make the program self-sufficient in the long run. The motivation for this objective was not simply economic, although it is evident from the vast amount of American Aid Chapter funds invested in VSD since 1968 that the central government could not continue providing assistance at the same scale and magnitude from its own income. American plans for reducing foreign aid to community development programs and President Thieu's refusal to raise taxes prior to the October 1971 election left local resources as the only alternative. Other political factors also influenced the decision to transform the program from a predominantly central government function to a primarily local one. Only by requiring a heavy input of local contributions, American planners reasoned, would villagers develop the commitment to defend the projects from insurgent harassment and destruction. The villages are delegated authority to decide how much of their basic grant [3] will be used for public facility projects benefitting the whole community and how much will be reserved for income-producing project loans earning a profit for sponsoring groups. Depending on the village budget contribution to the program, supplementary grants are available from the Ministry of Rural Development (MORD) for public-use projects and from the Agricultural Development Bank (ADB) for credit. Villages will be assisted in establishing credit unions and local banks with the capital accumulating in their ADB accounts to finance all local development projects before American funding of VSD terminates in 1974.

4. Popular Participation Through Group Activity:

Involvement of people in groups supporting existing political institutions is a fundamental tactic of counterinsurgency. The vehicles of cooperative interaction in Vietnamese village development are the People's Common Activity Groups (PCAG), associations of hamlet and village residents who share a common perception of their problems or who desire to pursue a similar type of development project. PCAGs are organized formally within each village as a prerequisite to receiving GVN financial assistance. They are required to formulate internal regulations delineating membership, designating a PCAG leader, specifying distribution of the workload for completing and maintaining projects and determining how the benefits or profits will be shared. Through the PCAG local residents meet together to choose projects and transmit their selections to village official for consideration and approval. Official guidelines require an annual village General Assembly meeting at which all PCAG representatives as well as other interested residents meet with village leaders to vote on project priorities and make recommendations to the village council on the allocation of VSD funds.[4] Similar provisions are made for selecting province development projects through plenary sessions of Province and Municipal Councils.

5. Strengthening Local Government As A Channel of Community Action:

A final goal of community development is to increase the responsibility and capability of village officials to respond to the needs and desires of their constituents. Village chiefs, hamlet leaders and village council chairmen have primary responsibility for disseminating information about and encouraging participation in VSD, assisting in the organization of PCAGs and conducting the Village Assembly. Broad authority is delegated to a Village Credit Committee for administration of the 1971 VSD Credit program. Composed of three village officials and four citizens, the committee assists borrowers complete loan applications, performs initial credit investigations, transmits approved applications to the ADB for final concurrence and collections loans when repayment is due.

POLICY IMPLEMENTATION

While the theoretical framework for community development in Vietnam is clear, implementation has encountered a myriad of obstacles. A substantial period of trial and error has been marked by continual alterations in the content and pace of the program. Obstacles often dictated the path of modification. The theoretical framework, it quickly became obvious, was laden with Western political and cultural values. Decentralization, deference to popular opinion, true fiscal and administrative autonomy for village governments, cooperation among popular groups and freedom of political interaction were radical cultural changes for a traditionally centralized, Mandarin, family-oriented society only recently freed from colonial rule. A description of the evolution of community development plans provides insight into the problems of policy implementation and administration.

Prior to 1968 all development activities in support of pacification were included in a multi-faceted, loosely defined program of "Revolutionary Development." All local development projects were implemented in target hamlets by provincial authorities or by contractors under their supervision. A formula established by the Ministry of Revolutionary Development specified the number and type of projects to be completed in each hamlet. While the intention of the quota was to promote widespread participation, subsequent evaluation revealed that in reality results were being measured only in terms of the number of projects constructed. The quota system placed strong pressures on province officials simply to complete the requisite number of projects regardless of quality; paternalistic selection and centralized management led to a disregard for the desires of local residents. In the minds of many rural villagers the local development program was tinged with forced labor conditions reminiscent of the Diem Regime's Agroville policy and the subsequent ill-fated Strategic Hamlet scheme. Consequently the rural population was psychologically unaf-

[2] *Ibid.*, pp. 2 and 4.

[3] Each village receives a minimum grant of 400,000 piasters plus 50,000 piasters for each additional 500 people in villages with a population of more than 2,500.

[4] Republic of Vietnam, Ministry of Rural Development, *The Village Self-Development Program in 1971*, Memorandum No. 341-PTNT/41, Saigon, 1971.

fected, if not openly aggravated, by the government's development program.

The 1968 Tet offensive made it apparent to GVN officials and American advisers alike that the community development aspect of the pacification program was ineffective. A complete reappraisal shifted emphasis away from central government management toward active voluntary participation and contribution by village residents. Revolutionary Development was reorganized into two basic components: Village Self-Development and Province/Municipal Development.

By late 1968 VSD became the principal means by which the Government of Vietnam would seek to expand the authority and autonomy of village government. Initial progress was slow: village, district and province officials had to be trained, information disseminated, groups formed to select and sponsor projects, applications for grants processed. Decentralization required expansion and improvement of the entire administrative system of local government. Actual project implementation was delayed by a series of unanticipated problems.

Initial delay was caused by the lack of support for local projects from national and provincial Technical Services, and by a network of bureaucrats unconvinced that decentralization was truly the policy of the national government. Continued prodding by MORD and American advisers to some extent overcame the procrastination of technical agencies as the program matured. But technical delays were only outward manifestations of latent political opposition. District and Province Chiefs in some areas delayed the transmittal of funds to the villages and PCAGs, ignored information dissemination and training requirements, and procrastinated on project approval. In other areas, Province Chiefs openly opposed the program, convinced that it would reduce their control over funds and weaken their authority over project approval. The fact that by 1968 nearly all province and district chiefs were appointed from the Vietnamese army diluted the attention given to community development. Most of the local officials, career military men, showed little interest in routine administrative activities, especially those of a strictly civilian nature. The management of VSD and other pacification programs, therefore, often was delegated to lower ranking civil servants, junior officers and functionaries, while the military governors concentrated on counterinsurgency operations.

Even more serious delays resulted from the ingrained distrust of the central government by the rural population. Remnants of the Diem Regime's repression of village government authority and the studied disregard for local problems displayed by its military successors reduced the credibility of the GVN to its nadir. By late 1968 the situation reached the point where rural Vietnamese displayed more faith in USAID administered programs than those of their own government. The initial reaction to the village development program in one province was reported by two Vietnamese field evaluators:

"Shortly after the initiation of the program in the 15 hamlets of Than Cuu Nghia, Vinh Kim and Xuan Dong Villages considerable interest in the program was generated in nearby hamlets . . . [Two hamlet chiefs] expressed interest in having the problems started in their respective areas. It had been their opinion that the program was directly sponsored by USAID and would be a great help in their villages and hamlets. The initial interest is lagging significantly now, however, as both men claim that no concrete work has been established or accomplished in any of these hamlets participating in the program to date. Even Mr. Pham Van Ngai, the newsman who had been working in the insecure hamlets of Vinh Kim Village, has lost considerable confidence in the program, particularly since he has found out that all projects proposed in the program are supposed to be solved (sic) by the GVN." [4]

At an assembly in another village, the evaluators reported that "when the people found out that all their proposals brought up in the meeting would be solved (sic) by technical services of the GVN, 30 to 40 percent of the people who previously participated left." [5]

In addition, Vietnamese customs and traditions militated against many program regulations designed to elicit popular participation and democratic decision-making. Village officials balked at the requirement that they canvass each family to determine its desires and aspirations, claiming that they already knew their constituents' needs. Decisions concerning the future of the village were traditionally the prerogative of the elders and notables. In some cases village leaders simply submitted false reports and chose the projects themselves. Formation of PCAGs progressed haltingly in many villages and not at all in others. One village councilman explained to a USAID official:

"The villagers here do not understand economic groups and cooperatives. The spirit here is family oriented, not group oriented. Therefore, the VSD program disrupts the community by bringing on inter-family bickering. The results are not very good." [6]

The state of security in most of Vietnam in late 1968 and early 1969 did nothing to add to the enthusiasm of village officials for organizing the people in support of a development program closely identified with the central government. The Vietcong infrastructure existed in nearly every village. Kidnapping, torture and assassination of active village and hamlet chiefs discouraged them from demonstrating excessive leadership in pacification. VSD projects as well as village and hamlet offices were burned or bombed in less secure provinces.

From the outset the program was plagued by corruption. Diversion of VSD funds was widespread; the techniques ranging from outright embezzlement to favoritism in the approval of projects. Experience with VSD highlighted the difference between Asian concepts of morality and American notions. Vietnamese ethics, being primarily family-oriented, did not define as corrupt many activities considered abusive by Americans. Most Vietnamese do not consider it a crime to divert funds from government sponsored programs if those funds will better the economic condition of their own families. This attitude is prevalent especially among civil servants and military officers who are paid wages insufficient to maintain a respectable standard of living within the community. Moreover, the tradition of the "oriental squeeze," diversion of from five to ten percent of project funds as a charge for managerial services is legitimate in the minds of many officials. The only sanction is the "loss of face" in being caught. With the delegation of VSD management to lower-ranking military officers and the necessity of kicking back a portion of the diverted funds to province and Ministry officials, the leakage in 1969 and 1970 was estimated to have reached 25 to 30 percent of project costs.

Outright embezzlement, while a problem in some villages, accounted for a relatively small percentage of misused funds. More common was diversion of building materials—reinforcing bars, cement and roofing sheets—supplied from American foreign aid to construct VSD and refugee relocation projects. The situation became so serious that in 1970 the United States terminated the supply of construction material for VSD.

In other areas, notably in Montegnard villages of the Central Highlands, Vietnamese district and province officials controlled the selection of projects and distribution of funds, claiming that the Montegnards were too primitive and ignorant to manage their own affairs. Few Montegnard villages ever received the full amount of money approved for their projects. The difference between the government grant and the actual cost of projects usually was siphoned off at the district level. Abuse was prevalent in animal-raising projects where district chiefs acted as middlemen, purchasing animals for the village at exorbitant prices. Contracting, although explicitly forbidden by the Ministry of Rural Development because of adverse experience with the practice prior to 1968, was nonetheless rampant. Inflated costs, faulty construction, favoritism and kickbacks were all associated with bidding and contracting procedures. Finally, and perhaps the most subtle form of abuse, was the approval by village officials of VSD projects submitted by PCAG's composed of their relatives and close friends. Some village chiefs submitted PCAG lists containing the names of the deceased or of unsuspecting villagers who had never actually joined a group. Proceeds from projects sponsored by "ghost PCAGs" usually went to a single individual, either a village leader or a close crony who made a substantial contribution to the approving official.

Although the Ministry of Rural Development maintained a relatively competent inspection force, it lacked the authority either to prosecute allegedly corrupt officials or to have them removed from office. MORD could simply request that the Province Chief take corrective action. The Central Pacification and Development Council in Saigon, which does have the power to remove and punish corrupt or incompetent officials, never rigorously pursued instances of VSD fund diversion. American advisers, many of whom accepted graft as a part of the Vietnamese culture, claimed that pressure could not be brought at the highest Vietnamese government levels because the question of corruption was, politically and diplomatically, "too touchy."

By late 1969, despite the initial period of trial and error, the program gained momentum. In September, 2,115 villages were participating actively and 25,000 projects were in some stage of implementation. (See Table 1.) The provinces reported that over 1.5 million families were participating in and benefiting from VSD, undoubtedly an inflated figure. In the program's first year, the Vietnamese did succeed in establishing the basic administrative machinery at both the national and village levels for continuing community development, in training a substantial number of village officials and in disseminating information about the program to nearly all villages in the country. Much of the progress was due to the use of highly trained Community Development Officers (CDOs) contracted by USAID from the Philippines. More than 120 CDOs were detailed to the provinces as advisers and technical aides to American Province Advisory Team and Vietnamese administrators.

Concurrently, the GVN initiated the second dimension of the rural development strategy by coordinating and consolidating all of the standard line items (education, fisheries, animal husbandry, health, public works, etc.) of the former Revolutionary Development program under the Province Development Funds. In anticipation of the proclamation allowing popular election of Province Councils, the central government moved to strengthen their authority as well as to in-

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[4] Do Minh Nhat and Bui Van Sau, *Evaluation of the Village Development Program in Dinh Tuong Province*, unpublished report, MACCORDS-EVAL, 10 December 1968, mimeographed, p. 6.

[5] *Ibid.*, p. 9.

[6] Quoted in Marcus Ingle, *Current Village Administration, 1970*. Saigon: United States Agency for International Development, 1970, p. 59.

crease the flexibility of Province Pacification and Development Councils in the selection of larger projects beyond the scope of VSD.

Experience with the 1969 VSD program led to modifications in 1970. To reduce the levels of corruption and procrastination, Village Councils were granted authority to approve all projects costing less than 100,000 piasters without province government concurrence and the discretionary authority and approval functions of district chiefs were reduced substantially. Emphasis was placed on widespread dissemination of information concerning the program among rural peasants. As community development became more familiar to and popular with rural residents during 1970, province and district leaders, especially in the more pacified areas of the Mekong Delta and the Third Military Region surrounding Saigon, demonstrated a marked change of attitude toward VSD. For the first time since the Diem Regime local officials had been given substantive authority to manage a segment of their local affairs. Administration of VSD provided standards by which villagers could measure the competence and honesty of elected and appointed leaders. As the popularity of VSD grew, local officials became more inclined to provide the technical and political support necessary for successful implementation. As the program progressed, village groups with increasing frequency petitioned province and national governments to remove or reprimand local officials blatantly misusing community development funds.

TABLE I.—STATUS OF THE VILLAGE SELF-DEVELOPMENT PROGRAM, 1969–70

Military region	Villages funded			Approved projects		Local contributions [2]		Government allocations [2]	
	1969	1970	Urban areas [1]	1969	1970	1969	1970	1969	1970
I	439	382	49	3,819	3,723	87.9	191.3	379.9	440.2
II	580	546	39	6,317	4,294	33.9	162.6	466.9	454.4
III	384	351	40	4,261	5,264	73.0	179.5	379.9	556.7
IV	702	699	31	10,735	6,346	232.9	357.2	690.7	750.7
Total	2,105	1,987	159	25,132	19,627	427.7	890.6	1,917.4	2,202.0

[1] Villages and autonomous cities with populations in excess of 50,000.
[2] In millions of piasters.

Source: CORDS, Community Development Directorate, Village Self-Development Branch.

The pace of efforts to Vietnamize the entire program was hastened in 1971 by requiring all income-producing projects to be financed from loans through the Agricultural Development Bank. The loan program was designed to link closely with efforts by USAID to increase the local taxing capacity and revenue raising powers of the villages—a prospect which both the national and local governments have avoided studiously for more than ten years. Villages are required, as American Aid Chapter funds are reduced gradually, to contribute ever increasing amounts from their budgets in order to continue community development.

CONCLUSIONS AND EVALUATION

A complete evaluation of the community development programs in Vietnam must, of necessity, await the judgment of history. The scale of experimentation and the pace and extent of innovation will make that evaluation a complex task. Vietnamese community development is a continuing experiment that extends beyond the current American military intervention. The ultimate ability of Vietnamese to manage a sophisticated credit scheme such as that introduced in 1971 remains to be seen. Their ability and willingness to generate adequate local taxes to make community development self-sufficient is yet to be tested. Many of the problems that have delayed and obstructed effective administration in the past have been overcome by constant American monitoring; others continue to plague the program.

To judge the experiments objectively, however, it is necessary to separate the narrower, more traditional goals of community development from the broader aims of American pacification policy. On balance, community development in Vietnam, has, in a short time and under difficult conditions, made substantial progress toward expanding popular participation in local decision-making, crystallizing the interests of local residents, inculcating principles of self-help and strengthening local leadership and organizations. Prior to VSD local officials had virtually no training or experience in managing programs more substantive than traditional ritual and social ceremonies. By 1970 a majority of village chiefs saw their roles in administrative affairs as gradually becoming more important.[7] In addition, the program has contributed to increasing interaction between local and national officials and communication between villages and the central government Ministries. A majority of village chiefs have come to believe that the GVN is making a sincere, although long overdue and laboriously slow, attempt to improve the effectiveness of local administration.[8] VSD, moreover, is perhaps the most "Vietnamized" program of any sponsored by USAID and CORDS. While American monetary assistance and monitoring activities have been intensive, technical support has been limited to a purely advisory role. The Ministry of Rural Development plays the dominant part in program management, cadre and village official training, supervision of budgetary and logistical requirements and recommendation of policy modifications. The Ministry has acquired a technical competence and sense of professionalism rarely exhibited within contemporary Vietnamese bureaucracy. In a political and administrative system dominated by exploitationist attitudes the Ministry of Rural Development has generally adopted a developmental orientation. Where VSD is most successful in the provinces, that developmental attitude has spread to village officials and local residents. In 1971, for instance, villages in Go Cong Province, voluntarily returned more than nine million piasters from profits of the 1969 income-producing projects to be used for extending development loans to province residents in 1971 and 1972. This sense of community spirit is usually considered the primary objective of community development planners.

As a pacification tool of counterinsurgency, however, the results of the community development programs are more dubious. For some American policy goals community development was an inappropriate instrument; for others it was inappropriately used. First, community development is a long-term process that CORDS attempted to employ to attain short-range goals. Decentralization, village autonomy, support for the national government and aggressiveness in counterinsurgency require fundamental changes in contemporary Vietnamese culture that may take at least a generation to realize. Yet the CORDS pacification plans were programmed annually—introducing drastic modifications in program procedures, content and goals at a rate too rapid for most local officials to absorb and implement. Field administrators—both American and Vietnamese—were pressured to show tremendous gains in pacification and development at the end of each program year; pressure that often resulted in inaccurate reporting. In reality, pacification was never as successful as indicated in the statistical indices sent to Saigon and Washington. Personnel turnover, budgeting, policy modifications and administrative planning rarely looked beyond the next USAID Spring Review.

Second, the American obsession with imposing town-meeting democracy on a nation steeped in the Mandarin tradition frequently sacrificed larger gains in economic development that might have generated more political support for the incumbent government than most of the half-hearted gestures on the part of the Vietnamese to promote participatory democracy. While Vietnamese villagers value some measure of control over local affairs, there is little evidence that intensive political participation has high priority in the life of the average rural farmer. His own overbearing concern is with marginal improvement in his economic standard of living. Activities other than traditional ritual and social ceremonies that divert him from basic economic concerns usually are unwelcome, especially if they auger increasing governmental interference in his family affairs.

Third, the relationship between pacification and security is complicated by a chicken-and-egg controversy. Experience questions the assumption of most pacification planners that community development strongly contributes to counterinsurgency. Rather, a substantial amount of security must be attained before self-help programs can progress. The most successful community development projects in Vietnam were found in those villages where officials were free from threats of kidnapping and assassination, where village business could be carried on without harassment from insurgent raids and sniper attacks, and where village residents could participate without fear of reprisal and the risks of defending completed projects. An effective system of counterinsurgency seems to be a prerequisite to pacification and development rather than vice versa.

Finally, community development programs were singularly unsuccessful in the burgeoning urban areas of Vietnam—areas with nearly half the nation's population. The cities of Vietnam—Saigon, DaNang, Hue, Nha Trang, Can Tho, Qui Nhon, and others—suffer all the problems associated with rapid urbanization unaccompanied by comparable rates of national modernization. The importance of urban areas in the future development of Vietnam was ignored almost totally in both GVN and American pacification plans. But from a political-military viewpoint cities potentially are the most volatile areas in the nation. Although they are relatively secure from external attack at the present time, pressing problems of housing, unemployment, lack of public utilities and overcrowding, can generate and reinforce discontent with central government policies as American forces are withdrawn. The war can

[7] *Ibid.*, p. 32.

[8] *Idem.*

be won in the rural areas and lost in the cities, not by military force but by the forces of social, economic and political frustration. Rural migrants, military veterans, urban unemployed and ethnic minorities crowded into congested cities, living at bare subsistence levels in shacks or squatting on the streets do not make for staunch supporters of a government that cannot or will not take action to improve their conditions. Yet only in 1971 and at the persistent urging of a few American advisers did the Government of Vietnam officially recognize that attention should be given to urban development. That response, however, was the creation of a rather weak and amorphous coordinating committee of Ministers within the Central Pacification and Development Council.

Earlier American attempts to adapt VSD to urban areas failed: the conditions that allow self-help programs to succeed in rural villages did not exist in cities. City people rarely had the time or inclination to participate in self-help groups. Self-help construction of public utilities, streets, drainage systems and schools was neither practical nor desirable in urban areas. Most urban residents claimed that these were the functions of municipal and province government and preferred to use their own time tending their shops or jobs, improving their own homes and combating the adversities of urban living.

In brief, community development in Vietnam was successful in achieving a limited number of goals in selected areas of the country. The traditional objectives of community development—promoting local participation in community affairs, creating a spirit of self-help, generating local leadership and inculcating precepts of community cooperation—were realized in the more secure villages where local officials already achieved a minimum level of administrative competence, were relatively well educated, and had the confidence and support of their people. Where insurgency was most active, self-help programs were least progressive. Used as a short-range tool of counterinsurgency and political mobilization, this aspect of American pacification produced dubious and indirect results. At least a generation will be needed to evaluate them in terms of the broader goals sought by the Nixon Doctrine and Title IX of the Foreign Assistance Act. But given the enormous American investment in Vietnam, community development programs deserve closer scrutiny and more intensive evaluation.

COLLEGE TAX CREDIT

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. MONAGAN. Mr. Speaker, on March 10, 1971, I introduced H.R. 5892, a bill that would enable parents to establish a trust fund for the purpose of sending their children to college, and toward this end to make a contribution of up to $500 a year for each child which will be a deduction from their gross income. The total would not be allowed to exceed 10 percent of the parent's total income, and in no instance could the total annual contribution exceed $2,500.

An editorial in the November 25 edition of the Bridgeport, Conn., Telegram supports my bill. It notes that this legislation "would provide the kind of relief that is needed to keep higher education within the reach of everyone."

I urge my colleagues to take note of the editorial, and to lend their support to this needed change in the tax law.

The editorial follows:

[From the Bridgeport (Conn.) Telegram, Nov. 25, 1971]

COLLEGE TAX CREDIT

Some tax relief may finally be on the way to families and individuals who pay the costs of college education. Under the provisions of an amendment to a revenue bill in the Senate, an income tax credit up to $325 will be given to anyone who has these expenses.

This would provide modest, but badly needed help for persons who can hardly afford higher education, but earn too much money to qualify for the many financial aid programs which are available to low income groups.

Connecticut families which must pay the new tuition at the state colleges and universities can certainly use any help they can get. The final decision on the measure will be made in a House-Senate Conference Committee. The outcome of the deliberations are uncertain, but if common sense prevails, the plan will become law.

Looking to the future, another design to alleviate school expenses which was passed over by the membership of the House this year deserves a second look. Representative John S. Monagan of Waterbury proposed a comprehensive arrangement. Under Mr. Monagan's bill, parents could establish a trust fund for the purpose of sending their children to school and make a tax deductible contribution of up to $500 a year for each child. The total could not exceed more than 10 per cent of the parents' total income. In no instance could the annual sum exceed $2,500.

This formula would help provide the scope of assistance which is needed. The Senate scheme, on the other hand, falls far short. As an interim measure it is acceptable and desirable. But Mr. Monagan's approach would provide the kind of tax relief that is needed to keep higher education within the reach of everyone.

EMERGENCY EMPLOYMENT ACT FUNDS

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BEGICH. Mr. Speaker, a recent resolution passed by the National Council on Indian Opportunity points to a gross inequity in administering Emergency Employment Act funds. The present system of administering EEA funds excludes Alaska Natives and Oklahoma Indians, because they are not reservation-oriented. In essence, Mr. Speaker, Alaska Natives and Oklahoma Indians are being discriminated against, because they do not live on what the Federal Government defines as a reservation.

The fact of the matter is that they are excluded because of the lack of precise language in the Emergency Employment Act.

Presently, Alaska Natives are excluded from participation in this bill, because the Federal Government designates the land they live on as Federal patented lands and not reservations.

The more than 35,000 Alaskan Natives have clearly shown their competency and administrative ability for direct participation in EEA funding. This is quite evident as, in light of last month's action by the President when he signed the Alaska Native land claims bill, which clearly provides for maximum self-determination for Alaskan Native regional organizations.

I bring the resolution passed by the National Council of Indian Opportunity to the attention of my colleagues in the Congress, so they may be aware of the inequities faced by Alaskan Natives and Oklahoma Indians regarding the disbursement of Emergency Employment Act funds:

RESOLUTION

Whereas, the States of Oklahoma and Alaska have approximately 20% of the American Indian population of the Nation as residents, and;

Whereas, this 20% of the Indian population is recognized by the Federal Government and receives the services of the Bureau of Indian Affairs, and;

Whereas, the Indians of Oklahoma and the Alaska Natives do not have reservations as such, and;

Whereas, because the Indians of Oklahoma and the Alaska Natives do not reside on reservations and are therefore excluded from participating in the benefits of the Emergency Employment Act of 1971, under the special provisions for Indians residing on State or Federal Indian reservations;

Now, therefore, be it resolved: that the Indian members of the National Council strongly urge the Vice President, as Chairman of the Council, to take the necessary action to include the Indians of Oklahoma and the Alaska Natives under the special Indian provisions of the Emergency Employment Act of 1971.

POLLUTION CONTROL TAX WINS PUBLIC APPROVAL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HAMILTON. Mr. Speaker, I was encouraged to learn from a recent article that constituents in 22 congressional districts are willing to pay more in taxes and prices if it means less pollution.

The findings deflate the argument raised against water pollution bills that consumers are unwilling to absorb the increased costs of pollution control. One of the targets of this argument is H.R. 12304, a bill to create a nationwide system of effluent charges introduced by the gentleman from Wisconsin (Mr. ASPIN), myself, and 22 of our colleagues.

The article, from Christian Science Monitor, follows:

POLLUTION—CONTROL TAX WINS PUBLIC

(By Peter C. Stuart)

WASHINGTON.—"Should the federal government expand efforts to control air and water pollution, even if this costs you more in taxes and prices?"

House Republican leader Gerald R. Ford posed the question to his diverse constituency—ranging from inner-city blacks to dairy farmers—in the Grand Rapids area of Michigan.

The reply, from nearly 16,000 households was emphatic:

"Yes," 68.3 percent.

"No," 27.5 percent.

Hard-pressed American taxpayers appear surprisingly willing to pay a price for environmental cleanup—as Rep. Ford and many other congressmen are discovering.

Of 22 members of the House of Representatives who polled their constituents on this issue in 1971 (and published the results in the Congressional Record), all but three received an affirmative answer.

Collectively, this sampling represents the views of more than 300,000 Americans in every type of congressional district and all regions of the country.

"That is no isolated finding," affirms Sen. Philip A. Hart (D) of Michigan, commenting on Rep. Ford's poll. "It rings true . . . with the continuing flow of support we in Congress hear from our constituents."

If so, this message from the folks back home may loosen congressional purse strings in the coming year on a series of major—and expensive—environmental proposals.

BIG MARGIN

For starters, it could undermine a Nixon-administration campaign to dilute the $20 billion water-pollution legislation churning toward a House vote in February.

In the longer run, taxpayers' unusual generosity toward cleansing their air and water may invite an indefinite increase in such federal spending—already grown more than eight-fold since 1965, from $151 million to $1.2 billion.

Congressmen receiving a loud-and-clear message from the voters include some lawmakers well positioned to shape federal policy accordingly.

Besides House Republican leader Ford, there is Rep. John J. Rhodes of Arizona—chairman of the House Republican Policy Committee and a high-ranking member of the Appropriations Committee, which funds all federal programs.

The Arizona fiscal conservative learned last month that his constituents support, 68 percent to 32 percent, "spending even more money and passing even more stringent federal laws" to fight pollution.

Another member of the Appropriations Committee, Rep. Wendell Wyatt (R) of Oregon, discovers that his constituents favor tougher environmental controls "even though this may result in higher taxes," 73.7 percent to 21.4 percent.

Rep. M. C. (Gene) Snyder of Kentucky, ranking Republican on a public-works subcommittee, which writes much environmental legislation—got nearly as strong a "yes" response to a similar query in his annual poll, 65.5 percent to 32.3 percent. Staunchly conservative, these same constituents opted 2:1 against admitting mainland China to the United Nations and 9:1 against a guaranteed minimum income.

The most lopsided majorities for greater antipollution spending come from another Southern congressional district, north of Miami, Fla., represented by Republican Rep. J. Herbert Burke. Some 46,000 of his constituents support new taxes, 86 percent to 14 percent, and high prices, 87 percent to 13 percent.

OTHER CONGRESSMEN

Other congressmen whose polls support higher taxes and/or prices to combat pollution: Charles J. Carney (D) of Ohio, R. Lawrence Coughlin (R) of Pennsylvania, Florence P. Dwyer (R) of New Jersey, John N. Erlenborn (R) of Illinois. Hamilton Fish Jr. (R) of New York, William D. Ford (D) of Michigan, James R. Grover Jr. (R) of New York, Craig Hosmer (R) of California, Edward Hutchinson (R) of Michigan, Albert W. Johnson (R) of Pennsylvania, John E. Moss (D) of California, Donald W. Riegle Jr. (R) of Michigan, John F. Seiberling (D) of Ohio, and Henry P. Smith (R) of New York.

Most respondents voted "no" in the districts of Victor V. Veysey (R) of California, Edwin B. Forsythe (R) of New Jersey, and William L. Dickinson (R) of Alabama (by a margin of just 0.1 percent).

The results of these congressional questionnaires coincide with a nationwide Louis Harris poll last summer. Asked if they would pay $15 a year in added taxes to fight pollution, 59 percent of Americans polled replied "yes" and 34 percent "no." But localized surveys of their own constituents traditionally influence congressmen more than national polls.

FEDERAL AIDS FOR INDIANS IN NORTHERN WISCONSIN

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, living in the midst of one of the prominent Indian reservations of the Nation, I had occasion to visit, explore and discuss projects needed for the improvement of the Indian way of life. Having five Indian reservations in my district and by keeping in close personal contact with their leaders, I knew that certain things had to be done on a Federal level; and I proceeded immediately to take action.

For instance, on the reservations we had an exemplification of a shameful discrimination against the Indians not only by way of job opportunities; but when I first came to Congress, it was a Federal offense for an Indian to go into a tavern and drink a beer. One of the first pieces of legislation I had passed through the Congress was to end this discrimination and put our Indian brothers on a par with their white neighbors. As a result, there is no discrimination on the Indian reservation or outside the Indian reservations as far as beer and liquor consumption is concerned. In fact, one can safely say that one of the first pieces of legislation passed by Congress at the turn of the century to end discrimination was this important piece of legislation. So when people talk about civil rights, I know the meaning of civil rights.

I knew that the Indians needed better health facilities, better schools, better housing, better sewage and water and community facilities in which they could take pride. This year, for instance, I have succeeded in getting more than $3½ million of Federal money for housing at the Indian Reservation and two community buildings on two of the reservations. I previously succeeded in getting Federal housing and sewage and water projects for the Flambeau Reservation.

This year I succeeded in getting additional housing and a sewage and water project for the Red Cliff Reservation.

This year I succeeded in getting public housing and a community building for the Indians near Webster, Wis. The sum total of these projects amounts to approximately $3½ million allocated this year for the improvement of housing and health facilities on the reservations.

I did the same for the Couderay Reservation; and yes, in fact, I even intervened and had a $380,000 housing project approved for the Mole Lake Indians in Forest County, who are residents of another district. These Indian leaders came to me and told me they were not getting any action on an application that had been pending for almost 4 years, and in less than 60 days after they notified me of their problem, I got their application approved.

From the OEO program and other programs in vocational training, almost a million dollars has been allocated this year among the various reservations for technical training. I am glad to say that it is easier getting the Federal Government to act in the field of Indian welfare than it has been in the past. This year has been a good year in getting Federal projects approved for Indians. Let us hope that it is an omen of times to come.

To give an idea of how much Federal money has been spent for the Indians, the following table will give some idea:

Federal expenditures for Indian welfare, housing, and education, 10th Congressional District of Wisconsin during O'Konski years

Activity	*Amount*
Education and Welfare Services	$4,989,041
Resources Management	4,481,824
Construction (Building and Land Acquisition)	142,014
Road Construction and Administrative Expenses	3,161,324
Public Health Service Aids to Indians	4,319,883
Low-Rent Public Housing	3,406,000
Multi-Purpose Community Centers	349,963
Water and Sewer (Lac du Flambeau)	467,018
Water and Sewer (Red Cliff)	308,000
Total	21,625,067

My efforts on behalf of the Indians has not been confined to housing, health, and civil rights. I have also worked in the direction of getting jobs for Indians and industries placed near the Indian reservations so that Indians can have jobs. I personally financed and helped in getting an electronics company established at Mercer that employed Indians. In fact, this particular industry takes pride in employing Indians. When I got a precision company to move from New York to Ashland, it was with the understanding that at least one-fourth of those employed in the plant would be Indians.

THE CONTINUING INDIAN PLIGHT IN HIS OWN LAND

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WALDIE. Mr. Speaker, in the first session of this Congress, we passed a piece of legislation that would create a Navaho College on their reservation land in Arizona. It was a worthy venture on our part, led by my colleagues from Arizona.

But, while we make an occasional step forward in the protection and welfare of these people, we seem to be sliding backward because of the things we ignore.

That fact, Mr. Speaker, came to mind earlier this month while reading a letter from Mrs. F. Pietruszkiewicz of Pittsburg, Calif. I believe my colleagues can stand an occasional jolt of this kind of reasoning—because it is based on good old American commonsense.

Therefore, Mr. Speaker, I submit the following letter for inclusion in the CONGRESSIONAL RECORD.

PITTSBURG, CALIF.,
November 29, 1971.

Hon. JEROME WALDIE,
House of Representatives,
Washington, D.C.

DEAR MR. WALDIE: A great deal of controversy surrounds the Indian affairs in our country. This is unfortunate since this controversy, along with the publicity resulting from the antics of T.V. and movie personalities, over-shadows the very real problems facing the American Indian. I am vitally concerned over this problem and am appealing to you to do what you can to see that, in fact, the American Indian receives suitable unused federal land.

It is a tragedy that any American citizen must face the injustices that are forced on this group of people. No other minority group in the U.S. suffers the indignities of the Indian. Reservations are ill kept and desperately lacking the facilities most of us take for granted. The Reservations—"America's gift to her predecessors"—are far removed from society. In most cases they are unsuitable for farming or industry, and are without health or educational facilities. Often running water is a luxury.

Edgar I. Cahn of the Citizen's Advocate Center (a non-profit and tax exempt organization designed to govern progress and assure equitable treatment of all community organizations in their dealings with the government) criticizes the domination of the Indian by The Bureau of Indian Affairs. The Indian's every action must be approved by this federal agency. The Indian fears the Bureau but because of his dependence upon it, is unable or unwilling to criticize.

His right to buy or sell land without the Bureau's permission is denied and he is constantly forced to defend his right to keep "sacred land" as "Holy Land". The Indian feels that all of this land is sacred, none more sacred than the other. The Taos Pueblo Indians say—"For years beyond memory, the water, the land, and the people have been one interrelated and living whole." The Federal Government is incapable of understanding a culture that sets aside land for purely religious significance and so the Indian fights, suffers, and seldom wins in his struggle to maintain sacred values over contemporary public need.

The typical cry of our insensitive citizens, "We've given them Reservations, what more do they want?", is senseless when we examine these reservations and their lack of facilities. How many of these people would be willing to send their children thousands of miles away to boarding school?—which is exactly what happens to Indian children in Alaska. There, children are shipped to Oklahoma, 6000 miles away. In a country that is "up in arms" about busing children from one neighborhood school to another, it is hard to imagine closing our eyes to the plight of Indian children. Cahn, in his report, found that in Utah an Indian child walks three to four miles to the bus stop and then rides 65 miles to school.

In addition to the problem of receiving the basic education most of us take for granted, the Indian children are being immersed in a heavy solution of White American ideals, designed to wash away all traces of their heritage. It is this very lack of pride in the American Indian heritage that has resulted in many of the Indian problems, his inability to adjust to his relocation into the cities, as well as his utter dependence on the B.I.A.

Granting unused federal land to the Indian would make it possible for them to set up cultural centers, where such an education could be secured. Alcatraz, with its existing buildings, is an example of just such unused land. This piece of property could have been used to the Indian's advantage in promoting pride and self-esteem among the people. Cahn points out that the Indian world offers so much, offers Indian solution to white man's problems, these solutions might prove beneficial to the United States and would far outweigh the cost.

The problem will not be solved easily, but I feel that America has abused these people far too long. The federal land grant would only be a step toward humility on our part and a sign that we want to make up for past injustices. Many things can not be undone, but we can go that one step and grant land that would be productive, with water, electricity and roads. Hospitals and schools will need further financing, but surely in a country such as ours that has money to go to the moon, we can find the funds to help the American Indian establish a suitable, respectable life of his own.

I appeal to you, Mr. Waldie, to use your congressional influence in supporting the Indian desire to obtain suitable unused federal land.

Sincerely,

Mrs. F. PIETRUSZKIEWICZ.

VFW RESOLUTION ON CHINA

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BEGICH. Mr. Speaker, many people in Alaska have expressed their opinions regarding the admission of the Peoples Republic of China to the United Nations.

Alaskans by nature are independent and strong-minded citizens. These characteristics assure that all issues in Alaska, whether they have local, national, or international implications, receive the full and complete consideration they deserve.

One of Alaska's most respected and active groups concerned with the issues of the day is the Veterans of Foreign Wars. On November 4, 1971, at a special meeting held at the request of the membership, the Golden Heart Post No. 3629 of the Veterans of Foreign Wars unanimously passed a resolution that expresses their opinion regarding the recent action by the United Nations.

Because I feel it is important that all sides of an issue be considered carefully, I wish to call this resolution and accompanying letter to the attention of my colleagues:

FAIRBANKS, ALASKA,
November 9, 1971.

Congressman NICK BEGICH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BEGICH: It was with shock and dismay that we heard the news of the ouster of our long standing allies, the Nationalist Chinese and the seating of Red China.

We are now recognizing an enemy of many years duration; we have faced them over gunsights in Korea and now in South East Asia, this step has made every ounce of blood shed and lives lost a farce. We have always supported our Governments' actions in this area but now feel perhaps we were wrong, we will not condone anymore what has been held as a "must" for world security and stupidly stand by and watch as we are once again, sold down the river.

The United Nations, as a body, has done damn little, as far as we can see, to lessen world tensions and bring the nations to better understanding and coexistence. We feel it is time to get out and let Red China have our seat, they can even move the whole mess to Moscow or Peking, the money savings alone would benefit the U.S. taxpayers.

Foreign aid, as such, is like throwing good money after bad; now that we have set the rest of the world on its feet, it is time to shut off the golden stream, it is past time to start helping our own. The money spent on our so called "allies", would put a big dent in the cost of cleaning up and keeping clean, our own country; personally, we're sick of supporting the rest of the world and being bad mouthed for it in return. Those needing the help the most, namely the people on the street, never see any of the millions we have spent in their names. As a child I was taught that you couldn't buy friends at any price, it's time our government grew up and started acting like adults.

We are glad to see the Native Land Claims Bill finally moving, tho there are parts we do not agree with, you can't have it all your own way. Now that the end of this is in sight, we feel that as soon as the Bill is passed, the B.I.A. should be taken out of this State once and for all; the Natives have gotten what they wanted and should no longer be public charges, like all other Americans, it is time they too stood on their own two, God given, feet!

We are enclosing a resolution that was passed by the V.F.W. Golden Heart Post No. 3629, this past week on the Red China issue. This resolution is being sent thru our State and National Organization with the eventual destination being the White House.

Sincerely,

Mr. and Mrs. JACK MURPHY.

VETERANS OF FOREIGN WARS GOLDEN HEART POST NO. 3269

POST OFFICE BOX 1975,
Fairbanks, Alaska.

At a special meeting, held at the request of the membership, on November 4, 1971, the Golden Heart Post No. 3629, Veterans of Foreign Wars, unanimously passed the following resolution:

RESOLUTION

Whereas the United Nations General Assembly has expelled a loyal member of the U.N., the Nationalist Republic of China; and

Whereas Nationalist China has been a peace-loving nation, an ally of the United States, and has faithfully discharged all of its United Nations Charter obligations; and

Whereas this expulsion has been termed "dangerous" by the United States Ambassador to the U.N., and can only be injurious to the nations comprising the free world; and

Whereas the United Nations has admitted Communist China, an avowed foe of the United States and the rest of the free world, to its membership; and

Whereas rule in Communist China is maintained by terror and mass execution, and its Communist government does not legitimately represent the beliefs of most of the people of mainland China; and

Whereas Communist China now has a seat on the U.N. Security Council and can veto any positive action by the United Nations; and

Whereas the United States has been the financial mainstay of the U.N., paying far in excess of its proper share of the cost of U.N. housekeeping activities; and

Whereas U.S. foreign aid has assisted many of the countries which voted against the United States position on the two-China question; and

Whereas this vote, as well as other hostile actions by U.S.-aided countries, clearly demonstrates that our policy of foreign assistance has not worked as intended; and

Whereas the United States is now under unprecedented peacetime wage and price controls and the American people have been asked to make numerous sacrifices to bolster the economy; and

Whereas free nations all over the world will lose confidence in the United States if action is not taken to counter this devastating U.N. vote;

Therefore Be It Resolved by Golden Heart Post No. 3629, Veterans of Foreign Wars, Fairbanks, Alaska, that President Nixon and the United States Congress are urged to carefully reassess the value of United States membership in the United Nations with the possible goal in mind of the U.S. withdrawal from the questionable international organization, and in any event, to cease U.S. foreign aid to any U.N. member which opposed the United States on the crucial China question.

VETERANS AND THE ELDERLY

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, the forgotten people of our Nation have always for the most part been the veterans and the elderly citizens, Yet, these are folks who always have been foremost in all of my endeavors in Congress. Poverty has become a word that is being used today more profusely than any other word in the English language. Yet, there is more poverty among the elderly citizens and veterans of our Nation than there are among any other segment of our society.

Before Congress today, there are bills to guarantee incomes up to $6,500 a year for a couple whether they work for it or not. Yet, this same Congress puts a limitation on incomes that can be earned by veterans and our elderly citizens and keeps them at an income level where it is impossible for them to keep body and soul together.

How cruel and inconsistent can a government be? For instance, if a veteran gets a small amount of social security his veteran's pension is reduced. Likewise if a retired railroad worker gets a small amount of social security or veterans' pension his railroad retirement benefits are reduced. It is frustrating to give measly 5-percent, 10-percent, and 15-percent increases in social security only to learn that a veteran's pension will be reduced by that amount or a railroad retirement pay will be reduced by that amount and people on welfare will be reduced by that amount of social security increase.

This means that we actually have cruel laws on our statute books that are asking social security couples to live on $1,680 a year and veterans on $1,200 a year and railroad workers on $1,500 a year. Yet, this same Congress wants to guarantee every family $6,800 a year if they are young and even if they do not do any work.

I have constantly introduced bills as follows:

First. A veteran's pension should be a minimum of $100 per month regardless of his social security or other income, regardless of source. This is what the Spanish-American War veterans get. Incidentally it is my bill that was passed that gives the Spanish-American War veterans a $100 a month pension regardless of all other income. This bill should be passed for all the veterans of all the wars.

Second. I have introduced legislation that social security benefits should be paid at a minimum of $100 per person. This $100 minimum should even apply to children whose fathers have died so that they can get a good education. The scale should be then revised upward dependent upon income for the highest 3 years of income no matter what years they might be. This is the formula that is being used for Civil Service retirement for Government workers and if it is good enough for Government workers, it should be good enough for all of our people under social security.

Third. I have introduced bills that veterans pensions and social security are separate items each individually earned in their own right and that the payment of one and the amount should not be dependent upon the payment and the amount of the other. Both of these benefits are earned by the veteran and the elderly and should be paid in full without one benefit or payment dependent upon the other. Likewise if the elderly who retire under social security want to continue to work, they should not lose either their veterans benefits or their social security benefits.

Fourth. I have introduced legislation that railroad retirement benefits be paid in full dependent upon the 3 highest years of earnings and here too railroad retirement benefits should not be related to social security benefits or a veterans pension. A railroad retirement benefit is something that has been earned in its own right and the payment of such benefit should not be dependent upon social security benefits or a veteran's pension.

If the Congress of the United States were to fulfill these four goals mentioned above, we would do more to end poverty in our land than any other program in existence or under consideration by the Congress.

Yes, the veterans and the elderly have been the really and truly forgotten citizens of our Nation.

HIGHER EDUCATION

HON. CLAIBORNE PELL

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. PELL. Mr. President, it was recently my pleasure to speak at the Boston meeting of the President's Council on Higher Education Financing. My statement to those attending the meeting concerned the Senate- and House-passed higher education bill which will be the subject of a conference early in the next session of Congress. I ask unanimous consent that my remarks be printed in the RECORD.

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

SPEECH BEFORE BOSTON COLLEGE—PRESIDENT'S COUNCIL

It is a pleasure to be here at Boston College. Congressman Thomas P. O'Neill, affectionately known as "Tip", Democratic Whip of the House of Representatives and my good friend, is, as you know, an illustrious graduate of the class of 1936 of this institution and a member of your Board of Trustees. You have every reason to be proud of him, for as a ranking member of the Rules Committee, he has shown time and time again unstinting support for all the major education legislation before Congress, particularly in the areas of student assistance and campus construction.

I should like to thank you for your kindness in inviting me to meet with you. I have truly looked forward to this meeting. It gives me an opportunity to be not only with fellow New Englanders, but also fellow Washingtonians. I believe Mrs. Green and Secretary Richardson would agree that it is easier to get together at a gathering like this than in the District of Columbia. You can be sure that if some education columnist saw the three of us huddled together in Washington there would be all sorts of interpretive articles containing guesses as to what we were cooking up.

Our meeting today could not be more timely. The House has acted on its higher education bill; and the Senate will be meeting the House managers of the bill in conference committee early next year. That conference will be the forum in which far-reaching decisions as to the future of higher education will be made. Clark Kerr, when discussing this year's bill, called it "the second most important legislation affecting higher education", explaining that the Morrill Act was first in importance. It could well be the most significant confrontation on higher education policy in this century. A basic philosophical difference between the two bills must be resolved: Will Federal policy be focused on people, on youngsters, and their needs, or will it focus primarily on the needs of institutions?

I thought I would discuss the Senate Higher Education bill, S. 659, and touch upon three or four main points of interest. I choose not to go into a long rhetorical dissertation on the problem of higher education today. We all read the papers, news magazines and specialized journals which have in one form or another predicted a dire future for higher education. The mere fact that you are a participant in this seminar indicates your understanding of the problems and your desire to do something about them.

The local starting point in an effort to fully understand the rationale behind the Senate bill is student assistance: The Senate, after lengthy hearings and long deliberations on this subject, made the philosophical choice which can be simply stated—federal law should be enacted which will guarantee to all students the right to the postsecondary education he or she is capable of absorbing. We in effect opted to place the main thrust of federal higher education assistance with the student. To accomplish this end, the Senate has provided for a basic grant of up to $1,400, from which would be deducted an expected family contribution rate.

This basic grant would be in the form of an entitlement, following the approach of the GI bill. An entitlement, in law, attempts to

create a right in a specified person, one which does not depend on the capriciousness of the respective appropriations committees. The Senate would retain the present programs of federal assistance; EOG, Work-Study, NDEA, and the Guaranteed Student Loan. The basic grant undergirding the present programs creates a total package which would provide assistance to students whether they wish to attend either a low or high cost school. The basic grant would cover the low cost institutions, while utilization of all the programs would allow a student to attend the high cost institutions. The yearly cost of the basic grant was estimated at about $900 million.

While the Senate Subcommittee was addressing itself to student assistance, it became quite clear that just making funds available to students would not meet all of the problems of the institution, for tuition does not come close to covering the actual cost of education at each school. With the money squeeze being what it is, one could coarsely state the problem as such; if there are no schools left to attend, all the student assistance in the world will not be of much use. Therefore, the Senate bill contains a provision for an institutional grant which follows the student receiving the basic grant of which I have spoken. The House bill also provides for an institutional grant. And herein lies one of the major differences between the two bills, the House would make the institutional grant on a per capita basis, while the Senate provides grants only for those students receiving the basic federal assistance.

We in the Senate did not set out to create this area of difference. I believe that it naturally grows out of the theory underlining the Senate approach on institutional aid. In designing our bill we sought an approach that would not contain built in constitutional problems. We first looked at per capita aid, but rejected such an approach. We were concerned that an across the board grant of assistance on a per capita basis, counting the warm bodies so to speak, would jeopardize any institutional aid program. It is our opinion that a per capita approach could very well be found to be unconstitutional. For example, Boston College has about 8,000 undergraduate students. At a simple $100 for each student, that comes out to $800,000. An institutional grant of that size could become a portion of the College's general funds. Boston College is a Jesuit institution. The Federal funds have no strings attached. It was our belief that the Courts would say that this money, which could be used for anything the school decided on, would aid in the establishment of religion, and there you have the basis for a non-constitutional finding. And, if we were to write strict law on the use of funds, the amount of government supervision in assuring that the funds would not be misused, would again bring a finding of an unconstitutional law due to the excessive Federal involvement with the situation which such supervision would bring.

The Senate's institutional grant provision is based on the theory that the school in accepting students who are receiving the basic grant are in effect shouldering a federal burden. The government, by making more student funds available, causes a greater cost to be experienced by the institution when it enlarges its student body, i.e. a federal burden. Our institutional grant following the student is an attempt to pay for that burden. It is our belief that such an institutional aid provision would not be found to be unconstitutional for there is a clear cut reason for the Federal assistance. The government is paying for a service, and the service to be received would balance the inherent church-state problem. The Federal benefit theory is not new or novel. Indeed, it is the same method used in the G.I. bill when institutional aid followed the veterans.

The Senate institutional aid provision also differs from the House counterpart in that the Committee took note of the value of small private institutions. We attempted to meet their problems by graduating the institutional aid payment in relation to size. A school with a student body of up to 1,000 would receive $500 per student; 1,000 to 2,500 students, $400; 2,500 to 5,000 students, $300; 5,000 to 10,000 students. $200; over 10,000, $100. It is hard to figure what each school would receive due to the fact that the institutional aid is dependent on the eligibility of the student for the basic grant. But to do some simple figures, if half the student body here at Boston College received all or part of the basic grant, the school would receive $800,000—a Federal payment for the Federal burden.

The final provision in the Senate bill I would like to touch on is the emergency aid program. Institutional aid and student aid are fine, but as one of the Carnegie studies recently pointed out, there are colleges in imminent danger of going under. As they put it, "American colleges and universities are in the midst of a financial crisis, unmatched in its impact . . .". For this reason, the Senate bill would provide up to $150 million to be administered by the Office of Education to meet pressing needs of an emergency nature. The Senate language was purposely vague. For we wanted to give the administrator of the program as much latitude as possible so that he could meet all types of emergencies. This emergency aid program is looked upon as a provision of last resort. But just as the nation appears to be ready to bail out its faltering defense industries, we believe it should have the tools to meet emergencies in education.

There is much more in the Senate bill than I have touched upon. Today, I have tried to share with you the philosophy behind the Senate bill—first, the belief that basic aid should go to the student; second, that institutional aid must be broader in scope than a mere transfer of funds. It must have as part of its rationale a relationship to the total approach to Federal assistance, and that once there is that relationship, the Federal role will make the institutional aid acceptable to the courts.

It is my hope that at our upcoming Senate-House conference we will be able to agree upon measures which will aid both students and institutions. I believe that rational beings, honestly attempting to work out the best bill, can probably bring back to their respective bodies a measure which is better than either of the two which were sent to conference.

This is the time for those of us who are involved in higher education to let us know your views on both the Senate and House bills. It is often said that we in Washington operate in a vacuum, not really taking note of the realities. It is easy to write legislation, but it is the institutions which must live with it. We are not faced at this juncture with a time problem. Although we would like to have a bill out early in the year, it may be in the best interest of national policy to study in length the two bills. This type of study would give the various education constituencies time to let us know their opinions. I urge you to write to us so that we may benefit from your thoughts.

Our nation all too often thinks of success in statistics which denote material growth. In his book, *The Question of Priorities*, Edward Higoi points up the issue quite succinctly when he says, "The one really important natural resource is gray matter." If we are not ready at this point in time to commit major federal resources to the education of our youth, historical study of our country will find us wanting and eventually material progress will be thwarted. Let us give priority to people serving programs—let us put our trust in human beings.

ECONOMY AND THE AMERICAN DOLLAR

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. WALDIE. Mr. Speaker, a very interesting letter, written to the Secretary of the Treasury, John Connally by Mr. John J. Thiessen, has been brought to my attention by Mr. Thiessen's son.

Mr. Speaker, Mr. Thiessen is a man not only concerned about our economy, but the worth of the dollar on foreign money markets and the value of the gold backing the American dollar.

I wish to include Mr. Thiessen's letter to Secretary Connally in the CONGRESSIONAL RECORD so that my colleagues may benefit from the ideas this man has for improving our dollar overseas.

The letter follows:

NORTH BLOOMFIELD STAR ROUTE,
Nevada City, Calif., November 1, 1971.

Hon. JOHN B. CONNALLY,
Secretary of the U.S. Treasury,
Washington, D.C.

DEAR SECRETARY CONNALLY: It goes without saying that you are quite aware of the past history of gold in the U.S. monies system; however, my approach may be a bit different than many proposals that have come to your attention heretofore.

Traditionally, gold has always been the thin-edge-of-the-exploration-wedge; since the early history of man, it has opened up the hinterlands to exploration and brought the less glamorous minerals and metals into economic focus. Gold gave us confidence in our currency and this strong currency has made domestic and international business intercourse convenient.

We will not devalue the present U.S. Dollar. We will issue a new gold-backed currency. The new certificates will be called "Eagles" or "Gold Dollars" and this gold-backed currency will be used to purchase Newly Mined Domestic Gold. It will also become our internal currency.

In order to put gold back on-stream, we must restore gold's purchasing power, at least to its 1935 level. We must face the realities of our current prices and not resort to the present ridiculous palliatives that are being suggested at home and in the money circles of Europe. The money-changers must be negated.

We need Men to match our monetary Mountains. A good choice for a leader of the gold re-evaluation team may be the Hon. Representative Wilbur D. Mills. His singular prestige, integrity and fiscal know-how could pick a team of experts that will surely score well in a win for gold. Gold must move along in value, somewhat, in a manner commensurate with our National Economy.

The going wages in 1935, after the late and great President Franklin D. Roosevelt raised the price to $35.00 per ounce, were from $5.00 to $7.00 per day dependent upon the miners skills. Now the going wage 1971, for those same skills is from $24.00 to $32.00 for eight hours of work. It surely follows that the very minimum consideration would be to raise the price of newly mined domestic gold to 4 times its present value. This would restore gold's purchasing power to its 1935 level. This means that the new price for domestic produced gold would be $140.00 per ounce. To this we should add an additional 10% more to counter-act the normal trend of inflation. Thereafter, the value of gold should be adjusted at least once in every 10 years to our price index to keep the purchas-

ing power of gold and the gold-back currency, "Eagles", somewhat constant.

Gold purchases, of Newly Mined Domestic Gold, should be made in the metric system. The $140.00 or $150.00 per ounce price of gold would be expressed in value per gram. For example, a gram of newly mined domestic gold (pure) would be worth $5.00 in our present currency. One "Eagle" would be worth ⅛ gram (200 milligrams) of gold. Gold coins would contain their actual value in gold—a suitable metal alloy would be added to achieve hardness. The currency "Eagles" would be exchanged for gold coin "Eagles" upon demand. The export of gold in any form would be prohibited—an exception would be a limited amount of worn personal gold jewelry.

A "New Dollar" would be issued and it would be worth 5 of our present dollars. The "New Dollar" would become our International Currency; it would not be backed with gold; it would be backed by our Gross National Product. Foreign currencies would be re-evaluated on a basis of each country's Gross National Product. Foreign currencies, like our own, must be tied to each country's ability to pay—just as surely as a personal credit rating. The "New Dollar" would be legal tender in the payment of Government and all domestic transactions but it could not be used to purchase newly mined domestic gold. The "New Dollar" could be used by American Tourists in foreign lands. It would be freely exchanged in foreign lands for our present dollars at a rate of one "New Dollar" for each 5 dollars now in foreign lands.

There will be a mandatory 10% tax (royalty) on the value of the gross production of all newly mined domestic gold. This gold tax will be paid to the Department of Natural Resources of States and the Federal Government depending upon whose land the gold was won from. The monies received from this tax will be used in the improvement of the environment where it will do the most good for the Public. An exception would be made when gold is won from within Indian Reservations; in this instance, the gold tax would be paid to the proper authority within the Indian Reservation and used to improve the environment within the Indian Reservation. Gold won from private lands would yield the 10% tax to the County and State in which it was won.

The economic impact of $5.00 per gram for newly mined gold would not only show up immediately within those States that produce gold but also in the States that provide machinery, materials and services to the gold mining States. We are not unlike a closed hydraulic system; if pressure is applied at one point it tends to equalise throughout the entire system. Gold is not unlike a prime in a pump; it merely gets the pump on stream and thereafter the stream flows into every part of our economy.

The birth-place of the gold mining industry in the United States was in such States as Georgia, The Carolinas and West Virginia. At $5.00 per gram of newly mined Domestic gold, these States still contain some economically mineable gold.

Minerals that contain gold that is produced as a by-product would be given a big boost by this realistic new price for gold. Copper mines could include vast tonnages of unminable low grade "mineralized rock" that would become ore with the new price of gold. By the same token, silver mines would come back on the economic stream.

The great Mother Lode country of California has been hardly "scratched" for its gold content. This 250 mile long stretch of the Sierra Nevadas can surpass its past gold production. In addition to the deep-seated lode mines (gold in veins), there are plus 200 miles of ancient, deeply buried, gravel channels; some gold-bearing gravel channels were worked at depths of 3,500 feet; many of the old channels are capped with lava rock—their exploitation would create no surface scars whatsoever. A single very deep gravel channel near Marysville, California, may have a potential yield of several hundred million in gold and it is all under mining spoils (tailings); it could be exploited and the present unsightly rock piles restored to usefulness. New recovery techniques and improved mining methods would make it economically feasible to re-mine many of the alluvial (gravel) deposits in the Great States of New Mexico, Colorado, Wyoming, Montana, Washington, Oregon, Idaho, Nevada, Utah, California, etc. The great copper fields of Arizona would come into much stronger economic focus from their gold by-product.

We all know that mining, in any form, does not burst upon us. There are many costly problems to be solved in exploration and development before exploitation is proven feasible. There will always be ample time to study new mining ventures to determine their effect on our environment and amendments to present mining laws can guarantee the preservation and improvement of our land heritage. The 10% mandatory tax on newly mined gold will be an environment beneficiation bonus. We all know that some tremendous scars have been left in the wake of mining. Now we must not only prevent this end result in the future but do a bit of landscape surgery on the scars. In any event there is no room for bigoted persecution in anticipation of the mining industry.

Foreign Aid backed with gold should be dead forever. A system of International Credits should replace all Foreign Aid. These Credits would be used for the purchase of creature comforts, industrial and agricultural supplies, medicines and educational costs; all purchased from the United States. U.S. companies operating within the country that has received Credits could repay the Credits to the U.S. in lieu of taxes, production royalties, etc., that would normally be paid to the foreign Government. Foreign Aid in all of its forms has made foreign enemies.

Respectfully submitted.

JOHN J. THIESSEN.

ILLEGAL ALIENS POTENTIAL HEALTH MENACES

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McDONALD of Michigan. Mr. Speaker, the presence of illegal aliens in this country does far more than upset the economy and create unemployment. Let us consider the health aspect.

The illegal alien can be a walking menace to the health of the community, especially if he is a Mexican national who has not been immunized.

Dr. Clifton Govan, pediatric consultant in the Child Health Services Division of the Colorado Department of Health, has testified that the health problems posed by illegal aliens "are not problems of just Colorado but are of national scope."

Because he is an illegal alien and cannot afford detection, he often will avoid treatment for an illness, thus endangering the health of everyone with whom he comes in direct or indirect contact.

And because he often lives in squalor, he is a prime candidate for a communicable disease.

Consider this description of housing occupied by illegal aliens in Powers County, Colo.:

Housing consisted of one abandoned milk truck body and a shed at the rear of the property, neither building capable of adequate description of what is wrong since everything is wrong and nothing is right. The shed, originally designated for storage, is filthy, not provided with any semblance of furnishings other than a bed. There are no provisions made for natural light or ventilation. The electric wiring was hazardous and contrary to code. The milk truck body is not ventilated or lighted and not fit for use. No provision was made for lavatory, bathing or laundry facilities.

Eight people were living in the truck body and shed, which Dr. Govan correctly branded "breeding grounds for disease."

Dr. Govan described one case which probably can be multiplied many times to show the potential threat to health.

In this instance, a nurse working among migrant laborers found a man with a possible case of tuberculosis. He was X-rayed in the mobile unit and diagnosed as a possible tubercular. When the nurse returned to advise him to get a definite diagnosis, she could not find him.

He reportedly had returned to Mexico, but Dr. Govan is afraid he may "be roaming the state with an open case of tuberculosis." He is thus a potential threat to everyone who comes near him.

The Mexican national who has not been immunized may be a carrier of diphtheria, measles, typhoid. He could originate a polio epidemic.

The illegal alien often is employed in such jobs as food processing and handling, dishwashing, and waiter. The disease potential here is absolutely frightening—hepatitis and tuberculosis, salmonellosis, shigellosis, amebic infections and parasitic infections.

The potential threat to community health and welfare posed by the illegal alien is too great to dally with. This is another very important reason why we must do everything we can to keep these people out of our country.

SMALLTOWN AND RURAL RECREATIONAL DEVELOPMENT

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, the preservation and progress of our small towns and rural areas is the key to the success of our Nation. Rural areas and small towns always received top priority during the O'Konski years.

For example, when the public works program was started, I appeared at meetings with smalltown officials to explain the program and help with the applications. The day after the bill became law, I appeared at a meeting with Minocqua officers. The result: Per capita of population, Minocqua got more public works money than any community. Here are the projects Minocqua got in Federal money: Sewage and water facilities, $393,000; street improvements, $62,000; library and police station, $40,000—all for

just one community. The Minocqua officials have the pen with which this bill was signed in Washington.

Iron County has a population of less than 6,500 people. Here are some of the projects and Federal funds in that county:

Public works funds	$560,000
Electronics contracts	3,250,000
SBA loans	1,100,000
Farm Home Administration loans	580,000
Total for Iron County	5,490,000

All of these projects were prepared and processed from start to finish through my home office. Iron County lost about 500 jobs when the mines closed. The above projects have created more than 500 jobs. All this in a county of less than 6,500 people.

This is typical of what can be done to preserve our small towns and rural areas if they have a Congressman who cares and helps personally. Phelps, a community of only a couple hundred, got a $900,000 sewage and water plant. More than 80 such small towns got my help when they needed it.

The following tables will give further indication of the results achieved for various communities during the O'Konski years:

Recreation loans and grants to 10th District small towns during the O'Konski years

Colfax Sports and Recreation, Colfax	$145,000
Eagle Bluff Country Club, Hurley	373,200
Eagle River Recreation, Eagle River	121,500
St. Croix Country Club, Polk County	87,000
Clear Lake Golf Club, Clear Lake	128,900
Hudson Country Club, Hudson	150,000
Hammond Golf Club, Hammond	148,500
Hayward Civic Club, Hayward	150,000
Glen Hills Golf Club, Glenwood City	149,000
Lions Hodag Snowmobile Marathon, Rhinelander	50,000
Total	1,503,100

Recreation funds for small town and rural area development during the O'Konski years

Apostle Island appropriation (land acquisition)	$4,200,000
Wild Rivers appropriation—St. Croix and Namekagon Rivers (land acquisition)	2,600,000
Economic development recreation grants	980,186
1970 grants—Department of the Interior (10th District)	4,618,323
Total recreation Federal funds in 10th District, fiscal year 1970	12,398,509

Department of the Interior recreation funds in fiscal years 1970, 1971, and 1972—The O'Konski years

Bureau of Outdoor Recreation	$464,337
Geological Survey	1,080,600
Bureau of Sport Fisheries and Wildlife	8,354,089

Department of the Interior recreation funds in fiscal years 1970, 1971, and 1972—The O'Konski years—Continued

National Park Service	$5,742,716
Bureau of Indian Affairs	3,882,329
Total	19,524,071

NOTE.—Figures for previous years are not available, unfortunately.

Rural community projects in 10th District under O'Konski years

Brantwood Cooperative Dairy (Price County)	$63,760
Clifford Cooperative Association (Oneida County)	22,700
Woodlawn Dairy Cooperative (Price County)	25,800
Prentice Cooperative Supply Co. (Price County)	45,000
Farmers Union Wood Producers Cooperative (Chippewa County)	200,000
Total	357,260

Office of Economic Opportunity grants to small towns and rural areas in 10th District—Last 3 O'Konski years

Community Action Programs	$2,905,000
Bureau of Work Programs	2,300,000
Rural Loans	450,000
VISTA	$150,000
Job Corps	1,300,000
Total	7,105,000

Soil Conservation Service Federal grants in 10th district during the O'Konski years

Ashland	$249,868
Barron	272,314
Bayfield	146,076
Burnett	175,055
Chippewa	206,842
Douglas	203,872
Dunn	371,097
Eau Claire	779,316
Lincoln	202,554
Oneida	100,935
Polk	505,616
Price	674,426
Rusk	353,201
St. Croix	1,078,228
Sawyer	201,935
Taylor	231,055
Vilas	50,686
Washburn	608,817
Total	6,485,714

ROGERS EULOGIZES JUDGE TED CABOT

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROGERS. Mr. Speaker, the death of a friend is always an occasion for sadness. But occasionally the friend is of such character that in retrospect, one can find solace in his achievements. Judge Ted Cabot was such a man.

Maybe a proper paraphrase would be that when Judge Cabot died, there was ample evidence that his friends thank the light that Ted lit, rather than curse the darkness that his death will bring.

Death could have claimed Ted Cabot long ago, for disease visited him early. But he fought osteomyelitis with the same aggressiveness and intensity that he carried to everything he did in life.

Ted Cabot lived a full life. Many do. But Ted Cabot was different because his life resulted in the betterment of those around him—both his friends and those whom he did not even know. For as a judge, he was an active servant of justice. If all our courts had such servants, there would indeed be equal justice in this Nation today.

As an individual, his Christian spirit made him a friend of man. A friend of mine, and of Ted's, Phil Cheaney, wrote a letter to Judge Cabot's son, Bruce, upon the death of the Judge. In the letter, Phil said more eloquently than I what Ted stood for. And basically, this letter tells us that we were most fortunate to have had a Ted Cabot as a friend and leader for even the 49 years that he was with us.

I would like to include this letter in the RECORD. The people of Broward County, indeed, the Nation, has lost a great man. But I am thankful that we knew him so long. My wife, Becky, and I extend our deepest sympathy to Judge Cabot's wife, Bitsy, and his family.

The letter follows:

BOYHOOD FRIEND WRITES TO JUDGE'S SON—JUDGE CABOT REMEMBERED

(NOTE: Ted Cabot, Broward's first federal court judge, died last week. Those of us who have lived here many years know the kind of man Judge Cabot was. Newer residents may not. Phil Cheaney, who knew Judge Cabot since boyhood, recalls, in the form of a letter to the judge's son, Bruce, some of the traits that made Judge Cabot an outstanding person.)

DEAR BRUCE: I was able to write down some recollections about your father, and I thought you might like to know some of the things about him that his friends remember, so I agreed to do this impossible job. I hope that maybe in some of these recollections you might find the spark, or whatever it was, that made him such a good friend to so many people and made him be remembered as such a very great person to those people who did know him.

Ted Cabot. What a flood of memories this name brings.

Such quiet competence. The quietness seemed to say that it was so easy to do the right thing. And yet those who had the opportunity to know him remember the long, hard jobs that he had to do.

The interesting thing to me is that regardless of what the task might be or how difficult it might be it never seemed to deter him. It was as though he had already figured the entire thing out and knew what was going to happen. He just knew that he was going to succeed.

And I can't find out at what point in his life he decided that he could win regardless of what the odds might be against him.

It hardly seems possible that at 14 he would have already decided that he could win any battle. And yet he was only 14 when he received the injury that resulted in the Osteomyelitis disease that he had.

His sisters remember that when he was first taken from the house to the hospital he was in such pain he screamed when they touched him to put him in the ambulance.

You must remember that there were no magic miracle drugs in those days and the treatment for this disease was a long and difficult and most painful treatment. The treatment really lasted all of his life.

The treatment was so severe that on at least two occasions while he was being operated on his heart stopped and the doctors had to quit and revive him.

And interesting enough, Ted was always appreciative of the great interest that his doctors took in him. Instead of being disheartened by his disease and feeling sorry for himself he was appreciative of those who would take the time to help him.

Perhaps because of his illness and having to stay in bed so very much he developed the habit of study, and a voracious appetite for anything to read. And a lot of this he gets from his mother, your grandmother. She encouraged him to read, read, read! And not only did his mother encourage him in his studies and his reading, but he was fortunate enough to marry a girl who offered the same

help and encouragement. If it hadn't been for the help and encouragement of his wife, your mother, he probably would not have gone back—no not "gone back" he never went to college, he just started in law college—but he would have never gone to law college if he hadn't had the encouragement of your mother.

The help and encouragement of his mother and the help and encouragement of his wife and the help and encouragement of all the people who knew him and who were impressed with his desire to overcome any obstacle and his aura of confidence made everybody believe in him somehow and want to help.

But I suppose that not succumbing to this disease and overcoming it, the rest of life's problems were all kind of put in focus.

So he worked hard after high school as a bookkeeper and later on as an accountant as he studied and learned more, and then (hard to imagine) he decided to run for a job he thought he could manage.

In the old days here the Democrats used to fight between themselves over every office and once a Democrat got in and did a competent job and was able to stay in the office for a couple of years it was most unlikely that he would be upset. And of course usually it would take a great deal of money and help to unseat one of these people.

It was preposterous to think that Ted Cabot, bookkeeper, could run and win against an established officeholder. But he displayed his quiet competence in that election. He simply proceeded to get all of the friends he had to help him and you might say that he was the original Lawton Chiles, because he walked from door to door in this county, even with his bad leg, until when the time came for the election the people voted him in and his opponent out.

He only gloated to me one time about the election. He said, "You know, Grace Baird came all the way from Key West on a bus to vote for me." Grace Baird was a high school classmate of his who had gone to work in Key West for the Navy during World War II. And travel was difficult in World War II. We had gas rationing and Key West was a long way away by bus, and of course, most people today would say, "what's one vote?" But Ted had the charisma that would make a high school classmate of his take the day off, buy a bus ticket and come the many miles between here and Key West on a bus just to cast one vote for him.

You mustn't think of your Father as just being a cripple, lying in bed fighting a dread disease, or just a hardworking politician, or an overworked judge. He could play as hard as he could work. The number of people in this community who have been on fishing trips with him can tell you how completely relaxed he would be on his fishing trips. And he wouldn't have to do it with a bottle. He would take a drink, but not many. He somehow didn't need any artificial help to make him have fun.

If I seem to keep coming back to his illness, it is because it was such a great part of his life. At one point he was skin and bones and had no appetite and was told by his doctor that if he didn't eat he wouldn't recover and that he must force himself to eat whether he wanted to or not. So, as he told me later, he got in the habit of eating. And he found it difficult after he got well to break this habit.

We used to go to the University of Miami football games every Friday night, and we would leave Fort Lauderdale about five o'clock and stop at a restaurant where they had all of the lobster you could eat for a fixed price. I actually saw him eat eight lobsters, and I don't mean eight halves, I mean sixteen halves, plus two huge baked potatoes. Man, he could eat! And he enjoyed it. And of course most of his life he was overweight, but it was a kind of strength he had to have, and he couldn't exercise as much as he would like to because of his leg. So his leg always was a problem in his life and he probably kept remembering the year and a half that he was in and out of hospitals.

I am sure that during that eighteen months he got to know God very well. And the church played a very big part in his life all of his life. He was a trustee in the First Christian Church where your grandfather and your grandmother still attend. He was one of the charter members of the First Presbyterian Church in Plantation. When we moved to the Plantation area he saw the need of a church to serve that community, and with the help of other people like himself he proceeded to organize a church and later became the building committee chairman for the sanctuary.

As a judge he could not solicit funds, but he could work on the finances of the church, and interestingly enough he and his committee could work up such a budget that the church never really had any solicitations for funds—all that they had was a clear, impressive story of what the need was and the congregation then proceeded to support the finance committee and to meet the goals that were set. And this is the kind of church that your father helped organize. He, of course, with his legal background, was called upon to do the legal work for them and did it.

Reverend Scharer tells me that from time to time when Ted would be ill and had to stay home in bed he would ask that the building committee file be brought to him so he could help work on the church matters. And Ted said to Reverend Scharer one time, "You know, perhaps the Lord put me in bed so that I could do this work that needs to be done."

So he had really a very full life.

He started out as a boy with every opportunity, and before he became a man, physically, he was faced with a terrible illness and won over this illness at the cost of a bad leg and recurrences of the illness forever after. But probably during that year and a half in the hospital the resolve to overcome this illness became also the resolve that he used to overcome any other problem that faced him in the future.

Another astonishing thing is the number of people who knew him and felt that they knew him well and felt that they were his special friend. And they all were his special friend. But how many of us have thousands of special friends? Oh, I'm sure that you'll have one or two very close friends, special friends, all of your life, but Ted somehow or the other seemed to have close friends everywhere he went. Real, close personal friends. Special friends.

I am sure that you remember the camping trips you went on. He enjoyed being with his family, went with them on outings, camping trips.

He lived a very full life. And he lived a full life because he was working all the time. He was thinking about what needed to be done and how to do it. He was willing to give up hours of sleep and needed rest to accomplish what he knew had to be done. You know of course that he had been wrestling with legal problems involved in desegregation of our schools. He was instructed by the Circuit Court of Appeals to see that a plan was prepared in accordance with the decisions made by the Supreme Court of the United States. The drawing up of this plan was really the job of the parties in litigation, but they couldn't do the job, and the job had to be done, so he proceeded to get up at 4 o'clock every morning and spend a few extra hours on this monumental task. And he felt that the only way he could do it was to know more about the schools than anyone else. So, for example, he physically went to all of the schools in Broward County to see what was involved. And then he spent the time in the quietness of his cabin over on the Peace River thinking about it, and he spent the time in the early morning hours when he should have been resting thinking about it and working on the plan.

I suppose that it is typical of the way he handled all of the legal cases that came before him. He would do more studying and more work on the case than anybody else. He would do more work than the lawyers for either side would do. This is the hard way to do it, as a judge. You can just let the lawyers do the work and then you make a decision, but things don't get done quite so fast and they don't get done quite as effectively as if you had done them yourself. So he did it and as the song goes "I did it my way!"

And I'm sure that he would want you to face problems as he did and he would want you to live your life with God's help and without fear and with great pride and poise, all in your own way. I talked to people about this letter to you and they had as hard a time trying to explain how they felt as I am having.

"He had no fear, he was imperturbable and yet kind and gentle all the time.

"He had a compelling passion to make decisions, the tough hard and sometimes unpopular decisions.

"He had great poise.

"He had such great honesty and so much integrity that he didn't fear anyone or anything."

A juror who didn't know him said that he was the only judge that kept the lawyers from confusing him.

It seems to me that these few words that come to my mind are as good a way as any to finish! Ted Cabot, he met and overcame so many adversities that death had to come while he was asleep.

Sincerely,

PHIL CHEANEY.

INSTITUTIONAL AID: FEDERAL SUPPORT TO COLLEGES AND UNIVERSITIES

HON. CLAIBORNE PELL

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. PELL. Mr. President, the Carnegie Commission on Higher Education has recently published a report entitled, "Institutional Aid: Federal Support to Colleges and Universities." This indepth study of a subject which is before the Congress at this very moment is most probing, while at the same time objective. The full text will be available from the Carnegie Commission on Higher Education. However, I ask at this time that the summary of the findings be printed in the RECORD.

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

INSTITUTIONAL AID: FEDERAL SUPPORT TO COLLEGES AND UNIVERSITIES

1. MAJOR THEMES

1. The federal government should provide substantially greater funds for higher education including funds to institutions for general support of educational programs. Many contributions of higher education are specifically to the national welfare. The federal government, also, has two-thirds of all federal, state and local revenues.

In 1968 (*Quality and Equality: New Levels of Federal Responsibility for Higher Education*), the Carnegie Commission recommend-

ed that total federal support rise to $7 billion in 1970–71 and $13 billion in 1976–77, including $1 billion in 1970–71 and nearly $3 billion in 1976–77 in institutional support. Federal support at that time (1968) was $3.5 billion with *no* funds for general institutional support.

These recommendations were reaffirmed in 1970 (*Quality and Equality: Revised Recommendations*). We reaffirm them once again.

2. This present report is concerned with institutional support within the totality of federal support programs for higher education which include expenditures for student aid, research, construction grants and loans, and a variety of special programs such as cooperative education, community education, and developing institutions.

The Commission has never endorsed any single bill before Congress concerning institutional support. It does not now.

The concerns of the Commission have been and are:

That adequate institutional support be made available.

That the principles on which this support is based serve the nation well and serve higher education well.

That the program of institutional aid is based on principles which aid the national welfare and the welfare of higher education *in the long-run* and not only provide money in the short-run, essential as that is.

3. The principles which we consider to be most important are:

That basic support of and responsibility for higher education remain with the states and with private initiative. *We are opposed to the development of a single national system of higher education.* (See our report: *The Capitol and the Campus.*) As a consequence of this principle, we do not favor lump-sum across-the-board grants to institutions from the federal government. This would be the initial step toward a nationalized system as, first, the states would reduce their sense of basic responsibility, and, second, controls would inevitably follow the lump-sum across-the-board grants.

That the highest single priority for higher education in the 1970s is to help fulfill the two-century old American dream of social justice. Equality of opportunity has long been promised to all of our citizens. Increasingly such equality means equality of opportunity to obtain a college education. This is a *national* promise and the federal government has a special responsibility to aid higher education in carrying out this promise. Equality of opportunity in higher education is costly. Much of the "new depression" in higher education is caused by the efforts of institutions of higher education to bear these costs. The costs will rise greatly in the 1970s as we add 3 million students to our enrollments, many from low income and modest income families.

Consequently, we have proposed, and do so again, a new Educational Bill of Rights, modelled on the successful program for GI's after World War II, which would provide students from low and modest income families with the financial resources required for college attendance, and would also provide a cost-of-education supplement going along with these students to the institutions of their choice to be expended by these institutions for educational purposes. In this report, we add to our earlier recommendations that such rights, and the accompanying cost-of-education supplements, follow not only educational opportunity grants but also nonmilitary national service (such as VISTA and the Peace Corps) and subsidized loans. Both these additions would serve to raise the income levels at which students, and thus the institutions they choose, would receive benefits. We believe that the aid to students should take the form of a national entitlement available to students regardless of the state in which they reside or the institution they attend.

That students be given the maximum freedom of choice in choosing the institution they wish to attend. Such freedom of choice will both serve the students better in the short-run and create an incentive for institutions to change in the longer-run in the process of attracting students through the quality of their programs. Institutions, in turn, should be free to choose their students, without discrimination on grounds of race. Places must be provided for all qualified students but this is an obligation of each state system, not of each individual institution.

That federal aid be given in a manner which does not encourage the states and private sources to reduce their support. We fear that lump-sum across-the-board grants might do so. Some states might hold back in order to put greater pressure on the federal government to take over more responsibility. A period of great uncertainty might ensue. Public institutions, in particular, might suffer. Their state support might be diminished and thus offset some of the federal support they obtain, while private institutions would not be subject to such an offset. Federal support, on the other hand, based on *added* contributions to the national welfare would be less subject to such offsets.

That the form of federal aid should minimize constitutional problems and hopefully eliminate them altogether. The GI Bill of Rights was long and well accepted. Lump-sum across-the-board support of institutions with religious affiliations may not be.

That the autonomy of institutions be preserved. Payment for contributions to selected national goals invites less control than subsidization of the institution *qua* institution. We favor pluralism among systems and diversity among institutions. In particular, we are against any formula which would strongly influence academic policy in any single direction in an effort to obtain federal funds—for example, in encouraging the granting of degrees without regard for quality.

These several considerations have led us, after prolonged discussions over a four-year period, to favor the GI Bill of Rights approach since it makes the greatest contribution to national welfare, provides substantial support to nearly all institutions without running major risks of constitutional challenges for many of them or of reduced state support for still others, and preserves to the maximum the freedom of choice for students and the autonomy of institutions and of state systems.

4. This report, in addition to setting forth the principles that should underlie federal aid to institutions, provides new analytical data about the impact of different formulas on different types of institutions. Seemingly small changes in a formula, for example, whether allocations are made on enrollment or on degrees granted, or whether enrollments are calculated on a head count or on a full-time-equivalent (FTE) basis, make major differences in results.

We set forth several alternative formulas for examination, including:

(1) Equality of opportunity—by number of EOG recipients.

(2) Equality of opportunity—by percentage of funds granted.

(3) Two-thirds equality of opportunity (percentage of funds) and one-third enrollment.

(4) One-third equality of opportunity (percentage of funds) and one-third enrollment.

(5) Dual choice: Equality of opportunity *or* enrollment weighted for small size, whichever is greater.

(6) Three factor formula: equality of opportunity, enrollment, research.

The impacts of these formulas on several types of institutions are set forth in Table 1 and Chart 1 (not reproduced in the RECORD). The possible alternatives are, of course, quite endless.

5. This report is concerned with federal aid to institutions of higher education. Adequate state support is equally needed. In particular, it is only the states that can create a viable balance between public and private institutions. To the extent that there is an imbalance and that this imbalance is a source of current difficulties, the states should take affirmative action. Efforts to solve a state-level problem unsuccessfully at the federal level can be very costly if successive across-the-board subsidizations are made leaving everybody in the same relative competitive position. The states have a particular responsibility at the present time—in addition to their adequate support of public institutions—to aid students going to private as well as public institutions. The graduates of each type make equal contributions to society. We particularly support (see *The Capitol and the Campus*) state scholarship programs that aid attendance of low income students at private colleges and universities.

6. The nation now faces decisions on the second most important federal legislation affecting higher education in our history. The first was the legislation which created the land-grant colleges and universities, and began the movement toward the modern American system of higher education.

As we progress in our national consideration of this important development, the principles involved merit careful examination and the many alternative formulas an equally concerned attention. Whatever principles are accepted and whatever formulas are adopted are likely to remain in effect for considerable time—the forces which lead to their initial choice will lead even more easily to their indefinite perpetuaion.

The Carnegie Commission has prepared this report with the hope that it may assist in the understanding of the principles involved and in the evaluation of the alternative formulas.

FARMERS HOME ADMINISTRATION DEVELOPMENT IN THE NORTH

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, coming from a farm background spending my first 22 years on the farm that was the source of livelihood for my parents and nine brothers and sisters, I realize the need for the preservation of the family-type farm. Financial help to family-type farms was a matter of top priority from the very beginning of my tenure in Congress.

A few years prior to my coming to Congress, there was established the Farmers Home Administration. I studied that agency and visited with its leaders on at least a score of occasions. I came to the conclusion that the expansion of this agency would be the salvation for financial help for family-type farms.

Each year in Congress, I have urged the proper committees to expand the responsibility of the Farmers Home Administration and to increase availability of money to this agency so that they

could be of greater help to our family-size farms.

In all my years in Congress, more than 1,000 family-size farm applications were handled through my office. I personally visited with hundreds of farmers who had financial problems and explained to them the workings of the Farmers Home Administration and prepared the way for their filing of an application. Any inquiry to the State Farmers Home Administration headquarters at Madison or their national headquarters in Washington will verify that more Farmers Home Administration farm applications have been handled through my office than all the rest of the nine Wisconsin Congressmen and two Senators put together.

In many instances where I knew farmers were stuck with loans with private financial companies paying as high as 32-percent interest and insurance charges, I pointed out to them the folly of paying such high interest rates and urged them to work through the Farmers Home Administration. There are at least 300 instances of family-size farms that I helped work out from being saddled with high interest rates by financial companies to long-term loans at reasonable interest rates with the Farmers Home Administration.

In my judgment, the Farmers Home Administration is among the top agencies of our Federal Government. By far, they have done more to preserve the family-type farm than any other program of the Federal Government. An examination of the figures listed below will prove my point on what the Farmers Home Administration has done for the farmers of the north country during the O'Konski years:

Farmers Home Administration—Loans of all types to individuals in 10th District

[January 1, 1943–June 30, 1971—the O'Konski years]

All loans	14,771
Total amount loaned	$75,816,148
Average size of loan	$5,200

AMERICAN POLICY IN GREECE: A DECLARATION OF BANKRUPTCY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. FRASER. Mr. Speaker, George Anastaplo is lecturer in the liberal arts at the University of Chicago, and professor of political science at Rosary College. He is the author of The Constitutionalist: Notes on the First Amendment published in 1971 by the Southern Methodist University Press.

Dr. Anastaplo has been declared persona non grata by the Greek Government because of his articles about U.S. policy in Greece. One of these articles was published in a slightly edited form in the Sunday, October 31, 1971, Baltimore Sun. This particular essay looks to the countries of Western Europe as reliable allies acceptable to a liberated Greece. This Anastaplo analysis deserves additional readers. The unedited version follows:

AMERICAN POLICY IN GREECE: A DECLARATION OF BANKRUPTCY

(By George Anastaplo)

Congress continues to debate whether the United States should supply military aid to Greece. But, it should be noticed, it may not matter, in assessing the influence of American policy upon Greek affairs, whether we actually deliver military aid to the colonels' regime. It does matter whether we are believed by the Greek people to be delivering such aid. Indeed, the colonels would much prefer to have us pretend publicly to be providing them military aid, while not actually doing so, than to have us repudiate publicly our aid while continuing to deliver it in private.

It has been of great importance to the colonels that the United States should appear in public to regard the Greek regime as a respectable ally. Such fraternizaiton tends to paralyze those elements in Greece which remain hostile to the colonels. If the United States continues to support the colonels, it is asked, what can unarmed citizens do to unseat them? And, it is further asked, would the American Vice-President be permitted to conduct himself as he has in Greece if the United States does not really support the regime?

The political effect in Greece of the Vice-President's visit cannot be corrected by whatever he may have said in private to the colonels about a return by Greece (as part of "the Free World") to constitutional government. Tyrants, on whichever side of the Iron Curtain they may be entrenched, cannot be argued out of office. The colonels have dug themselves in, partly by exploiting since 1967 our public acquiescence in, if not support of, their regime. Our State Department experts now realize that they were deceived into "going along" by the colonels' repeated assurances that they intended to return the country to constitutional government.

No matter what kind of welcome can be staged in Athens for American leaders, there smoulders in Greece today the resentment of a proud people who can easily be led to regard themselves as having been subjected to a tyrannical rule in order to serve the strategic interests of the United States. Such resentment can damage the permanent national interests both of Greece and of the United States in the Eastern Mediterranean. In fact, the United States may have already so compromised itself in Athens that it is now limited to an effort to salvage what it can of its relations with Greece after the colonels do go.

How has a country which had been so influential in Greece gotten itself into the helpless position we now find ourselves? First, we misjudged the Greek constitutional crisis of 1965–1967, a crisis in which the legitimate leaders of Greece did conduct themselves irresponsibly. We did not do what we could have at that time to moderate the passions which had developed in Athens and to which we contributed.

Then, we misjudged the usurping colonels who seized power in April 1967. We failed to see what should have been evident to everyone who ever saw these men close up, that they were crude opportunists with a talent for conspiracy. We failed to see as well that there was (and perhaps still is) available as a popular alternative to the colonels an experienced conservative, a former prime minister of considerable prestige in Greece, who was clearly friendly to the United States. In short, we betrayed our friends and the cause of decent government in Greece by permitting ourselves to be gulled and used by the colonels.

We have, in our collaboration with the colonels, ignored the interests and wishes of the Greek people. We did not see that the legitimate interests and sensibilities of the Greek people were necessary concerns for us to take into account if our policy was to be sound. Nor did we see that our much-publicized association with the colonels was creating a permanent reservoir of resentment against the United States, resentment which may be found even among the conservatives, royalists and better army officers of that country. We have, that is, succeeded in uniting articulate opinion in Greece on one simple proposition, that the Untied States is in large part responsible for the tyranny which Greeks seem destined to endure for a generation.

Another effect of our policy has been that it has permitted the colonels to corrupt and exploit the Greek-American public. That public remains, despite its good intentions, curiously uninformed about Greek affairs. If the American government had been more perceptive and more responsible in recent years, the more influential Greek-Americans would not have been as foolish and harmful as they have been in their uncritical support of the colonels. But even Greek-Americans cannot help but notice, upon returning to Greece, the marked absence of discussion of political matters by ordinary Greeks in public places.

This unnatural public silence of the Greeks is revealing, eloquent and ominous. The longer the present regime continues, the less likely it will be that a moderate resolution of "the Greek problem" will follow the departure of the colonels: Since it is unlikely that we Americans will do publicly what might still be done to help the Greeks rid themselves immediately of the colonels, we should begin to consider what can be done (in the interest of both the United States and Greece) to blunt the effect of the passions which have been generated against the United States among the more articulate Greeks, passions which can lead some day to disastrous experiments by a liberated Greece.

Would it not be prudent for us (as part of our "salvage" operation) to encourage the Greeks to move into closer association with Western Europe and away from their recent dependence upon the United States? This may be a safe and humane way to minimize the potentially explosive results of our miscalculations and self-deceptions in Greece of the past decade. Greek democrats cannot help but notice that they deserved less and yet got more from European governments than from their American ally since the colonels struck in 1967. Thus, whereas the United States (like the Soviet Union) accepts without serious public criticism the Greek government as it is today, the governments of Western Europe refuse to do so.

The deference by Europeans to what decency requires may be seen in the condemnation in the Council of Europe, despite American lobbying in opposition to this action, of the widespread and deliberate use of torture by the colonels. Such repudiations of the American approach should make Western Europe appear more plausible than the United States as a reliable ally for a liberated Greece. Perhaps there can be minimized by an increased reliance upon Europe the effect of our failure in Greece, a failure which anticipates the permanent loss of the preeminent influence America has had there for a generation.

Is there not something shoddy and unimaginative in the willingness of a great power to be used as the colonels have been using us since April 1967? Which is worse, that we did not know better or that we did not care? However that may be, we have permitted ourselves to be crippled by the self-seeking conspirators who continue to control Athens.

There remains for us Americans, whatever may happen in the Mediterranean, the duty of reflecting upon why our policy in Greece has been such a miserable failure and what that failure reveals about the way we conduct foreign affairs everywhere.

PEKING AND WASHINGTON: A FULL CIRCLE

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. CHURCH. Mr. President, the overture President Nixon is now making toward Peking is similiar to overtures made 22 years ago toward the United States by Mao Tse-tung and Chou En-lai during the latter stages of World War II. However, ideological differences blocked any kind of cooperation between the United States and the Communist victors of the Chinese civil war. Consequently, Washington backed the losing side in the conflict.

This past episode—only recently made public—is recounted by Frederic A. Moritz in the Christian Science Monitor of November 9, 1971. Because of its current value, I ask unanimous consent that the article be inserted at this point in the RECORD.

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

[From the Christian Science Monitor, Nov. 9, 1971]

LESSONS BOB UP FROM THE PAST AS UNITED STATES FORGES NEW POLICY ON CHINA

(By Frederic A. Moritz)

Americans are finally facing the fact that Mao Tse-tung's Communists defeated Chiang Kai-shek's Nationalists—22 years, two wars, and a stinging United Nations defeat later.

Some fresh conclusions emerge from new evidence revealed by State Department documents only recently declassified. They concern a strangely prophetic World War II episode in which Mao Tse-tung and Chou En-lai sought cooperation with the United States.

Then as now Communist leaders ignored ideological barriers in a bid for American assistance as a balance against Japan and Russia, the two powers pressing closest on China's borders.

The Americans involved are being courted and listened to once again. A key figure in those wartime contacts, retired diplomat John Stewart Service, recently testified before a respectful Senate Foreign Relations Committee. And now he returns from China after renewing an old wartime acquaintance with his host, Chou En-lai.

It was different in 1945 when the 36-year-old foreign-service officer earned two decades of controversy and suspicion of disloyalty for arguing that Americans must temper their romance with Chiang Kai-chek, avoid taking sides in the Chinese civil war, and accept the reality of Communist power.

NEW CONCLUSIONS FORGED

Now those World War II contacts that once raised disloyalty charges are sparking new conclusions with evidence of:

An extended effort by Chinese Communist leaders to avoid conflict with the United States. One analyst says the Communists wanted no overdependence on Russia and saw American assistance as an alternative.

Lost American opportunities to prevent the hardening of the Sino-Soviet alliance and 20 years of American-Chinese confrontation.

Intentional or not, distortion of the record by the State Department's 1949 white paper which, say its critics, played down evidence of Mao Tse-tung's independence from Moscow.

Former Secretary of State Dean Acheson's letter of transmittal introducing the white paper denounced the Communist leaders as instruments of a foreign imperialism who "had foresworn their Chinese heritage." That insult was bound to create distrust, according to University of Michigan Chinese foreign-policy specialist, Prof. Allen S. Whiting.

At the heart of the story is Dixie Mission—18 American diplomats and military men who flew from Chiang Kai-shek's wartime Chungking capital to Yenan in the summer of 1944 to spend months as guests at the rocky northern China Communist base. Their object: to evaluate Communist guerrillas as potential allies against Japan and to recommend on possible military aid.

BACKGROUND SKETCHED

Mr. Service, then second secretary of the United States Embassy in Chungking, handled Dixie Mission's political side. Born in China of missionary parents, the lanky, laconic diplomat used his fluent Chinese in lengthy interviews with Mao Tse-tung and Chou En-lai. He summarized these and his general impressions in dozens of memos and dispatches.

These memos and allegations that they were leaked by Mr. Service to the editors of the left-wing Amerasia magazine in 1945 became the subject of the late Sen. Joseph R. McCarthy's 1950 charge that Communists had infiltrated the State Department. The Civil Service Commission Loyalty Review Board dismissed Mr. Service in a judgment overturned six years later by a unanimous 1957 United States Supreme Court decision. But the documents themselves were never fully revealed until lengthy declassification procedures allowed publication of two State Department volumes in 1967 and 1969.

They are Foreign Relations of the United States, 1944, Vol. 6 and Foreign Relations of the United States, 1945, Vol. 7. Two recent books by participants giving added detail are Amerasia Papers: Some Problems in the History of U.S.-China Relations (1971) by Mr. Service himself and David D. Barrett's Dixie Mission: The United States Observer Group in Yenan, 1944 (1970). Both are published by the Center for Chinese Studies at the University of California, Berkeley.

OVERTURES RECALLED

Contained in these volumes is the story of early Chinese Communist overtures for cooperation with the United States. Among them:

Mao Tse-tung inquired of Mr. Service in July, 1944, if the State Department could establish a consulate in Yenan—to remain after the war had ended.

Mao Tse-tung and Chou En-lai proposed through secret military channels in January, 1945, that they personally got to Washington for exploratory talks with President Roosevelt—according to a cable by United States Ambassador to China Patrick J. Hurley. A State Department historian has verified the existence of the proposal itself, according to John Paton Davies, a former American diplomat involved in planning for Dixie Mission.

Mao Tse-tung called for long-term economic cooperation between China and the United States in a March, 1945, interview with Mr. Service. Said Chairman Mao:

"America is not only the most suitable country to assist this economic development of China: She is also the only country fully able to participate. For all these reasons there must not be and cannot be estrangement or misunderstanding between the Chinese people and America."

ALLIANCE SOUGHT

In 1944 and 1945 the Communists sought a military alliance with the United States. They calculated that American military aid would weaken Washington's support for Chiang Kai shek, deter the Nationalists from renewed civil war, and—by opening the way for expanded Communist operations against the Japanese—increased the territory under Communist control.

But some analysts see these Communist overtures as evidence of an early attempt by Chairman Mao to maintain independence from Russia. Mr. Service, now curator at the University of California's Center for Chinese Studies in Berkeley, says, "Increasingly it became clear that they also had long-term considerations. They didn't want to become too dependent on anyone."

Professor Whiting, director of the State Department's Office of Research and Analysis for the Far East during the Kennedy administration, testified before the Senate Foreign Relations Committee in June: "Already in 1945 the Chinese Communist leadership anticipated that potential policy conflicts with Stalin argued for striking a balance with Washington." He cited Chinese Communist claims to Russia-dominated Outer Mongolia as one example.

BALANCE SUGGESTED

According to Professor Whiting, other evidence of the Chinese Communists' hope of maintaining a balance came in 1946 when Chou En-lai advised the American special ambassador to China, George C. Marshall, "Of course, we will lean to one side. But how far we lean depends on you."

The United States sought allies against Japan and came close to accepting the Communist initiatives. When the American mission arrived in Yenan, Communist guerrillas in northern China already provided important aid as the Pacific campaign brought American bombers and marines closer to Japan. Communist forces were rescuing hundreds of American flyers downed in China behind Japanese lines.

"There was a whole philosophy among the military to use the Communists to aid an American landing in cutting the Japanese in half somewhere above Shanghai. Cooperation with the Communists was the logical military decision," says Dana Robinson, then a Navy intelligence officer on the State Department's North China, Manchuria, and Korea desk.

The Americans in Yenan came to similar conclusions. In the southwest many of them had been increasingly frustrated by what they saw as ineffectiveness by the Nationalist Government and Armies. In contrast the Communist seemed dedicated, well organized, and skilled at guerrilla operations behind Japanese lines.

AN EASY MIXING

The Communists and their American visitors mixed easily. Scripps-Howard columnist Raymond Cromley, a self-described "conservative anti-Communist" at that time a major in the U.S. Army Air Corps described them this way: "They were very tough guys with the blunt earthy language of a gym locker room. It was a very pleasant way of doing business. You always knew where you stood."

But despite the recommendations of Dixie Mission, Ambassador Patrick J. Hurley bitterly rejected the advice of diplomats on his staff and supported Chiang Kai-shek's veto on American military aid to the Communists.

With the war over, the incentives for American cooperation with Mao Tse-tung faded, and the United States pinned its hopes on Chiang Kai-shek. American economic and military aid to the Nationalists continued until their defeat by the Communists in 1949—despite attempts by the Marshall mission in 1946 and 1947 to cement a coalition government between Communists and Nationalists.

EFFORT TO QUIET CRITICS

But Chiang Kai-shek remained as America's cause in an alliance still further tightened by the Korean war. By 1949 the die was cast for a great debate: Who "lost" China?

That was the setting when the State Department issued its 1949 white paper "United States Relations With China: With Special Reference to the Period 1944–1949." One of its objectives: to quiet criticism that insufficient American support had caused the Nationalist defeat.

The white paper only briefly mentioned Ambassador Hurley's rejection of American aid for the Communists. It omitted the extensive Yenan contacts between Americans and Chinese Communists as well as the substantial body of knowledge American observers had accumulated. Secretary of State Acheson noted in his letter of transmittal:

"The record obviously cannot set forth in equal detail the inner history and development of the Chinese Communist Party during these years. . . . Our direct contact with the Communists was limited in the main to the mediation efforts of General Hurley and General Marshall."

SOME LIMITS CITED

Some critics suggest the white paper minimized American contracts with the Communists to guard against criticism that Democratic administrations had been soft on communism.

But John F. Melby, coordinator of the project and now a professor at the University of Guelph, Ontario, denies intentional distortion. He cites excerpts from dispatches by Mr. Service and others as evidence of completeness. According to Professor Melby, space limitations and considerations of relevance account for many omissions.

Professor Melby deplores the tone of Mr. Acheson's letter of transmittal. "That was unfortunate. It was the cold-war line that the Chinese Communists were subservient to the Russians. There was nothing in the white paper itself to substantiate that. They were two separate documents," he says.

Secretary Acheson's Letter—separate from the rest of the document—reached the Chinese Communists first through Moscow in a Tass dispatch. Its cold-war contents may have strengthened Chinese resentment, according to Professor Whiting, who notes that Chairman Mao's August, 1949, attacks on the white paper triggered "the most extensive expression of anti-U.S. themes to appear in Chinese Communist publications up to that time."

THREE ALTERNATIVES

Secretary Acheson's letter of transmittal argued the United States had had three alternatives in China:

To pull out "lock, stock, and barrel."

To intervene massively and help the Nationalists destroy the Communists.

And the course actually followed—to assist the Nationalists to assert their authority over as much of China as possible while seeking to avoid a civil war by working for a compromise between the two sides.

Now, 22 years later, President Nixon's initiatives to Peking finally concede victory to the Chinese Communists. Those who wonder why it took so long may read the views of Mr. Service. In his 1971 book he wrote:

"There was a fourth unmentioned alternative [in the letter of transmittal]: to seek to avoid civil war by working for a compromise, but to keep the United States in a flexible position, basically uncommitted to the extension of Nationalist or any other power in China, and ready to adjust itself to the future evolution of that country."

ILLEGAL ALIENS FIND IT EASY TO GET SOCIAL SECURITY CARDS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McDONALD of Michigan. Mr. Speaker, social security was introduced into American life for the purpose of providing the worker with a steady source of income in his retirement years.

But the purposes of social security have been perverted in recent years by thousands of aliens working in illegal competition with American citizens and immigrants and others legally in our country.

Anyone, it seems can get a social security card, and thousands upon thousands of aliens are using them to get work to which they are not entitled.

Consider this testimony by Immigration Commissioner Raymond F. Farrell:

As it is now, anyone can get a social security card, and many of the illegal Mexican nationals apprehended in the Southwest have four and five social security cards in their possession.

From the very beginning we were hoping the social security agency would not issue cards to people who could not establish they were citizens or in possession of an alien registration card, but they did not feel that under their law they could do this, and we had sort of a running battle for many years. . . .

Almost every form a person fills out today contains a blank space for a social security number, and when an illegal alien gets a number he can get a job without the "green card" simply by claiming to be a citizen—if he is asked that question. He has a social security card, and because the law does not require him to state he is a citizen he does not commit fraud when he acquires it.

Now, according to Commissioner Farrell, the Social Security Administration has a rather curious attitude about the issuance of its cards. He says SSA regards itself as "more of an insurance agency than—an enforcement arm of the Government."

Certainly, SSA is an insurance agency, but it is apparently the one agency in the Government that does not include in its setup provisions for law enforcement.

According to Arthur B. Tirado, of the Department of Social Welfare, State Social Welfare Board of California, the social security card is vitally important to an illegal alien for identification purposes in getting employment, in spite of SSA's doubts as to its value.

Mr. Tirado quotes Social Security Commissioner Robert M. Ball as stating—

It seems doubtful that refusing to issue a social security card to an alien, without proof of his status, would effectively bar him from employment.

Mr. Tirado says the Commissioner's doubt "would be completely clarified if he would come to the Southwest border cities of this country and see the prevailing abuses. The cards are either stolen by the illegal alien, or he uses the card of a friend who has returned to his native country, or he will use the card of a deceased person."

Mr. Tirado says the illegal alien applying for a card usually is "well informed on the loopholes of the system. He applies without hesitation for form No. SS–5PR, jots down any name he desires, any address, and all the other fictitious information. He will be sent the card in the mail, or he may request a replacement of a 'lost card.' This duplicate card is issued to the applicant on the very same day of request."

Clearly, it is far too easy to obtain these cards.

It seems to me that if we are going to clean up the illegal alien mess in this country one of the first things we are going to have to do is to restrict the issuance of social security cards and make the alien worker prove to the Social Security Administration that he is entitled to get a job here before he is issued a card.

CAMELOTS

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. HOSMER. Mr. Speaker, Camelot was the name of a mythical town in a famous musical comedy of several years ago. Camelots is an acronym describing some current mythical happenings in this country—Can America Measure Every Little Ominous Thing Seismic? I mention this because what I read and hear from the media about U.S. capability to detect, identify, and locate seismic events seems to be based more upon wishful thinking and myth than upon facts. On October 27 and 28, 1971, the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, held hearings on the status of current U.S. technology to identify seismic events. The last comparable hearings by the Joint Committee were held in March 1963.

The hearings were timely. I say this because, of those in the private sector who are working most diligently trying to get the United States embroiled in a comprehensive test ban treaty, many are usually incompetent in one of two fields and many are incompetent in both fields.

The first field concerns seismology, geology, and related sciences of which knowledge must be had to understand how a seismic signal is generated, how it gets from one place on the earth to another and how it might be identified as natural or man-made. We need people versed in such sciences to tell us what kind of signals we can expect from earthquakes and from underground nuclear explosions and what techniques and technology must be developed to detect, identify, and locate the sources of such events. We depend on them to tell us if a comprehensive test ban could be verifiable. However, we do not depend on the scientific experts in these esoteric fields to convey to us the political implications

of a comprehensive test band. The latter determinations are simply outside the field of their expertise.

The second field involves international politics. We expect those who are expert in this field to tell us if we can expect the kind of international cooperation necessary to provide, by seismological means alone, a verifiable test ban treaty. Our hearings this year were directed toward the status of U.S. seismic technology, not toward international implications. The hearings record [1] and the Joint Committee on Atomic Energy staff analysis [2] of the testimony are available to the public.

These documents authoritatively refute the numerous articles recently appearing in the media claiming that a comprehensive test ban could be verifiable to such low seismic magnitudes that even a determined evader might not conduct a meaningful nuclear weapons test program underground. Such statements do not jibe with the conclusion given by Dr. John S. Foster, Jr., Director of Defense Research and Engineering, at the October 1971 hearings. Dr. Foster stated that:

> We have assessed the possibility of a determined violator evading our seismic verification system to be non-negligible.

Having listened to the testimony of the experts who spoke at these hearings, I must conclude that optimistic statements about U.S. seismic capability are based upon some kind of a political judgment or even upon hope and aspirations, but surely not upon valid technical judgments. I am joined in this conclusion by other members of the subcommittee and most of the witnesses. Let me point out why.

The whole thrust of the argument that a comprehensive test ban is verifiable today down to a very small yield nuclear test is conceived and entirely predicated upon the existence at some future time of a dependable, internationally run seismic network which surrounds those geographic areas of greatest interest. I contend that to hang the future security of the United States on such flimsy fabric as perpetual worldwide international cooperation of this kind could be hazardous to our future security. The Security Council of the United Nations could not even agree on a resolution to get the Indians and Paks to quit fighting. One can just imagine what the status would be today of any seismic station in India or even defeated Pakistan upon which the United States depended to verify a comprehensive test ban treaty. These are but two of many trouble spots and potential trouble spots around the world.

I have stated in the past that I would support a comprehensive test ban treaty which had a high probability of being verified unilaterally by U.S. systems at a magnitude threshold below which the cheater could not profit from his efforts.

The VELA program has achieved such unilateral means for detecting and identifying tests in the atmosphere and in outer space. I am not sure of U.S. competence to detect and identify all clandestine tests underwater.

I am concerned, however, that the current seismological state of the art is such that a determined evader could conduct a realistic weapons testing program underground, in several parts of the world, from which he could profit significantly, since the United States could not prove what was actually happening.

I repeat that if the United States should agree to a comprehensive test ban treaty which must depend on an extremely high degree of international cooperation for the operation of a worldwide seismic network as the principal means of verifying that the test ban is being observed, then this country would be treading on dangerous ground.

In any event this hyperbole about alleged contributions to world peace from a total test ban treaty sadly misses the mark. It is not the underground testing by the two superpowers that threatens the peace of the world. The United States and the Soviet Union have been testing their nuclear weapons and improving their nuclear arsenals for over two decades. The net result has been to lock them into a position of mutual deterrence. The certainties and assurances regarding their respective arsenals which underground testing allows underpins the stability of the existing superpower strategic relationship.

However, without underground tests either or both sides would begin to have increasing doubts about the possible deterioration of its arsenal and about the possible enhancement of the others from undetected cheating, progress despite nontesting, or what have you. Instability rather than strategic stability would be the end result.

And, payment for a total test ban treaty at this cost in strategic stability would buy little or nothing of value. It would not deter testing above ground or underground or under the seas or in space by France and Red China who are not signatories to even the limited test ban treaty. Nor could it reasonably be expected to have influence on the nonnuclear powers who have not signed the treaty but who seem to be possible candidates for future "nuclear club" membership. Anyway, it cannot even realistically be expected to deter the hand of any hard-pressed signer of the NPT who conceives his nation's survival to be dependent on nuclear arms.

I now suggest, as I have many times in the past that well-intentioned people who focus their time and energy exclusively on promoting a total test ban treaty as the way to achieving a peaceful world are chasing a will-of-the-wisp. If they are really interested in promoting the peace of the world, there are many other and highly productive avenues of arms control and disarmament to explore. I, personally, have devoted considerable of my own time and efforts to them. I commend this example to men of good will.

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[1] "Status of Current Technology to Identify Seismic Events as Natural or Man Made," Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, on Extent of Present Capabilities for Detecting and Determining Nature of Underground Events—October 27 and 28, 1971.

[2] "Status of Current Technology to Identify Seismic Events as Natural or Man-Made." a Staff Analysis of the Testimony given at Hearings before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy, October 27 and 28, 1971.

BIOGRAPHY OF ALVIN E. O'KONSKI

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, I include the following biographical material:

ALVIN E. O'KONSKI

Born and reared on a farm near Kewaunee, Wisconsin. In the first 18 years of his life, he did every kind of farm work on a family farm of 200 acres. During 4 more years, until 22 years of age, he worked every summer on the family farm. He was the 6th child in a family of 10 children.

Graduated from a rural school and public high school in Kewaunee, Wisconsin in 1922.

Graduated from the State Teachers College, Oshkosh, Wis., in 1927 with a Bachelor of Education Degree, with History and Political Science Majors. Worked his way through college by holding several jobs at a time, such as waiting on tables, janitor work, tutoring and a score of other jobs.

Graduate work at the University of Iowa and the University of Wisconsin with Speech and Political Science Majors.

In spite of working his way through college, he was President of the Student Body for two years; Captain of the Debating Team, never losing a debate; and won many honors for his College in speech contests. Won Big Ten championship in debating while at the University of Wisconsin.

Nine years' teaching experience. Instructor at Omro and Oconto, Wisconsin High Schools. Principal of the High School at Pulaski, Wisconsin; Instructor at the Oregon State College, Corvallis, Oregon; Head of Speech Departments at the University of Detroit, Detroit, Michigan, and at Itasca Junior College, Coleraine, Minnesota.

Topped all Congressmen and Senators in American History and Political Science in a test given by the United Press—score perfect.

Married Veronica Hemming of Janesville, Wisconsin, in August 1935. As principal of the High School at Pulaski, Wisconsin, he gave Veronica her first teaching job. She is a college graduate with a Bachelor of Arts degree in Business Administration. She is considered the most qualified and hard-working secretary in the Nation's Capitol. More than 100 Members of Congress have asked her to help in setting up their offices. She still works part time without salary.

He has been very successful in all his business ventures. Former editor and publisher of a Wisconsin weekly newspaper and former owner of radio stations at Merrill and Wausau, Wisconsin, he is currently the President of Northland Television, Inc., which operates WAEO–TV in Rhinelander, Wisconsin.

THE WAR IN VIETNAM

He was the first American public official to denounce and oppose our involvement in the war in Vietnam. Our first financial attempt to get involved in Vietnam was in 1954 when the French were losing the war there, O'Konski was the only Member of Congress to speak out against our replacing the French after they lost the war.

In 1961 and 1962 he again spoke out against our military commitment to Vietnam and opposed the military buildup for Vietnam which began in 1961 and 1962. Because of his opposition, several newspapers denounced him as a traitor.

In 1963 and 1964 and again in 1965 in tele-

vision appearances and in Congress, he warned of the futility of our involvement in Vietnam.

He voted against the draft in 1967 because of his opposition to the war in Vietnam, feeling that a shutoff of manpower would send a signal to the Administration that America was fed up with the tragedy of Vietnam.

There is no other public official in America who can substantiate a record as clear as O'Konski's against our involvement in Vietnam. He is no Johnny-Come-Lately; he was and is a leader.

O'Konski also denounced unnecessary military spending before it was the "popular" thing to do. In all his years in Congress, he has voted for cuts of over $200 billion in military spending.

FOREIGN AFFAIRS

Elected president of the World Bill of Rights Association in 1945 to protect the rights of small nations. Awarded title of "Most Distinguished American of 1945" by the Foreign Language Press of America for his work on behalf of the small nations.

The first American public official to denounce the Yalta Agreement in 1945 which led to many of the present troubles in China, Vietnam, Korea and all around the world.

Member of the Katyn Forest Massacre Committee which investigated the mass slaying of 15,000 Allied soldiers by Russia during World War II. Awarded medal for his outstanding efforts.

OTHER POINTS OF INTEREST

Presently member of the House Armed Services Committee. This is one of the most important Committees of Congress. Served previously on the Veterans Affairs Committee; Public Works Committee; and the Committee on Education and Labor. The experience on all these Committees is unusual for a member of Congress. While on the Veterans Affairs Committee, he coauthored the GI Bill of Rights.

Now serving his 15th term. He is Dean of the Wisconsin Congressional Delegation setting a new State record for tenure. He ranks among top 11 in length of service out of the 435 Members of the House of Representatives. Where seniority is so important, this is a great benefit to the people he represents.

Has an outstanding attendance record in Congress with a 30-year average of 90%. He achieved a record of service to the people which has become a legend. He has never refused anyone requesting help on a Federal Government matter. In 1971 he responded to 472 roll calls for a 100% attendance record, his 10th year of perfect attendance.

LEGISLATION MOST INTERESTED IN

Farm program

Always supported 100% parity at the market for farm prices. Believes family-type farm must be protected and aided. Has sponsored over 20 bills for the REA, FHA, ASC, price support and other farm programs which have become law.

Education

Has supported and worked for every education aid bill passed by Congress. Education makes taxpayers not taxeaters. He was among the first to advocate legislation providing for federal aid to education.

Social security

Voted for every improvement in Social Security program. Has introduced bills to improve the program in 25 instances. First to introduced bill providing $100 minimum monthly benefit per person.

Veterans and servicemen

Considered top friend of veterans and servicemen and their dependents. Has reputation among all veterans as their number one friend in Congress; has co-authored over a dozen bills to increase pay and benefits for servicemen and veterans.

Business

More than 7,000 people have jobs today in Northern Wisconsin because of his help. Has introduced many bills in Congress to provide low-interest, long-term loans to farmers, merchants, resorts and industries. Is always willing to help applicants obtain approval by working with them.

Foreign aid

A bitter critic of our "Foreign Give-Away Program." He considers it International Payola which has demoralized the world. Checkbook diplomacy is a shame and a sham. Here again, he criticized these programs when it was unpopular to do so.

Labor

His labor record is outstanding; better, in fact, than that of some labor unions and leaders. Has been consistently endorsed by the rank and file of labor—though not always by labor bosses.

Imports

The greatest tragedy of this century is that the U.S. built manufacturing plants in cheap-labor countries after World War II and has allowed these goods to enter the U.S. with little restriction, undermining the jobs of American workers. More than one million are unemployed today because of imports.

Taxes

In the last 30 years, he voted for cuts of more than $200 billion in military and foreign aid spending where there is too much waste. He has voted for all tax cuts and only once—during World War II—voted for an increase in the National Debt. Is recipient of the coveted "Watchdog of the Treasury" Award.

Economic development

Has co-sponsored bills which have brought more than one billion dollars of Federal loans and grants into his district for economic development during his time in Congress. Among the largest loans in the entire nation were in his district. In the last 6 years every dollar paid by residents of his district in all types of Federal taxes has come back to the district and then some.

Pollution

He warned about our pollution problem way back in 1952 at the end of the Korean War. He was the first to urge then that we better set our minds to solving the problems of pollution. In the 1950's, he and John Blatnik co-authored a bill to set up a water testing laboratory in Duluth to analyze polluted waters. He has helped more than 50 communities secure Federal money to install sewage and water facilities to fight pollution. He not only talked against pollution way back in 1952 before anybody else, but he has acted against pollution.

MOYERS ON INDIA-PAKISTAN

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. CHURCH. Mr. President, former Washington political personality, Bill Moyers, now conducts his own national television show each week on National Education Television out of New York City. On December 8, 1971, he analyzed the then raging conflict between Pakistan, Bangladesh, and India, having as his chief guest our former Ambassador to India, John Kenneth Galbraith.

Mr. Moyers concluded his program with some telling thoughts regarding the manner in which the Nixon administration had not backed its declared policies with actual matching deeds. "Unfortunately, in this war, the United States," Mr. Moyers opined, "for all its professed neutrality, is anything but innocent." The Anderson papers confirm this observation. He goes on:

Twenty years ago we equipped the Pakistan Army while assuring the worried Indians that those weapons would never be used against them. They were, in 1965 in the war in Kashmir, and they are now, tonight.

Ironically, we supplied those arms as a defense against the Chinese, who are now on Pakistan's side. Since 1950, U.S. military aid to India totaled 150 million dollars. Our military contribution to Pakistan, however, during that same period came to 670 million, more than four times as much.

So the bloody sword that General Yahya has loosed against his own people in East Pakistan, was made in the U.S.A. And despite the barbarous conduct of his army, the State Department kept on sending material to the General even after the Congress voted to cut it off.

In what seems, to me at least, to be one of the most flagrant examples of humbuggery in an age of rampant hypocrisy, the White House praised General Yahya, the man who precipitated all the carnage in the East, for trying to achieve what it called an "amicable political settlement." That's like congratulating the perpetrators of the St. Valentine's Day Massacre for using a little "friendly persuasion" to end the gang wars in Chicago.

As the General employed troops, mortars and torture to nullify a free and democratic election in East Pakistan, Washington was silent. But when India moved, the White House quickly expressed displeasure.

In my opinion, about the only thing consistent in our performance is that the favors we've bestowed on General Yahya are consistent with our fondness for strong-arm military rulers in South Vietnam, Cambodia, Thailand, South Korea, Greece—and all those other countries we've been fighting to make safe for democracy.

I ask unanimous consent that the transcript of the "This Week" program of December 8 be inserted in the RECORD.

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

INDIA-PAKISTAN: THE HIGH PRICE OF HATING

BILL MOYERS. Good evening. I'm Bill Moyers. This week we had planned to cover a story about some people in the mountains of North Carolina and Virginia who may be forced to leave their homes if the federal government approves plans for a new hydroelectric project. Well, once again events intervened and we now plan that story for next Wednesday night.

This week, regrettably, our story is of war between India and Pakistan. The truculent fighting continues tonight despite last night's United Nations General Assembly resolution calling for a cease-fire and mutual withdrawal of all forces. Once again, the UN is powerless to control or even influence military action . . . while an anguished people in East Pakistan plead for the self-determination they thought they had won in their nation's first free election just one year ago . . . And across the border in India an estimated ten million East Pakistani refugees huddle and die in misery, driven from their own land by their own people.

How all this can possibly happen and the unbelievably high price ordinary people pay when their governments take up the sword . . . is our story this week.

The people who live in the subcontinent of India have been paying the high cost of hating for centuries. Long before there was a Pakistan, the Moslems were always a minority among the Hindus, and even in 1892, when the colonial British government permitted limited local elections, the Moslems feared domination by a majority with whom they differed in religion and culture.

But their idea of a separate Moslem state was spurned by the Hindu majority, for whom the unity of India was an article of faith. Even while fighting for independence from the British, the two communities were engaged in a bitter struggle with each other. The toll was high . . . not only in lives but in the residue of bigotry, frustration, and hatred that would be left when independence finally came.

At the end of World War II, India, still under British rule, looked like this. But the British Empire had already started to retrench east of Suez and finally gave in to the 40-year struggle for freedom by both Hindus and Moslems. In 1947, the British agreed to partition the country into two nations, a primarily Hindu India and a mostly Moslem Pakistan, divided into two parts, East and West, with a thousand miles of India in between. It was hate at first sight.

When they no longer had the British to fight, they fought among themselves, more viciously than ever before. The chief issue then was which nation would control several states whose status had not been finally settled by the partition. Within months of the British pullout, hundreds of thousands . . . some say a million persons . . . died in rioting on both sides of the India-Pakistan borders. Some 12 million persons were forced from their homes . . . roughly half were Hindus who headed for India, the others Moslems who went to Pakistan. Many are still in refugee camps 24 years later.

Kashmir, one of the original contested states, is still disputed territory, a persistent thorn in the flesh of both India and Pakistan. Pakistan claims it because the majority of the people are Moslem. India retorts that if Pakistan were to get Kashmir because its people are Moslem, what would happen to the 60 million Moslems that live elsewhere in India . . . more than live in West Pakistan? Besides, India argues, Kashmir is strategic to the defense of North India against the Chinese.

Fighting between India and Pakistan broke out in 1948 and again in 1965, ending only after an uneasy United Nations truce. They are fighting again in Kashmir tonight.

The present struggle began in East Pakistan . . . part of the former Bengal province of India and now called Bangla Desh, meaning Bengal Nation, by the rebels who want independence from West Pakistan. There never was any love lost between the East and the West. The Bengalis in the East differ in every way except their Moslem religion from the taller, lighter-skinned fellow countrymen in the West. Ever since independence, the 75 million people in East Pakistan have been dominated by the 50 million who live in the West, a thousand miles away. It's as if New Jersey and California were one nation, surrounded by the United States, and New Jersey ran the whole show.

The Bengalis won a huge victory in the nation's first true election exactly one year ago this week but the autocratic military regime in the West stepped in with force to stop the democratic process and to crush the rebels. Enraged and indignant, the Bengalis now insist on independence, and their new nation, Bangla Desh, has been recognized by India. On the subcontinent intoxicated by animosities, the hatred of Moslem for Moslem now competes with the ancient hatred of Moslem for Hindu.

The leader of Bengla Desh is Sheik Mujibur Rahman, an East Pakistani national hero. He is under arrest in West Pakistan charged with treason. If he survives, he may be the only person who can midwife the new nation through its turbulent birth.

Pakistani President Mohammed Yahya Khan is not likely to release Sheik Mujib unless forced to do so as part of a negotiated settlement of the war. General Yahya has said he will relinquish power to a civilian coalition government later this month. But even if he's serious, it seems too late to keep his nation from dividing.

Prime Minister Indira Gandhi has encouraged the establishment of Bengla Desh by supplying arms to the guerillas who were fighting West Pakistan and now by sending India to war against her old enemy again.

There really isn't too much doubt about how the military conflict will end. India's population is four times that of Pakistan. India has almost three times as many men under arms and, at least when the war started, twice as many war planes as Pakistan. Most military experts agree that unless one or more of the super powers intervenes, there is no way that West Pakistan can hold onto the East. It may be able to hold and take parts of Kashmir before the two nations exhaust one another, but even with that, Pakistan seems to have lost . . . its army driven from the East and its control over the rich Bengali resources gone for good.

The 75 million people who live in East Pakistan are crowded into the Ganges River Delta. It is one of the most densely populated areas of the world, and to me, very reminiscent of South Vietnam. Its rice paddies are by far the most productive in the nation and the jute and tea produced here are the big money crops that are sold abroad for foreign exchange credits.

East Pakistan is a land of rivers. It resembles the state of Illinois in size and is completely surrounded by Indian territory and the Bay of Bengal. Raw materials grown in the East are processed in the factories of the West from where the ruling Punjabis also dominate the government, the civil service and the army.

Dacca is the capital of the East, and housing and sanitary conditions here are used by each side to support its case. The Bengalis say these conditions confirm long exploitation by the government in the West, while the Punjabis point to the squalid streets and omnipresent poverty as evidence that the Bengalis of the East are little more than spiritless peasants and tricky tradesmen.

But at least Dacca didn't suffer the fate of many smaller villages, ravaged in the rioting that swept East Pakistan earlier this year. East Pakistani rebels called Mukti Bahini, who fight for independence, are accused of slaughtering hundreds of thousands of persons still loyal to the West. Similar savagery is attributed to the West Pakistani army, determined to smash all resistance. No one knows exactly how many have died, only that the killing, like the eternal waters of this region, has spread everywhere and consumed everything.

These same rivers became avenues by which an estimated ten million persons have already fled East Pakistan into India, sickened by the pillage and the looting and the killing, and afraid for their lives and their families. They come penniless even today by the tens of thousands at a cost to India of approximately a million dollars a day . . . a burden that she can not long endure. India authorities make an effort at proper health precautions, but it is rarely in time, and sickness and despair prevail.

The scenes which follow are not pleasant to see. They are of children who will die of malnutrition if they have not already. Some say they are better off in camps such as this one, because the conditions they left in East Pakistan were even worse. For these children it makes no difference. They would have died anyway.

Whatever the war means to the presidents and prime ministers who are even now plotting its course from distant and safe capitals . . . to these children it means plunder, destruction, pain and terror. For them, they are sufferings which have no tongue.

India has long since run out of suitable space and facilities to house the refugees. In an overcrowded country, the rainy season is not pleasant for anyone, but it is particularly bad for the refugees. The Indian government is already making plans for returning whoever can survive such conditions to Bangla Desh as soon as the fighting stops there.

It was the refugee problem that finally convinced India that she should wait no longer to help Bangla Desh get established as a separate country and to get rid of the Pakistani Army in the East at the same time. All it took was a war.

A recent arrival in this camp talked through an interpreter with reporter Kingsley Brown.

BROWN. When did he come, just today?

INTERPRETER. He today he has arrived.

BROWN. Ask him how far he came.

INTERPRETER. 40 miles.

BROWN. Where's his wife?

INTERPRETER. He could not bring his wife. He was sick and he could not bring his wife so he brought the two children and came away, leaving his wife there.

BROWN. How did he travel?

INTERPRETER. Oh, he has walked for two days. He has walked for two days.

BROWN. Is he a Hindu or a Moslem?

INTERPRETER. He's a Hindu boy. Oh, you may as well go there and stay there. You go there and stay. They were taken hold of by the . . . the crops. The . . . have done this. He's got nothing—not a penny. They have got no food.

MOYERS. Those people are suffering and dying in a stupid and senseless war. To those of us who watch from afar the conflict between Pakistan and India is a stark reminder, if we need one, of how with little wisdom the world is governed. Deep into the 20th century, it seems impossible that when nations fail at reason and persuasion, they fall back on bombs, rifles and rockets. And yet we've seen ten wars erupt in the last 20 years.

It seems absurd for two governments whose people are almost prostrate in poverty to use the marvels of science and production not to uplift the poor, but to kill, uproot and further improverish them. And yet all the conflicts since World War II have taken place in the poor countries. The foolishness and absurdity of this latest slaughter are compounded when you realize that this is the third round for India and Pakistan since 1948. In each case the hostilities were aggravated and then suppressed, only to erupt again, at a later date, in another war. The bitterness and divisions created by each war became causes in themselves and made the original source of the conflict seem small by comparison.

There are other contradictions.

Pakistan, whom the U.S. has courted as a buffer to Communist China, is now supported by Peking. India, whom we counted on to resist Soviet influence-building on the subcontinent, is now fighting with Russian arms, and with Russian help kept the Security Council from acting on the crisis. The government of Pakistan came into existence in 1947, because many Moslems did not want to remain a numerical minority among the Hindus of India. But in 1971, when a majority of Pakistanis asked for greater self-determination, that same government tried to put them down with violence.

And India . . . India started out by saying that Pakistan must find an acceptable solu-

tion to its own internal problems, and now insists that the only solution acceptable to India is a new split between East and West Pakistan, creating a whole new country, an independent Bangla Desh.

It is a crazy, confusing patchwork of preposterous alliances, predatory self-interest, and pharasaic pride . . . and it would all add up to a great big laugh for whatever gods take amusement from the foibles of man except that people are dying . . . not by the hundreds, but by the hundreds of thousands . . . and millions—*millions*—of others have been cast like garbage from their land and their homes. For them the war has become a feast of sufferings.

To talk about this and explore what's likely to happen next, we asked to our studio a man who's been deeply involved in the problems of the subcontinent. He is the noted economist, author, and former Ambassador to India, John Kenneth Galbreaith.

Professor Galbraith, you came back just recently from India. Have you been surprised by what's happened since then?

GALBRAITH. No. I think it was on the . . . one hoped that it wouldn't happen, but I wrote a piece for the Times when I came back which pictured this as, you know, certainly one of the great possibilities. But steps could not be taken to give some autonomy to East Pakistan which would be the only basis for . . . the only basis for the secure existence for people that would enable them to return. Why then, one could only . . . only think as late as this autumn that this was likely to happen.

MOYERS. Do you think it's too late for a political solution?

GALBRAITH. Well, I thought at that time that with sense on all sides, which is a great thing to ask for, you know, as you said earlier, this is a disaster for East Bengal, it's a disaster for India, and ultimately too it's a disaster for West Pakistan.

The West Pakistani troops there have had an image now for months for butchers and they're not . . . they're not any worse than any other occupying army. Something that was so disastrous for everybody involved that common sense might rule. Now I don't think there is any solution short of an independent state in Bengal.

MOYERS. Could the United Nations have done anything?

GALBRAITH. No, I don't think so.

MOYERS. Can it now?

GALBRAITH. No.

MOYERS. What does this say about the UN?

GALBRAITH. Well, the UN has never been very effective where the internal interests of particular countries are involved and it . . . for a long while did not intervene on behalf of the Bengalis when they were being slaughtered, and one can understand the resistance of the Indians to having intervention now.

MOYERS. Will the outcome help, hurt, or leave unchanged the positions of China and Russia?

GALBRAITH. Well, you know, this is . . . the old problem of foreign policy, Bill, is a simple one. It is a subject that is intellectually without content. People used to make fun of the sociologists. We've learned in Washington that people who talk with great knowledge about foreign policy are intellectually inferior to the worst sociologist but they have more dignity and poise and therefore people sometimes believe them.

I obviously don't know what the Chinese will do and I don't know what the Soviets will do. But what we will do . . . my guess is that all three of the involved powers will keep out. That we and the Soviets and hopefully also the Chinese have had our lesson in messing into the Third, the quarrels of the Third World and have learned how costly it is and will not become involved.

MOYERS. Do you think that an intervention by any one of the super powers . . .

GALBRAITH. I might say, I might say this—I would like to see our intervention—our non-intervention—more absolute than it is. I applaud President Nixon saying he's going to be neutral and I would only wish the administration would be neutral in word as well as in deed, because . . .

MOYERS. And you think it hasn't been?

GALBRAITH. Well, this was a row, this was a quarrel that didn't begin with this war, it began . . . the armed action began last spring when the troops came in to put down . . . put down the Awami League, arrest Sheik Mujib and suppress the autonomy movement in East Bengal, in East Pakistan. And to come . . . to ignore that, we continued to support the Pakistan government for quite a long time, we continued with arms, and then at this late juncture, to come in and say that India is the party at fault, after India has received ten million refugees, it seems to me to be a curious form of . . . to involve a curious judicial view of the problem. I think it's quite quite outrageous.

MOYERS. But it has always been said, Professor, that when the choice lay between strategic and human considerations, the United States would choose the strategic, at great cost to the human element involved in the affair. Will anything change that?

GALBRAITH. No, I would think that this is a case where we have resisted both strategic and humane sense. What we gain by alienating India—by far and away the largest and most responsible power in the subcontinent—I fail completely to understand, and the humane problem of the Bengla Desh independence movement, there is no question that the people of Bengal want to be . . . want autonomy—and I assume now independence—and there is no doubt of the human problem that is associated with the refugee camps and the need for as many of those people as possible to go back.

We have found ourselves in this particular exercise in self-inflicted wounds in opposition both to any conceivable strategic interest, which I would rather downplay as far as that part of the world is concerned, and also in opposition to the dictates of humanity.

MOYERS. Down play, do you think, do you think we have no substantial interest on the subcontinent?

GALBRAITH. I think that one of the lessons that we've learned in these last 20 years is that our ability to intervene in that part of the world is very much less than we imagined 21 years ago, 20 years ago, and our need to do so is equally less. In other words, I think that this is one of the great lessons of Vietnam that we . . . that we enormously exaggerated both the possibility of guiding the political evolution of that part of the world and the need to do so.

MOYERS. Could this be interpreted as neo-isolationism?

GALBRAITH. Well if that's what common . . . the name has to be applied to common sense, I would accept it, but I would say it's just being sensible.

MOYERS. If President Nixon called you up after the show and said, "Well, what do you think I should do now?", what would you tell him?

GALBRAITH. I would say, I would be very happy to advise the President on this. I would say that the United States should keep hands off completely and be completely silent. I don't think there was any reason to endorse the Indian move into East Pakistan, I personally think, wish, the Indians, even . . . even given the suffering in these terrible camps, and even given the need of these people to go home, I must say I wish the Indians had shown more restraint at least up until the time when the airfields were bombed last Saturday, and after that, of course, the fat was in the fire.

But the policy of the United States should be strictly hands off, and strict silence and then when the opportunity comes to offer humane assistance, to save these youngsters, to save as many of these kids as we have seen, then we should be as generous as we possibly can.

MOYERS. Can we do that now?

GALBRAITH. Well, you know, this is going to . . . ships aren't going to go into Chittagong Harbor for the next few days. The terrible thing is that when the fighting starts, this is like, when one has battles in this part of the world, you know, it's like having . . . fighting in a crowded theater. There are people everywhere and so for the time being, it's going . . . it's going to be very difficult to mount a humane relief effort.

MOYERS. Set aside the war and the present conflagration, what is the hope for those people down the road?

GALBRAITH. Well . . . well in a slightly longer run view, without wanting to . . . I belong to the generation and to the creed that says that any military solution is likely to be a bad military solution, and should be regarded with suspicion. But what one assumes will happen is that some sort of an independent state will emerge around Dacca and East Bengal. The . . . I think the day of the possibility of any association now with Islamabad is gone. I thought as late as last August that might be possible. I no longer think that's so.

And then one has the beginning, one would hope of what one might call a North American formula in . . . the subcontinent.

MOYERS. What's that?

GALBRAITH. Well, colonialism when it broke up on this continent, Bill, left one big country and a ring of much smaller ones. And the big country, the United States developed the sort of tolerant indifference of its smaller neighbors which is at least becoming to a big country, and the smaller countries developed the habit of living, however uncomfortably at times, with the United States.

MOYERS. But here you have China and India—two great nations.

GALBRAITH. Well but if you think of this in terms of the subcontinent, you have India, and the, the most mischievous thing that was ever done, one of the most, I think myself, the most mischievous action in the . . . in the history of American foreign policy was that we kept this equilibrium from developing.

We provided the arms under Dulles, we provided the arms for building Pakistan up as a competitor. It was a poor competitor of India but it was just enough of a competitor so that it encouraged all the wrong attitudes in India. A whole generation of Indian politicians, not a whole generation, but good number of Indian politicians made their career, based their career on hating Pakistan and Pakistan based its policy on hating India, and this cultivated the wrong attitudes in both countries.

MOYERS. We have about 30 seconds.

GALBRAITH. But we're now, one would hope, that India would develop now the tolerance of smaller neighbors and the smaller neighbors would learn the technique of living, which isn't an easy thing, of living close to a big country. That is the best hope that one can offer.

MOYERS. Well I want to thank you very much for being with us tonight on This Week.

Before the discussion with Ambassador Galbraith, I talked about how the war between India and Pakistan seems to an American to be absurd and foolish, as well as unnecessary. It would be comfortable to stop there resting solemnly on our piety, but unfortunately, in this war, the United States, for all its professed neutrality, is anything but innocent.

Twenty years ago we equipped the Pakistan Army while assuring the worried Indians that those weapons would never be used

against them. They were, in 1965 in the war in Kashmir, and they are now, tonight.

Ironically, we supplied those arms as a defense against the Chinese, who are now on Pakistan's side. Since 1950, U.S. military aid to India totaled 150 million dollars. Our military contribution to Pakistan, however, during that same period came to 670 million, more than four times as much.

So the bloody sword that General Yahya has loosed against his own people in East Pakistan, was made in the USA. And despite the barbarous conduct of his army, the State Department kept on sending material to the General even after the Congress voted to cut it off.

In what seems, to me at least, to be one of the most flagrant examples of humbuggery in an age of rampant hypocrisy, the White House praised General Yahya, the man who precipitated all the carnage in the East, for trying to achieve what it called an "amicable political settlement." That's like congratulating the perpetrators of the St. Valentine's Day Massacre for using a little "friendly persuasion" to end the gang wars in Chicago.

As the General employed troops, mortars and torture to nullify a free and democratic election in East Pakistan, Washington was silent. But when India moved, the White House quickly expressed displeasure.

Yesterday, administration officials explained that displeasure by saying the U.S. had informed India two days before it moved on Pakistan that Yahya Khan was ready to consider talks about granting substantial autonomy for East Pakistan.

In my opinion, about the only thing consistent in our performance is that the favors we've bestowed on General Yahya are consistent with our fondness for strong-arm military rulers in South Vietnam, Cambodia, Thailand, South Korea, Greece—all those other countries we've been fighting to make safe for democracy.

This is Bill Moyers. Good night for This Week.

(Music.)

THE ENERGY CRISIS: SOME IMPLICATIONS AND PERSPECTIVES

HON. WILLIAM R. ROY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ROY. Mr. Speaker, Dr. William W. Hambleton, director of the Kansas Geological Survey, addressed the American Association for the Advancement of Science at their meeting in Philadelphia.

Dr. Hambleton participated in a symposium entitled "The Energy Crisis: Some Implications and Perspectives" at the 138th meeting of the AAAS. His remarks dealt with the proposed Kansas site for a national high-level radioactive waste repository.

Dr. Hambleton is a distinguished and respected member of the scientific community in Kansas. His observations on the suitability of the proposed radioactive waste repository site near Lyons, Kans., confirm the deep concern as to the safety of the project repeated expressed by Gov. Robert Docking, Congressman JOE SKUBITZ of the Fifth District of Kansas, and myself.

I call to the attention of my colleagues in the House the address by Dr. Hambleton, the text of which follows:

REMARKS OF DR. WILLIAM W. HAMBLETON

One of the most gainful occupations in Kansas is the production of large quantities of wheat. Kansas has experienced no brownouts. No nuclear power plants are sited within the borders of the State. Why, then, should Kansas be central to the problems of the nuclear power industry, and to the larger question of the energy requirements and resources of the United States?

To begin with, Kansas is illustrative of our domestic energy problems. Annually, we produce energy valued at approximately one-half billion dollars in the form of crude oil, gas, natural gas liquids, and coal, and have drilled more than 250,000 wells in the search for oil and gas. Nevertheless, during the past eight years average daily production in Kansas has declined to 5.4 barrels per well, the number of wells drilled has declined from 4,326 to 2,465. Exploration, production, and reserves have decreased by almost any measure one can use, a trend which is characteristic of the national energy industry. Secondly, in 1970 Kansas had the doubtful distinction of being chosen as the site for a national high-level radioactive waste repository. Perhaps it is poetic justice that we, who have extracted so much energy from our state, should now be asked to place in it the high-energy waste products of another part of our energy industry.

As for the Kansas Geological Survey, I judge that it has been highly regarded as a competent mineral resources research and development organization, quietly going about its business of reasonably innovative contribution to Kansas for nearly one hundred years. In 1970, things changed with a vengeance. We began testifying before legislative and congressional committees. Our advice was sought by governmental agencies, congressmen, and governors. We were praised or blamed by one or another conservation or citizens groups. In fact, the title of my paper this morning probably should be "Environment, Energy, Nuclear Power, and Politics." At least, I hope that we have gained some humility. Perhaps you will permit me to share our invocation with you: "From ignorance, which shrinks from truth; from apathy, which is satisfied with half-truth; from arrogance, which knows all truth; Oh God of truth deliver us!

The potential hazards from radioactive waste derive from the basic characteristics of the radioisotopic contaminants. Many radioisotopes decay rapidly; some decay at such a slow rate that they represent a potential hazard to mankind for centuries, and allowing these radioisotopes to decay naturally is the only practical means of reducing their radioactivity to non-hazardous levels. The isotopes that are of greatest concern are those which are highly toxic and have long lives, including strontium 90 and cesium 137, which require hundreds of years to decay, and plutonium 239, which has a half life of 24,000 years and requires more than 250,000 years to decay to an innocuous level—five times the history of man on earth.

Radioactive wastes vary widely in the concentration of radioactive materials. High-level liquid wastes cannot be released into the environment because of their high radioactivity concentration, which may be as much as 10,000 curies per gallon. To confine and isolate high-level liquid wastes, the AEC has stored them underground in large steel-lined, concrete tanks and in steel within concrete vaults. These liquid wastes from AEC operations, which now amount to some 80 million gallons, require continual surveillance, and storage in this manner can be considered only as an interim solution.

Radioactive waste containing numerous radioisotopic products has been generated in processing irradiated nuclear fuels at the chemical-processing plants operated by AEC's Richland, Savannah River, and Idaho Operations Offices, as well as at the commercial plant of Nuclear Fuel Services Incorporated, at West Valley, New York. Oak Ridge National Laboratory has generated high-level liquid wastes at its radiochemical-processing pilot plant, and is currently generating such wastes at its transuranium-processing facilities. Additional commercial fuel reprocessing plants are being, or will be, constructed to meet the requirements for processing increasing amounts of irradiated fuels which will be generated in nuclear powered electric plants. The waste from these plants will amount to an estimated 60 million gallons by the year 2000.

At present, Richland is proceeding with removal of strontium 90 and cesium 137 from high-heat liquid wastes and in-tank solidification of the remaining liquid. Removal of cesium and strontium enables the remaining wastes to decay to low-heat liquid within about five years, and Richland is developing a process to construct a facility for solidifying and encapsulating liquid strontium and cesium concentrates. Solidification of low-heat liquid wastes into salt cakes in tanks is considered to be an iterim storage process until the acceptability of the process can be determined. In 1968 Richland was faced with a potentially serious situation with respect to the condition of its existing tanks, for some leaks had been detected.

Idaho National Reactor Testing Station is converting liquid waste to a granular, calcined material, which is stored in stainless-steel bins in underground concrete vaults, as in interim storage process. At Idaho, the burial grounds have been inundated on occasion by water from melting snow.

At Savannah River, wastes are segregated on the basis of their heat generation rates, and are immobilized in tanks by evaporation to salt crystals and sludges. A tank leak at Savannah River would be more serious then at Richland because the leakage would be expected to migrate into ground water. According to the AEC, burial practices followed by Richland, Savannah River, Idaho, and Oak Ridge have not resulted in releases of radioactivity beyond the confines of the burial grounds.

STORAGE CONCEPTS

Dupont and Company, the operator of the Savannah River plant, has proposed that radioactive, separation-process waste be permanently stored in caverns to be excavated in bedrock at the plant site. The concept suggests that storage for 100 million gallons of waste can be excavated in bedrock, approximately 1,500 feet below grade, and consisting of six storage tunnels arranged in three pairs. After each storage tunnel is ready to receive waste, it is to be sealed from an access tunnel by impervious bulkheads, designed to withstand hydrostatic pressure at tunnel depth. The tunnels are to be constructed in predominantly Precambrian and Paleozoic metamorphic gneiss and schist, which are relatively impervious, but exhibit some fractures and fissures. These fracture and fissure zones can be sealed by grouting, and it is predicted that the migration of radioactive constituents from the storage facility will be so slow that no harmful contamination of off-site water will occur because of the low hydraulic gradient of bedrock water, the low solubility of plutonium, and the high density of the waste fluids as compared with groundwater. Geological, geochemical, hydrological, and economic aspects of the project have been investigated for almost eight years. A review panel of the National Academy of Sciences in May of 1969 concluded that the storage proposal has sufficient promise that construction of the shaft and several tunnels should be undertaken in order to determine the severity of the fracture problem. I note that in 1966 a majority of the Committee of the Earth Sciences Division of the National Academy of

Sciences expressed strong reservation concerning the bedrock concept of waste storage, and recommended that the investigation be discontinued. More recently, a prominent member of that committee observed that the proposed storage at Savannah is a "disaster looking for a place to happen." The AEC has decided, however, to perform the additional studies because of the cost differential between bedrock storage and other alternatives.

Deep-cavern storage also has been proposed for Richland as an alternative to long-term storage of solidified waste in tanks. Studies were begun in 1969 to determine the feasibility of isolating wastes in caverns mined into basalt, 2,000 to 4,000 feet beneath the site. According to this concept, salt cake resulting from in-tank solidification of liquid waste would be removed from the tanks in the dry state, water would be added in the transfer system, and the slurry waste would be transported to the underground caverns. Richland is conducting a program of exploratory drilling to secure geological, hydrological, and other physical data to be used in evaluating the suitability of these subsurface rocks for waste storage.

Salt formations attracted the attention of a National Academy of Sciences Committee in 1955 because salt is abundant, can heal its own fractures by plastic flow, transmit heat readily, and exhibits compressive strength and radiation shielding properties similar to those of concrete. However, not until 1959 were studies relating to salt storage initiated at Oak Ridge, and not until 1963 were studies undertaken in Kansas. In that year, the AEC chose a mine of the Carey Salt Company at Hutchinson for study of salt properties, and subsequently extended this study to the abandoned Carey Salt mine at Lyons. During Project Salt Vault studies at Lyons, engineering test-reactor fuel assemblies were utilized, along with heaters, to create an environment that would be similar to the expected environment of a real repository. The mine was instrumented with devices for recording heat, radiation, and physical properties. Subsequent selection of the Lyons site in 1970 as the actual storage location was based partly on research from the nearby Hutchinson mine and the Lyons mine. Other determining factors included the seismic stability of central Kansas, availability of a 300 foot section of salt overlain by 800 feet of rock containing impermeable shales, the generally flat-bedded character of the salt, the economic aspect of also using the abandoned Carey Salt mine for storage of low-level waste, and the hospitality of the people of Lyons.

Meanwhile, additional studies and design of storage facilities and methods to transport the radioactive waste were proceeding at Oak Ridge National Laboratory. According to plans, liquid wastes from commercial reprocessing plants would be converted into solid form and placed in stainless steel cylinders, which would be transported by rail in large shielded casks. Each cylinder would be lowered down a shaft into a newly excavated salt mine at Lyons. The cylinder would be placed in a hole in the floor of the mine with specially designed equipment. When an appropriate number of these cylinders had been placed in the mine, the entire room would be backfilled with crushed salt. Experimental evidence suggested that the crushed salt would recrystallize, and both crushed salt and bedded salt would flow plastically so as to completely seal-off the waste material. Other low-level radioactive materials consisting of contaminated clothing, lubricants, and laboratory ware were to be stored in the abandoned Carey Salt mine. There was some suggestion that granular, calcined waste from Idaho also eventually would be transferred to this repository.

The Kansas Geological Survey expressed serious concern about the proposal. One kind of concern related to the Lyons site itself; another related to the burial-in-salt concept. Initially, the geology of the area was inadequately known. On the basis of Survey recommendations, the AEC funded further geological studies. Numerous holes were drilled and logged at the site, water samples were taken in all the holes and analyzed, and a geological evaluation of the area has been conducted. These investigations revealed a probable major fault in the area and a pressure sink on the water surface of a major aquifer, suggesting vertical circulation. Furthermore, other conditions at Lyons were revealed that demonstrated the inadequacy of prior investigations. The abandoned Carey Salt mine is located on the north border of this town of approximately 5,000 people at a depth of 800 feet. An entry in this mine extends southward beneath the City of Lyons. The only access to the mine is a vertical shaft, which penetrates 40 feet of saturated aquifer and was constructed through use of a caisson. The abandoned salt mine, plus an adjoining 1,000-acre site is the proposed repository for the radioactive waste. At the south border of the town is the mine of the American Salt Company. An entry in this mine extends northward under the town of Lyons. The Carey entry and the American Salt Company entry are within 1,800 feet of each other. The only access to the American Salt Company mine is a vertical shaft, which also penetrates about 40 feet of saturated aquifer. The water is collected in a ring about 200 feet down the shaft, and pumped back to the surface. Just to the southwest of the underground mining operation, the American Salt Company also mines salt hydraulically by injecting fresh water, which dissolves the salt and creates caverns the full height of the salt. The resulting brine is returned to the surface for processing. The area contains both abandoned and producing oil and gas wells, numbering into the hundreds. The locations of some of these old wells have never been determined, and surface subsidence has occurred in places where old casing has corroded and permitted surface and groundwater to excavate caverns in the salt. Some of the resulting surface depressions are as much as ¼ of a mile in diameter. Some of these wells penetrate deep Arbuckle rocks, which contain fluids under hydrostatic pressure sufficiently great that the static water level in the well stands higher than the level of salt mines. It is clear that intersection of an Arbuckle well by mining will cause flooding of the mine. At least 29 wells have been identified on the site to be acquired by the Atomic Energy Commission, and these must be completely cleaned out and replugged. We have reason to believe that other unidentified wells may be present. An abandoned shaft representing an earlier salt mining effort has been located just west of Lyons. This shaft is full of water.

During the past summer, the American Salt Company intersected an abandoned oil well with a rock bit, preparatory to shooting the salt face. Although some water entered the mine, the hole was plugged satisfactorily. Somewhat earlier, the American Salt Company lost all circulation during a hydraulic mining operation. Following successful injection of fresh water and production of brine for five days, approximately 180 thousand gallons of fresh water disappeared. The operation was terminated and no one can discover where the water went. In other words, the Lyons site is a bit like a piece of swiss cheese, and the possibility for entrance and circulation of fluids is great. Should fluids penetrate the American Salt Company mine, the possibility of salt solution and entrance into the Carey operation also is great.

Other investigations revealed approximately 400 feet of displacement in Arbuckle rocks, suggesting the presence of a major fault. All of these factors have led the Geological Survey to recommend that the Lyons site be abandoned. An independent analysis by a Committee of the Kansas Geological Society produced similar conclusions, as did an analysis of the Council of the Kansas Academy of Science. There is nothing more important than recognizing a dead horse early, and burying it with as little ceremony as possible.

As to the concept of burial in salt, the jury is still out. The axial temperature of the cylinders containing the radioactive waste is about 930°C. The cylinders will generate heat that must be dissipated through the salt and other overlying and underlying rocks. We claim that the two-layer, two-dimensional heat-flow model used by the Atomic Energy Commission is overly simplified. A multi-layered, three-dimensional heat flow model is necessary for resolution of the problem. This work is being undertaken at the present time. Another problem relates to possible mine subsidence. The crushed salt used to back-fill the mine will contain approximately 30 percent void space. Recrystallization and plastic flow of the salt could cause subsidence and shear the overlying rocks, permitting surface or ground water to penetrate the mine, dissolve the salt, and set up a thermal transport system. This situation is even more dangerous because the stainless steel cylinders are expected to begin to break down within three months, releasing the waste. Likewise, the rock mechanical model used for studies of mine subsidence is overly simplified. Many rock properties are temperature dependent, and even dewatering of shales could create problems. Radiation damage and subsequent release of energy as a thermal excursion, both with respect to the salt and the radioactive waste itself, is an improperly investigated subject. Appropriate studies should reveal whether or not radioactive waste can be stored safely in salt.

Meanwhile, the Kansas Geological Survey has undertaken additional reconnaissance studies of other areas of Kansas for possible storage of radioactive waste. The study is concerned with eight large areas that seemingly are underlain by salt beds that are at least 200 feet thick, no deeper than 2,000 feet, and no shallower than 500 feet. Additionally, these areas contain a small number of oil and gas wells, salt mines, storage cavities, and pipelines, and a small population. A literature and file search has been undertaken for these areas to assemble information regarding salt and overburden thickness, quality of the salt, ground water conditions, and regional geological characteristics, as well as information about mineral resources, well locations, salt mines, liquid-petroleum-gas storage cavities, pipelines and population. The report will present an evaluation of these factors for each area. On the basis of these evaluations, the Atomic Commission will determine if any of the areas justify further investigation. Because the areas contain few wells, information concerning the underlying rocks is sparse, and much additional investigation will be required before any of the areas can be judged to be suitable for storage of radioactive waste.

In July, 1971, Cohen, Lewis, and Braun of Lawrence Radiation Laboratory proposed a method for disposing of nuclear reactor wastes by in-situ incorporation in molten silicate rock. The proposal suggests injection of liquid wastes into a chimney formed by a 5 kiloton nuclear explosion at approximately 2,000 meter depth. The waste would be permitted to self-boil, and the resulting steam would be recycled and processed in a closed system. When waste addition is terminated, the chimney would be allowed to boil dry, thereby solidifying the wastes. The heat generated by the radioactive waste would then melt the surrounding rock, which would dissolve the waste. Finally the rock would refreeze, trapping the radioactive material underground in an insoluble rock matrix. The authors claim safe, permanent, and timely removal of radioactive material from

the biosphere at relatively low cost, elimination of the need for waste transportation by siting in the immediate vicinity of the reprocessing plant, and waste injection with minimal or no treatment. Waste addition at a rate of 1,500 tons per year for a period of 25 years is contemplated. The concept has been described as interesting and worthy of further study by numerous reviewers. However, it has been criticized on the grounds of conflict with the concept of recoverability, and serious doubts about the insolubility of the rock matrix, differentiation permitting plutonium to concentrate in a near-critical mass, geochemical alteration of the drill hole and casing, and gaseous phase transport of such elements as ruthenium tetraoxide. Obviously, much research is necessary.

On September 16 and 17, 1971, Gisela Dreschoff and Edward J. Zeller, Research Associates of the Geological Survey of Kansas, visited the Asse Nuclear Waste Repository in Germany where key staff members provided a complete review of the project. At present, low-level waste is stored in a cavity in the Asse salt stock. Containers are released from shipping shields and lowered by crane into a chamber. Remote control facilities and remote television cameras permit movement and observation of the waste containers. No attempt is made to achieve symmetrical stacking. At the present time, nearly 10,000 casks of low-level waste, each having a limit of five curies total activity, are stored in two rooms at the 750 meter level. High-level waste emplacement is planned for 1974 or 1975. The waste will be solidified in the form of glass cylinders approximately 20 centimeters in diameter and one meter in length. These will be stacked vertically in bore holes in the salt roughly 50 meters deep in tunnels at the 750 meter level. After filling the bore holes with 30 meters of high-level waste cylinders, a concrete plug will be poured and the upper part of the hole above the plug will be filled with crushed salt. The Asse anticline is structurally stable and a massive gypsum cap rock can support the load of overlying sediments and serve as a shield for the underlying salt. Two nearby mines are flooded as a result of improper mining techniques. The Germans do not seem to be concerned, because the system has reached an equilibrium, no collapse has been observed near the old shafts, and no significant leakage has been determined. Even if water entered the mine, the Germans feel the water would be nearly saturated and would cause no problems. However, the presence of sinkholes and salt springs does indicate that some solution is taking place.

Extensive studies are being conducted at the Hahn-Meitner-Institut for Nuclear Research in Berlin and at the Nuclear Research Center at Karlsruhe, which our colleagues also visited. These studies are concerned with radiation damage and the problems of processing and solidifying nuclear waste in form suitable for storage in the Asse mine. Competent scientists are in charge of the programs, which appear to be free of irrational political influence. Mention was made of the desirability of greater interchange of information between the United States and Germany regarding matters related to nuclear waste disposal. Seemingly, there has been little exchange in the past four years, and direct liaison between the U.S. and German research and development groups should be established as soon as possible.

As far as we can determine, high-level radioactive waste is being stored at or near the surface in other countries.

For the fiscal year 1970, AEC was authorized $2.3 billion for its various programs. Of this amount, only $28 million or roughly one percent represents operating and capital funds authorized for waste management programs. The Government Accounting Office believes that to expedite the development of methods for placing high-level waste in long-term isolation, AEC should place greater emphasis on evaluating the actions taken by its contractors, determining the adequancy of long-term storage proposals, and taking the steps needed to accomplish long-term storage. AEC has not established an overall, well-coordinated plan for resolving its waste management problems and achieving its objectives at all installations. In the past and currently, AEC management has emphasized and given priority to the development of technology and plans with respect to weapons production and reactor development which result in the generation of radioactive waste. Even where long-term storage has been of concern, the AEC has adopted the attitude that what is worth doing is worth doing wrong.

The chronicle of disarray in storage of high-level waste is characteristic of the disarray which we face with respect to the entire energy situation in this country. That we face an energy crisis can no longer be doubted. The September, 1971 issue of *Scientific American* is devoted entirely to the problem. At the recent Interstate Oil Compact Commission meeting in Biloxi, Pinckney C. Walker of the Federal Power Commission noted that from 1968 to 1970, consumption of natural gas nation-wide was almost twice the amount of new gas reserves found. Consumption of gas by interstate customers exceeded additions of new reserves by 17 trillion cubic feet in 1970. The National Petroleum Council estimates that unless public policies are modified, or economic conditions in the energy industry changed, the gap between the nation's requirement for gas and probable supply will be 17.4 trillion cubic feet in 1985. Crude oil and related product withdrawals exceeded new reserves discovered by about a billion barrels in 1969. Consequently, total petroleum imports to the United States amounted to 23 percent of total supplies in 1970, and forecasts indicate that the percentage of total supply provided by foreign sources will increase to about 50 percent during the next 15 years. Mr. Walker concludes that if the nation is to have an adequate and reliable supply of energy in the future there must be a comprehensive re-evaluation of current energy policies. That he should reach this conclusion is curious for the Federal Power Commission has been instrumental in pricing gas at such low prices that the incentive for exploration has nearly disappeared, and crude oil and coal have been undervalued.

At the same meeting in Biloxi, Gene P. Morrell, Director of the Office of Oil and Gas, noted that as the decade of the 70s began, we are consuming energy at a rate of 68.8 quadrillion B.T.U.s annually, and that requirements may reach 133 quadrillion B.T.U.s by 1985. He concludes that our national energy policies have not kept pace with the rapid and unprecedented changes in our consumptive patterns and social objectives. Superimposed upon this pattern, we find a developing nuclear power complex, with its waste storage problem largely unresolved, that probably will provide up to 15 percent of our energy needs by 1985.

As I mentioned at the beginning of this talk, the nuclear power industry is, indeed, of special interest to Kansas, not because we have vast resources of uranium or abundant sites for power plants, but because we have been chosen to be the location of all waste from the nuclear power industry and because our energy production is declining at an alarming rate. Chosen by the Atomic Energy Commission, an agency of the federal government having vast powers and a program largely unrelated to other energy agencies of the federal establishment. In fact, other energy agencies of the federal establishment have little relationship to each other. Gas supply is regulated by the Federal Power Commission through an obsolete pricing structure. Petroleum supply is regulated by an outmoded system of state regulatory activity, Department of the Interior and Office of Oil and Gas regulations regarding public and off-shore lands, an Environmental Protection Agency determined to protect the environment, and an indecisive import policy. A similar situation exists with respect to coal, and some members of Congress even seem determined to prevent strip mining. In short, we have no articulated national goals with respect to energy, and we have no coherent and coordinated national energy policy. As Kenneth Boulding noted under other circumstances, "We keep coming to decision points where there are a number of possible futures and of which we select only one. Our decisions, however, depend on values and in man values are almost wholly learned. Instincts are quite literally for the birds. Decision theory states that everybody does what he thinks best at the time, which is hard to deny. The tricky problem is how do we learn not only what the real alternatives are, but also what values we place on them." Unless we as scientists are willing to become involved in evaluation of real alternatives, we will have no complaint if others become involved for us and make incorrect decisions in the absence of adequate data. We must be willing to get out of our ivory towers and academic straightjackets and go to legislative and congressional hearings and propose alternatives. By taking such action we can accomplish much. By just talking to ourselves at meetings such as this, we do not accomplish much as far as the "real world" is concerned. We must speak with and to decision makers, and most emphatically in a language that decision-makers understand. To not do so is to fail our disciplines, our young, and most importantly ourselves.

REA LOAN AND DEVELOPMENT IN THE 10TH DISTRICT

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, when I first came to Congress, approximately half of our rural farms and homes in the North were without electricity. Likewise, when I first came to Congress, more than half of our farms and homes did not have adequate telephone facilities and services.

As a result of this condition, I have been in the forefront in securing adequate financing for the Rural Electrification Administration. I have appeared before committees to adequately fund this Agency. In several instances, I succeeded in getting supplemental appropriation bills passed to take care of the outstanding applications. In each of my years in Congress, I have given the Rural Electrification Administration my personal attention and support for the development of our area. Whenever an applicant needed help, I have always given that help and whenever an applicant had a problem in getting the application approved, I helped overcome that problem with the Agency heads in Washington.

RURAL TELEPHONE SERVICES

Because of the inadequate telephone facilities in the North, I came to the conclusion that something had to be done to get adequate financing to cooperative and private telephone companies to upgrade their services and expand

their services to bring first-class service to the North.

Among the first to introduce a bill to bring about such a program was your own Congressman. As a result, we came to the conclusion that the fastest way to operate was to use an existing agency. At my recommendation, we decided to use the Rural Electrification Administration as the Agency to help bring proper financial help to the cooperative and privately owned telephone companies; and as a result, there is hardly a home or a farm in the North today that does not have updated first-class telephone service, compared to less than half that number who had such service before I came to Congress.

Here again, in some instances, I helped prepare the application; I followed the application through the proper Agency in Washington, and when there were problems with the application, I helped overcome those problems to get approval.

The following is a listing of how much these programs have meant to the 10th Congressional District. When I give the total figures to the average citizen, they hardly believe how much money has come to the North to the 10th Congressional District under these two programs.

The total amount is actually greater, because REA co-ops and telephone companies in other congressional districts overlap into the 10th District. I am using only figures for those whose headquarters are in my district or who at some time or other sought my help with applications or getting sufficient funds to REA so the applications could be approved:

LOANS TO REA ELECTRIFICATION BORROWERS WITH HEADQUARTERS IN 10TH CONGRESSIONAL DISTRICT OF WISCONSIN

[Borrower and the O'Konski years loans Jan. 1, 1943, through Dec. 31, 1971]

Barron County Electric Cooperative, Barron, Wis	$4,705,500
Bayfield Electric Cooperative, Iron River, Wis	2,623,000
Chippewa Valley Electric Cooperative, Cornell, Wis	1,316,815
Head of the Lakes Electric Cooperative, Superior, Wis	1,765,000
Dunn County Electric Cooperative, Menomonie, Wis	472,329
Eau Claire Electric Cooperative, Fall Creek, Wis	2,791,747
Polk-Burnett Electric Cooperative, Centuria, Wis	3,607,947
Price Electric Cooperative, Phillips, Wis	3,004,000
Jump River Electric Cooperative, Ladysmith, Wis	2,098,000
St. Croix County Electric Cooperative, Baldwin, Wis	1,754,000
Taylor County Electric Cooperative, Medford, Wis	839,615
Totals through Dec. 31, 1971	24,977,953

Loans to REA telephone borrowers with headquarters in the 10th Congressional District of Wisconsin

[Borrower and the O'Konski years loans January 1, 1943, through December 31, 1971]

Turtle Lake Telephone Co., Inc., Turtle Lake, Wis	$453,989
Chibardun Telephone Cooperative, Inc., Dallas, Wis	3,403,975
Chequamegon Telephone Cooperative, Inc., Cable, Wis	3,207,799
Badger Telephone Co., Inc., Webster, Wis	982,668
Farmers Independent Telephone Co., Grantsburg, Wis	1,300,953
Citizens Telephone Cooperative, Inc., New Auburn, Wis	1,317,229
Bloomer Telephone Co., Bloomer, Wis	796,000
Solon Springs Telephone Co., Solon Springs, Wis	1,650,946
Poplar Telephone Co., Inc., Poplar, Wis	201,356
West Wisconsin Telephone Cooperative, Downsville, Wis	$2,892,206
Headwaters Telephone Co., Rhinelander, Wis	1,241,119
Osceola Telephone Co., Osceola, Wis	1,229,900
Clear Lake Telephone Co., Inc., Clear Lake, Wis	712,000
Amery Telephone Co., Amery, Wis	2,457,800
Luck Telephone Co., Luck, Wis	573,818
Milltown Mutual Telephone Co., Milltown, Wis	1,506,660
Frederic Telephone Co., Frederic, Wis	1,058,000
Ogema Telephone Co., Milwaukee, Wis	464,260
Price County Telephone Co., Phillips, Wis	869,000
Cream Valley Telephone Co., Milwaukee, Wis	768,356
Preston Telephone Co., Inc., Weyerhauser, Wis	1,215,000
The Baldwin Telephone Exchange, Baldwin, Wis	1,216,394
St. Croix Telephone Co., New Richmond, Wis	1,472,000
Shell Lake Telephone Co., Inc., Shell Lake, Wis	368,261
Rib Lake Telephone Co., Inc., Rib Lake, Wis	286,000
Somerset Telephone Co., Somerset, Wis	$651,000
Lakeland Telephone Co., Minong, Wis	1,657,000
Totals through Dec. 31, 1971	33,953,689

THE FARM REVOLUTION

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. McGOVERN. Mr. President, the recent controversy surrounding the confirmation of Secretary of Agriculture Earl Butz has focused considerable concern on the future of our Nation's agriculture. As a Senator from one of the most agricultural States in the Nation, I certainly welcome this dialog and hope it continues. A predominant theme of this discussion is the direction rural America is taking and what our farms will be like in the years to come.

One of the perplexing myths that is taken for granted in some quarters is that the large, very highly mechanized corporate farms are more efficient than our family farms. A strong historical case can be made against that argument and it does square with present-day experience.

Recently the Economic Research Service of the Department of Agriculture issued a report comparing the profit potential of 500-acre corn farms as opposed to 5,000-acre corn farms. The 5,000-acre corn farms had a higher profit potential, not because of any production efficiency, but because these larger units could buy needed supplies at a discount from faraway factories and because existing tax laws are more suited to a larger operation. It seems to me this calls for another look at our tax structure. What is more, I am certain the farmer-owned cooperatives and the main street merchants of rural America would take strong exception with the portion of the study extolling the virtues of buying direct from some distant urban supply house.

Another encouraging sign in the current dialog is the increasing attention commentators are paying to the social need of preserving the family farm system of agriculture. Hard questions are being raised about the fate of those forced off the farm because of low prices. Main street merchants in rural America will also be concerned when 5,000-acre farms start buying direct from the manufacturer. They are also concerned about the dwindling number of farmers, because for six or seven farms that close, one main street business also closes its doors. A corporate takeover of rural America would be the end of rural America as we know it today. This trend is being felt in rural America and is a genuine concern.

It is time, in my view, to pay more attention to the questions of social efficiency, people, and social costs. We have demonstrated time and time again the unsurpassed efficiency of American agriculture. My colleague from South Dakota, Representative FRANK DENHOLM, has so often pointed out we may have too frequently in the past paid too much attention to "bushels, bins, and acres" instead of "people, production, and performance."

This social concern, along with other questions relating to the future of American agriculture, was the subject of a recent editorial in the New York Times. The conclusion of this editorial was particularly noteworthy:

It is time to examine this technological mystique of "progress" in agriculture and subject it to rational choice and deliberate judgment.

Because other questions related to future of American agriculture are discussed, I ask unanimous consent that the editorial be reprinted at this point in the RECORD.

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

THE FARM REVOLUTION—I

The short but sharp fight over the confirmation of Earl L. Butz as Secretary of Agriculture turned the spotlight on some unhealthy long-term trends on the nation's farms. Despite his estimable personal qualities, Mr. Butz encountered opposition because he epitomizes the rapidly growing power of giant conglomerate corporations which have extended their activities into agriculture and are already in a position to dictate the price, quality and variety of many foods.

As in any situation where two or three suppliers are able to dominate the market, the buyers—in this instance, every housewife and her family—become victims. The quality

and variety of food in this country have already begun to deteriorate because many crops are grown, harvested, and marketed in ways which fatten corporate profit margins rather than please anyone's palate.

Corporate farming is most profitable if crops can be machine harvested. The quality of most tomatoes has declined because only hard tomatoes with thick skins can be picked by machines. The same process is now being applied to strawberries and other fruits and vegetables.

These invisible losses to the housewife are matched by the social costs to the small farmers and small towns of America. Not all farmers are as badly off as the chicken farmers who have become "poultry peons," but whether a small farmer is growing potatoes in Idaho, fattening cattle in Texas, or raising hogs in Iowa, he finds that the processors can whipsaw him on prices and the corporate conglomerates with their far greater financial resources can dictate the terms of competition.

Corporations and big commercial farmers have the capital to introduce modern technology rapidly with consequences which are unplanned and unprovided for. Thus, the mechanical picking of cotton evicted hundreds of thousands of sharecroppers and marginal farmers from the land within a few years and their migration contributed significantly to the welfare and housing crises in the cities.

Up to now, in the absence of any national policy or regional plan, the agribusiness corporations have simply availed themselves of technical change to maximize profits and have left society to cope with the human consequences. They have succeeded in stigmatizing critics of their narrow, single-minded approach as enemies of progress. But the nation no longer accepts this myth where the automobile or the supersonic transport or the strip mine is concerned. It is time to examine this technological mystique of "progress" in agriculture and subject it to rational choice and deliberate judgment.

AN ECONOMIC POLICY FOR THE UNITED STATES: A DEMOCRATIC ALTERNATIVE

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. REUSS. Mr. Speaker, much governmental activity has been focused on the economy in the last few months, but action taken to date has left a great deal to be desired. In a recent speech to the American Economic Association, meeting in New Orleans, La., I outlined what I believe to be a responsible alternative to present economic policy. The proposal incorporates measures aimed at the goals of full employment without inflation, a reformed fiscal policy, and increased international economic cooperation. The text of that speech follows:

AN ECONOMIC POLICY FOR THE UNITED STATES: A DEMOCRATIC ALTERNATIVE

The Republicans have been referring to the economic performance out of Washington in 1971 as "historic". If this characterization merely means that 1971 is now over, one cannot fault it much. But if it means the Republicans—or for that matter the Democrats—think they deserve the Nobel Prize in economics based on performance, it seems presumptuous.

Let me try to sketch an alternative economic policy which we Democrats sought to be evolving if we expect people to vote for us in the next election.

It is true that President Nixon has taken some good Democratic economic ideas—the welfare reform of Professor Wilbur Cohen, the wage-price freeze of Professor Galbraith, the revenue-sharing proposal of Professors Walter Heller and Joseph Pechman, and the severance of the gold-dollar link unanimously advocated by the Democrats of the Joint Subcommittee on International Exchange and Payments. But in applying these good ideas, the President failed to heed Fiorello la Guardia's advice to statesmen: Don't louse it up!

WELFARE REFORM

A national welfare floor, adequate in amount and with real incentives for those able to work to get off welfare, was an idea whose time had come. The President deserves credit for H.R. 1, now long since passed by the House but languishing in the Senate. But the income floor—$2,400 a year for a family of four—is far below any humane poverty level. And the Child Development Act, designed to provide day care facilities so that mothers may leave home to work if they wish to, has been vetoed. Finally, the President has requested that the effective date of even this anemic reform be postponed.

DOMESTIC NEP

Phase I produced precisely the stabilization in the wholesale and consumer price indices which was envisaged. Phase II, let us hope, will do the job in the months ahead.

The trouble with the domestic side of the New Economic Policy in the freeze's accompanying tax program.

What this country needed was a thoroughgoing tax reform which would plug the loopholes, restore the revenues, and promote equity. Ever since 1954 the federal revenue system's progressiveness has been progressively impaired.

A sensible loophole-plugging tax reform measure could raise an additional $20–$30 billion a year. But when I put the ingredients in such a program to Secretary of the Treasury Connally at the Joint Economic Committee hearings last spring, his answer to every proposal—cutting down the mineral depletion give-away, ending the abuses of capital gains, reforming the estate and gift tax, and so on—was a resounding "No".

Instead, Congress has passed the Tax Act of 1971 in substantially the form presented by the Administration. After the first introductory year, the revenue loss will be on the order of $9 billion a year, about $8 billion to corporations, mainly through the asset depreciation range and the 7 percent investment tax credit, and about $1 billion to individuals.

I voted against the Tax Act for at least three reasons:

By its lopsided benefits to corporations as against individual taxpayers, it destroys the basis of the social contract on which a workable price-wage policy needs to be founded. If wage-earners are going to be asked to accept wage restraints—as they must be—it can only be in the context of a fairly shared burden.

It fractures the federal revenues for years to come. Without the 1971 tax reduction, future revenues to pay for the services the American people need and want were at best uncertain. With the 1971 tax cut, we are faced with a fiscal situation where revenues are going to be drastically too low for needs, or budgetary deficits too high for a sound economy, or both.

It is inadequate to reduce materially the present intolerable 6 percent unemployment rate. With only 73 percent of present manufacturing plant and equipment employed, the stimulus for investment is obviously misplaced. Worse, a corporation is given the investment benefits not simply for newly stimulated investment, if any, but for the billions in investment in new equipment which would be made in any event. Nor is any attempt made to distinguish between the more valid investment, such as in high-technology equipment, and the less valid—pari-mutuel machines for the race track, bigger and better billboards for the highway, and new beds for Nevada bordellos (where that sort of thing is legal).

Even the Administration does not claim that the tax reduction program will do much to bring down unemployment. At most, it may provide jobs for the 2.4 million newcomers to the labor force in 1972 who will be wanting them—1.4 million just out of school and looking for jobs for the first time; some 800,000 "discouraged" workers who would be encouraged again to look for a job by somewhat greater economic growth; and some 200,000 returning veterans. We will be lucky if our present programs find jobs for these newcomers, without putting even a dent in our almost 5 million unemployed.

REVENUE SHARING

One reason the Nixon revenue-sharing proposal has gotten nowhere in the last 2 years is that it acts as a crutch for the archaic and fiscally inept governmental system in our states and localities, rather than as a catalyst to induce their reform. The Nixon measure mandates revenue sharing to all the 63,000 units of general local government. It distributes the local share not on the basis of need but on the basis of existing wealth—unto the community that hath, even more shall be given. And reforms are not even suggested, much less mandated.

GOLD AND THE DOLLAR

Last August 6, the Democratic members of the Joint Subcommittee on International Exchange and Payments unanimously recommended that the gold window be closed, and that the dollar be allowed to float until its proper devalued level was reached. Within the next ten days, the Administration (a) issued a statement condemning the recommendation as irresponsible; and (b) announced that it was being put into effect. Instead of leaving well enough alone, however, Mr. Nixon encrusted his August 15 international program with a layer of protectionism (via the 10 percent surcharge and the Buy-American provision of the investment tax credit), and a frosting of intransigence (a refusal to participate in the currency revaluation by a matching modest devaluation of the United States dollar). Fortunately for the world, the President climbed down from his high horse and achieved the excellent realignment package of December 18. Achieving it three months earlier would have helped our balance of payments, and avoided some hurt feelings abroad.

* * * * *

All told, at best a C-minus for the Republicans and a C-plus for the Democrats.

There has to be a Democratic alternative. To a nation that is weary of "New Frontiers" and "Great Societies" and "New American Revolutions," it may be better to call it just a "Modest Proposal". Anyway, here it is:

1. Full employment

The present program, as I have suggested, does precious little about reducing our unemployment. There is needed, in addition to immediate welfare reform, a measure that takes into account the structure of our almost 5 million unemployed—the large percentages of young, female, and above all under-educated, under-skilled, and under-motivated.

More than 50 House Democrats have introduced a Jobs Now bill, to provide immediately 500,000 federally funded jobs at the state and local governmental level, at prevailing wages, for needed public services.

Do we need to let our health services languish, with returned Vietnam medical corps-

men looking for jobs, and with thousands of others available as nurse's aids, orderlies, or other paramedical personnel? Must our museums be closed half the time because we lack the wherewithal to hire sufficient guards? Why let our federal and state forests decline because we have insufficient foresters? Why get along with inadequate parks, playgrounds, and outdoor areas because we lack the funds to construct, maintain, and staff them? Why see our streets continue unsafe because the cop on the beat lacks an auxiliary officer to patrol along with him?

Providing 500,000 jobs now will have beneficial effects, both direct and indirect, on economic growth and employment. Directly, the 500,000 newly employed will be spending all, or more than all, of their income, and thus adding to consumer demand. Indirectly, their presence among the employed will help to restore confidence to those who already have a job, but are now holding back on their consumer spending because they worry that their neighbor doesn't have a job.

Moreover, since all the stimulus is applied directly to creating jobs, there are much less likely to be inflationary side-effects than in economy-wide trickle-down economic policies. If all the government does is to create ever-larger deficits by indiscriminate spending increases or tax cuts, the chances of this being translated into actual jobs are far less than with a focused Jobs Now program.

Together with a price-wage-incomes policy, a Jobs Now program can significantly shift the Philips Curve. Experience in recent years has shown that we can still have a 6 percent inflation at a time when both plant and manpower are drastically underemployed. And very recently, Dr. Solomon, newest member of the Council of Economic Advisors, has made the un-Solomonlike suggestion that we may have to compromise our target for acceptable unemployment at something like 5 percent.

This need not be. We can improve the Philips Curve, and maintain goals of no higher than 2 percent inflation and 3 percent unemployment. But this means using a price-wage-incomes policy, so as to fight inflation without promoting unemployment; and a Jobs Now program, so as to fight unemployment without promoting inflation. Rather than compromising our targets, how about girding up our loins?

2. Without inflation

(a) Phase II of the anti-inflation campaign, by common consent, will last about a year. It should be followed by Phase III, of which the distinguishing characteristics should be:

It will apply only to dominant industries;

It will be based on guideposts arrived at with the cooperation of management and labor;

It will be primarily voluntary, relying on public opinion, with legal sanctions used only as a last resort.

(b) Such a formal price-wage-incomes policy should be reinforced by a whole series of measures to combat inflation by reducing rigidities in the structure of the economy, and by increasing supply. Internationally, this means not only avoiding further flirtations with 10 percent import surcharges and Buy-American provisions; it means the progressive removal of quotas and the lowering of tariffs, in order to open our economy to more competition. It means, too, decisively altering many of our regulatory agencies so as to divest them of their mission to keep prices up, as in Federal Power Commission or the Interstate Commerce Commission. It means steady progress in agricultural policy to substitute income supports to the family-sized farmer for price supports, thus lowering the prices of farm goods to consumers. It means fewer subsidies for industrial dinosaurs like Penn-Central and Lockheed whose own sluggishness has brought them down.

(c) Perhaps most of all, after more than 30 years, we need another Temporary National Economic Committee to take an overall look at monopoly and rigidities in the economy. The Celler report has recently opened our eyes to the increased concentration in the economy. Is the remedy stricter enforcement of the anti-trust laws? Is it more yardstick competition, such as in the TVA? Is it the limitation of corporate size, or the breakup of conglomerates? We are now struggling in the dark.

3. A reformed fiscal policy

Fiscal policy should have as its aim not only the proper budgetary relationships so as achieve full employment without inflation. It should also provide adequate funds to federal, state, and local governments to carry out their respective functions; raise those funds by progressive rather than regressive tax systems; and harness public and private resources to solve the pressing problems of the 1970's.

(a) In intergovernmental relations, a Democratic alternative to the Nixon revenue-sharing proposal is beginning to emerge. The Mills bill will be the subject of hearings before the House Ways and Means Committee early in 1972. The bill will distribute approximately $5 billion a year to the states, the counties, and the larger cities, mainly on the basis of need as disclosed by such indices as the number of low-income families. It would induce states to adopt progressive income taxes by giving states that did so a larger share, with particular incentives to enact a "piggyback" state income tax on top of the federal income tax. This feature, incidentally, reinforces the need for overall loophole-plugging in the federal income tax. What shall it profit a state to "piggyback" if that on which it "piggybacks" represents a swiss cheese more than it does a rational tax system?

The Mills bill is reinforced by a bill sponsored by the Democrats on the House Housing Subcommittee, a bill also due for early action in 1972. That bill gives additional broad grants, principally to the larger metropolitan areas. It subsidizes state-sponsored housing development corporations, with the power to build low and moderate-income housing where the need is, rather than where the local jurisdictional lines lie. To the same end, it gives incentives for the formation of metropolitan housing authorities which will attempt to secure a fair housing mix throughout the metropolitan area. Finally, the housing subcommittee bill would provide planning money to the states to study their whole relationship with their localities, and to provide over the next decade a plan and a timetable for modernizing local government.

(b) On the tax side, we need to plug the numerous loopholes which are making our federal tax system increasingly ineffective. This plugging can be done only with Presidential leadership. It is needed both to repair the federal revenues, and to reduce inequities between tax payers. Together with revenue-sharing, it can reduce reliance on the worst tax of all, the local property tax.

(c) In federal expenditure policy, the government must devote new resources—from tax reform and from the higher revenue yield from economic growth—to the main areas of domestic need. This will require large-scale public-private consortia for research, development, demonstration, and implementation of new solutions for the rebuilding of our cities; mass transit; air, land, and water pollution control, often on a regional basis; education; public safety; health—the general welfare, in short.

4. International economic cooperation

The whole of international economics—trade, aid, payments, money, regulation—must be turned to achieve the things men and women want everywhere—jobs and a rising standard of living.

The first phase of the post-August 15 action has been concluded with a realignment of currencies and greater exchange flexibility. Continuation of the 1968 two-tier agreement insulating official gold from the free market is imperative.

This done, what of the future?

A pressing task for international money is to somehow get rid of the overhang of some $45 billion in U.S. dollar claims held by foreign treasuries, and some $6 billion in British sterling.

Such part of these national reserves as these countries do not wish to hold should be phased out in favor of some form of special drawing right. This is necessary from both sides. The United States has learned that it must have some control over its exchange rate structure, and the rest of the world that it cannot be asked endlessly to absorb dollar deficits.

In the process of changing reserve dollars into SDR's, there is an unparalleled chance to do something meaningful for the less developed countries. The poor countries have been particularly forgotten recently. It used to be trade, not aid; or aid, not trade. Since August 15, it has been neither trade nor aid, as the White House and the Senate have competed to see which could be more isolationist.

When the nations turn in their unwanted dollars to the IMF in return for new SDR's, what happens to the dollar claims?

There are those who suggest that the IMF ought simply to tear them up, and let the United States home free. But this will hardly wash with the rest of the world, which has given up real assets in return for the dollars.

Why not, instead, treat the dollar and sterling debts of the U.S. and Britain like consols with no set repayment obligations, with a reasonable interest rate of, say, 4 or 5 percent? A considerable part of this income to the IMF could then be turned over to the World Bank—IDA family for multilateral development aid. This could be a meaningful increment to the aid now provided by budgetary action. Thus could the past monetary sins of us all be expiated.

In trade, what is needed is another Kennedy round, only better—one that would encompass tariff and non-tariff barriers, revised agricultural policies, coordinated treatment of international investment and of the multi-national corporation. It would take a generation, with some set-backs and some speed-ups. But the goal is one to be seized.

Such a free-trade goal can be politically viable only if it is accompanied by programs in each country to bring about full employment without inflation. The United States can be helping itself, and the rest of the world in the bargain, by concentrating on full employment without inflation, as both a prelude and an accompaniment to an international economic policy of cooperation. This, it seems to me, is the best answer to both the old Interventionists and the New Isolationists.

INTERSTATE COMMERCE COMMISSION EFFORTS TO AID SMALL BUSINESS

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. BIBLE. Mr. President, not only are millions of Americans moving about this country and across the oceans today more than ever before but likewise more shipments of goods are moving through our channels of commerce than ever before as 1971 draws toward a close.

When the Senate Small Business Committee, of which I serve as chairman, began its hearings 2½ years ago into the impact of crime on small business, one aspect we noted in examining into cargo thievery, pilferage and hijacking was the difficulty that small shippers had in moving their cargo shipments expeditiously. We received complaints from small businessmen, shippers, seeking normal delivery of their ordered goods, that some motor freight carriers refused to transport certain shipments for various reasons.

We sought to call to the attention of the Interstate Commerce Commission some of these complaints and we are now pleased to note the affirmative action that Interstate Commerce Commission Chairman George M. Stafford and his Commission have taken in this area.

Recently, the Commission issued a public advisory, entitled "Arranging Transportation for Small Shipments: Shipper Rights, Remedies and Alternatives," designed to show the rights that small shippers have and to make suggestions how those shippers can move their goods satisfactorily.

For the benefit of other Senators and Members of Congress I wish to call attention to this public advisory as it is designed to help alleviate the problems of the small shipper in arranging transportation for his goods.

It is generally acknowledged by many experts in the transportation field that regardless of modern technology, it has become more difficult in recent years for some shippers to move their goods safely and securely by the various modes of transport. This is particularly true of the smaller shipper who has goods moving with less frequence and regularity than does his "big brother" counterpart, and likewise does not enjoy the services of professional traffic managers. In all fairness to carriers, they too have faced a variety of problems, not fully of their own making, in recent years.

Some carriers have often discouraged the small shipper regardless of the requirements of the certification granted by the Government. Many small shippers have believed their problems were ignored, leaving them to their own devices. The cost has been one of inconvenience to the shipper plus the excessive expenditure of dollars. The recent public advisory will hopefully begin to resolve some of the smaller shippers' problems.

The ICC is the first Federal transportation regulatory agency to move against this problem. We are hopeful the other regulatory agencies will ascertain whether assistance comparable to that carried out by ICC will benefit small shippers using other transport modes. Certainly, an awareness and concern for the small business shipper, the backbone of our national economy, can only bring constructive results.

I ask unanimous consent that a letter from ICC Chairman George M. Stafford, an ICC press release together with public advisory No. 2, entitled "Arranging Transportation for Small Shipments: Shippers Rights, Remedies and Alternatives," be printed in the RECORD at the conclusion of my remarks.

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

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., September 2, 1971.

Hon. ALAN BIBLE,
Chairman, Select Committee on Small Business, U.S. Senate, Washington, D.C.

DEAR CHAIRMAN BIBLE: I am enclosing a copy of the Commission's Public Advisory No. 2 entitled, *Arranging Transportation for Small Shipments: Shipper Rights, Remedies, and Alternatives*, together with the related press release.

Through this medium we present a statement summarizing the duty of all regulated carriers to serve the public fairly and to accept and carry all goods offered for transportation within the limits of their operating authority. Further, we advise shippers that effective assistance is available to them at nearly 100 specifically identified Commission field office locations.

In view of your interest in the problems of the small shipper, I think you will be pleased to know that the initial reaction to the advisory has been most enthusiastic. We have a limited supply of this latest public advisory available for distribution. If you should desire additional copies, I will do my best to fulfill your request.

Sincerely yours,

GEORGE M. STAFFORD,
Chairman.

[Interstate Commerce Commission release, Aug. 30, 1971]

SMALL SHIPMENT PROBLEM IS SUBJECT OF SECOND COMMISSION PUBLIC ADVISORY

The Interstate Commerce Commission issued today the second in a series of public advisories designed to assist consumers in their day-to-day dealings with regulated transportation companies.

The latest advisory, which is being issued over the signature of ICC Chairman George M. Stafford, deals specifically with small shipments. It notes that although most small shipments are being handled satisfactorily by the nation's carriers, the number of complaints that the Commission regularly receives has been increasing.

Generally, most service complaints come from those who ship goods in small quantities or from persons in small or isolated communities. The small shipments advisory summarizes the duty of all regulated carriers to serve the public fairly and to accept and carry all goods offered for transportation within the limits of their operating authority.

After reciting the remedies available to the typical small shipper who may be experiencing problems, the advisory suggests that effective assistance is available from the nearest ICC field office located in virtually every major city throughout the United States. Addresses and telephone numbers of the nearly 100 offices are listed in the advisory. With the cooperation and assistance of shippers, the Commission can take appropriate action to assure them of adequate service, the advisory concludes.

[Public Advisory No. 2, issued by the Interstate Commerce Commission]

ARRANGING TRANSPORTATION FOR SMALL SHIPMENTS: SHIPPER RIGHTS, REMEDIES, AND ALTERNATIVES

SOLVING YOUR SERVICE PROBLEM

Although less than one-tenth of one percent of the more than 300 million shipments transported by motor common carrier during 1970 were the subject of complaints, this Commission has received in recent years a growing number of shipper complaints as to motor carrier refusals to transport certain shipments. While all shippers occasionally have problems arranging for transportation, most service complaints come either from those who ship goods in small quantities, from shippers of certain types of traffic, or from persons in small or isolated communities.

If your company or organization experiences problems with motor carrier refusals to provide service you should be aware that you, as a shipper, have an enforceable right to service from all motor common carriers authorized to transport your products in interstate or foreign commerce. In addition, to assure yourself the best possible service on a continuing basis, you should be sure that you are using the means of transportation that is best suited to your shipping needs.

OBTAINING ADEQUATE MOTOR CARRIER SERVICE

Most small shipments or shipments to or from isolated points are now transported by motor carriers, since these carriers not only provide a flexible service capable of handling shipments of all sizes, but also because many shippers and receivers are not located near rail facilities.

If you intend to ship goods by motor common carrier in interstate or foreign commerce, the motor carrier you select must have a certificate of public convenience and necessity issued by this Commission authorizing the service you desire. Often, a carrier will combine its operating authority with that of another carrier in an interchange arrangement to allow the movement of goods over the combined routes to a destination point not served by the originating carrier.

Your right to motor carrier service

Every regulated motor common carrier has a duty under the Interstate Commerce Act to serve the public equally and fairly and to accept and carry all goods offered for transportation, within the limits of its operating authority.

As a condition for retaining its certificate, a motor common carrier bears an obligation of rendering continuous and adequate service to the public to the fullest extent permitted under its operating authority.

When may a carrier refuse to provide service?

As a result of the obligation to serve imposed by its operating authority, a carrier may refuse to transport your shipments only if it lacks authority to perform the requested movement; the size of shipment or its origin or destination do not justify a refusal to provide transportation.

In special situations, carriers are permitted to impose *temporary* suspensions of service ("embargoes") on certain traffic when they are unable to handle that traffic due to factors beyond their control, such as a lack of equipment or personnel. When a carrier has imposed an embargo on traffic to or from your location, it is required to notify our Bureau of Operations and indicate when the embargo will be lifted. The Bureau regularly investigates these embargoes to make certain that there are adequate grounds for restricting service.

If a carrier cannot provide prompt service following your request, it must notify you of the extent of the service delay anticipated and explain the reasons for its failure to give prompt service.

Enforcing your right to service

If a carrier refuses to transport one of your shipments, your quickest recourse is to contact the nearest field office of this Commission at any one of the 80 locations listed at the close of this Advisory.

On receiving your complaint, our field staff will take immediate action to see that carrier service is provided, often by assigning a staff member to investigate the service failure. The staff investigator will contact the carrier refusing service, determine if there was any justification for its refusal, and remind the carrier of its obligation to perform the services described in its certificate.

If your operations involve shipping to or from an isolated point, or if you are other-

wise unsure as to which carriers have operating authority to carry your shipment, our field offices will be able to give you names of carriers known to be serving the involved locality.

Penalties for failing to provide service

The Commission has substantial penalties at its disposal to back up its informal directives to provide service.

Carriers who refuse to perform the service required by their certificates are subject to prosecution, and may be fined as much as $500 per day for each refusal.

We are also aware of carriers with poor service records and often ask our Bureau of Enforcement to intervene in proceedings before us to oppose grants of additional operating authority to these carriers.

Failure to provide adequate service ultimately can be grounds for a temporary suspension or a complete revocation of a carrier's operating certificate.

SPECIALIZED TRANSPORTATION SERVICES

Although most small shipments and movements to or from isolated points are transported by motor common carriers, shippers too often ignore other forms of transportation that specialize in handling certain types of small shipments. In particular shippers should consider these means of transportation as alternatives to motor common carriage:

Local cartage companies

For shipments within a municipality or within a commercial zone surrounding a municipality, motor carriers may transport goods without a certificate from the Commission. Many firms engage exclusively in local cartage and provide efficient service.

Freight forwarders

Specializing in small shipment service freight forwarders consolidate small lots of goods into rail carload or motor truckload shipments and forward the goods to their destination using the services of other for-hire carriers. However, freight forwarder service is usually available only for goods moving between large metropolitan areas.

Express companies

many locations are available from the two major express companies, REA Express and United Parcel Service, as well as from the package express service provided by many intercity bus companies. However, there are weight and size limitations imposed on the services proffered by these companies and bus companies do not generally provide pickup and delivery service.

Fourth-class mail (parcel post)

Most points in the United States can be reached by fourth-class mail service. Again, there are weight and size limitations imposed on this service.

CONCLUSION

To assist you in solving your shipping problems, our field staff of transportation specialists has been organized to investigate any complaints you may have about the transportation service available to you. In addition, we have taken a number of steps on a broader scale to ensure the availability of service for small shipments and isolated localities, including:

Amending all motor carrier certificates to remove restrictions limiting carriers to handling shipments in truckload lots only.

Approving new rates on small shipment traffic to make these shipments more economically attractive to carriers.

Issuing certificates for limited time periods or subject to special service requirements to ensure continuation of adequate service for small shipments and isolated communities.

Proposing legislation to Congress to give the Commission authority to require motor carriers to enter into joint-rate and through-route arrangements.

Permitting carriers to pool their traffic, to allow one carrier to give concentrated service to a number of smaller communities.

However, none of these actions alone can guarantee you better service; you as a shipper must protect your own interests by asserting your rights to adequate and continuous service and by notifying this Commission when you feel that your rights are not being observed.

With your cooperation and assistance, this Commission can take the action necessary to protect your RIGHT to be adequately served and at the same time improve service to all shippers, regardless of their place of business or the nature and size of their shipments.

FORESTRY IN THE NORTH

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, the North has two national forests. There are also several State forests and county forests. Paper companies also are maintaining many forests in the 10th Congressional District.

With the paper industry being the North's largest employer, and with these vast number of forests, I have given this matter top priority ever since I first came to Congress.

To give an idea of what tree growth means and how much tree growth is needed to meet our demands, one has only to ponder a few figures. In 1962 the pulpwood consumption in the U.S. was 3.3 billion cubic feet. By 1980 it is expected to reach 5.6 billion cubic feet per year. By the year 2,000 the consumption will be 13.2 billion cubic feet per year.

This means that just a natural growth of trees will not meet our needs. The demand for lumber and other wood products will triple by the year 2000. We have a crisis in our Nation in meeting our tree needs.

To meet this crisis, my efforts brought the Forest Genetics Laboratory to Rhinelander. It is not just a local laboratory, but one for the whole Great Lakes Region, the Nation and the world. At this genetics laboratory are brought together the tree and wood experts from all over the world. Experiments with about 2,000 species of trees are taking place. Experiments in radiation are taking place. Rhinelander, Wis., is a "World Tree and Wood University" really for all the world.

Below are the amounts of Federal money spent in the 10th District for forestry work during the O'Konski years:

Fixed investment expenditures	$10,600,000
Goods and services	15,700,000
Rhinelander Genetics Laboratory	3,460,000
Total	29,760,000

In many instances these moneys are a result of my personal victory. On many occasions when money requested was turned down by the Bureau of the Budget or the administration, I took requests directly to Congress and got the money in spite of administration or Budget Bureau oppostion.

DAVID ROCKEFELLER

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. CHURCH. Mr. President, last summer, I attended the sixth annual meeting of the Dartmouth Conference, held in Kiev, capital of the Soviet Ukraine. One of the members of the American delegation was Mr. David Rockefeller.

We were seated next to one another at the Conference and flew to Moscow together afterward, where we interviewed the Russian Prime Minister, Alexei Kosygin. We then took the same flight back to the United States.

Mr. Rockefeller was a delightful traveling companion. He took a personal interest in all the members of the American delegation, and managed to communicate with our Russian counterparts most effectively.

Recently, an interview with David Rockefeller was published in the December issue of Nation's Business. It gives some interesting insights into his personality and his ample capacity for leadership. It is well worth reading.

In order to give the interview a wider audience, I ask that it be included at this point in the RECORD.

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

DAVID ROCKEFELLER OF CHASE MANHATTAN BANK: LIVING UP TO A SPECIAL RESPONSIBILITY

David Rockefeller was born 50 years ago into a family that had so much money, so much power, so much influence and so much fame that no one had any idea how to add it all up.

He learned early from his father, John D. Rockefeller Jr. and his mother, Abby Aldrich Rockefeller, that one thing it did not add up to was a life of indolence and waste.

As he grew up he was taught—as were his older brothers, John D. III, Nelson, Laurance and Winthrop, and his sister Abby—always to turn out lights in empty rooms. Food could not be wasted—they had to eat everything on their plates.

David Rockefeller also was taught that his advantages gave him a special responsibility to mankind, and that he had to work—and work hard.

As a child, he pulled weeds at a penny each on the terrace of the Rockefeller estate in Maine. He learned that job properly and then he graduated to raking leaves—eight hours for $2 at another family residence in Pocantico Hills, N.Y.

There has been plenty of public service and plenty of hard work since then.

By 1940, freshly armed with a Ph.D. in economics from the University of Chicago, Mr. Rockefeller was secretary to New York's pepper pot mayor, Fiorello H. LaGuardia. During World War II—he enlisted in the Army as a private and left it a captain—he served in North Africa and as assistant military attaché in Paris after the liberation.

In 1946, David Rockefeller joined Chase National Bank as an assistant manager in its foreign department. Today, as chairman of Chase Manhattan Bank (Chase and the smaller Bank of Manhattan merged in 1955) he is one of the four or five most important bankers in the world.

Family money and fame helped him to get ahead, of course. Chase traditionally has

been regarded as a Rockefeller bank. But there's plenty of reason to believe David Rockefeller had the ability to get to the top on his own.

The No. 1 man at Chase's new 60-story building near the lower tip of Manhattan, with its 8,800 windows and the world's largest bank vault, is low-key and almost British in idiom, dress and manner.

He has wide interests—he's a collector of modern and French impressionist art and of mounted beetles, and he has the Rockefeller penchant for giving away enormous sums of money and not bragging about it.

He enjoys life and, although he works 12- and 14-hour days, he gets away from his labors occasionally for brief holidays in the Caribbean or in Maine. His wife, Peggy, his two sons and four daughters, and his duties on about 35 public-spirited committees and organizations help make his days well-rounded.

Here, in an interview with Nation's Business in his art-bedecked office, Mr. Rockefeller gives some views on problems of our times, and some insight into what it's like to be rich, famous and very busy.

Mr. Rockefeller, you are a great collector of beetles. How did this come about and how many do you have?

I began when I was 10 years old. I had a biology teacher at the Lincoln School in New York who was interested in beetles and got me started. Two or three years later, I took nature classes at Seal Harbor, Me., from a very pleasant woman named Mrs. Nell and she got me going even further on beetles. Later, I spent three summers on entomological expeditions.

But I'm afraid I haven't had much time to pursue the hobby recently. I still have my collection, I guess 50,000 or so specimens.

Considering that there are about 250,000 known species in the world, mine is a small representation.

What is your first love—beetles or the bank?

The bank has long since won out.

Do you remember your grandfather, John D. Rockefeller, Sr.?

I saw a great deal of him, because I was 21 when he died. I used to spend winter vacations with him in Ormond Beach, Fla., and I saw him when he came up to Tarrytown, N.Y. I also visited him in Lakewood, N.J., where he had a place.

I remember particularly what a kindly and interesting person he was. He was fond of his grandchildren and used to love having us around. He would tell amusing, rather homespun stories.

And, he would sing little songs for people.

He was quite different from the image I guess he had in the days when he was active in business.

Your grandfather gave me one of his shiny, new dimes when I was a small boy. I still have that dime.

I don't know how he started that custom of giving away new dimes. In a way it gave him an excuse to talk with people he might not have had a chance to see otherwise. It was rather a good thing.

How does being the bearer of a most famous name affect you?

There are restrictions and problems. It's awkward when you see people and they know you but you don't know them. It is impossible for me to remember other people as well as they do me in a number of cases.

I think it is also true that some people tend to have stereotyped impressions of other people. Perhaps this is particularly true now, when so many of the New Left like to think in terms of stereotypes.

On the other hand there are obviously many advantages. It is easier to meet people and do things than it might be for someone else whose name is less well known. So, as in all of life, there are pluses and minuses.

Has your special situation influenced the way you and your wife have raised your children?

We tried to give our children a sense of responsibility but we did not want them to feel essentially different from other people. We tried to bring them up naturally and normally. We tried to get them to understand that, even if they didn't always agree with our own particular positions and beliefs.

We have been lucky to have six wonderful children and I was very lucky in the parents I had.

You may well be a member of more organizations—social, business, philanthropic, civic, governmental—than anyone else. How do you find the time?

My wife thinks I'm a member of too many.

But, obviously, I couldn't do as much as I do without excellent staff assistance.

Several members of your family are politically oriented. Have you ever heard the call?

You can't be involved in business with a great international bank without being involved in government and politics. But I have never sought government office although I know a great many people in government. I have served on many governmental committees.

But have you ever felt the urge for elective office?

It would be interesting. But I have two brothers and a nephew who are deeply involved in elective office. Maybe that is enough for one family.

Mr. Rockefeller, what is the first lesson one must learn in order to be a leader?

To understand and be sensitive to the concerns and aspirations of other people.

Do you object when a subordinate disagrees with you?

No. I object if they don't feel an obligation to disagree. They may help me to change my mind.

In the last analysis my view has to be the final one, simply because I have been given that responsibility by the bank's directors.

But I am convinced that I would not be able to discharge that responsibility well if I had people around me who simply said Yes to everything I said.

Many people and companies are fleeing New York City. As a native New Yorker, how does this strike you?

I am, frankly, disturbed that a number of major corporations have moved. I, myself, am not convinced that this is necessarily a wise move. I feel there is great advantage to rubbing shoulders with a great many people from all sorts of backgrounds, with broad interests and with the exposure to cultural opportunities that are present in the city.

There is a danger of people moving to the suburbs and living isolated, provincial types of lives.

One has to recognize, however, that there are serious problems in New York City which most other big metropolitan areas are also facing.

And it is terribly important that the business communities in those cities assume a sizeable share of responsibility in working with governments in trying to deal with these problems.

There is a trend of financial institutions moving to Washington. Do you think this will continue?

I wouldn't really feel there have been any significant moves of major private financial institutions away from New York. The movers primarily have been government oriented institutions which logically should be in Washington.

The American Bankers Association moved there because increasingly it came to realize its job was dealing with Congress and the Administration.

The ABA is a trade organization, not a bank, not a financial institution. It represents the banking community to the government.

Do you think life will ever settle back to the quiet, placid ways of years ago?

I haven't seen very much of a trend in that direction, I'm afraid. It seems to me that the complexity of living is growing and that the pace of life is getting quicker.

That being the case, people must find ways of spending their leisure so they can restore their peace of mind.

We see scores of companies going to a four-day workweek. How general a trend do you think this is?

The trend is there. It will be interesting to see whether it continues. But I find it difficult to see how we are going to be able to cut down significantly on our workweek at banks without seriously hampering efficiency.

You have spoken often about New Towns. What size will they be and how will they be financed?

The best estimates are that the population of the United States will increase by 75 million between now and 2000 A.D. Obviously that will require new homes, new schools and the facilities for new jobs. I question very much whether existing cities can expect to accommodate this increase. Others agree, since it has been suggested we will need 10 new cities of one million or more population and 100 communities of about 100,000 persons to take care of people during the next 30 years.

I have suggested formation of a unit within the White House to have responsibility for national growth planning.

There also is need for an urban development bank to provide funds for new city planning.

I have recommended a quasi-private, limited-dividend type of organization which would be sponsored by the government but essentially would be privately run.

What I envisioned was that commercial banks might own equity, that the equity would be a relatively small proportion of the total, that there would be bond issues to be bought by insurance firms, pension funds and other institutions. Interest rates would be competitive in that they would be related in some way to the prime rate. But they probably would be lower than the rates that might be paid by strictly private and commercial developments.

Do you foresee a Euro currency several years from now?

I would say Yes, but at the same time stress the "several years" part. I don't believe it is likely soon. Not many European countries are prepared to give up the degree of national sovereignty required to have an effective Euro currency.

On the other hand, they increasingly are recognizing that this would be an important element of a closer knit Common Market. Most of them recognize that this is an important thing for them.

So I do believe one will come, but it will be several years away.

How do you view the fact that the United States is slipping as the world's leading trading nation—that its position relative to others has declined rather than grown?

If we say the dollar is no longer the all-powerful currency, that might be true in technical terms—in the sense that the Swiss franc and German mark today seem stronger in relation to the dollar.

But nevertheless, because we are the strongest nation economically, I think few people would deny that the dollar is still the most important world currency.

What generally, do you think will happen to American foreign trade in the next few years?

We can increase it provided we get inflation under control. This has been the principal deterrent to trade. If you look back less than 10 years, our trade surplus then was running at a level of about $6 billion. Now it has dropped to where there is actually a deficit.

People raise questions of foreign competition and lower wages and that kind of thing. Those are factors, but inflation has always been the prime reason. However, I am convinced that if we continue to spend money on research and development, continue to be aggressive in marketing techniques, there is no reason why we can't stay one jump ahead of the others in many areas.

Will there be more nationalization, partial or total, of foreign-owned enterprises in the underdeveloped countries?

One cannot generalize on a global basis. There certainly has been a trend toward nationalization in a number of countries, notably in South America, Africa and Asia. But it has not all been in that direction.

We have seen other countries realize that private enterprise offers them the greatest opportunity. And therefore they have increased opportunities for foreign private investment.

This is certainly true in Indonesia and Brazil.

I think multinational corporations, whatever their national origin, are going to have to be increasingly willing to adapt their operations to the laws and sensitivities of the countries in which they do business. They have to be good citizens of those countries if they are going to be permitted to stay.

Mr. Rockefeller, the genesis of that question is that some of the big oil companies may soon be forced to share up to 20 per cent ownership with foreign governments, as well as to surrender 20 per cent of executive jobs to local managers.

Yes, in a few companies, like the petroleum firms, there have been changes in the relationship between the companies and the host nations in ownership patterns and organizational structure.

But it's likely that host nations will continue to find it to their advantage to work out mutually attractive arrangements with the oil companies for exploration and marketing of products, because for the most part they just don't have the technical knowledge, the managerial ability, the world-wide connections or the capital to do the job themselves.

What's the future for East-West-trade?

It would be wise and useful from both the Soviet and U.S. standpoints to expand the present volume, which is really negligible. We have continued prejudices and arguments against permitting trade with the Soviets longer than is in our best interest.

Trade is one of the best ways of stimulating understanding. Many items which are not permitted to be exported to the Soviet Union have no strategic significance whatsoever.

I was at a conference in the Soviet Union last summer and expanding the volume of trade was a subject we discussed.

Everyone there agreed it was desirable, but none of us was hopeful that in the short run there would be any massive increase. For one thing the two economies are too similar and the Soviets really do not have many items that are attractive to us. But the amount of trade could be increased substantially.

Will the Iron Curtain ever be replaced with a plate glass window?

Some progress is being made in this direction. There is contact between Western nations and Eastern European nations other than the Soviet Union. Even with the Soviets there is somewhat more freedom of travel and an attempt to establish contacts between countries.

As I just mentioned, I was in the Soviet Union recently. I have participated in four of a series of six conferences over the past 10 years called the Dartmouth Conferences, the purpose of which is to bring together people from the two countries and enable them through several days of conversation to understand one another better and keep in closer contact.

As a result of this most recent meeting it was agreed that there should be a steering committee of each group to keep more regular contact between meetings. This was suggested by the Soviets. It was a small straw in the wind.

Now that we are going to do some business with Communist China, it's interesting, Mr. Rockefeller, to recall that you recommended this many years ago. What will this mean to American business?

I doubt it will mean much in the short run. The main importance is that it is not healthy for one huge area of the world, that has the largest population of any country, to be completely isolated.

But I would be surprised, frankly, if the recognition led to any great volume of trade in the next few years.

The late Nikita Khrushchev once told you in the Kremlin that someday everybody would be a communist. Have you noticed any trend in that direction recently?

They still say it over there, and they believe it. They are still good Marxists.

However, the fact that they don't have enough confidence in themselves or their ideology to allow anyone who doesn't believe in it to say so in public makes me wonder whether really the Soviet Union is quite as strong or quite as self-confident as it wants to appear.

Anyone who cannot accept that there can be anything wrong with themselves or their beliefs, and who will not admit to a flaw in their system, must be somewhat lacking in self-confidence. Freedom of thought and speech is an important thing. And this is something that Western civilization has which communist nations do not.

You once said that we live in a world of unlimited desires with limited resources. Can you elaborate?

This has been pointed out by economists since the days of John Stuart Mill—that human beings like to have more than their resources permit.

At the present time people are putting less emphasis on strictly worldly economic resources and more emphasis on the quality of life and the environment. This is probably a logical and good development.

But in order to have environmental quality one has to spend resources. That means you have fewer resources for other purposes. So it will always be true that mankind will never have all the resources that all of the people would like.

Will this intense interest in environmental problems eventually give way to other problems?

It is here to stay. The reason we have to be concerned is that the population of the world has been growing in geometric proportions and consumption by individuals has been growing very rapidly also.

When there was a population of a few hundred million people, man's impact on his environment was relatively insignificant. But that day is past forever, because population—and consumption—are continuing to grow.

Mr. Rockefeller, one last question. Banking has changed more in 20 years than many other industries have. Banks don't even look the way they used to look. What are your feelings on this?

I agree that banks have changed very much, and I would like to think that bankers are more human, today. Bankers recognize, as does business in general, that they have to be concerned with the problems of our society just as any citizen is—perhaps even more so. Banks have to take into account social responsibilities.

The fact is that in the long run it won't be possible for a bank or corporation to make a good return for the shareholders if it is not responsive to needs of society.

THE FARMERS OF OUR NATION

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, there has not been a Member of Congress more concerned with the decline of family farming in our Nation than I have. The loss of small family farms in our Nation over the past 30 years alarms me. When we consider that America was once rural and now we find less than 5 percent of our population on farms, it should disturb every American.

It matters not who the Secretary of Agriculture is. In my judgment, we have not had a good Secretary of Agriculture in the last 40 years. By this I mean that in the last 40 years, we have not had a Secretary of Agriculture who had the guts to come before the Congress with a positive program for preserving the family farms of our Nation with an adequate income.

When the farmers of our Nation fell for the "gimmick" of parity, they gave up not only their soul, but their means of livelihood. What is parity other than price control by the Government. Unfortunately, 90 percent of the American people are not aware of the fact that the only continued price control that we have in our Nation is for the farmers of America.

Parity is supposed to mean the cost of products plus a fair profit. Yet our farmers have never enjoyed 100 percent parity, but at times many of their products were as low as 40 percent of parity. As long as the parity "gimmick" remains on our statute books, the farmers of our Nation are going to get the short end of the stick.

Basically, the reason why our farmers are always the forgotten ones is because the farmers are the only truly unorganized segment of our society. We have four different farm organizations, and even the heads of these four farm organizations cannot get together on a solution to the family farm problem, and the politicians are taking advantage of this to no end.

There is only one solution to the farm problem, and that is for the farmers of our Nation to come under a system of collective bargaining just as labor, teachers, and now Government workers. I saw this need and I sent out over 1 million copies of a farm bulletin urging that the farmers of our Nation unite into one unit so that they can adopt a system of collective bargaining, or they will always bear the brunt of our unfair economic system. The title of the pamphlet was, "Farmers Unite or Perish." No truer words were ever spoken. I doubt whether there is any Member of Congress in the history of our country who has mailed out more than 1 million pamphlets to try to awaken the farmers of our Nation to unite and adopt a system of collective bargaining.

There is one other aspect I wish to discuss. Today the United States is a consumer nation when it used to be an agricultural nation. Unfortunately, the aver-

age consumer of our Nation is more aware of what a quart of milk costs and what a pound of butter costs than he or she is aware of what a case of beer or a bottle of wine costs. We do not hear complaints from the average consumers about the cost of beer or the cost of wine, but raise milk 1 cent a quart or butter 2 cents a pound and we hear a howl from one end of the Nation to the other. Our Government has to enter into an educational program to teach the average consumer that a quart of milk is worth more than a quart of beer. If we make the consuming public conscious of this fact, the farmers will be able to get more for their products.

Finally, unfortunately, there are politicians now who are milking the farmers by way of campaign contributions. Politicians are now telling the farmers contribute $10,000 to my campaign, and I will help the farmers. This is spreading throughout our Nation to an alarming degree, and I want to warn the farmers of our Nation that this is the cheapest political "gimmick" of all times. The farmers of our Nation must not and need not buy their way by political contributions. This will hurt the farmer more than it will help.

There has not been a Member of Congress who has worked harder for the farmers welfare than I have. I have helped thousands of farmers get long-term loans at reasonable rates of interest. I have helped thousands of farmers with social security problems. I have helped thousands of farmers with servicemen's problems of their children. I have spoken out time and again and introduced legislation to get farmers a good price for their products at the market. I have supported the expanded school milk program and the school lunch program. I have supported the food-for-peace program. Never have I voted against the interest of the farmer, and yet I consider it an insult to my honor if I were to expect the farmers of our Nation to start contributing to my campaign.

One final warning, when any farm organization becomes a tail end of a political party, any political party, and tries to buy its way through that party with political contributions, that is the time when the Government will turn its back on the farmers, because like a first user of drugs, the farmers become hooked and the politicians will expect more and more and more and the political party will expect more and more and more, and in the end the farmer will get nothing, because he cannot give enough to politicians whose earnings are in the $50,000 bracket.

Most of all the Federal Government's only concern should be family farms. Subsidies to corporate farms should be stopped. I have always voted to cut off Federal subsidies of millions to corporate farms or absentee farmers. If we want really to stop corporate farming—stop the Federal subsidies to such farms. It is as simple as that, and I have so voted. One hundred percent parity for family farms—yes. But any Federal subsidy of any kind to a corporate farm—no. It is as simple as that.

HEALTH CARE LEGISLATION ANALYZED BY MEDICAL COMMITTEE FOR HUMAN RIGHTS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DELLUMS. Mr. Speaker, over the coming years I can think of no greater domestic priority issue than that of providing quality health care and treatment to every American regardless of income level or any other differences.

Therefore I have been a bit discouraged when I have looked into the various health care programs now before the Congress. After serious analysis I have come to the conclusion that none of the current bills under consideration would adequately meet that goal.

Instead, I agree with the critical judgments of the various proposals which were made in November when the Medical Committee for Human Rights presented its testimony before the Ways and Means Committee hearings on health legislation.

MCHR made a seven-point analysis centering on the Health Security Act, and, at the same time, outlined its own basis for adequate national health care programs. Because I believe the MCHR testimony is extremely important, I would like to insert it into the RECORD, and I highly recommend that my colleagues read it closely.

The testimony follows:

POSITION ON NATIONAL HEALTH INSURANCE

(The following testimony was presented to the House Ways and Means Committee, November 5, 1971, by the Medical Committee for Human Rights (MCHR), a national organization comprised of over 10,000 members enrolled in 60 chapters throughout the United States. MCHR opposes all current bills concerning National Health Insurance. The Heath Security Act, the most comprehensive, is still considered inadequate.)

INTRODUCTION

Despite the massive infusion of government monies, institutional health care providers face a virtual collapse of the old methods of financing. Private hospitals are threatened by skyrocketing costs. This in turn endangers the drug and hospital supply companies who depend on hospitals as retail outlets. Blue Cross rates leap higher and higher, and subscribers protest. Trade unions must allocate an increasing portion of wage hikes merely to maintain their present level of medical benefits. The swollen costs of employee health benefits shrink corporate profits. State and local governments cannot afford the rising costs of their medical programs. Finally, not only poor but middle-class consumers find medical costs beyond their means.

The solution embraced by the providers and financiers of medical care is some form of national health insurance. The new ingredient in the old struggle for national health insurance is the powerful array of forces now favoring its enactment—private hospitals, parts of the medical-industrial complex, Blue Cross, management, and federal, state, and local government.

While there are significant differences among the various health insurance proposals, all are essentially schemes for financing medical care. While some of the proposals encourage group practice, none seriously confronts the fundamental issues about the American health system—profiteering, public accountability and consumer control, accessibility, and racial and sex discrimination. All the national health insurance proposals, no matter how liberal would give public funds to the profit-making private sector to do with as it wishes.

The national health care plan proposed by the Medical Committee for Human Rights begins where the most progressive of the current health insurance proposals, Senator Kennedy's Health Security Act, leaves off, and addresses the fundamental inequities in the American health care delivery system.

1. HEALTH CARE IS A RIGHT, NOT A PRIVILEGE

All people residing in the United States, whether citizens or not, are equally entitled to comprehensive and preventive health services, easily accessible in their own communities and without charge. Rich and poor should be serviced in the same facilities without separate "staff" and "private" services, separate clinic hours, or separate waiting rooms.

We oppose deductibles, co-insurance, limitation on services, means tests and eligibility requirements. These mechanisms are incomprehensible to most patients, discourage needed health and preventive care and increase administrative costs and paper work.

The health care non-system which we now have, should be converted into an orderly arrangement of community health centers, general hospitals and specialty medical centers. The community health center will provide a wide range of treatment, preventive, educational and rehabilitative services, including the several major medical specialties, mental health, dental care, optometric care, X-ray, laboratory, and pharmacy services. Transportation, child care and home care services will be essential components of the community health center. Care will be provided by interdisciplinary teams of health care providers. A major emphasis will be placed on door-to-door preventive health care screening and education. Early case finding will reduce costs to the patient and society.

Each community health center will be linked to a general hospital for hospitalization, specialty consultation, or specialized diagnostic or treatment procedures. General hospitals, in turn, will be linked to regional specialty hospitals for particularly difficult problems. This organizational plan combines the need for high quality, unfragmented personal care in the patient's neighborhood, and the need for specialized and technical medical knowledge and equipment.

MCHR believes that poverty, malnutrition, racism, occupational hazards, war and pollution are major underlying causes of disease. Here we speak only of the structure of the health care delivery system, but the true prevention of disease requires solutions to these social and environmental problems.

2. HEALTH CARE SHOULD BE FINANCED BY A PROGRESSIVE NATIONAL TAX ON TOTAL WEALTH

Health care should be financed by a progressive national tax on total wealth. Current national health insurance proposals would be financed by employer-employee payroll deductions, which fall heavily on working people, or income taxes. Because of loopholes and tax gimmicks, the very rich do not contribute their fair share of income taxes. MCHR proposes that the health plan be financed by revenue collected by strict application of the principle that those most able to pay be taxed at a higher rate than those less able. All forms of income and wealth including salaries, savings, stocks and bonds, inheritance and real estate, will be taxed; no tax advantage will be gained by placing one's wealth in particular loophole categories. In this way, tens of billions of dollars will become available as public funds.

We propose that these tax monies be distributed directly to regional and local boards on an adjusted per capita basis rather than

through a multiplicity of channels, each of which must divert funds into salaries for the persons doing the necessary processing. Community control is a farce if their boards cannot do the priority-setting for financial distribution.

3. NO PROFITS IN HEALTH CARE

The profit motive seriously distorts medical practice: unnecessary operations are performed; useless or even dangerous drugs are pandered on the public; patients are hospitalized who could be cared for at home; unnecessary tests are performed; and money is spent on expensive, sophisticated technology to the neglect of primary patient care. Billions of dollars for health care are diverted by drug and medical supply companies, health insurance companies and nursing homes into profits, advertising and administration. All the current bills would to some extent perpetuate or even strengthen these priority distortions.

MCHR believes there should be an end to profit-making in health care. Nobody should gain monetarily from another's sickness. Health care should be a human service, not a business.

The operation of profit-making hospitals, nursing homes, drug companies and medical supply companies will be turned over to nonprofit public control. Insurance companies will no longer have a role in the health care delivery system. Physicians will no longer be paid on a fee-for-service basis because it encourages the profit motive to enter into medical decisions. Health personnel will all be paid on a modest salary scale as set by the local boards. There will be better pay for those now at the lower end of the scale, and a comfortable but not exorbitant wage to doctors. Hospital spending for unnecessary operating costs, excessive salaries for physicians and administrators, public relations, and expansions in the interest of gaining prestige, should be curbed. The increased consumer demands that a financing mechanism will generate would make such cost controls imperative. Government regulatory agencies, because they are more responsive to corporate than to consumer input, have been grossly inadequate.

4. COMMUNITY CONTROL

Health care institutions now are controlled by the same people and interests who profit from health care delivery. None of the current national health insurance proposals challenges this concentration of power. The Kennedy bill is the only one of the three major proposals which even mentions consumer participation. MCHR believes the control of health facilities should reside with their consumers and health workers.

Every institution providing health care will have a democratically selected policy-making body composed of users or potential users of the institution, and its workers. Communities containing significant radial or cultural minorities would insure the representation of these groups in the policy-making body. Groups might wish to set up facilities organized along other-than-geographical lines. Health care services in factories and other places of employment will be controlled by the employees rather than the owners. Community-worker bodies will also be involved in the areas of environmental and industrial health; these areas cannot be divorced from personal medical care delivery.

MCHR believes strongly that the needs of the patient will be satisfactorily met and his dignity maintained, only if he plays a decisive role in the shaping of the policies of the institutions which he uses. To this end, we would reverse the Kennedy hierarchy of control from the top. Local boards would elect from among themselves representatives to regional health boards, and these regional boards in turn would elect delegates to a national board. The boards would select their own expert medical advisors.

Community control does not preclude an individual's selecting the facility or doctor of his choice. It is hoped, however, that community control will foster institutional improvement and responsiveness so that the individual will select his local facility.

5. MOBILIZING HEALTH MANPOWER

Minorities, women and the poor should be justly represented in all levels of health jobs. At this time, doctors, who are at one end of the polarity in terms of status and earnings, are almost exclusively white, affluent males, while nurses' aides and maintenance staff are mostly poor, black women. There is almost no job mobility for health workers because of legal constraints, educational rigidities and guild restrictions of professional associations. All current national health insurance proposals would perpetuate the present hierarchical and racist structure among health workers.

MCHR proposes that under-represented groups be preferentially admitted into health science schools and the curricula adjusted to meet the individual needs of all students. Training of all health workers will be done at public expense to eliminate economic barriers to training. Integrated health worker schools at the regional level will replace the present fragmented collection of medical, dental, nursing, laboratory technician and dietitian schools. The curriculum will be tailored to the student's past experience, including his work and life experience, and not merely to his or her academic credentials. Vertical mobility amongst health jobs will be encouraged, e.g. a nurse could train to become a doctor without necessarily returning to college to earn a degree. The large need for doctors and nurses will in part be filled by further training paraprofessionals and former corpsmen. Continuing education for allied health workers is as necessary as for physicians. Current practices in manpower utilization are deplorable.

6. ALLOCATION OF RESOURCES

Personnel and facilities will be allocated so that no rural area or ghetto is left without a clinic. The distribution of national health care funds to regional and local boards will assure each community the health personnel it needs. Recent health science school graduates will be encouraged to work several years in communities now unable to attract enough doctors. Health students will be actively recruited from these areas, be educated in their own region, and encouraged to stay there to practice. Public Health Service physicians can be assigned to spend at least two years in such areas of need. The physician/population ratio will be monitored nationwide so that personnel can be sought first for the areas of greatest need. There will be limits placed on the excessive numbers of specialists trained until there are enough general physicians for everyone to have a personal or family doctor.

Clinics, hospitals, and health schools will be built in those areas which do not have them. This will be given priority in the initial distribution of national tax monies.

7. PUBLIC ACCOUNTABILITY

There will be a much greater degree of public accountability within the health care system. Quality control will include continuing worker education and peer review, but also consumer review of patients' records, periodic external audit by the regional boards, and periodic re-licensure of physicians and other licensed personnel.

A complaint desk will be a part of every clinic, health facility, emergency room, and hospital. It will be staffed by persons not paid by the institution, who will have quick recourse to legal channels for redress of grievance.

The administrators of health facilities will be accountable to the community board. Purely technical decisions concerning patient care will be made by the appropriate members of the health team.

CONCLUSION

MCHR presents its plan for consideration by the American consumer and other health workers. It is an invitation to dialogue rather than a legislative proposal. It is a draft to be revised and added to, rather than a finished product. The vision embodied in the plan cannot be legislated. It can only be realized by the growing awareness and concerted action of the people most deeply affected by the inadequacies and inequities of the present health care system.

LAWS ON ILLEGAL ALIENS NOT ADEQUATELY ENFORCED

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. McDONALD of Michigan. Mr. Speaker, inadequate law enforcement is one of the major reasons the illegal alien problem continues to grow.

The Immigration and Naturalization Service does not have the manpower in the field to do the job satisfactorily, and when it does, the courts are likely to administer only a slap on the wrist.

At present, the employer is not liable to prosecution, and the alien who has been apprehended usually is just put aboard a bus and sent back to Mexico.

In thousands upon thousands of cases, these people turn right around and come back.

Now, there are laws, but they simply are not being enforced adequately.

For example, under section 275 of the Immigration and Nationality Act any alien convicted of entering the country illegally can be jailed for up to 6 months and fined up to $500 on the first offense and on subsequent convictions he could get 2 years and a $1,000 fine. A convicted smuggler is liable to up to 5 years or a $2,000 fine or both for each alien.

Perhaps because of the heavy dockets, the courts have been leaning over backward on this issue.

It is a fact that the employer is not penalized, although it is inconceivable to me that he never knows he is employing illegal aliens until Immigration conducts a raid. Certainly, if he is holding back part of a man's wages he must know the man is an alien working illegally.

The thing to do, then is to enforce the law to the limit where smugglers and illegal entrants are concerned, and to draft new legislation imposing severe penalties on employers who knowingly hire aliens ineligible for employment.

Of course, that is going to be the sticker—"knowingly" hiring the alien who does not have a bona fide "green card" entitling him to work.

But it seems to me that a country that has progressed as far technologically as we have should be able to come up with an identification system that would be awfully hard to beat.

And in the meantime, if we hit these people hard in the courts—whether they are big farm operators or illegal aliens—then perhaps we can make them hurt

enough to learn that this racket is unprofitable.

Only when we take the profit out of it—and make it too risky from a legal standpoint—will we be sure we are reaching a solution.

CORPORATE FARMING IN AMERICA

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. CHURCH. Mr. President, there is probably no Member of this body more dedicated to the concerns of both rural and urban America than the senior Senator from California, ALAN CRANSTON.

My association with Senator CRANSTON has been a close one, going back many years. Recently the Washington, D.C., Sunday Star reprinted portions of an address delivered by Senator CRANSTON. The article is a succinct and compelling statement of what is one of the most pressing problems facing both rural and urban America—the growth of corporation agriculture.

Corporation agriculture is strangling rural America, and as rural America dies it sends forth its people to urban America where already overburdened cities are taxed even more. Senator CRANSTON points out the problem well:

Unless we stem the farm to city migration; unless we reverse the increasing concentration of our population; unless we revitalize rural communities and halt the corporate invasion of agriculture, our efforts to solve crime, curb pollution and restore beauty and order to our cities will be largely in vain.

Mr. President, I ask unanimous consent that the text of the article entitled "Amber Waves of Grain and Fruited Plain, Inc." appear at this point in the RECORD.

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

[From the Sunday Star, Dec. 12, 1971]

AMBER WAVES OF GRAIN AND FRUITED PLAIN, INC.

(By Senator ALAN CRANSTON)

The fact that the nomination of Dr. Earl L. Butz was, as expected, narrowly confirmed by the Senate as Secretary of Agriculture is overshadowed by the fact that 44 senators of both parties voted against him. That kind of opposition is highly unusual for a cabinet nomination.

The significance of this strong bipartisan opposition, in my opinion, extends far beyond the confines of the Department of Agriculture and the philosophy of its chief administrator. What it says to me—and what I hope it says to Secretary Butz—is that there is a deep, growing concern in Congress and the nation over the social and economic implications of the corporate invasion of agriculture.

The single most pervasive phenomenon in rural America today is the corporate invasion of the production phases of agriculture. Giant corporations like Tenneco, which is engaged in such diverse industries as shipbuilding, oil and gas production, farm machinery, and chemicals, are buying up acres of farmland and producing a tremendous volume and variety of farm products. Tenneco produces an enormous diversity of crops in Kern County, Calif., including corn, potatoes, barley, sugar beets, cotton, almonds, grapes, oranges, lemons, peaches, pears, and plums, and company officials frankly admit that their aim "is to accomplish integration from the seeding to the supermarket."

If Tenneco and similar corporations achieve their aim of total integration of the food production process, there will be no small family farms left in America. At best, small farmers will become little more than serfs in a modern feudal system that demands the production of cheap raw commodities for the benefit of giant conglomerates.

AN ANACHRONISM

Small farming, as both an economic unit and a way of life, is fast becoming an anachronism. The small independent farmer is falling victim to the technological, economic, and social revolution that has struck at the heart of rural America.

Small towns and communities that once teemed with life and vigor in the rural areas of every state now stand silent and deserted, ghostly reminders of a better time in rural America.

These towns, and the people who once inhabited them, have been forced out by the corporate invasion. In their place are absentee owned farms—fields of corn and wheat and lettuce and tomatoes stretching as far as the eye can see, broken only by the giant combines that makes their lonely way across these vast acres.

Hundreds of thousands of small farmers, small businessmen and farm laborers continue their 25-year exodus from rural America. The rate of departure is now slightly reduced, but only because there are not many people left in rural America. Today, less than 10 million individuals are engaged in farming.

As the small farm dies, rural America dies too. The young cannot support themselves on the farm, so they leave as soon as they are able. Only those too young or too old to leave remain, the very people most in need of the community services which the dwindling rural tax base can no longer support. Churches, schools, hospitals, and community centers are boarding up their doors. Rural America is gasping for breath.

I raise this specter to suggest that time is running out. We must make our choice for rural America. We must decide whether to stand idly by while economic forces destroy the small farmer, or to stop this unseen hand by developing and implementing positive agricultural policies to assist the small family farmer, the farmworker and the small businessman of rural America.

If left unabated, economic forces will radically alter the structure of American agriculture. If we do nothing—and thus strengthen the myth that these forces are inevitable—we will have chosen an agriculture that is devoid of people and rural communities, an agriculture that resembles a giant, well-oiled food-producing packaging and processing assembly line. We would get our food, but at what human cost?

TWO TOWNS

The social effects of corporate agriculture were eloquently stated in the well-known Dinuba-Arvin study done in 1947. This study focused on two California farming communities of equal size, both located in the great central valley. The point of comparison was the difference in the scale of farming—Dinuba is a community of family farmers and is surrounded by small acreages. Arvin is the center of large-scale agriculture, with a high percentage of absentee ownership.

The findings of this study were striking. The people living in the small farm community had a higher standard of living, better schools, churches, and civic associations, more small businesses and a higher volume of retail trade. Newspapers, parks, public recreation centers, Boy Scout troops, and public services also were more plentiful in Dinuba and were of better quality. The study came to the obvious conclusion that the small farm bears an important relationship to the character of American rural life.

The lesson is clear. We can ignore the economic and social implications of corporate agriculture only by risking "the good life" for millions of rural Americans.

Sen. Fred Harris (D-Okla.) put it well in stating that we are at a "crossroads" in rural America. Are we going to endorse an agriculture which is little more than a giant food factory and which contributes to the demises of rural communities? Or are we going to develop and implement an agricultural policy which allows people to live and work in dignity?

I suggest that far more is at stake than efficient food production. At stake is the livelihood and welfare of small farmers, small businesmen and farmworkers who cannot compete with the agribusiness resources.

It may be that farmer bargaining is the only tool by which small farmers can get their fair share of the final food price in the emerging food system. That is now being debated in the agriculture committees of the House and the Senate. It is essential that we provide the small farmer with the tools he needs to survive.

FARMS AND CITIES

It is high time we remembered these millions of rural Americans who operate efficient, family sized farms, who participate in the social life of their communities, and who have contributed so much to the well-being of America.

Let me turn to the interrelationship between the farm problem and the problems of our cities. The population of rural America is declining because corporations are snuffing out the economic base of our small towns. People move by necessity into the cities and the slums of America, placing a still heavier burden on urban areas at the very time we are attempting to achieve a better rural-urban balance. Three-quarters of our population is now concentrated on 2 percent of our land. This has a direct impact on the deterioration of our cities and the quality of our environment.

Our cities are decaying. Our air and water are hazardous to health and life. Our lands are polluted with chemicals and depleted of vital minerals. Our food is abundant but curiously tasteless—as though the commodity is reflecting the loss of vitality experienced on the farm. Crime and congestion and pollution and frustration—these are the constants of city life today.

We must, therefore, bear in mind that the decisions we make today about the future of rural America—and the tools we enact to revitalize it—will relate directly on the fate of our cities. We cannot separate the two.

Unless we stem the farm to city migration; unless we reverse the increasing concentration of our population; unless we revitalize rural communities and halt the corporate invasion of agriculture, our efforts to solve crime, curb pollution and restore beauty and order to our cities will be largely in vain.

* * * * *

This is a partial text of a Senate speech.

TURNING SNOW INTO GOLD

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, in the early 1950's I saw the need for adequate

ski facilities in the north country. I started with Hayward. In the later 1950's there was a year of no snow.

I got President Eisenhower to declare Sawyer County a disaster area because of a lack of snow. Eastern press ridiculed the idea of declaring an area a disaster area because of a lack of snow. But President Eisenhower's declaration bore definite results.

Eisenhower's declaration gave Sawyer County top priority on Federal loans at 3-percent interest. Telemark applied for such loans and received them for snow making machinery. Today Telemark is the elite of ski hills.

Later Hardscrabble near Rice Lake asked for my help and they, too, got Federal loans for a ski hill. Then White Cap Mountain asked for my help with similar results. Then Trollhagen asked for my help with similar results.

In summary, northern Wisconsin now has four first-class ski hills which result in millions of dollars to the economy of the North each winter. One can say that northern Wisconsin pointed the way to the surge of the skiing industry which now brings more tourists and dollars to the North than any usual summer tourist business. This is another example of O'KONSKI's work and results to advance the North country. The money involved in these four skiing hills amounts to almost $1 million of Federal loans.

THE HEALTH HAZARDS OF H.R. 1: ANALYSIS BY THE DISTRICT OF COLUMBIA CHAPTER OF MEDICAL COMMITTEE FOR HUMAN RIGHTS

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DELLUMS. Mr. Speaker, the welfare reform issue is far from dead.

The President may have put welfare reform on the back-burner as far as his priorities are made, but for millions of American families struggling even to meet living standards judged as subsistence, there are very few tomorrows to look forward to.

Recently, the Peoples Coalition for Peace and Justice, PCPJ—and the National Welfare Rights Organization, NWRO—conducted hearings on the administration's family assistance plans here in Washington. Among the witnesses testifying at these informative sessions were representatives of the District of Columbia Chapter of the Medical Committee for Human Rights. The Medical Committee for Human Rights testimony concerned health hazards associated with H.R. 1, and because I think this is important testimony—since the specific data quoted are with respect to the District of Columbia, but with simple changes of a few figures and dates, it could equally apply to any area of the country—I am now inserting it into the RECORD at this point.

The testimony follows:

HEALTH HAZARDS OF H.R. 1

Testimony presented at the Dec. 7, 1971 hearings on Nixon's Family Assistance Program of H.R. 1, organized by the People's Coalition for Peace and Justice and the National Welfare Rights Organization at the District Building, by the Medical Committee for Human Rights: D.C. Chapter.

MCHR is opposed to the Family Assistance Program of H.R. 1. It undermines many of the recent efforts to improve Day Care Centers, nutrition of the nation's poor, maternal and child health, and the whole health delivery and financing system of this country. MCHR supports an annual guaranteed wage. It supports the federal government's setting up high quality Day Care Centers and Job Training Programs and Job Opportunities, but allowing persons the freedom of choice to utilize these services, and making their *availability* the chief incentive to work.

SUMMARY

a. Medicaid benefits would be cut by one-third. This would act as a dis-incentive to families to seek preventive prenatal and well-baby care.

b. Mothers who work would seek their health care at night when few clinics are open, emergency rooms already overcrowded, and preventive and educational comprehensive services are not available. Streets are dangerous and children irritable at night.

c. Because of fear of losing her job because of frequent absences for "illness in the family", the mother would neglect clinic visits, leave sick children with incompetent sitters, be unable to stay with a hospitalized child. Constant frustration would result from her desire to meet her children's needs but the inability to take advantage of available services.

d. There is no provision for the unborn child or a child after the eighth in the family. Food stamps would not be given to most pregnant mothers or children over the age of 3.

e. Exemption is given to mothers who must care for a sick or disabled family member, but not for the pregnant mother or the mother of multiple children. "Disabled" would likely be narrowly defined, and finding a doctor to do the exemption physical or mental evaluation would be difficult.

f. FAP Day Care Centers would be allowed to be of poor quality, without comprehensive services such as a preventive health program, and likely without adequate subsidy for food. Needed licensure requirements would be lowered to allow crowding (less space/child) and herding (fewer adults/child). Old housing with all its hazards would likely be used to house these centers. Epidemics and accidents would be rampant, and medical personnel unavailable.

g. Empty homes would invite the older children to sexual activities and drug abuse and housebreaking.

h. Children dearly loved would be removed from home and placed in institutions that pose even worse health hazards.

MCHR has concerns about the FAP program from several directions:

(1) We see it endangering the health of mothers and children because of reduction in benefits.

(2) We have gross concerns about health in the Day Care Centers planned under FAP.

(3) We see it endangering the rights of women and of the poor in our society.

First, about the health hazards created by the cut in benefits, and the requirement to work:

a. Medicaid benefits would be cut by ⅓ for families under the Department of Labor (DOL) Opportunities for Families program. Every since Medicaid was passed, the state and national governments have been trying to find ways to reduce the number of people who could use it, or the number of services it could cover. The current effort is H.R. 1.

At often less than minimum wage, with a large percent going into Day Care, how would a mother be able to pay ⅓ of the health care costs that she formerly had covered? The first service she would opt to omit in order to balance her budget would be well-baby preventive care.

Already 50% of low income children are incompletely immunized, and as a consequence almost every epidemic of diphtheria and whooping cough is in a ghetto. Already the incidence of crippling diseases such as polio, dislocated hip and cerebral palsy are more frequent in the ghetto. This is clearly because the poor did not have available, or could not afford, maternity and infant preventive care.

Reduction in Medicaid benefits would make this situation worse.

b. A mother who works five days a week, and fears the loss of her job if she takes too much time off for clinic visits, has to seek her family's health care at night. This poses a number of problems:

The streets in the neighborhoods she is likely to live in may be too dangerous for women and children at night. They may rather stay home than endanger their very lives to get health care.

Very few clinics are open at night, and if they are, likely do not provide the same comprehensive services as the daytime clinics do. Maternity care, well-baby care, and mental health services would be hard to find at night.

Many would have no recourse than to go to an emergency room. Already emergency rooms are overcrowded. Over 50% of cases in D.C. emergency rooms now are non-emergencies, which hamper the care of the true emergencies. This condition would be worse under FAP.

Besides, only 7 of 20 major emergency rooms in the greater Washington area has a pediatrician on call. Children therefore get less than optimal care.

c. While requiring mothers to use "other grants available to them", it makes it more difficult for them to do so for fear of losing their jobs or losing their pay for the time taken off. Their choice would often be between job hunting again while pursing the medical concerns, and maintaining their job under the fear of having their children removed from them because of "neglect". The resulting frustration would produce depression and hopelessness, with mental breaks in some cases.

d. General welfare benefits would be cut in ways detrimental to child health.

There is no provision for the unborn child.

There is no provision for a child beyond the eighth in the family. Children born to mothers who have had repeated former pregnancies have a higher incidence of retardation. They need more care and attention, not the withdrawal of help.

Mothers under the DOL would not get food stamps. Food stamps would still be given to childless couples and single persons and the elderly. We would not want to deprive them of their necessary food, but priority should be given to pregnant mothers (whether under the DOL or not), and to children (whether under three years old or not) who need more food for their growth and mental development.

When attempts are made to balance the government budget, the first cuts made are usually in welfare, and when welfare is cut, Medicaid must be cut also since it cannot be legally more than 133⅓% of AFDC. There is no occasion to believe that HR 1 won't suffer similar repeated cutbacks, and it is intolerable as it is.

e. There would be no lenience for mothers who really should be at home caring for their children's or their own health.

There is no lenience for the pregnant mother. She should not be out scrubbing people's floors. If forced to work, she would postpone prenatal care. Hypertension would go unapprehended, would be worsened by the lack of rest, and secondary ill effects would accrue to the unborn child.

There is no lenience for the mother of multiple children. With multiple children, there is always one of them sick. Mothers reluctant to miss work that often would have to find last-minute baby sitters, or keep an older sibling home from school. When this sibling is a teenager, the coverage would be adequate; but when it is a 9, 8, even 7 year old, children that age are not capable of taking care of a sick child, nor of protecting him from accidents in the home. Or there is the choice, as cited by Jane Addams as a reason she started Hull House, of tying the child to a bedpost while the mother is at work because it is safer than letting them burn themselves on the stove, swallow lye, or run into the street. Do we really want to return to such primitive necessities?

f. The exemption listed in the bill is for mothers who must care for an ill or disabled family member.

This must refer to chronic and long-term illnesses for which exemptions can be given for an extended period of time. It cannot be imagined to cover absences from work for *episodic illness* in the family. If a child had to be hospitalized, it would provide the mother no exemption to stay at the *hospital* with the child. Yet whole books have been written, whole hospitals restructured, to encourage mothers to do just this, because it is necessary to reduce the mental trauma to the child from this harrowing experience.

Also, *how narrowly would "disabled" be defined?* Could a mother whose child had a *speech defect* be exempt from work? In many cases, security and love from the mother is the chief treatment, and her loss for the greatest part of the day would make useless any other therapeutic efforts. Would "disabled" include children who are *psychologically disturbed,* or who simply are *not mature enough* at the age of three to separate from their mothers?

To pass judgment on whatever exemptions *would* be allowed, would require large numbers of personnel. Thousands of supposed welfare dollars would go to pay their salaries, and never get to the welfare recipients at all.

Getting a medical excuse for one's family would become an operation like draft physicals are now. A few volunteer doctors would agree to do exemption physicals, others would refuse, and families with pressing need for exemptions would not be able to get them. This would be especially true in the area of psychological exemptions, where services are woefully inadequate for crisis care.

Next, health in the FAP Day Care Centers, which is not even considered in the bill. A prime factor in child care is the health and safety of the children. No matter what educational quality it has, the children must not be in *increased* danger of illness or accident by going there.

Epidemics can be rampant in Day Care Centers. Some of the colds aren't bad, but one child might get pneumonia. Some of the diarrhea isn't bad, but one child might need hospitalization for I.V. fluids. There are two major factors in how successfully a center can control epidemics:

First, in areas where the mothers don't work, or have optional hours at privileged jobs, they are free to keep their children at home a few days when ill. In a poorer neighborhood where the mothers all work, and their jobs do not so easily include the privilege of taking off, a mother who can't find a last minute sitter will just bring the child to the center and pretend later that she didn't notice he was sick that morning. Or in her rush to get several children clean, fed well, and dressed warmly, then trundle off to their separate schools before getting herself off to work, she may very honestly not notice that he has a fever. Then all the other children are exposed.

Second, epidemics are more frequent where large numbers of children are crowded together into a small space. We fear that the government would lower the licensure requirements of space/child because they will find it difficult in the ghetto to find space that fulfills the current requirements. We fear they will also cut the ratio of adult/children because of lack of funds and unavailability of personnel. This would increase the risk of accidents.

b. The use of old housing for the centers poses additional hazards such as exposed radiators, poor wiring, bad plumbing, and poor heating. If 40% of the housing in D.C. has lead paint on the walls, this percent must be even higher in the ghetto. Every Day Care Center, foster home, and baby-sitting home would have to be checked by the housing department for lead before its safety to house children could be OK'd.

c. Nutrition in Day Care Centers under FAP concerns us. Just recently in D.C. the funds for meals at 50 Day Care Centers was drastically reduced. If adequate food cannot be provided for existing centers, how can it be provided for a whole chain of new centers? Food stamps would be stopped for purchasing food at home, and the center wouldn't have good food either. Children would have to beg or go to dole-out programs, most of which are of political motivation, to get even one decent meal a day.

d. Medications would need to be given in the centers. Any drug given 3 or 4 times a day would require a dose between 8:00 and 5:00. With a reduced number of adults/children, these medications would often be forgotten as the discipline problems of the moment took precedence.

e. FAP requires nothing in the way of a comprehensive program in Day Care. Adequacy of a facility could not be used as an excuse not to work.

This would perpetuate a deprived environment for many of the children included. It would foster a two-class day care system—good comprehensive centers (under the Mondale bill) for the rich, and low standard custodial dumping grounds for the poor.

Any Day Care Center that is federally funded should have all the health provisions of the Headstart programs, and medical screening as proposed in recent HEW guidelines for children on Medicaid under the age of 6. Knowing that Headstart in D.C. though it serves only 3% of eligible 3 and 4 years olds still cannot find enough psychological services; knowing that Public School health in D.C. is appraised as less than adequate by school counsellors and principals; and knowing that the centers will be in poverty areas where only 8% of the doctors already serve 18% of the population, we have serious doubts that a sudden proliferation of centers could begin to find adequate medical coverage. If the rationale for a decrease in Medicaid benefits is that some of the needed health care would be provided at the center, that is a gross error in judgment.

Meanwhile, conditions would deteriorate at home, creating additional health hazards there.

1. Older children would find empty houses galore, their own or these of friends, to go to after school to do whatever they wished. V.D., teen pregnancies, drug abuse and truancy would find new breeding grounds. Housebreakings would increase, to further diminish the provisions of already impoverished families.

2. The mother would come home from a day of hard work at a job that was not satisfying to her, but oppressing, and she would be depressed, on edge, and so tired that she could only fall into bed after preparing dinner. The children would be essentially motherless. She would not have the energy to clean her own house and dispose of her own garbage after spending the day doing these things for someone else. Flies, roaches, and rats would multiply. And we might as well forget the great advantages anticipated from expanded home health education programs. If a Public Health Nurse or Home Health Aide ever visited the home, she would have to ask the mother to stay home from work. Any health education classes in the daytime the mother could not attend, and any at night she would be too tired to attend.

Finally, where would all the children be placed who were taken away from their mothers for non-compliance? Junior Village? Everyone knows the horrors of such institutions. Like in slave days, parents would be forceably separated from the children they dearly love. It is another thing to remove unwanted abused children from their parents, but we should do everything possible to keep loving families together.

As for women's rights, the bill shows a total misunderstanding of women's demands for childcare and return to work. This was intended to liberate women to the choice to work and to choose a meaningful job. The bill turns these demands against women to enslave them.

It is the antithesis of liberation to force women to work.

It is the antithesis of community control to have no choice in the quality or philosophy of the day care your child gets.

It is the antithesis of racial integration to create a two-class day care system.

It might have been naivete on the Congressmen's part that made them think this bill was doing women a favor. It might have been malicious and intended to show women their place and teach them never to demand any rights again. We rather imagine, though, that in writing the bill it never entered their minds that women had any rights at all; that it was never even considered. How much there is to learn!

CONCLUSIONS

MCHR supports a guaranteed annual wage.

The government should set up Day Care Centers but only as many as can be of high quality, comprehensive, and safe.

The government should set up Job Training Programs, and open good job opportunities for women.

But the availability of these should be the incentive to work, not the lack of funds to maintain family health and nutrition, and the fear of having their children taken away from them. This is cruel.

HR 1 undermines many of the recent efforts to improve Day Care Centers and the nutrition on the nation's poor. It undermines the Whitehouse Conference on Children and Youth which listed preventive care for children under the age of 6, and prenatal care, as national priorities. It undermines the incentives provided under national health insurance for people to get preventive care to reduce the need for crisis medicine. The administration is, in essence wishing illness, retardation, deprivation, and deformity on the nation's poor.

There are in fact many similarities between Nixon's Welfare Bill and Nixon's Health Bill, which:

Takes money out of health care and puts it into the pockets of corporations, administrators, and eligibility-checking personnel.

Perpetuates our two-class health care system.

And, while publicizing the increased benefits for the few, cuts the benefits of many others, leaves thousands devoid of any help at all, and increases out-of-pocket expenses at best.

Just as Nixon's Health Bill shows less concern for the health of the people than it does for the wealth of the corporate and pro-

fessional interests of the nation, his welfare Reform Bill shows less concern for the welfare of the people than it does for the national budget and the production of a cheap labor force to bolster the nation's economy.

If this bill passes, the Medical Committee for Human Rights will not hesitate to take every chance to fine the government $200–$500, as is the law, for each and every failure to meet the health standards required of Day Care Centers. We can check the centers for lead paint, and require the government to renovate them. We will encourage families to bring suit against the government for every accident or illness their children contract in its centers.

There have been oppressive bills passed before and people tolerated them, but no one is going to tolerate this one.

FIRST PUBLIC OFFICIAL TO OPPOSE WAR IN VIETNAM

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, when we review what has happened in Vietnam in the last 10 years, my words are more than prophetic. To be against war now has become a fad. Frankly, being against the war in Vietnam now has become the greatest money making scheme for politicians. It has become a racket.

When the French were losing the war in Vietnam in 1954 and the United States decided to pick up the marbles and carry on in place of the French, there was only one voice in the entire United States or Congress who had the courage to speak up against taking this step. I would like to quote from the CONGRESSIONAL RECORD of June 28, 1954. When Congress was about to appropriate $2 billion to bail out the French in Vietnam and for the United States to take the place of the French in Vietnam, I spoke the following words:

Mr. Chairman, we are making a great mistake. We are saying in reality that all we have to do is to arm this country and arm that country and have a strong Army and a strong Navy and the world is going to come out all right. In other words, it seems to me we are basing too much of our entire philosophy and thesis upon strength and strength alone. I discount that thesis entirely. I think one ounce of righteousness is worth 100 divisions in any war, and we find ourselves, particularly in the case of Indochina, where we are not on the side of right, and we will never win. With all the billions of dollars that we have already poured into Indochina, in many cases and in many of the individual battles the armed strength on the so-called French side has outnumbered the other side by a ratio of 20 to 1, and they could not win because right was not on their side. Unfortunately, the people of Indochina have been sold on the idea that Communists are on their side, that they will obtain their independence, and that the Americans are trying to foist French colonialism and exploitation upon them. We can pour $100 billion into Indochina and send 6 million American boys into Indochina, which I am positive we will not do, but it will not solve anything, because we are on the wrong side of the fence, and as long as we are on the wrong side, it does not pay to continue to operate a war under those conditions.

It took courage to speak out against our involvement in Vietnam then. Where were the voices of today against the war in Vietnam? I saw the folly of getting into the war in Vietnam more than 17 years ago. There is no one in America who can furnish an official record or document where any public official opposed our getting into the war in Vietnam before this date. The words quoted above are prophetic because they were 17 years ahead of all the other politicians in Washington.

Then in 1961 and 1962 when President Kennedy started the military buildup for Vietnam, Cuba, and Berlin, there was only one public official who had the courage to stand up and oppose this unnecessary military spending. These 1961 and 1962 years were the beginning of the military industrial complex that President Eisenhower warned us against. The 1961 to 1965 years were the years of the TFX scandal, the C5A scandal and other evidences of the military industrial complex—1961 saw our military buildup from one of being able to fight one war to the Kennedy-McNamara program of building up our military structure so that the United States will be able to fight 2½ wars at the same time.

Whose voice was the only voice that was heard against this emergence of the military industrial complex and needless and wasteful military spending? Here again in 1961 and 1962, only my voice was heard against the military buildup and against useless military spending. When the Wisconsin 32d Division was called up, I described it as wasteful, needless and ruthless because chances of our Nation being attacked then were nonexistent. Here again, we see the courage of a man who stood alone in 1961 and in 1962 against wasteful military spending.

In 1964 I was the first to criticize the draft as a poor man's draft law. In 1967 I voted against the draft hoping that it would send a signal to slow down our involvement in Vietnam.

Was it easy to show courage at that time? Not at all. Read the quotations from an editorial that appeared in the Milwaukee Sentinel in December 1961:

But even Alvin can go too far in his career of irresponsibility. His latest efforts seem to us to verge on certain acts described in Article III, section 3 of the United States Constitution: "Giving aid and comfort" to our enemies. His statements decrying the call up of Wisconsin's 32nd National Guard Division as being "ruthless and unnecessary" because, he claims, this nation is in less danger today of war than it has been in 15 years, are untrue and negated the efforts this nation is making for world peace. His actions can not help but tell the Kremlin leaders that America, or at least the 10th Congressional District of Wisconsin, is not behind President Kennedy and his efforts to "arm to parley." His crassness can not help but give "aid and comfort" to Khrushchev and his gang.

Again we say treason is a strong word that should be used judiciously and we will respect this. Alvin O'Konski's words and actions should be judged by every reader himself. It is our feeling, however, that the least that can be said is that we live in a world where it is mandatory that we have responsible leaders and O'Konski no longer can be tolerated. Alvin must go.

This is what happened to a public official in 1961 and 1962 when I stood alone against unnecessary and wasteful military spending and committing of our troops in needless and stupid wars all over the world, particularly in Vietnam. Yes, it is easy to be against war now, but it took courage to speak out against military spending, the war in Vietnam and the draft in 1954, in 1961, 1962, 1963, 1964 and 1967.

The agony of this country is that the loudest voices against the war in Vietnam now are those whose voices were strangely silent when they should have spoken out way back in 1954 as I did. It is not comfortable to be called a traitor to his country, and yet I was called exactly that in 1954 and in 1961 and 1962 because I had the courage to be the first to speak out against unnecessary military spending, the military industrial complex and the war in Vietnam.

CONTINUING RESOLUTION FOR 1972

HON. GALE W. McGEE

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. McGEE. Mr. President, on the night of December 15, 1971, the Senate engaged in a debate on the continuing resolution for fiscal year 1972. At that time most of the appropriation bills had been passed by the Congress and enacted into law. However, there were still some items for which appropriations had not been provided.

The most important of these was the appropriations for the Foreign Assistance program. The distinguished chairman of the Senate Foreign Relations Committee, in collaboration with the distinguished chairman of the Subcommittee on Foreign Operations of the Appropriations Committee of the Senate, offered to the Senate that night an amendment to the continuing resolution which, among other things, provided approximately $1.5 billion for foreign assistance, both economic and military, and the necessary funds to cover the administrative expenses of the Agency for International Development. This recommendation was approximately $1.2 billion below the amount that was reported by the Appropriations Committee of the Senate when it sent the continuing resolution to the Senate, and approximately the same amount less than the sum authorized by the Senate.

The debate commenced while I was at dinner with my family; and when I was notified that the debate was in progress I immediately hastened to the Hill, not only to participate in the debate but to at least delay any rash action from being taken in the waning days of an arduous session. I spoke at some length that night, admonishing my colleagues to reject the amendment that was proposed to the continuing resolution by the distinguished chairman of the Senate Foreign Relations Committee, and, at the conclusion of that debate, while engaged

in colloquy with the distinguished chairman of the Appropriations Committee of the Senate, Senator ELLENDER, he made the point that the Senate should accept the low figure advocated by Senator FULBRIGHT in order to protect its bargaining position with the House of Representatives in conference—the House figure being much higher. But I could not agree to such a tactic. In fact, I said in response:

However, the point still is that we stand before the world tonight and we do not dare stand before the House of Representatives and say, "Look, the lousy vote we had in the Senate was not the will of the Senate. We were just playing games with the Members of the House. They are stubborn."

We are going to be judged on this. The Senate went up and down the hill once before. We got a lot of complaints from all over the United States for the way in which we approached the question. (In the October vote.)

I am only pleading that we be responsible tonight. We have made our will known. That is the reason I cannot buy this new compromise figure. We will compromise ourselves right out of the ball park.

Now, Mr. President, when I stated that we went up and down the Hill once before, I was referring to the previous Senate action on the authorization measure for foreign assistance. On the night of October 29, 1971, the Senate voted down the authorization for foreign assistance by a vote of 41 to 27, and there were many complaints from all over the United States criticizing the Senate for the irresponsible way in which we approached the question. Consequently, a little more than a week later the Senate, acting more responsibly in my opinion, reported out two foreign aid bills, S. 2819 and S. 2820, covering economic assistance in one bill and military assistance in another, which, in the aggregate, authorized approximately $2.7 billion for foreign assistance in fiscal year 1972.

These measures were adopted by overwhelming 3-to-1 margins in the Senate. Obviously they represented more accurately the sense of responsibility felt by the U.S. Senate. From there the measures were sent to the committee on conference composed of members of the Senate Foreign Relations Committee and House Foreign Affairs Committee for resolution of the differences between the authorization bill approved by the House for foreign assistance and the amounts approved in the respective bills passed by the Senate. Needless to say, that conference languished for many weeks and was still in a state of limbo, so to speak, on the night of December 15 when the aforementioned debate ensued.

On the night of December 15, the distinguished chairman of the Senate Foreign Relations Committee was endeavoring to get the Senate to override the action it had taken, just a month earlier, in the authorization measure, by amending the then pending continuing resolution to provide an annual spending rate of $1.5 billion for foreign assistance, in lieu of the $2.7 billion authorized by the Senate and contained in the continuing resolution that expired on December 8, 1971.

Mr. President, based on my statement that "we got a lot of complaints from all over the United States for the way we approached the question," the distinguished chairman of the Senate Foreign Relations Committee on December 16 included a statement in the RECORD on page 47399 wherein he gave me credit for promulgating the "McGee Theory." According to him, I stated that the Senate's revival of the Foreign Aid program following the overwhelming defeat of the earlier aid legislation was due to a popular uprising of the citizens of this country who, according to the "McGee Theory," demanded that the Senate reverse its decision and vote to support foreign aid. In other words, the "McGee Theory," relative to the resurrection of foreign aid, draws the conclusion that foreign aid is back by popular demand.

To make the record complete and bring everything into the proper context, let me quote from the beginning of the statement of the distinguished chairman of the Foreign Relations Committee of the Senate:

M. President, last evening, the Senate was entertained with a rather novel theory about the Senate's recent decisions on foreign aid. The entertainment was choreographed by the distinguished senior Senator from Wyoming (Mr. McGee), who maintained throughout the evening that the Senate's revival of the foreign aid program, following the overwhelming defeat of the earlier aid legislation, was due to a popular uprising among the citizens of this country who, according to the McGee theory, demanded that the Senate reverse its earlier decision and vote to support foreign aid. In other words, the McGee theory, relative to the resurrection of foreign aid, draws the conclusion that foreign aid is back by popular demand.

Until last night, I had never heard this theory, but the Senator from Wyoming seemed so positive about it that I was tempted at times to believe him. This is something I rarely do, because experience has taught me that the distinguished Senator, with the best of intentions mind you, frequently confuses fact and opinion.

The facts, as best as I can determine them, do not support the Senator's thesis, a thesis which postulates that foreign aid is everyone's choice as the Government's most popular program. Rather, the facts suggest exactly the contrary: Foreign aid is the program the public would like most to see defeated.

Mr. President, I believe that if one peruses the debate which took place in the Senate on the night of December 15, he will be aware that McGee was expressing his opinion when he referred to complaints from all over the United States on the way we approached the foreign aid question. At no place in my remarks did I state that foreign aid was back by popular demand.

What I in fact was alluding to was the outburst of sophisticated editorial comment both here and abroad and the expressed views of many responsible people who had at one time or another served in high positions of government which had thrown the individuals involved into a role of working with the economic development problems of the world. They were shocked at the severity of the cut reflected in the Senate vote on October 29.

It may come as a surprise to my friend from Arkansas, but foreign aid is as unpopular with my constituency as he says it is with his. Foreign aid has never won a popularity contest that I know of; its ratings are invariably low in the various polls.

But this fact should not permit a U.S. Senator, whatever the State of his constituency, to duck the responsibility of assessing the need for foreign aid as a program underpinning the national interest of the United States.

Now, to be sure, there are deep and abiding differences of opinion among Members of the Senate on this matter. The Senator from Arkansas and the Senator from Wyoming are far apart on this basic point. But even that difference is not the issue in this particular colloquy between us. The issue is that the Senate acted recklessly, or at least impetuously, in its first vote—41–27—cutting the aid program beyond reason on October 29. But then proceeded shortly thereafter to correct that mistake, and to correct it by a voting margin of three to one.

It is my opinion that margin was more truly representative of the will of the Senate and at a higher level of AID which, while not a popular level, was at least viewed as a more responsible level. Furthermore, it is my opinion that this Senate reversal was also in response to the kind of shocked disbelief which followed the Senate's earlier action. To illustrate this latter point, I ask unanimous consent to include in the RECORD an assortment of editorials and other comments.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Nov. 7, 1971]

THE EMERGING TRAGEDY

(By James Reston)

WASHINGTON, Nov. 6.—Two great forces are at work in the world today, one driving the nations together and the other setting them apart. Everywhere it is obvious—it is almost a cliche—that no nation can by itself control the problems of war, the arms race, money, overpopulation, hunger, disease, the drug traffic or pollution, but at the same time the spirit of nationalism and protectionism is rising, and the institutions for world cooperation like the United Nations are under severe attack.

The evidence of this dangerous paradox lies plain before us. We know the facts about world hunger and runaway population, about the nine million refugees from East Bengal and the danger of war between India and Pakistan. They have all been in the front-page headlines, along with the dollar crisis and the world monetary crisis, but they seem to be beyond our understanding. They are too complicated or, as we think, too far away. We hear about them vaguely but we do not *feel* them, and even when we sense the danger, most of us feel hopeless to deal with them.

The facts, however, remain, even if they seem remote, abstract and beyond our comprehension. The contemporary world today is a little like the modern American city: part black, embittered and revolutionary slum, and part white and prosperous. The main difference is that in urban America the poor are a minority and in the world at large, now being rushed together by modern transportation and communication, they are the vast majority.

The reaction of American political and public opinion to this present division between the rich and poor nations of the world is also comparable to the reaction of the white majority to the black minority in our own country over the last century. Even during the battles over slavery in America, most Americans knew something about the in-

equality of American life. Mr. Lincoln told them the Republic could not endure half slave and half free, and most of his successors in the White House, after abolition, insisted also that it could not live happily with a deprived black minority. Again, however, after pointless miseries and eventually great progress, we are still struggling with this dilemma in a violent and revolutionary atmosphere.

Maybe this analogy is not quite accurate—analogies never are—but what is happening in the world today, or so it seems here, is at least comparable, if not similar, to our own national experience with the American poor and particularly with the American blacks over the past generation or so.

What we were eventually brought to see at home, after long periods of prejudice, indifference, confusion and hopelessness, was that was still could not evade the facts of inequality. What we were unable to do on principle and by foresight we were finally forced to do by fear of violence.

The guess here is that this long and tragic national experience is now being repeated on the world stage. Our assumption at home in the past was first that we could avoid the confrontation with the silent impoverished black minority and then that maybe we could ride out the confrontation with the power of the aroused "silent majority," but in the end it didn't work.

In the end, it probably won't work either in the world. Poverty is an infectious disease—our own affluent children in their expensive rags dramatize the point. With modern communications, the word has finally got through to the populous slums of the world, where most of the human family exists, that hunger and disease are not inevitable but intolerable.

This is really what Prime Minister Gandhi of India has been saying here in the last few days. She was not asking for money but for recognition of the alarming facts of modern life in the underdeveloped nations, and she may have been more successful than she realizes.

For while the Congress of the United States is now talking about foreign aid as if it were some kind of parliamentary maneuver or dirty trick on America, there are at least some officials here and elsewhere who see the dark horizon on the world and the developing class war between the rich northern nations and the poor and populous majority in the under world of the sunny slums below the Equator.

In fact, the most hopeful thing in this gloomy picture is that officials are now beginning to say that the old assumptions and the old institutions have broken down to such an extent, that the monetary system and the political system are in such a mess, that it may finally be possible to get acceptance for fundamental change.

Liberals and conservatives alike in the Congress voted against the foreign aid bill for a variety of reasons, and many of them are even supporting Secretary Connally's hard Texas power politics, not because they want to go isolationist or protectionist or particularly because they like Connally, but because they want to find a new system that will recognize the interdependence of the modern world and force all the trading nations to accept a more equal sharing of the burdens in what is obviously an unequal and dangerous confrontation with one another and with the hungry and embittered majority of the human race.

[From the New York Times, Nov. 10, 1971]

THAT OLD-TIME ISOLATION

(By Theodore M. Hesburgh)

SOUTH BEND, IND.—In a few hours of precipitate action on foreign aid, the Senate dealt another major blow to the development prospects of more than 100 developing countries. It followed President Nixon's equally unexpected action adversely affecting the poor countries.

They then were the innocent victims of a trade crisis cross-fire between the rich countries. As a consequence the U.S. cut its aid to them by 10 per cent and imposed a 10 per cent surcharge on their fastest growing exports. These abrupt and unilateral actions not only treat the poor nations as pawns of the rich and the powerful but they are jeopardizing the already inadequate international efforts to promote justice and peace in the world.

As both President Nixon and the Congress have rightly made clear in the course of this year, the United States urgently needs a new approach to the developing countries, one better suited to the realities of the 1970's. But we must avoid the real danger that in the struggle between the Senate and the executive branch we once again victimize those most in need of our help. Both the U. S. and the low-income countries will be losers.

In the first place, by any measurement of fair share, Americans need to be doing more rather than less in aiding others. Twenty per cent of the world's population enjoys 80 per cent of its resources, and we Americans are a large portion of that fortunate 20 per cent. The rich U.S. at present contributes less proportionately than do most other nations. Last year we placed a bad twelfth out of sixteen so-called rich nations in the Organization for Economic Cooperation and Development.

In the second place, the Senate fight over foreign aid lost sight of the fact that this program is a catalyst for a vast network of cooperative activities by private American institutions. Bilateral development assistance makes it possible for scores of American universities to carry on constructive educational and other activities overseas and for 15,000 foreign students to study in the United States and elsewhere.

Third, if we fail to respond now, there are many people in the world who will say, unjustly or not, that we are acting out of pique at being defeated in the United Nations on the issue of Taiwan. As a great nation, we must not withdraw our support, even temporarily, in an act unworthy of our past efforts.

Fourth, we need to be able to meet emergencies in the developing world, of which the growing refugee problem in Bengal is today the most pressing. And we cannot cripple international agencies such as the United Nations Development Program and the Food and Agriculture Organization as they assume a larger part of the cooperative effort.

Finally, responsibility in U.S. actions is particularly critical during this period of uncertainty in international trade and monetary relations. If we even temporarily abdicate responsible conduct, the chances are that we will be viewed with distrust and suspicion at the very time we need the cooperation of the low-income countries to create a better international economic system that will serve the interests of all nations—developed and developing.

Of course, there are many things wrong with the bilateral assistance program of the past. I believe there should be less emphasis on military assistance, and it should be separated from the development programs as suggested in the last two Presidential study commissions on foreign aid.

We cannot see the problems of America and of world peace in isolation—shutting ourselves off from the outside world, four-fifths of which barely exists on one-fifth of the world's resources. Our immediate, critical need is to continue a substantial bilateral development assistance program in some form while we craft a new development cooperation program. If we can avoid the near-term hazards, the Senate's precipitate action could prove to be a blessing.

[From the Manchester Guardian, Nov. 6, 1971]

RUSSIA COULD GAIN FROM U.S. AID CUTS

(By Mark Arnold Forster)

When the United States decided not to pay for the Aswan Dam, the Russians picked up the cheque. Nasser nationalized the Suez Canal, and quite soon Britain was at war with Egypt. If the United States stops paying $4,700 million a year in aid, as Congress now threatens, will there be the same sort of chain reaction either locally or generally.

The short answer seems to be that there can be no general picking up of cheques by anyone because no other country can afford the money. Moreover Congress will probably reverse its decision soon. There are, on the other hand, many places where the Russians or the Chinese could make a big political gain in return for a comparatively cheap gesture particularly if they act quickly.

The Congress decision on Friday last week means, for example, that the US will stop paying $22 millions a year to support the Palestinian refugees. This is more than half the $41 millions cost of the entire United Nation's voluntary programme for the support of the refugees. For $22 millions a year China could make a big, benevolent name for itself in the Middle East.

If the US withdraws from the UN Children's Fund, and that appears to be the present intention of Congress, the fund would be cut by more than a third from $37 millions to $24 millions. The US contribution now covers the whole of the fund's commitments in Africa. The UN's general voluntary development programmes would be seriously affected, too.

The contributed funds for this year amount to $240 millions. The US had promised to pay much the largest single share ($86 millions) —more than a fifth of the total. If the Chinese or the Russians want to be known as child-benefactors they can earn the title for the price of a fairly small experiment in space.

Contributions to UN voluntary funds represent only a small part of total US aid. The costlier parts, and the more dubious ones, are paid under bilateral agreements with specified countries. Liberal US Senators have been protesting for years the bilateral arrangements on the grounds that for every quid there must be a quo.

Tied aid, the argument ran, is a bad instrument of foreign policy and can also get the US into trouble, as it did in Southeast Asia. In practice the larger American cheques represent the American side of written or unwritten bargains with nearly a hundred other countries.

In practice, too, most American cheques will stay unpaid unless Congress has second thoughts before November 15. This will happen because the money is paid under a continuing resolution of Congress which authorises the Agency for International Development to make payments. This runs out in a fortnight's time.

The resolution resembles the vote whereby the House of Commons authorises the Government to spend money and to keep the country's business going in the interval between the presentation of the estimates and their formal authorisation. The Agency for International Development's Appropriation Bill has not yet been enacted. Without a continuing resolution the agency cannot even pay its members' salaries because expenditure of public money without Congressional authority is illegal.

The Bill that Congress threw out would have authorised most, but not all, US overseas aid. The programmes that have been cancelled, at least temporarily, include the "Alliance for Progress" scheme for Latin America, most American contributions to the UN, the support of American schools and hospitals abroad, military grant assistance and military credit sales, and support to low-

income nations carrying heavy defence burdens, notably Vietnam, Cambodia, Laos, Thailand, and Jordan.

[From the Wall Street Journal, Nov. 24, 1971]

THINKING THINGS OVER

(By Vermont Royster)

THE USES OF PIQUE

Pique is rarely the best reason for doing things and certainly the Senators' irritation with the UN wasn't a good reason for them to throw out the whole U.S. foreign-aid program, as they have ruefully admitted by at least temporarily restoring it.

Understandable, nonetheless. For if you run down the long list of nations who gleefully voted against us on the Taiwan resolution what you find is a long list of beneficiaries of U.S. generosity. The Senators not unnaturally found such ingratitude sharper than a serpent's tooth.

Still, pique has its uses. In this case it served as a catalyst for many dissatisfactions, and undoubtedly also as an excuse for many Senators long unhappy with the present foreign-aid program but otherwise too timid to speak out against what they had so long upheld—what had, in fact, become almost a matter of unchallengeable faith on the more liberal side of the chamber.

One consequence of that piquant action is that now for the first time in a quarter century the Congress—and the administration—has a chance to start afresh. In the next few weeks everybody can take a new look.

And a profitable one it could be. For there are few instruments of American foreign policy that have been more useful to this country, more in its own self-interest as well as in the world's interest, than the judicious use of foreign aid. Yet next to our propensity for military intervention all over the world, few that have brought us as much trouble as this same foreign-aid program.

Of course these two things—the use of both military and monetary power all over the world—are very much entwined. Both have firm roots in self-interest. Both have done much for the peace and security of the world. And both have caused us much grief for the same reasons.

One of these reasons is our national habit of thinking that if a little bit of something is a good thing then more of it is better. Another is the case with which we have succumbed to the idea that nothing is beyond the power and resources of the United States; something like what the Greeks called *hubris*, or overweening pride.

On the military side Vietnam has been our comeuppance. It would be ironic were it not so tragic that the same voices that urged us to "live up to our role as a world power" have become the most bitter about the consequences of doing so; the Pentagon papers are a testament to that disillusionment. Be that as it may, the lesson has been learned.

With foreign aid things are less dramatic. The misuse of monetary power doesn't show up as gore on a TV screen. Yet the process is much the same, and now the disillusionment is almost as great, albeit coming slower.

When the foreign aid program began it was for good reason in a good cause. Its first effort was to help our wartime allies, notably Great Britain, who had suffered far more than we. The rationale was both humanitarian and self-interest; World War II would have been a hollow victory if our allies had collapsed in their moment of triumph.

The same rationale underlay the Marshall Plan. There we helped not only allies but even former foes on the sound reasoning that the U.S. could not prosper if Europe lay in economic ruin, that there could be no durable peace built amid choas. Later, aid was extended to other parts of the world, including Japan, for the same reasons.

So far, so good, the results were rewarding to ourselves and to the world. But somewhere along the way—it is hard to pinpoint a date—there came a subtle but insidious change.

Foreign aid became an end in itself. Whereas formerly a problem had called forth a remedy, now the remedy was prescribed automatically and we went searching for ways and places to apply it. The program acquired a momentum of its own. With this approach there was no end to what might be spent, and until the other day none to what was spent.

We just scattered largess like autumn leaves. How much? The direct, visible total runs well over $100 billion. Why? Well, we had the money and the world—remember?—had a dollar shortage.

What did we get for it? That ingratitude, for one thing. But ingratitude is bearable; who really expects to buy the friendship of nations? More to the point, the total effort of trying to carry the world on our shoulders put such a strain on our resources that both we and the world are now suffering from it.

At home, these hundreds of billions have been a levy upon our own economy, both in direct taxes and in inflation. Abroad, the huge outpourings helped erode the dollar in world markets, culminating in the present world monetary crisis. Since most of the world's currencies are based on the dollar, this dollar glut has been self-defeating of our own aims, which was to strengthen, not weaken, the world economy.

All this was true, of course, before the Senate in that moment of dudgeon as the UN threw out the whole program. But for a long time those who criticized the program had a hard time getting anyone to listen. After all, weren't we the richest country in the world? Why cavil over a few billion dollars each year?

So, you might say, things had to get worse before they could get better. Just as there are sound reasons for the U.S. to make its military presence felt in the world despite the disaster of Vietnam, so there are circumstances where it is to our national advantage, and that of the world, to give aid to other nations. The Senate revolt means that we have a chance to re-think what they are—and what they are not.

Whether the chance will be seized, deponent knoweth not. But the opportunity is there, and for that let us sing some praise to the virtues of pique.

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P.S.—Many readers have given me cheerful welcome home. Being bereft of a secretary, I hope they will not be piqued if I here express to them all my gratitude and appreciation.

[From the Washington Post, Nov. 9, 1971]

FOREIGN AID REFORM

The administration and Congress are both pushing the quick action on foreign aid but in opposite directions and if they keep at it the result is likely to be no foreign aid bill at all. The case for slowing down the pace—by putting off big reforms and simply passing a resolution continuing the program near current levels for, say, three or four months—therefore becomes very strong.

A key fact is that Mr. Nixon intends to make a major report on the Indochina war in the next week. It would seem to be a matter of self-interest for his critics on the war issue to give him a hearing before venting further spleen on aid. On the President's part he should realize that his Vietnam report gives him the means to sweeten considerably the atmosphere in which a new aid bill will be debated. So at both ends of Pennsylvania Avenue, delay has its reasons.

Moreover, the only aid legislation extent, the "two" bills reported out by the Senate Foreign Relations Committee, are inadequate. As John Hannah notes elsewhere on this page, the committee's snap decision last week to split economic/humanitarian aid from military aid was the very same step it refused to take last spring on grounds that the matter required more study—as it does. In fact, it is not the "same step": the administration would truly have split the programs but the committee would split merely the voting on them, not the administering of them. To split the voting of course, fragments the two-decade pro-aid coalition to the point where, in the current sour and erratic mood on Capitol Hill, neither economic nor military aid may be able to muster enough votes for survival. If Congress is to kill aid, then at least it should soberly calculate the costs.

After months of deliberation on the old bill, the Senate had said that $2.9 billion is appropriate; suddenly it switches to $2.3 billion. The new economic bill would increase interest rates on development loans (and food credit sales) to a level where no country which needed them could afford them. The bills make no effort to relate aid for Indochina either to the war expenses that would be required by its Mansfield amendment (fight until the prisoners are returned) or to the civilian needs that would unfold pursuant to its Cooper-Church amendment (withdraw). Haste makes slooping drafting.

The administration, using scare talk loosely, wants the whole existing program extended indefinitely. That ship obviously won't sail. The better way is that indicated by the House, which is scheduled to vote today on a resolution to continue aid spending at current levels until the end of this session of Congress. The only trouble with that is that once the Thanksgiving and Christmas recesses are subtracted, not enough time is left for careful drafting or for assembling the political support necessary to enact a new bill. The House should provide a bit more time.

[From the Chicago Tribune, Nov. 9, 1971]

FOREIGN AID VOTE SIGNALS NEW ERA

(By Clayton Fritchey)

WASHINGTON.—Considering all that has happened in recent months, it is not surprising that many nations are beginning to believe that the signal from America is: Stop the world, the United States wants off. Actually, it doesn't want off—it just wants to change its perch.

Any significant change in America's world position is, of course, extremely important, but it should not be interpreted as a return to obsolete, primitive isolationism. The first order of business of the administration, therefore, is to make sure that the rest of the world understands what is really going on in the United States.

The abrupt junking of the foreign aid bill naturally shocked our friends abroad, especially since it came on the heels of a series of other sudden unilateral actions such as taking the dollar off the gold standard, breaking the General Agreement on Tariffs and Trade and slapping on a 10 per cent surcharge on imports. The rest of the world can hardly be blamed for suspecting the United States is pulling up the drawbridge in a new retreat to Fortress America. Yet, despite appearances, that is not the case—at least not yet—for neither the White House nor the prevailing leadership in Congress want to return to isolationism.

MATTER OF HOW

The misunderstanding abroad is based not so much on what the United States has done, as how it was done, which is to say, crudely, arrogantly, without consultation, or warning. Aside from these tactics being offensive, they have also been bewildering.

There is an urgent need for the United States to get back to international collaboration and cooperation, to negotiate the changes we desire and, above all, to make it clear that America's inclination to play a

more modest, tho active, role in the world does not mean we are going to turn our back on it.

A good place to begin is with foreign aid. For more than 20 years it has primarily served as an instrument of the cold war. Even former America Firsters supported it because it was used as a weapon against Communism. In the present climate of detente, however, it is only natural that there should be a review of the old approach.

In the Senate Foreign Relations Committee, some of the most outward-looking members of both parties voted against the foreign aid bill, not because they are indifferent to world problems, but because, in the words of the committee chairman, Sen. J. William Fulbright [D., Ark.], they feel the aid program has become a form of "welfare imperialism" by which the United States seeks to dominate other countries.

Over 55 per cent of the $3 billion bill, for instance, was not for economic aid, but military assistance, chiefly for military dictatorships favored by the administration. The huge sums earmarked for Cambodia, Greece, South Viet Nam, and Korea, cost the bill many votes. Like some of his colleagues. Fulbright sees the vote as "the beginning of a new era—a change of our basic foreign policy."

A NEW DIRECTION

The change, in time, ought to lead to more effective, if not longer, aid. There is a growing consensus favoring the separation of military and economic assistance and another consensus favoring the channeling of most economic aid thru such multilateral institutions as the United Nations and the World Bank, rather than directly.

The object, of course, is to tie our aid into the cooperative efforts of other advanced countries in fostering the growth of the less-developed nations.

President Nixon is understandably critical of the Senate for its abrupt scuttling of the aid program, but as his friend, George Aiken of Vermont, the senior Republican senator, says Nixon invited trouble by "over-lobbying" his bill and by threatening a veto if it was amended against his wishes. The President has found that two can play this game, for when the administration succeeded in beating down all the changes it opposed, the Senate then exercised its own veto power. Sen. Aiken's final word to the White House was, "Most legislation results from compromise if it is any good."

[From the New York Times, Nov. 13, 1971]

NEW DIRECTIONS IN AID

The Senate has moved with unusual dispatch this week to resurrect the shattered foreign assistance program with two bills authorizing $1.1 billion for economic assistance and $1.5 billion for military and related aid.

The new $2.6-billion Senate package—$900 million less than the Administration requested and $265 million below the authorization measure that was rejected by the Senate two weeks ago—is far from perfect. It raises interest rates on a sharply diminished development loan program to the point where the limited loans available will no longer be feasible for the countries that need them most—notably India. It provides no separate funding for worldwide population programs which the United States has long been pushing. And it retains an imbalance in favor of military aid that critics of the Administration's program—including this newspaper—have particularly deplored.

But the Senate's action offers the Administration an opportunity to keep the foreign aid program alive while working out the new directions in aid that were mandated by the recent revolt against the original bill. These new measures offer in some respects a promising start toward a fresh approach to overseas assistance.

For example, the ease with which the economic section sailed through the Senate on Wednesday, with 61-to-23 approval, demonstrates that economic assistance can stand on its own feet in the upper house. And although bilateral programs were severely cut, grants for multilateral agencies, like the United Nations Development Program, passed almost unscathed. This should encourage the Administration to speed up its own plans for transferring more United States economic assistance programs to multilateral agencies.

Although supporters of military aid were successful in adding more than $300 million to the curtailed arms program reported by the Foreign Relations Committee, the military authorization contains a series of restrictions that will give Congress greater control over United States military activities overseas. A crucial test of this effort to curb what Senator Church has aptly described as "arsenal diplomacy" will come when the House considers parallel legislation, as it should do promptly.

In the meantime, if there is need for continuing legislation to keep the Agency for International Development from "going out of business" altogether on Monday—an Administration position that is subject to question—there is merit in the suggestion of Senator Mansfield and others that such legislation be confined to the sums needed to meet payrolls pending final Congressional action on the new aid package.

[From the Chicago Daily News, Nov. 12, 1971]

FOREIGN AID TURNABOUT

Somewhat—but not wholly—regretful of its tantrum of Oct. 29 when it killed the foreign aid bill outright, the Senate is putting a new program through the mill. This one divides the program into measures splitting $2.6 billion between economic and military assistance. That sum is $900 million less than President Nixon asked in the original bill.

We hope the new program will be speedily adopted. An urgency is created by a General Accounting Office ruling that unless Congress provides its new appropriation by Monday the economic aid program will be legally out of business.

There is another urgency, and that is to reassure friendly nations abroad that the United States has not suddenly resigned its obligations as a responsible world leader.

Congress, even more than the public at large, must make certain that common sense prevails over emotions in the conduct of international policy. The $143 billion this nation has devoted to foreign aid in the post-World War II era was not intended to buy friends, but to make the world safer and better for America. The fact that unnumbered billions have missed the target argues not for spiking the guns, but for better aim.

For on the positive side is the fact that foreign assistance has powerfully helped to shape a better world. It was the principal factor in preventing the Sovietization of Western Europe, and in saving Britain from utter collapse. It has helped innumerable struggling small nations along the road to dignity and self-sufficiency. For the long pull it has helped to build markets for American goods and contributed importantly to U.S. economic strength and viability. And the setback in the United Nations on the China-Formosa issue should not blur the fact that the United States has given the world an unforgettable example of a great nation's using its strength generously and responsibly for the common good.

Successive Presidents including Mr. Nixon have tightened up the aid policy year by year and reduced this nation's proportionate contributions; several industrial nations now spend a greater percentage of their gross product than we do on foreign assistance.

We are still—in spite of present straits—overwhelmingly a "have" nation, and our well-being increasingly depends upon defending peace on Earth and creating bigger markets for our peacetime production. Latin America, for example, remains not only our neighbor but prospectively an ever-growing customer. We also need Latin America as a friend, and a poor way to cultivate that friendship would be to cut it off from the help we have solemnly pledged to give it.

The Senate leaders know all this, and we interpret that body's action Oct. 29 as a temporary triumph of pique over probity. We could wish the coming-around had been more wholehearted, but two-thirds of a loaf is far better than none.

[From the Christian Science Monitor, Nov. 13, 1971]

FOREIGN AID: REPRIEVE AND WARNING

The White House now knows the worst of what might come of the Senate's surprise scuttling of the foreign aid bill on Oct. 29. And the worst is not so bad.

In dollar terms, the Senate has approved $2.6 billion in spending for the upcoming aid year. This is $300 million less than the original Senate bill called for. But it does include restoration of some $300 million in military aid which the administration badly wanted.

In procedural terms, the Senate's splitting of aid into separate humanitarian-economic and military bills is palatable. As a matter of policy, such a split has much to recommend it. Often, unwise or questionable outlays, particularly in the military sector, are protected from healthy attack by being lumped together with meritorious outlays. This newspaper would support an eventual division of foreign aid spending, together with a channeling of many programs through international organizations like the World Bank, which is the Senate's intent.

As a practical matter, the present Senate action splitting the aid into military and nonmilitary bills for the moment may not hold up. The House likes military spending more and nonmilitary spending less than does the Senate. The House has already approved continuing the present higher aid spending levels. As the House takes up the Senate bill, therefore, it will do so with less reform zeal than did the Senate. If anything, the administration stands to gain back ground in the House. A precedent has been set for foreign aid reform. But realization of that reform will have to wait until next year.

This is not to say that the White House will not have more sticky moments. The Senate bill contains a number of clauses that would hamper White House actions in such places as Cambodia. The present fight over appropriations may be repeated when votes actually to commit funds come up. The first Senate vote, which defeated the initial aid bill, has done the same kind of damage to the American image abroad as did the Nixon administration's own economic policy initiatives—floating the dollar and erecting the 10 percent import surcharge barrier. This rude awakening abroad to Americas take-no-more-guff mood, however useful to U.S. short-term economic bargaining, remains a net foreign relations liability for the administration.

The White House and Congress are also mindful of the primary beneficiaries of much of American foreign aid—American industry itself. The aid program results in $1 billion a year in sales for U.S. manufacturers—a healthy chunk of it in states represented by senators who voted to down the initial measure. The poverty-prone U.S. shipping fleet gets a quarter of its outbound tonnage revenues from the aid program. And a startling

$600 million in aid funds goes to American universities and research centers for technical and other assistance work overseas. To cut this kind of industrial and technical support out of the U.S. economy, especially when an economic rebound is useful to every politician's reelection, would take more serious thinking than the Senate's first precipitate vote gave it.

The Senate intended its initial rebuke of the aid bill as a warning. The reductions in spending and the splitting of the bill into military and nonmilitary sections are nearer the Senate's real position. But, however the House votes as it takes up the Senate bills, and however fortunate the White House may feel itself to be for the present, the road to basic foreign aid reform is clearly staked out ahead.

[From the Journal of Commerce and Commercial, Nov. 10, 1971]

SECOND THOUGHTS ON FOREIGN AID

Perhaps everyone should have known that no U.S. Congress would have brought all foreign aid to a halt at a time when a nation as beset with economic difficulties as India was trying to cope with some 9 million homeless refugees from East Pakistan plus the devastation left by floods and tidal waves. This is not in the American tradition, indeed, it is not now in the tradition of any major nation.

In the shock that followed the Senate's vote to throw out the entire fiscal 1972 foreign aid authorization bill, two weeks ago, that consideration appeared to have been forgotten. Since then it has become probable that this is not to be the Senate's last word on the subject. The administration will certainly not get the $3.5 billion it sought for military and economic assistance in a single package. It now has little chance of getting the $3.4 billion package approved by the House or the $3.2 billion package approved by the Foreign Relations Committee and then killed by the Senate itself.

What it may get is either a simple continuing resolution permitting it to go ahead temporarily with outlays at their present levels, or something akin to the $2.3 billion program approved by the Foreign Relations Committee last week. That, however, would not be a single package combining military and economic aids, but two which would require separate votes.

Much soul-searching is now in progress not only as to the future of foreign aid but as to the reasons why so many Democrats (more than Republicans) suddenly turned their backs on a program they had previously supported. The White House is naturally coming in for a lot of the blame and the liberals are not reluctant to say why.

They cite the administration's increasing requests for military and supporting aids ($1,473 million in the fiscal 1972 requests, plus $510 million in military credit sales as against $1,569 million in total economic assistance). They were outraged this year by the acceleration in proposed aids to Laos and Cambodia, which they viewed as sure harbingers of deeper involvements in Indochina. Some were upset by military aid to Greece, by similar aid to Pakistan (now to be halted) and to some other regimes of which they are not overly fond.

In any case, many of the faithful backers of economic aids were no longer willing to swallow the military assistance phase of the package this year as a means of keeping the economic aids going. Conservative quarters of the Senate, which in the past voted for the economic aids chiefly to keep military assistance alive, reacted in a similar manner. By the time of the crucial vote most traces of the old coalition that would only accept one part of the package as a means of getting its way on the other had disappeared.

It is true that recent administrations have counted heavily on this uneasy balance of power in Congress to get their aid programs across. Thus their emphasis on the single-package program that proved so awkward for either bloc either to swallow or vote against. And thus last week's decision of the Foreign Relations Committee to split the package into two bills, the total authorizations of which would give the President $1.2 billion less than he originally asked, or $2.3 billion in all.

"Things will never be the same again," one expert on the subject was quoted as saying when he heard of the committee's action last week, and he was probably right. They won't be. With the old coalition gone, the administration will probably find it more difficult to win congressional approval of either of the two programs in the form it wants most, but at least it will know better where it stands than it apparently does now.

We welcome the evidence of a new disposition in the Senate to recognize that it is illogical to tie these two phases of the foreign aid program into a single package. Our feeling is that this program would not have gotten into its recent deep troubles if this separation had never been made in the first place. We also welcome signs of a growing disposition to phase out bilateral economic aid altogether, whether as early as 1975 or within a period of 10 years. This form of aid did serve a purpose 10 and 15 years ago; it serves very little now.

But the fact that bilateral aids have been retained beyond their time cannot be blamed entirely on White House politicking. Although Congress itself showed considerable enthusiasm for multilateral aids through international institutions when it seemed likely that other industrial nations would contribute generously, that enthusiasm cooled when Capitol Hill committee chairmen discovered they couldn't call affiliates of the World Bank and the UN to account for their operations, as they could American citizens charged with handling development loans, technical assistance programs and the like.

So while other countries were converted to the gospel of foreign aid, and while some contribute proportionately more to it now than the United States, the executive branch has found in recent years that getting money out of Congress for some of the more worthy multilateral programs is like pulling teeth. Bilateralism—despite all criticisms of it as a concept—dies hard.

Still and all, if one result of the Senate's dramatic reversal of position on the 1972 foreign aid authorization bill is to force a re-examination of all the military and economic phases of the program, of where they have taken us and of where they are going to take us next, the experience may prove well worth the discomforture it created.

NEW DIMENSIONS IN FOREIGN AID

It is evident from reports emanating from yesterday's closed-door meeting of the Foreign Relations Committee that members are having second thoughts on the Senate's rash vote to kill the foreign aid authorization bill. But it is equally apparent that there is nothing approaching agreement on the new directions foreign aid must take in order to muster adequate support in the Congress.

Senator Fulbright and others are talking in terms of stop-gap legislation that would emphasize humanitarian programs, particularly those administered by international institutions, and greatly reduce the military component of aid which accounts for more than half of the Administration's foreign assistance package. There is merit in this approach, but it is doubtful whether a bill tailored to Mr. Fulbright's exacting requirements could command a majority at this time, especially in view of the support the Administration was able to rally behind its military proposals before Friday's final negative vote.

It would be equally unrealistic for the Administration to try now to ram the foreign aid bill through the Senate in anything like its present form. Although it was not the only factor by any means, an important component of the Administration's defeat on the aid bill was Congressional and national disillusionment with Presidential policies involving heavy military support for authoritarian governments, particularly in Southeast Asia. Unless there is some revision of these policies, and of the aid requests that are designed to support them, there is little hope for rebuilding a Congressional consensus in support of a broad foreign assistance program, even with the sweeping reorganization proposed last year by the Peterson Commission.

A period of hard bargaining is ahead in which both the President and his Congressional critics will have to make concessions. In the meantime, to prevent a national disgrace from turning into an international disaster, it is essential that Congress act promptly to keep the foreign aid machinery intact through another continuing resolution, extending the aid program at current levels beyond the Nov. 15 expiration date. In view of the depth of current disagreements, such an extension should allow at least ninety days for tempers to cool and for thoughtful reappraisal.

There is also need for prompt action to provide supplemental funds, as already requested by the Administration, to help care for the nine million or more Pakistani refugees. There surely can be no quarrel over this urgent humanitarian need.

In reconsidering foreign aid, it would be helpful if both Congress and the Administration disabused themselves of a myth that has been irresponsibly fostered lately by both the President and some of A.I.D.'s Congressional critics—the notion that the United States is bearing more than its share of the International development burden rightly assumed by the "have" nations for sharing with the "have nots."

Although the United States is still the largest contributor in absolute terms to overseas development programs, the United States contribution measured in terms of ability to pay—aid as a percentage of gross national product—ranks twelfth among the sixteen aid-donor nations. There is no place for pride or self-pity in this performance.

[From the Evening Star, Nov. 1, 1971]

THE CHALLENGE

The Senate's rejection of the foreign aid bill must rank high among the legislative shockers of the century. And yet the aftermath of the stunning vote has been marked by an almost total lack of cheering. No one seems anxious to claim credit for the upset. Instead, the accusing fingers are pointing in all directions.

There is very little to cheer about. The rejection of the $3.2 billion aid bill, which has raised dark clouds of doubt over the future of the massive international program, was compounded out of an unnatural legislative alliance of conservative isolationism, liberal spite and pre-election-year absenteeism. Contributing to the coalition of discontent was resentment over the stinging rebuke dealt the United States by the expulsion of Nationalist China from the United Nations, and a growing and justified annoyance over the Nixon administration's refusal to take seriously the depth of the legislative disaffection.

But much more to the point than the proper distribution of blame for the immediate past is the need for a positive approach to the immediate future. It's time to stop the name calling and to end the issuing of ultimatums, by White House spokesmen and Senate leaders, regarding the content of a substitute bill. It's time to end the politicking and to restore the bipartisan approach

to foreign aid that created the program and that has kept it alive and well since its inception in 1948.

There must be, as a starting point, agreement that the concept of foreign aid is still morally valid and in the best interests of the United States. It is not necessary to subscribe fully to the provisions of the rejected bill or to support in detail the shape that foreign aid has taken in recent years. Indeed, it would be difficult to find anyone in the executive or legislative branches who could argue persuasively that the structure of foreign aid is flawless.

What the Senate has done, in effect, is to force a showdown, to accelerate the process of revision that was expected to take years to accomplish. Now the luxury of leisure is gone. But that need not mean that the elaborate and generally sound concept of foreign aid will be replaced by a vacuum.

The first necessary legislative step is a continuing resolution to assure that the Senate vote will not add to human suffering, will not bring financial chaos to governments whose stability is of vital concern to this country, will not threaten the peace of the world by upsetting tenuous military balances.

With that accomplished, the real work can begin to restore, on a secure basis, those humanitarian, economic and military assistance programs that must be retained to preserve America's conscience and security.

The vote to kill the foreign aid program was no one's triumph. But it need not be a tragedy. Those desperate forces that engineered the bill's defeat are now called upon to display those unusual talents for legislative creativity needed to meet the challenge that they have brought about.

[From the Christian Science Monitor, Nov. 1, 1971]

THE FOREIGN AID CRISIS

The question posed by the Senate of the United States last Friday night is a most serious one.

The U.S. is engaged in a planned withdrawal from what is now seen to be overcommitment. That is the meaning of the Nixon doctrine. Almost all important elements in the American political community agree that continued military involvement in combat in Vietnam would be an overcommitment. There is a consensus now that there should be a withdrawal from that overcommitment. There is bound to be some withdrawal from other commitments elsewhere.

But the intent, and the hope, is that this can be accomplished in good order and without the loss on anything of vital importance. It is the difference between orderly withdrawal to shorter and stronger lines and panic retreat which can get out of control.

On Friday night last, in the Senate, the withdrawal was out of control. Foreign aid funds provide the daily coinage of the American system of alliances. The time may come when the system of alliances put together in the years immediately after World War II can be taken down safely. But it would be deadly dangerous to take it down too soon or too fast. The NATO alliance in particular is a major element in what stability there is in today's world. Anything which damages NATO damages the foundation on which the peace of the world now rests.

The action of the Senate on the foreign aid bill is not necessarily final. And a review of the foreign aid system is in order. Some aid is given unwisely. Probably there will be a new foreign aid bill in time to keep up the flow of aid through the pipelines. There is plenty of money already appropriated to keep the supplies flowing for long enough to permit a review and new legislation.

But how can this probability be made, convincing to friends and allies in time to prevent them from acting on a contrary assumption?

President Nixon has called for "immediate restoration of the absolutely vital foreign assistance program."

The program is vital. There should be the earliest possible restoration of an aid program.

But what causes concern is whether President Nixon really does understand how to control this enormously difficult business of a great world power cutting back on its commitment.

The vote in the Senate to end foreign aid was 41–27. Mr. Nixon branded it as a "highly irresponsible action." It was. But Mr. Nixon himself set in motion the chain of events which unleashed that action.

First he antagonized the right wing of his own party by his decision to go to Peking. Then he organized an American pressure campaign in the United Nations on the Taiwan issue which backfired in a defeat on that issue. Mr. Nixon then retaliated with what The Times of London called "a snarl of petulance."

From the beginning foreign aid has been highly controversial in American politics. There never would have been a program in the beginning or one still in effect, without strong and unswerving support from the White House for an alliance policy. Unless the President leads in respect and friendship for friends and allies, the Congress will go isolationist. The urge is always there.

When the President himself speaks out in anger against foreigners, the Senate is bound to take it as a holiday from school. Mr. Nixon allowed himself the luxury of speaking against foreigners on the Taiwan issue. But those who voted against him in the UN on that issue included Canada, the most vital ally, and Israel, the most favored client.

This is not the way to manage the withdrawal of U.S. from overcommitments. The supreme commander cannot denounce his allies one day and expect the Senate to vote funds for those same allies the next day. The words of resentment spoken over the Taiwan vote invited the Senate to take its "highly irresponsible action" on foreign aid funds.

It is relatively easy to command a great army in victorious advance. Commanding it in a planned withdrawal is immensely more difficult. Mr. Nixon now must not try only to get the Senate to undo what was done last Friday night. He must also try to persuade friends and allies that he can remedy the damage, can get Congress back under control, and can in the future refrain from those unfortunate reflexive remarks which invite the very irresponsibility which he must then deplore.

The question in dangerous doubt is of the competence of the leadership.

[From the Washington Daily News, Nov. 1, 1971]

THE SENATE KILLS FOREIGN AID

In voting to kill abruptly the foreign aid program, the Senate acted last week with the utmost irresponsibility.

If its unwise step is not reversed promptly, which we hope and urge, severe damage will result to American goals and interests.

Like many Americans, this newspaper has not been an uncritical admirer of foreign aid. It has been marred by waste and boondoggle. The United States has carried most of the world's aid burden since the 1940s and, understandably, is tired of it.

And yet, we don't think the American people are ready to reject a simple moral principle: that the rich are obligated, domestically and internationally, to help the poor. There can be argument over how much to give, but the Senate has said "nothing," and that is clearly wrong.

There are signs that the Senate is having second thoughts about what it has done and will put together a temporary aid program. It should be encouraged by everyone to do so.

The sudden, unexpected vote on Friday came only four days after the United Nations rebuffed the United States and expelled Nationalist China from membership. We can deny it till we're blue in the face, but the whole world will see the aid shut-off as a mean, petulant reaction to the U.N. vote.

More important than how we look are the practical effects of killing the Administration's carefully worked out aid bill. Here are a few of the things the Senate voted against:

Economic help for South Vietnam, without which that country is almost certain to collapse, thus negating all of America's sacrifices there.

Food for the East Pakistani refugees, in effect telling them, "We Americans (the fattest people on earth) don't give a damn whether millions of you starve."

Credits for Israel to buy U.S. arms to balance the weapons Russia is pouring into Egypt.

Funds for the United Nations war on illegal drugs, a program which the United States, with its disastrous heroin problem, urged the world body to undertake.

One could go on indefinitely. But fundamentally it was a vote against feeding the starving, assisting the impoverished, backing U.N. peace-keeping forces, and helping a few of our small allies survive.

Ironically, the Senate's cop-out from foreign involvement came after decades of speeches there calling on other countries to carry a "fair share of the burden." Now when countries like West Germany and Japan have finally picked up their end, what have we done? Dropped ours.

The money involved is less than Americans spend annually on beer, cosmetics, or cat food. And the hasty, emotional decision to end foreign aid was unworthy of "the world's greatest deliberative body" or of a serious nation.

[From the New York Times, Oct. 31, 1971]

A FAILURE OF LEADERSHIP

The Senate defeat of the foreign aid bill was, as President Nixon promptly observed, "a highly irresponsible action." But the retreat from responsibility was abetted by Mr. Nixon himself. It was a failure in Presidential leadership that finally broke the coalition of conflicting interests that has sustained this vital program of constructive international cooperation for more than two decades.

Foreign aid legislation has always depended on the support of lawmakers with widely differing views of the proper role of the United States in world affairs. Basically, there are those who would rely primarily on military measures to secure American interests in a chaotic world and those who believe the best hope for American security lies in cooperative programs of economic, social and political development aimed at eliminating the underlying causes of instability and conflict.

The views of most members of Congress lie somewhere between these positions—or combine them. Presidents in the past have mustered majorities for foreign assistance by striking a balance.

President Nixon's recent actions, however, have helped to polarize Congressional sentiment on foreign aid. White House expressions of pique over the American defeat on the Taiwan issue in the United Nations reinforced the vengeful mood of Senate conservatives who sought to punish offending members of the world organization by cutting United States contributions to that body in particular and economic aid in general. The President's stubborn pursuit of a military solution in Indochina, moreover, and his as well as his predecessors' support to authoritarian regimes in many lands have deeply offended

Senate liberals and fostered a growing disillusionment with American foreign policy. That disillusionment found expression in an indiscriminate attack on the whole foreign aid concept.

Although Mr. Nixon did not lift a finger to defend endangered American commitments to the financially pressed United Nations, the Administration fought tenaciously to eliminate a ban on military aid to Greece, to bar restrictions on the use of funds in Indochina, and to restore a $341-million authorization for an expanding involvement in Cambodia, an amount which alone exceeds total United States contributions to the United Nations.

In the light of such Presidential leadership, one of the few hopeful aspects of the foreign aid debate was the decisive manner in which the Senate rejected efforts by Senators Buckley and Dominick to slash United States contributions to special agencies of the United Nations. Members of Congress and President Nixon himself have long urged that a greater proportion of American foreign assistance be channeled through such international institutions. It is a process that should now be rapidly accelerated in order to reduce those political pressures implicit in bilateral aid that have created so much resentment and discord at home and abroad.

PLAYING GAMES LEAVES FOREIGN POLICY IN MESS

(By Crosby S. Noyes)

The administration and the Senate have both been playing games and between them they have the foreign policy of this country in a mess which is going to be very difficult to sort out.

At this point, naturally, each side is blaming the other. The administration is charging the Senate with blatant irresponsibility in killing off the foreign aid program and jeopardizing President Nixon's foreign policy at a particularly delicate moment of transition. The senators, quite unabashed, accuse the administration of having contributed greatly to the mess by inept leadership and a congenital hostility to the Congress in the area of foreign affairs.

Both sides, in the immediate context, are right. The Senate revolt Friday night was mindless and blind and extremely damaging to American interests. The performance of the administration in successive crises over the last two weeks has been marked by an inability to assess the strength of its opposition and an uncanny knack of making the worst of a bad situation.

In the space of a single week, the administration demonstrated dramatically that it had lost control in the United Nations and the United States Senate. Its reaction to these events has served to strengthen the impression that the administration also has lost control of its own foreign policy. And this could have the most disastrous consequences, not only for the administration and the country, but for the world as a whole.

The saddest part is that none of this was really necessary.

It wasn't necessary—though it may well have seemed politically expedient—for the administration to exaggerate the extent of its defeat Oct. 25 in the U.N. General Assembly.

In voting to expel the Nationalist Chinese and to seat the government of mainland China, the U.N. membership did no more than follow Nixon's own China policy to its logical and inevitable conclusion. Whatever anti-American overtones there may have been in the final vote, the American case for seating two governments, both claiming to represent China, involved contradictions that could not be ignored.

The same thing can be said of the administration's handling of the foreign aid bill in the Senate.

It wasn't necessary—though again perhaps expedient—for the President to have made a quite gratuitous connection between the U.N. vote and the future of "foreign aid allocations" which at that very moment were being bitterly debated in the Senate. The fact that some of the delegates who had voted against the American position came from countries that had received aid from the United States was wholly irrelevant.

The effect was to alienate support for the foreign aid program both by those who approved of it as a means of buying votes and by those who did not. Either way, the administration was the main loser.

It wasn't necessary for the President to make it clear before the Senate vote that he would take no position on proposed cuts in foreign aid or American support for the United Nations. In particular, his threat to veto the foreign aid bill if it included amendments opposed by the administration encouraged both opponents of the program and opponents of the administration.

The net result was to alienate, perhaps permanently, a large group of liberal senators who have always supported foreign aid authorizations in the past. The quite accidental coalition of this group with conservatives and isolationists who have traditionally voted against foreign aid succeeded in killing the whole program.

It is quite unlikely, in the long run, that this coalition will hold together in preventing a revival of the program by one means or another. The strong probability is that the administration will get congressional approval for all essential parts of the program, including continuing military and economic support for Indochina, South Korea, and Israel.

Although liberal senators are talking boldly at this point of eliminating all of the military aspects of foreign aid and restoring selectively only those programs of purely humanitarian purpose, they know that their victory Friday was something of a fluke that is likely to be short-lived.

And this, finally, raises the question of why it was necessary for all administration spokesmen to react to the Senate action in such apocalyptic terms, implying that this nation's whole foreign policy had gone down the drain and that an effort of 25 years had been undone by a single vote. The effect, once again, was to increase the damage to the prestige and authority of the administration before the nation and the world and to shake the confidence of every country that relies on the United States for support.

FOREIGN AID REFORM

The administration and Congress are both pushing for quick action on foreign aid but in opposite directions and if they keep at it the result is likely to be no foreign aid bill at all. The case for slowing down the pace—by putting off big reforms and simply passing a resolution continuing the program near current levels for say three or four months—therefore becomes very strong.

A key fact is that Mr. Nixon intends to make a major report on the Indochina war in the next week. It would seem to be a matter of self-interest for his critics on the war issue to give him a hearing before venting further spleen on aid. On the President's part he should realize that his Vietnam report gives him the means to sweeten considerably the atmosphere in which a new aid bill will be debated. So at both ends of Pennsylvania Avenue, delay has its reasons.

Moreover, the only aid legislation extant, the "two" bills reported out by the Senate Foreign Relations Committee, are inadequate. As John Hannah notes elsewhere on this page, the committee's snap decision last week to split economic/humanitarian aid from military aid was the very same step it refused to take last spring on grounds that the matter required more study—as it does. In fact, it is not the "same step"; the administration would truly have split the programs but the committee would split merely the voting on them, not the administering of them. To split the voting, of course, fragments the two-decade pro-aid coalition to the point where, in the current sour and erratic mood on Capitol Hill, neither economic or military aid may be able to muster enough votes for survival. If Congress is to kill aid, then at least it should soberly calculate the costs.

After months of deliberation on the old bill, the Senate had said that $2.9 billion is appropriate; suddenly it switches to $2.3 billion. The new economic bill would increase interest rates on development loans (and food credit sales) to a level where no country which needed them could afford them. The bills make no effort to relate aid for Indochina either to the war expenses that would be required by its Mansfield amendment (fight until the prisoners are returned) or to the civilian needs that would unfold pursuant to its Cooper-Church amendment (withdraw). Haste make sloppy drafting.

The administration, using scare talk loosely, wants the whole existing program extended indefinitely. That ship obviously won't sail. The better way is that indicated by the House, which is scheduled to vote today on a resolution to continue aid spending at current levels until the end of this session of Congress. The only trouble with that is that once the Thanksgiving and Christmas recesses are subtracted, not enough time is left for careful drafting or for assembling the political support necessary to enact a new bill. The House should provide a bit more time.

ADMINISTRATOR EXAMINES ARGUMENTS: WHAT SORT OF AID "REFORMS"?

(By John A. Hannah)

Some in the Senate have explained the Oct. 29 defeat of the foreign assistance bill as a mercy killing. The old program, they say, was diseased by vestiges of the cold war, weighed down by bureaucracy, devoid of ideas. Better to let it die, they said. The Senate wants a "new concept." It wants a "fresh start" consistent with the non-interventionist temper of the times. I want "new proposals to redirect our Foreign Assistance Program."

As diagnosticians of foreign assistance the Senate committed two errors. It failed to examine the patient closely enough to find out that the diseases it decries have been under successful treatment for some time. It failed to remember that the administration has proposed major reforms of the program which make it eminently worth saving.

On April 21 this year, the President sent two completely new foreign assistance bills to the Congress. One bill covered economic and humanitarian aid, the other military and related security aid. This legislation—138 pages long—was the culmination of 19 months of study by the Peterson Commission, a panel of experts headed by Rudolph Peterson, Chairman of the Board of the Bank of America, and by the Executive Branch.

The legislation contained most of the remedies for foreign aid now being advanced in the Senate as new concepts. It proposed:

Separating economic development and humanitarian assistance programs from military and security assistance programs; a stronger emphasis on technical assistance programs directed toward alleviating the mass unemployment, malnutrition and poverty problems which rapid population growth has brought to the developing countries; channeling more aid through multilateral institutions to lower the political profile of bilateral aid; reducing the size of AID's overseas missions and staffs; eliminating many of the restrictions which make aid procedurally difficult to administer and reduce its effectiveness. (The current AID list of provisions which Congress requires

us to meet before we can make a loan runs to 75 items.)

The House Foreign Affairs Committee held six weeks of hearings on the new legislation. As the hearings unfolded, it was apparent that Congress held widely differing opinions as to how foreign assistance should be reformed. Many in the Senate favor increased use of multilateral programs and separation of military and economic assistance, but many in the House do not.

These differences and the far reaching nature of the reforms prompted the Foreign Affairs Committee to decide that more time was needed to study the proposals. The Committee decided to recommend reauthorizing AID as it is for two more years. In the Committee's words, "a two-year authorization would enable the Legislative Branch to approach the problem of foreign aid reorganization with greater deliberation without jeopardizing the continuation of the program."

Senator Fulbright's Senate Foreign Relations Committee accepted this decision. They held only three days of hearings on the new legislation, then recessed to wait for the House to act. The House passed its bill on August 3. The Foreign Relations Committee sent this bill with amendments to the Senate floor on October 22 where it was defeated Friday night, Oct. 29.

The two "new" bills reported out by the Foreign Relations Committee last Thursday purport to separate military and security assistance from economic and humanitarian assistance. But in fact they leave matters exactly as they are. The authority for administering both security assistance and redevelopment assistance remains with the Administrator of AID; the authority to transfer funds between them is unaffected; and authority to establish a Coordinator for Security Assistance in the State Department to administer and coordinate these programs is not included in the bills.

The bills still contain the restrictive amendments so vigorously contested in the Senate two weeks ago.

Development loans, which have been the backbone of AID's program, are vitiated by a requirement that they bear interest rates of six per cent or more. Poor countries with few natural resources and low levels of exports cannot take the basic steps toward development without foreign exchange for raw materials, machinery, fertilizer, pesticides and other imports needed for agricultural and industrial growth. For many years AID's policy has been to provide foreign exchange, not through grants, but through low interest loans.

Since these countries cannot afford high interest loans, the Senate's action, if sustained, will take us back to the time when the U.S. could only "give away" its assistance. The new bills provide no funds for population programs, but require these to be funded from the greatly reduced authorizations for other programs. The new bills provide levels of funding for military assistance and supporting assistance for Vietnam, Laos, Cambodia, Thailand, Jordan and Korea far below the firm commitments that have been made to all these countries.

The facts of life are that the Senate and House have many different views about foreign aid. We should not try to resolve these views and pass new bills in a week. We believe Congress should pass a continuing resolution which keeps the entire program together and permits time to discuss the reforms which are now on the table. The Senate need not fear that taking time for discussion will leave the country with a tired old AID program.

The administration has been working to put more aid through multilateral channels for several years. The amount proposed for multilateral institutions this year is almost double that of two years ago.

Channeling more funds to multilateral institutions has to be a step-by-step process. Immediately turning over all AID funds to institutions like the World Bank and Asian Development Bank would overload their administrative capacities and, more importantly, violate their international character. The "Anglo-Saxons" are already accused of playing an excessive role in several of them. The nature of these institutions requires that we move in concert with others to increase their resources. One cannot build international institutions unilaterally. We must help the U.N. agencies develop the routines and management techniques required to satisfy our Congress and the American people that funds we provide are effectively used.

The process of sharing the aid burden is well advanced. The U.S. share of world-wide aid has dropped from 64 per cent to less than 40 per cent in fifteen years. Measuring aid as a per cent of GNP, the U.S. ranks 12th among the 16 major aid-giving countries. Those ranked above us in order are: France, Netherlands, Australia, Belgium, Portugal, Canada, Denmark, Sweden, England, Norway and Germany; those countries below us are Japan, Italy, Switzerland and Austria.

AID's bilateral program is not widely scattered. More than 80 per cent of our aid goes to ten countries. AID's technical assistance program is concentrated in four critical areas: agricultural, population and health, education and public administration.

AID is lowering its presence abroad. We reduced our overseas staff by 10 per cent in fiscal year 1970 and 10 per cent more last year to the lowest levels in AID history. We plan further reductions this year. Increasingly, our projects are implemented by personnel from U.S. universities or other private organizations—not AID personnel. Of the more than $14 million dollars AID and its predecessors have loaned abroad, less than one-fourth of one per cent is in default.

Aid is not a drain on the U.S. balance of payments. The aid program sends U.S. goods and services abroad, not dollars. In FY 1970, aid funds bought more than $1.5 billion in commodities and services from more than 5000 U.S. companies in all 50 States.

Most importantly, the aid program works. In the last decade, the economies of the less developed countries grew almost twice as fast as the United States did at comparable stages of its history. They are expected to accelerate this rate of growth in the 1970s. This growth would not have been achieved without aid from the U.S. and other countries. The world is a better place to live in than it would have been without President Truman's Point 4, and its successor agencies through U.S. AID since 1961.

ONLY COMPROMISE CAN SAVE AID PLAN

(By Marquis Childs)

The test just ahead on foreign aid is hardly less a test of whether the system of divided powers works or not. To chop down the whole foreign aid program is a disaster. This is far more than scoring political points, since so much turns on the continuity of many of the programs.

The growing imbalance between military and economic aid was the root cause of the Senate defeat of the administration's foreign study by the staff of the Senate Foreign Relations Committee showing that of the total to be dispensed over the next five years, $27 billion would go for military aid and $24 billion for economic assistance.

In the measure voted down a total of $1.723 billion went for all military purposes against less than half that for various forms of economic help. The result was to unite conservatives, who have long felt foreign aid spending was excessive, with opponents of the administration military policy such as Chairman J. Fulbright of the Senate Foreign Relations Committee who calls it "American imperialism."

Now a compromise has been put together with military assistance in one package and economic aid in another. This will presumably wind up with the support of active opponents such as Fulbright, Sens. Mike Mansfield, Frank Church and other Democrats, together with skeptical Republican moderates such as Sens. George Aiken and Clifford Case. In short, it would be a coalition insuring passage of those parts of the package essential for the continuity of aid programs in developing countries even though there have been radical cuts.

Soundings by this observer indicate that the compromise is the only chance for survival of foreign aid in the Senate. Will the White House go along? If the decision is to accept it, then passage can be fairly swift, although inevitably when the separate military phase comes up the debate will be prolonged. To fight the compromise, using all the pressure tactics in the White House arsenal, will mean no foreign aid for an indefinite time as the Senate wrangles over the dry bones of past errors and present hostilities.

The administration has a lot on its side in the current dispute. As originally sent to Congress in April, the whole aid structure was to be reorganized, with the military separated from the economic. Outright military grants, the funding of military sales and support assistance for maintaining large military establishments would go into one package labeled "security assistance."

This was an overhaul long overdue. But the House Foreign Affairs Committee fell back on the format of the Foreign Aid Act of 1961. Two years, the committee reported, would be required to study reorganization of the system.

Obviously that was not good enough, so when the tired, old bundle reached the Senate the result could have been predicted. Fifteen Republicans, including Sen. Robert Dole of Kansas, chairman of the Republican National Committee, joined 20 Democrats to make the score 41 to 27.

Foreign aid has no constituency. That has been increasingly clear as the military share increases year by year.

Rep. Wilbur Mills, the grand panjandrum of the House Ways and Means Committee, is saying privately that the deficit this fiscal year will be not $30 billion, as has been widely reported, but $35 billion. For a Republican administration bringing out of the past an inherent faith in budget balancing, that is a staggering figure. This may jazz up the economy as President Nixon, a very recent convert to Keynesianism and the spur of a deficit, apparently believes it will.

But the claims of developing peoples, already suffering from the Nixon new economics with the commodity prices falling, rate low as against the claims of the powerful constituencies pressing for housing, school lunches, improved medical care. For the United States, the richest nation, to be a dropout on foreign aid is intolerable.

[From the New York Times, Nov. 13, 1971]

SOVIET FOREIGN AID ESTIMATED AT $2.2-BILLION A YEAR

(By Hedrick Smith)

Moscow, Nov. 12.—With the American aid program hanging in the balance, Soviet economic and military foreign aid, including that to Cuba and North Vietnam, is now running at about $2.2-billion a year, with little likelihood of any serious reduction soon, according to Western specialists.

American officials have noted a cutback in the level of new Soviet economic aid commitments since the peak years in the late nineteen-sixties, evidently reflecting disenchantment with large, showy economic projects that have not always guaranteed Moscow the reliable political clients it sought.

Nonetheless, Western specialists reported that in 1970, sharp increases in Soviet military aid to Egypt, mainly advanced jet aircraft and highly expensive surface-to-air missiles, had offset the reduction in economic aid to other non-Communist countries.

Over-all figures on economic and military aid programs are not published here and foreign specialists caution that it is difficult to compare the trends in American aid and the Soviet program, which moves in cycles, responding often very quickly to the Kremlin's political objectives.

New aid commitments tend to rise sharply when Soviet leaders travel abroad, when friendly states suddenly face serious troubles, or when the Kremlin wants to take advantage of a political opening.

But often, Western specialists contend, it is years before recipient countries can actually use the credits that Moscow has advanced. According to some Western compilations, the Kremlin has advanced credits totaling about $8-billion to non-Communist countries since 1954, but has only delivered about $5-billion in aid.

The flow of economic and military assistance to non-Communist countries is estimated by competent Western specialists at slightly more than a billion dollars a year, the great bulk being military aid. One Western diplomat put economic aid deliveries to non-Communist countries at about $300-million a year with military aid running well over twice that amount.

In addition, $1.2-billion in economic and military aid goes to Cuba and North Vietnam, according to Western estimates. Soviet aid to Havana is estimated at $750-million a year, two-thirds of it economic aid. Aid to Hanoi is estimated at slightly under $500-million, about half of it economic.

Aid to Hanoi has declined from a peak of $720-million in 1967 as the intensity of the American air campaign has diminished, while economic aid to Cuba has been rising steadily as her economic troubles have grown.

In general, however, American specialists have commented that the Kremlin has been taking a more conservative approach toward economic aid than it did during the late nineteen-fifties and the early nineteen-sixties, when Moscow's overseas aid was expanding rapidly to reach a peak level of about $560-million a year in new commitments to non-communist countries back to about $350-million.

A State Department study published in July, 1970, said:

"This leveling off in Soviet aid activities in the late nineteen-sixties may be explained in part by Moscow's realization that aid as a political instrument has certain severe limitations, can guarantee no real or permanent influence, and can often lead to unwanted involvement in regional disputes."

Particular areas of disappointment to Moscow were Indonesia and Ghana, where Soviet-leaning leaders, who had accepted heavy Soviet aid, were overthrown by more pro-Western or moderate nationalist leaders.

The sharp competition for economic resources between Soviet domestic programs and overseas aid was another factor in reducing the level of new aid commitments, in the view of Western specialists, though the actual flow of aid continued at roughly the same levels as before.

"The Soviets have shown a growing concern with making their program more economically effective and more beneficial Commercially to the U.S.S.R.," the State Department study said.

Nonetheless, specialists here note that Soviet overseas aid, which remains closely tied to Moscow's political objectives, evidently has never become the point of contention in high levels of the Government and the Communist party that the American aid program has become in Washington.

In spite of private criticism among Soviet intellectuals of the heavy Soviet economic and military aid program to the Arab countries, especially Egypt, Western diplomats note that Soviet aid levels continue to run as high as Moscow thinks its political purposes require.

And in the press, the Soviet aid program is discussed only in glowing terms as a symbol of Soviet friendship and support for developing nations.

FOREIGN AID IS ALIVE AND WELL—IN OTHER COUNTRIES

(By Bernard D. Nossiter)

PARIS.—Foreign aid, or more accurately, a mixed program to promote exports, investment, influence and development in the third world, is alive and generally flourishing outside the United States.

Other rich, non-Communist nations are either maintaining or increasing what is labeled "assistance" and a few are stepping it up sharply. Over the last three years, Washington has cut back its official program from $3.5-billion to $3.1-billion in 1970. But the other 13 Western aid givers plus Japan and Australia have moved in precisely the opposite direction. Their programs have expanded from $3.1 billion in 1967 to $3.8 billion last year. They overtook Washington even before the Senate acted.

In virtually all these other countries, the aid program faces no consequential political opposition and enjoys wide support from the establishment political parties. In Scandinavia, Canada and the Netherlands, the government typically comes under fire for not doing enough for the world's poor.

In a few countries, notably France, Britain and Germany, a scattering of rightists complain that aid is money down a rathole. And everywhere, left youths charge that it is a scheme to perpetuate a new form of neo-colonialism on behalf of privileged investors and exporters. But outside of the United States, the program as a whole is nowhere regarded as in serious difficulty.

This relative immunity flows largely from the absence of any clear link between aid schemes and highly charged foreign and military adventures. In Japan, where 96 yen out of every 100 loaned for development must be spent on Japanese goods and only one aid yen in five is contributed to international organizations like the World Bank, the dominant business community appreciates that foreign assistance is largely a subsidy for themselves. Elsewhere, the pattern of self-interest may be less pronounced and the humanitarian aspect enjoys more popular support. But in no case—unlike the United States—is a substantial portion poured into shoring up unpopular regimes that foreign and defense ministries have labeled as vital to the nation's interest.

Perhaps the closest analogue to the United States is Portugal. There the bulk of what is called "aid" goes to the ex-colonies of Angola and Mozambique in an effort to reduce revolutionary movements. But if there is opposition to such spending, it can not surface in a totalitarian regime.

These are the chief conclusions emerging from an inquiry here into non-Communist aid schemes outside the United States. Paris is the place to come for such a study because it is the headquarters of the Development Assistance Committee, an arm of the Organization for Economic Cooperation and Development, monitoring and promoting the aid programs of rich, non-Communist nations.

Despite the generally secure and growing levels of other nations' aid, the D.A.C. is not patting its members on their backs. Summing up the latest, 1970 review, chairman Edwin Martin observed that aid, as a share of the rich world's total output, actually fell a bit last year, from 0.36 per cent to 0.34 per cent. In other words, the rich slightly reduced the burden on themselves.

Martin, a former assistant secretary of state, said the record was "not encouraging." Moreover, after allowing for inflation and the rise in population in the third world, he figured that the buying power of aid per person was probably no higher than it had been ten years earlier, in 1960.

However the record is scored, it is nevertheless clear that other countries are experiencing nothing like the crisis of confidence over aid now embroiling the United States. In virtually all countries, the program moves through legislatures with little or no attention, and nowhere else is it the occasion for a searching foreign policy review.

Indeed, the program's link to foreign policy is often obscure or deliberately obscured and public opinion polls typically turn up think their country should help the poor. In Germany, with a program strikingly free of obvious self-interest, the powerful business community is pressing for a shift in aid to Latin America and Africa where industrialists see markets and investment outlets. But in Japan, with a scheme already tailored to business interests, government officials are slowly changing their program to emphasize development for its own sake.

Four nations—Britain, France, Germany and Japan—account for two-thirds or the bulk of the non-Communist aid given outside the United States. Apart from Germany, the other three send their help where their commercial and political interests clearly lie. Britain and France spend nearly 90 per cent of their nation-to-nation aid in former colonies, money that opens the way for cultural and political influence, opens markets for exports and opens doors for investment. Japan does much the same and most of its aid yen goes to those Asian nations that Japan once tried to embrace by force in the "co-prosperity sphere."

Among major powers, only the United States matches Japan in insisting that aid loans be spent on the "donor's" products. But French and British aid does not go out without strings either.

Some 77 per cent of French development loans be spent on the "donor's" products. The British figure is 55 per cent.

In contrast, Germany provides half its aid to India, Pakistan, Israel and Turkey, countries where its cultural and political hegemony is virtually zero. Moreover, two of every three marks that Germany lends for development can be spent wherever the borrower finds it's cheapest to buy.

The relative "purity" of the German program is not hard to understand. Its aid program reflects in part a conscience deeply troubled by World War II, the outsized aid for relatively well-to-do Israel especially reflects this fact, in addition, and until recently, Bonn was expectionally attentive to Washington's wishes and Washington was pushing others to help Turkey, India and Pakistan.

There is no simple measure of disinterest in aid. The most common way of comparing each nation's performance is to measure the share of its total output or gross national product that goes into the official aid program. On this basis France leads the non-Communist league with 0.65 per cent, followed by the Netherlands at 0.63 and Australia at 0.59.

The United States is a poor twelfth at 0.31 per cent, trailed only by Japan, Italy, Switzerland and finally Austria at 0.13 per cent.

But this conventional measure is unsatisfactory as a gauge of altruism for several reasons. For one thing, it counts as aid the hundreds of millions of dollars that Washington pumps into Asia as supporting assistance—really a prop enabling regimes of varying stability to support outsized armies. It also counts France's big contributions to Martinique and Portugal's to Angola and Mozambique.

A better measure, perhaps, is the share of aid going to multilateral organizations like

those of the United Nations or the World Bank. Aid given to these groups is less likely to buy political and military objectives because it is distributed as a lump and not identified as to national source.

On this basis, Norway comes out best with sixty per cent of its aid flowing through international organizations. Italy, with both a relatively and absolutely miniscule program, is next to 57 per cent, followed by Sweden, 46 per cent. The United States is once again near the bottom, 13th, with 13 per cent; Britain shows only 11 per cent; Australia, 6 per cent and Portugal, 1 per cent.

Another good measure of selfless assistance is the share of united development loans, money made available to the poor for spending on goods wherever they are cheapest. Here, published for the first time, is the league table of united aid loans. The precentages are official but authoritative:

Norway—100; Portugal—100; Sweden—100; Netherlands—79; Germany—67; Italy—54; United Kingdom—45; Belgium—27; France—23; Austria—12; Japan—4; United States—3; Australia (no loans, grants only); Canada, Denmark and Switzerland, zero.

In other words, all Canadian, Danish and Swiss aid loans must be spent in the "donor" country and thus amount to a disguised subsidy for exports. Virtually the same is true for Japan and the United States. In contrast, Norway and Sweden give their recipients a completely free hand. Portugal also comes in this category, but that is only because Lisbon gains nothing formally tying its own hands on expenditures in rebellious ex-colonies.

Although the point has been properly made that aid programs elsewhere are less overtly influenced by political and military considerations, Washington is not alone in taking them into account. Thus Britain has mounted sizeable efforts in Malaysia and Singapore to compensate for the withdrawal of its troops. Similarly, in the days of the now discredited Hallstein doctrine, Bonn cut off new aid from African countries recognizing East Germany.

The use of aid to generate economic pressure is not unknown elsewhere, either. Thus when France has had trouble with Tunisia over wine and Algeria over oil and gas, Paris has not hesitated to play the aid card in the diplomatic bargaining game.

This inquiry does not examine the role of private investment because economists and officials differ widely over whether profit-seeking funds should count as assistance and even whether foreign investment promotes or retards developments in the third world. The D.A.C. counted $6.7 billion of profit-seeking investment flowing from the rich to the poor last year, virtually the same as the aid total from all 16 nations. But nobody has an accurate count of how much was brought home in dividends. The best estimates range from $4 billion to $7 billion, a sum equal to more than half and possibly more than all the private investment.

In contrast, only $448 million came back to the rich as interest payments on development loans, less than 7 per cent of the total spent for gifts, technical assistance and loans.

Despite the return of dividends, proponents of investment by the wealthy among the poor argue that in any event the money creates an asset—develops oil resources, builds a plant and the like—that would otherwise not exist and also provides jobs and teaches skills that would not be created. Opponents argue that foreign investment ties poor countries to the narrow, economic interests of international corporations, breeds political interference and preserves the best jobs and the exploitation of the richest resources for foreigners.

Indeed, the argument can be and is carried one step further. Does official or governmental aid promote or hold back economic development? The D.A.C. leaders, like most aid officials among member countries have no doubts. Aid helps. It adds to or complements domestic savings and provides hard currency with which to buy necessary goods and services abroad. But there are some skeptics, even deep within the D.A.C. They wonder if aid does not substitute for domestic savings, enabling recipients to continue in slack ways.

One familiar example is India. Some officials there contend that, thanks to foreign aid, Delhi has been spared from hard and necessary political decisions like taxing the incomes of rich farmers or enforcing largely paper laws to break up big land holdings.

In any event, the experts agree there is no statistical link between large amounts of aid and rapid growth. India and Pakistan got the most assistance last year, $1.1 billion for Dehli and $470 million for Pakistan: Neither is a star performer in terms of economic growth. South Vietnam, with $450 million was the third biggest aid recipient, but the money goes to repair war ravages and development is not a consideration.

On the other hand, South Korea is the fourth biggest aid beneficiary and its growth rate is near the world's top. Israel and Taiwan both get large chunks of aid in relation to their population and both grow rapidly too.

One shrewd official here sums it up. "I know I can't make the numbers prove anything about the utility of aid. Nevertheless, I am strongly for it and in increasing amounts. If you like, it's an act of faith."

The amount, in dollars, of government aid program—loans, technical help and grants—for D.A.C. members in 1970, expressed in millions of dollars, and after subtracting repayments of principal on loans:

United States, 3,050; Germany, 559; Japan, 458; United Kingdom, 447; Canada, 346; Australia, 203; Netherlands, 196; Italy, 147; Belgium, 120; Sweden, 117; Denmark, 59; Norway, 37; Switerland, 30; Portugal, 29; and Austria, 19.

Mr. McGEE. Mr. President, the chairman of the Foreign Relations Committee has developed such a dislike for the foreign aid program that I believe he, even with the best of intentions, is guilty of the very thing he accuses me of; namely, confusing fact and opinion. With the best of intentions, he possesses a faculty for reading into one's remarks something that is not, in fact, there.

I did not promulgate any theory on the night of December 15. At times I made statements concerning facts and at other times I made statements giving my interpretation of events. It seems the distinguished chairman of the Foreign Relations Committee in his statement on the floor on December 16 endeavored to make that a fact which was, in fact, my own assessment.

Mr. President, it is a fact the Senate rejected the foreign aid authorization bill by a vote of 41 to 27 on October 29, 1971.

It is a fact, Mr. President, that the Senate, by an overwhelming vote of 63–21, adopted separate foreign aid measures authorizing military and economic aid a little more than a week later in an amount of $2.7 billion.

It is a fact, Mr. President, that the continuing resolution for foreign assistance that was sent from the House of Representatives to the Senate on December 9, 1971, provided for an annual spending rate for foreign assistance in the amount of $3,104,000,000.

It is a fact, Mr. President, that the continuing resolution which was passed by the Congress for economic and military assistance on December 18, 1971, provides for $2.8 billion for foreign assistance.

And, on the night of December 15, it was the opinion of the distinguished chairman of the Foreign Relations Committee that the continuing resolution should provide appropriations for foreign aid at a spending rate of only $1.5 billion.

Mr. President, I would be untrue to myself if I let the statement of the distinguished chairman of the Foreign Relations Committee stand in the RECORD without this rebuttal. I deeply regret that his opinion on foreign aid does not coincide with my opinion. But I hope, Mr. President, that as our commitment in South Vietnam decelerates his dislike for foreign aid, which he has supported so ably over the past years, will recede and disappear and that he will once again assume the mantle of leadership to help all of us, who are charged with the responsibility, to develop and devise a foreign assistance program that is so necessary in the furtherance of our own Nation's self-interest.

HOUSING FOR THE NORTH

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, having visited every city, village, hamlet, and crossroads in the north country on several occasions, I saw the need for low-cost housing long before it became a matter of national concern. The fact of the matter is that almost one-third of the homes in the 10th Congressional District are what might well be called substandard housing.

Over the years in Congress, I have appeared before committees, introduced bills, and worked in the direction of getting Federal programs going to help alleviate the poor housing conditions in our area. The fact of the matter is that, as a result of my efforts together with those of scores of other Members of Congress, there are at least half a dozen programs now available to improve the housing conditions of the north.

The agencies involved are the Veterans' Administration, Farmers Home Administration, and the Housing and Urban Development Administration, among the most important of the Federal agencies.

On many occasions, I have appeared in communities and explained these Federal aid programs. In some instances, I have helped prepare the applications and opened the doors with the proper officials to make application for Federal aid under these programs. I followed many of these applications through proper channels; and whenever problems arose, I helped solve those problems to expedite approval of the applications.

To sum it up, the number of public housing units in northern Wisconsin in the last few years that have been erected totals almost 1,500 home units. These are more units than in any other congressional district under the public housing programs.

The following table will give the people of northern Wisconsin some idea of how the public housing program has

worked in the north with my help and guidance. There are applications pending for another 1,500 units, and I shall give the same help to these applications as I have given those in the past:

FEDERAL ASSISTANCE FOR LOW-RENT PUBLIC HOUSING—10TH CONGRESSIONAL DISTRICT OF WISCONSIN DURING O'KONSKI YEARS

Locality	Total housing units	Total development cost
Altoona	24	$357, 000
Amery	55	940, 000
Barron	30	499, 000
Bruce	25	415, 000
Chetek	30	421, 000
Cumberland	30	452, 000
Frederic	21	315, 000
Grantsburg	32	499, 000
Hudson	61	914, 000
Hurley	54	746, 000
Lac Courte Oreilles	29	607, 000
Lac du Flambeau Reservation	20	354, 000
Lac du Flambeau Reservation	20	423, 000
Lac du Flambeau Reservation	40	803, 000
Luck Village	20	308, 000
Menomonie	60	738, 000
Menomonie	60	1, 010, 000
New Richmond	40	657, 000
Odanah	14	248, 000
Odanah	12	275, 000
Osceola Village	30	450, 000
Red Cliff Reservation	20	303, 000
Red Cliff Reservation	8	186, 000
Rhinelander	50	761, 000
Rice Lake	81	1, 276, 000
Sanborn Township	11	114, 000
Sanborn Township	9	93, 000
Shell Lake	31	485, 000
Spooner	40	667, 000
Stanley	40	655, 000
Superior	153	790, 000
Superior	136	1, 653, 000
Superior	64	695, 000
Superior	60	701, 000
Webster	25	624, 000
Woodville	26	358, 000
Total	1, 461	20, 792, 000

Mr. Speaker, the other major agencies involved in helping with home financing are the Veterans' Administration and the Federal Housing Administration. With particular reference to the Veterans' Administration, I wish to state that I was the first to recommend and introduce legislation to have a system of direct VA loans to veterans in areas such as northern Wisconsin. Half of the direct loans made by the Veterans' Administration have been made in the 10th Congressional District. For instance, when the program first started, out of the first 150 direct loans made by the VA, 80 of these loans were in the 10th Congressional District.

When the program first started, I appeared before veterans groups and explained the program; and in many instances, I helped prepare the applications and hand-carried them to the VA. It is safe to say that more than one-third of the VA housing loans made in the 10th Congressional District in one way or another cleared through my office or with the help of my office. The same can be said for the loans by the Federal Housing Administration. To give the folks of northern Wisconsin an idea of the large volume of such loans, the following tables will show the picture clearly.

It is hard to believe that two out of every three places of living in northern Wisconsin are in one way or another directly or indirectly financed with Federal funds. There is no other place in America where the ratio of Federal financial help for housing shows up as clearly as it does in the 10th District. This could not have been accomplished if it were not for a congressional office that was deeply involved in achieving this goal.

The tables referred to follow:

OTHER HOUSING FINANCIAL HELP BY FEDERAL GOVERNMENT DURING THE O'KONSKI YEARS

	Number approved	Money loaned
Federal Housing Administration:		
Home mortgage loans	3, 706	$34, 415, 000
Property improvement loans	50, 004	32, 718, 000
Project mortgage insured (units)	461	5, 772, 000
Section 221 market interest (units)	309	3, 377, 000
Totals	54, 500	76, 282, 000
Veterans' Administration loans:		
Guaranteed loans	11, 225	100, 914, 000
Direct loans	3, 254	30, 761, 000
Totals	14, 470	131, 675, 000
Summary of homes financed by Federal Government in 10th district during O'Konski years:		
Farm Home Administration	14, 771	75, 816, 000
Public Housing	1, 461	20, 792, 000
Federal Housing Authority	54, 500	76, 282, 000
Veterans' Administration	14, 470	131, 675, 000
Total	85, 202	304, 565, 000

A VOICE OF THE PEOPLE

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Friday, December 17, 1971

Mr. McGOVERN. Mr. President, the Peninsula Bulletin has entered its 5th year of service as "A Voice of the People."

From offices at 2332 University Avenue in East Palo Alto, Calif., editor and publisher Charles S. Thrower has worked to develop a newspaper of broad community appeal whose goal is one of the difficult but greatly needed unity among the diverse groups of people who call this State, Nation, and planet their home.

His anniversary editorial embodies his own philosophy and the drawing spirit of this unique publication:

As we enter our fifth year our first thoughts are of dedication to the total cause of involvement in the progress of humanity toward its goal of brotherhood and equality of man. We must first address ourselves and commit ourselves to this for without a commitment to the one indisputable goal, then all else is superfluous. Our second thoughts are of the many people, Black, White and Brown and Yellow (and not necessarily in that order) who have not only been instrumental in getting the Bulletin to our readers, but who have labored long and faithfully, or contributed of their resources unstintingly, or carried the banner of the Bulletin to far flung places. Our third thoughts certainly must be for our advertisers and subscribers, old and new, who have shown their faith in the overall position of this paper.

We enter the new year with a firm belief that man can draw strength from the God of us all and with that strength, weld together a beautiful fabric that will represent the unity of man in his endeavor to live together on the face of the earth in peace and harmony.

We re-dedicated the Peninsula Bulletin to the task of widening the doors of knowledge and communication so that ALL can benefit from that knowledge. We re-dedicated the Peninsula Bulletin to the unceasing struggle for Human Rights and Dignity. We re-dedicated the Peninsula Bulletin to the great task of raising the standards of the minority people of the nation. We re-dedicate the Peninsula Bulletin to the unending battle for Black dignity and pride. We re-dedicate the Peninsula Bulletin to the much needed task of education, quality education, for our young. (and our young come in all colors—Black, Brown, Yellow, Red and White). We ask only that you, our readers, judge us fairly and aid us when and where you can.

The years that have passed since volume one, number one, have been frustrating, and, at times, exhilarating, for we, as all small ethnic papers, have surely had to fight for each advertisement and subscriber. We have been called upon by some members of the community to fight battles that we immediately joined. Some were victorious and some were utter defeats. Other calls for participation in the overall struggle were rejected out of hand purely because we either questioned the validity or there just was not enough time or hands to attend every battle. We shall attempt to lend whatever strength we have in as many right and just causes as possible. This we will do because we believe in the overall concept of the "Man from Gallilee" . . . and we surely subscribe to the concepts of the Brotherhood of Man.

In keeping with the Bulletin's efforts to appeal to all segments of the community, "La Voz De La Raza"—a comprehensive news section in the Spanish language—was begun.

Thrower also wrote:

The front page of today's edition shows a new face to the world. The banner is new. The concept is old. We, in our re-dedicating of the Bulletin, intend to speak long and often of the unity of man and of the many successes that can come from that unity. We pray that we will continue to merit your support and constructive criticism.

Charles Thrower is one of those men who have made American journalism the fourth estate which means so much to our way of life. We need more men in the Nation cut from the same fabric. They make us a great country.

OAKLAND SCHOOL SUPERINTENDENT TESTIFIES BEFORE SENATE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. DELLUMS. Mr. Speaker, as one of the two Representatives of my native Oakland, Calif., in this body. I am proud of the superb work being done there by Dr. Marcus A. Foster, the superintendent of the Oakland Unified School District.

Dr. Foster came to Oakland in 1970, and in my judgment, he is rapidly establishing one of the Nation's best quality education programs in our city's school system.

In July, Dr. Foster appeared before the Senate Select Committee on Equal Educational Opportunity, and presented an extremely lucid description of some of the progress now underway in Oakland as well as a general philosophy relating to school systems such as Oakland's in which there are crucial problems of racial balance.

I am very impressed with Dr. Foster's testimony, and I now insert it in the

RECORD, and I highly urge my colleagues to read this important statement:

PRESENTATION TO THE SELECT COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY OF THE U.S. SENATE, WASHINGTON, D.C., JULY 14, 1971

Honorable Chairman Mondale and distinguished members of the Senate Select Committee on Equal Educational Opportunity:

It is with extreme pleasure and pride that I respond to your invitation to participate in your Committee hearings concerning the great issues facing urban education today. Having had over twenty years' experience of service to urban children as a teacher, elementary and secondary school principal, consultant, and associate superintendent in the city of Philadelphia, and for the past year as the superintendent of schools in Oakland, California, I believe that this background does qualify me to comment with some authority upon the problems and challenges facing urban education today. While it is true that the problems of urban education are great, I must say that the rewards and potentials for success in this area are equally as great. Had this not been so, you may be certain that I would have left this field and sought another endeavor long ago.

As I have just indicated, I have been in Oakland for a little over one year now since leaving Philadelphia. This year in Oakland, a most interesting and challenging one, has placed me in contact with the numerous advantages and excitement of being a participant in the life of this urban community. It has also placed me in intimate contact with the multitude of educational problems facing the students who attend our schools.

With a school population of nearly 68,000 enrolled in a total of ninety schools, the Oakland School District is about fiftieth in size among the city and county school districts in the United States. We rank fifth in size in California.

The most recent census data show Oakland to have an estimated 360,000 residents of which approximately 45% are members of ethnic minority groups. The ethnic makeup of the school population is somewhat different, however. Almost three fourths of our students are members of minority groups—59% black, 8% Spanish surname, 5% Asian, and less than 2% in the other non-white category.

The economic plight of the families who send children to our schools is staggering. During the past five years we have seen the number of children from AFDC families rise from 10,000 or about 16% of our elementary and secondary enrollment, to more than 24,000, or 38%.

The educational needs of our students are equally as impressive. More than two thirds of our students read below national and state averages. It has been estimated that approximately one third of our high school entrants do not complete the full three-year program. Of those students remaining in school at the beginning of grade twelve, approximately one third fail to meet the new state graduation requirements of eighth grade performance in reading and mathematics which will take effect this coming school year. All of these students will be required to take special remedial-diagnostic courses in their deficient subjects in order to obtain their diplomas.

Since I am aware that your committee has a particular interest in the matters of desegregation and integration, let me begin by addressing myself to this very significant issue. First of all I will state unequivocally that I am a firm advocate of quality integrated education. I am certain that you all know that school desegregation does not necessarily mean school integration. The mere physical mixing of students in a school setting does not in itself accomplish the goals of integration, which involve truly working together, appreciating and respecting cultural, ethnic and racial differences, and accepting one another in the true brotherhood-of-man sense. For this reason it is extremely important to go well beyond just a "mixing of bodies" accomplished through whatever means—busing, Princeton Plan, open enrollment, educational parks, etc.—if we are to truly integrate.

Since integration in the urban areas frequently involves lower-class black, chicano, and other minority students, it is imperative that supplementary services be provided to both these students and their parents as well as to the majority students and their parents. The minority students frequently are in severe need of additional help in basic skill areas such as in reading and mathematics. Special assistance in these areas must be provided to these students who in turn must demonstrate success if unfavorable stereotypes are to be eliminated. Further, the expertise and services of specialists in the field of human relations must be provided for the students and parents of all racial and ethnic groups involved in an integration plan if the plan is to be successful. Inservice training of teachers and other staff is also particularly important. From the curriculum standpoint, the selection and use of instructional materials which provide factual data on the contributions of minority racial and ethnic groups must be provided. I will not dwell further on these points since I am certain that members of the Committee have availed themselves of the various publications and reports developed in recent years which deal with the kinds of activities and serivces needed for an effective and meaningful integration program.

As an illustration of the kind of program to which I refer, let me take a few brief moments to describe a pilot Integration Model program funded under ESEA Title I which has been conducted in our school district for the past several years. Under this pilot program, approximately two hundred black youngsters from overcrowded ESEA Title I target-area elementary schools have been bused to a number of schools serving predominantly white school populations in our hill area where capacity to house the additional students has existed. Since the beginning of this program, the concern has been for quality integrated education, not merely a mixing of the races. Consequently, a number of support services have been provided to the five "receiving" schools, including reading and mathematics consultants, extra pupil guidance service time, a specialist in human relations, money for cultural enrichment and school exchanges, and an after-school program to promote fuller social interaction.

This program has been monitored from the beginning and results are clearly positive. In basic skills the children have done as well or better than children starting at comparable levels in either the "receiving" schools or the "sending" schools which have full compensatory education programs in operation. In terms of other program objectives, results are also consistently good. Measures of social interaction have shown that initial isolation in the new surroundings dissipated rapidly—the Integration Model bused children are accepted as well as other children in the school by their peers. Nearly three fourths of the parents in "receiving" schools report the quality of the school program is just as good or better under the Integration Model project. Two thirds of the "receiving" school parents have had an opportunity to get to know the "sending" parents and have felt better understandings are developing across ethnic and economic lines. Nine out of ten of the parents who volunteered to have their children participate in the project reported that their children were fully accepted by the teachers and students in their new schools.

The key to our success in this project has been the focus on a quality educational program. That is what all of our "consumers" want—whether they are poor, rich, black, or white.

Obviously, I am pleased to report this positive picture in relation to our pilot project. This study is of significance in terms of how a small Integration Model project can be successful in a community. However, the significance of its impact pales when one surveys the magnitude of the task to be done in providing an integrated quality educational program for all 68,000 students enrolled in our school district. While it would be possible to make some additional progress along the line outlined in other schools of our district, the fact of the matter still remains that it is very difficult for a district like Oakland to truly achieve an integrated program when we are constantly aware of the fact that almost three fourths of our students are actually members of minority groups.

I am convinced that school integration cannot be achieved in many urban centers throughout the country like Oakland unless some regional framework involving adjacent suburban and primarily white communities can be established. As an example, the two cities which bound Oakland on the east and south enroll school populations that are approximately 80% or more white. School districts in cities to the north of Oakland enroll student bodies that are approximately 60% white. Certain other suburban communities in neighboring areas have school enrollments of approximately 100% white students. It is clear to us in Oakland that it would be possible to achieve some meaningful progress toward integrating the schools in all of these communities with the cooperation of these other districts. Until such regional arrangements can be made. I am firmly convinced that urban school districts should take the responsibility for achieving quality integrated education wherever feasible within their school districts, and where integration is not feasible, the highest possible quality educational program must be provided on an equitable basis to all students attending such schools.

While it is certainly true that the matter of school integration represents a substantial challenge to urban education. I would have to state, however, that an even greater challenge to urban education exists today. I have reference here, of course, to the crucial matter of the adequate financing of our schools.

For example, in our district we have had serious financial problems for the past several years since our revenues have not kept pace with steadily increasing costs and demands for needed additional programs. In the past we have been able to balance our budgets by reducing or eliminating central office services by drastically curtailing our maintenance and custodial staffs. As an illustration, we have a backlog of over $5 million worth of rehabilitation projects which, because of our revenue situation, we cannot even think about doing.

This year our financial difficulties have reached crisis proportions. In a $68 million budget our projected 1971–1972 deficit is $3.5 million with no provision for cost-of-living adjustments for our employee groups. To balance our budget we have been obliged to cut 150 classroom teacher positions, five principals, two vice-principals, seven nurses, and 48 positions in an already depleted custodial/maintenance staff. We have also made substantial reductions throughout all areas of the instructional and supportive program. Thus, when our teachers return to school this fall, they will find significantly larger numbers of children in their classrooms, and they will not have the materials, the books, and the other supplies that they will need to help these children achieve. The major

reasons for this fiscal crisis are the increasing resistance of local property owners to add to their already heavy tax burden, the reluctance of state legislatures to increase taxes for school spending, and the minimal contribution by the federal government to the support of our general education programs.

Further, it must be recognized that the problems of urban education are considerably different from an instructional program that can be conducted in a suburban area and that the needed programs for most urban children are quite costly. As examples—many thousands of our children speak English as a second language—roughly, only one half of the students in need of ESEA Title I services are actually receiving such assistance in Oakland.

Children from these backgrounds need individual help in the basic skills.

They need small classes.

They need specially trained teachers.

They need help in motivation and building self-confidence.

They need health and dental care.

They need nutritional programs.

They need help to believe that they have a chance in our society.

If we are going to really help the urban child with all his problems, we will need a great deal of additional financial aid. It is unthinkable; indeed, it is immoral to contemplate reducing an educational program for our children when it is already so inadequate.

Now, despite my rather gloomy portrayal of the fiscal plight facing urban schools today, I would like to turn to a discussion of some of the hopeful signs and new directions which I see on the horizon for urban education. Indeed, these new directions represent a number of changes and courses of action upon which we have already embarked in Oakland in our efforts to improve the educational program in our city. Hopefully, we will be able to obtain the necessary funds from some source to maintain, nourish, and expand upon what we believe to be a very sound beginning.

The first of these new directions, which I believe to be essential in the improvement of urban education, is the establishment of a precise and equitable program of educational accountability. As one of the first steps in the development of our accountability plan in Oakland, our Board of Education adopted last fall a number of districtwide goals which now provide the general direction for the activities carried forth in our school system.

A second element in our accountability program was the development of objectives which resulted from the charge I gave last fall to each of our staff members to take upon themselves the personal and heavy responsibility of setting, within the framework of our overall goals structure, their own instructional objectives for the year. This task involved the development of objectives stated in measurable terms within a specified time frame. Similarly, each school was charged with the responsibility for developing and submitting schoolwide objectives reflecting the instructional activities and accomplishments expected for the year at the school. Needless to say, I was most gratified when I learned that all ninety of our schools met the November 15 deadline for submission of their schoolwide objectives statements. At the present time members of our staff are evaluating the results of our first year's efforts.

A second new direction in urban education which I believe has great potential is that of decentralization. Through decentralization it is possible to place administrative authority closer to the individual school sites, to improve the delivery of services, supplies and program resources to schools, and to augment community involvement in order to more effectively utilize this important resource. Our decentralization program in Oakland was initiated on January 1 of this year and, though it has been in operation for only a few months, I am confident that it will eventually result in a marked payoff in improved educational services.

Another important new direction in urban education is that of parent and community involvement. For many years I have been committed to the notion that, where parents and community are interested and involved in the work of the school, their children will achieve better, and the school will provide better programs for students. Since my arrival in Oakland, this has been one of the areas in which I have placed considerable emphasis. We have initiated a very successful procedure for community involvement in the selection of school principals. Also, we have charged each principal in the district with the responsibility for developing a systematic plan for involving the parents and community in the activities of their local school and have encouraged parents to involve themselves in matters such as curriculum, school facilities planning and upkeep, school discipline, and other school site procedures and activities.

Another community involvement procedure initiated this year has been the establishment of what we call our Master Plan Citizens Committee. Described by some as wide group is comprised of representatives from every school in the district and includes staff, students, parents, and various interested community resource personnel, and we have tackled together the difficult job of developing a master plan for education for our city. After a period of a year, we hope to receive from this citizens committee a blueprint for guiding the activities of our district in a number of key areas such as curriculum, fiscal and capital planning, community resource development, etc., for the immediate and longer range years ahead.

A fourth new direction I see is that of applying new management techniques to the field of education. Along this line, we are taking steps in Oakland to insure the best possible use of our personnel and material resources. In addition to the decentralization process described above, we are initiating a Planning, Programming, Budgeting System which we expect to have operational by the 1972–1973 school year. We feel sure that the PPB system will significantly increase our ability to use our resources more effectively and hopefully it will provide us with improved evaluation data for enabling us to make better decisions in improving our various programs.

In addition to the major new directions I have cited, I would call attention also to the two additional very promising approaches we established in our district this year. One was the establishment of our Office of Resource Development. The function of this office is to seek out all possible available resources that might be of potential value to the district, be they resources of funds, time, equipment, materials, or anything else that could prove to be of assistance to the district. This office, staffed with personnel knowledgeable in foundation and institutional support and skilled in application preparation techniques, has begun to yield dividends for the district.

Another approach initiated last year, but which will in all probability be discontinued this year because of the lack of funds, is what we have called our "New Notions for Excellence" program. This program made it possible for school staff and students to make applications for modest funding of special innovative projects in their schools. Through this program it was possible to stimulate a considerable amount of interest in the development of new and varied approaches to the instructional program.

In conclusion, and in keeping with your Committee's request for specific recommendations for the improvement of urban education, I would offer the following points for your careful consideration:

First, with respect to integration, I would recommend that significant amounts of additional federal incentive funds be made available to school districts willing to enter into regional arrangements for the purpose of developing quality integrated programs. These incentive funds should be of two types:

Categorical funds for supporting all student transportation costs and necessary remedial, human relations, and other specialist services necessary for facilitating the integration process.

Modest general fund grants to all districts involved in the regional program for overall program improvement use.

Secondly, significant amounts of additional funds are recommended for the general support of urban school districts. The ingestion into our urban schools of large amounts of unrestricted funds similar to those provided through PL 874 for general program improvement use is desperately needed. Further, with the availability of such funds it would be possible to establish such new and unique school programs in the urban setting that they would serve as attractions to suburban students, thus assisting in the integration process.

Thirdly, I would recommend that additional categorical funds be provided to improve upon and expand already established federally funded programs. I have in mind particularly those programs such as ESEA Title I for disadvantaged students, bilingual and vocational education and the dropout prevention programs.

Further, I would strongly recommend that significant amounts of new federal funds be committed each year for the purpose of urban area school construction projects. Here again, it is likely that millions of urban children will continue to attend World War I vintage, and earlier, school facilities unless federal funds are provided for replacing such intolerable educational environments.

And finally, I would urge that additional moneys be provided for programs such as the Experimental Schools program currently being administered by the U.S. Office of Education. It is through programs of this nature that it will be possible to develop and perfect new, innovative, and effective procedures for educating urban children.

With a well-funded general and categorical aid program, with the establishment of a realistic capital development program, and with a program fostering innovation and experimentation—all supported by the federal government—urban education will surely survive and flourish. Without this support, however, there is every likelihood that urban education will continue to erode and deteriorate. I trust that every member of this Committee will mobilize every ounce of influence and power at his command to guarantee that urban education will, in fact, survive and flourish in the immediate months and years ahead.

Thank you, gentlemen, for the opportunity to address your Committee on these important matters today.

SERVICE TO THE PEOPLE

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, the job of a Congessman is to give service to his people. This has been demonstrated throughout all the years I have been a Member of Congress. I have set a record of service that has become a legend.

There is not a single man, woman, or child who can truthfully say that they have called on me for help on a matter pertaining to the Federal Government and such help was not gladly given by my office.

My home office and my office in Washington operate longer hours than any Member of Congress and it is one of the few Federal offices—both the home office and the Washington office—that operates on a 6½-day-per-week basis. My home office in Rhinelander has answering service from 7 a.m. until midnight and on Sunday from 10 a.m. to midnight. There is no other Federal office that is available during such long hours.

My home office in Rhinelander is without doubt the best equipped home office in the Nation. All of the equipment in that office is furnished by me personally and the only consideration I get is rental in lieu of not having any Federal building in Rhinelander to house a home office. During the first 25 years in Congress I supported the home office and paid for home office help with my personal funds. In the first 25 years in Congress I have spent more than $100,000 of my personal funds in hiring extra help to conduct the affairs of my home office. All telephone bills, all equipment, and all the expenses of the home office were paid by me personally for the first 25 years.

Where other Members of Congress had two, three, four, and five on the Federal payroll working in their home office, I bore the burden alone with my own money. June of 1966 was the first year that I used Federal funds for the operation of my home office. During these last 6 years I have never employed more than one and a half secretaries at any one time at the taxpayers' expense. The record will show that I spent less money for salaries and expenses in the conduct of my home office than perhaps any other Member of Congress.

Under the guidance of my wife, we have set up a system of recordkeeping and answering of requests that has been a model in the Nation's Capital. In my years in Congress more than 100 Members have used our office in Washington as a model to follow in conducting their Washington office. My wife's ability is proven by the fact that she is qualified for the job and has taught office practice in high schools and has a major in that subject. Her pay throughout my years in Congress has been less than $7,200 per year average. The work that she performs on this average pay has a going rate for office employees in the House of $30,000 per year and in the Senate for $37,000 per year. Her work in the office has saved the taxpayers hundreds of thousands of dollars for the years that she worked. She is still helping out in the office and helping oversee the office without compensation.

There are thousands of veterans today who are drawing their just reward by way of compensation because of the efforts of my office. Likewise there are thousands of people who are enjoying social security benefits because of the efforts of my office. There are 1,200 veterans today who are drawing multiple sclerosis disability benefits because of the 2 years of work that my wife put in traveling all over the country in proving to the Government that multiple sclerosis should be service connected even if it shows up within 8 to 10 years after a veteran has been discharged from the service. In 1 year when my wife's salary was below $3,000 a year, she used the entire amount traveling all over the country getting evidence that multiple sclerosis is a creeping disease that sometimes does not show up until 10 years after it starts. These efforts resulted in more than 1,200 veterans getting service connected disability compensation because multiple sclerosis showed up several years after their discharge from the service.

It was during the O'Konski years that the practice of holding home office hours was first started by a Congressman. It has been my policy to hold office hours in every village, city, community, and hamlet in the District. It was good to hear thousands of citizens say "We see more of O'Konski than we do our own local officials."

With the expansion of the District under reapportionment and now serving more than 400,000 people instead of 250,000 and because Congress is in session the year around, I can only get into every community, village, city, and hamlet every 2 years when I used to get there every year.

Since I have been elected to this office it has been a 6½ day a week job and I haven't missed a Saturday or a Sunday in my office in Washington since I have been elected. Yes, the record of service that I have performed has truly become a legend never before achieved.

Please read the balance of this brochure and you will get some idea of what a Congressman can do for his District if he is willing to work hard enough and long enough to get the needed results.

O'KONSKI ATTENDANCE RECORD, 100 PERCENT CUMULATIVE—VOTING RECORD THIS SESSION OF CONGRESS—472 ROLL CALLS

	Yeas/nays	Quorum calls	Recorded teller	Total
Number of calls or votes	211	151	108	470
Present responses	211	151	108	470
Absences	0	0	0	0
Voting percentage (presence)	100	100	100	100

Note: 2 rollcall votes not indicated above are a vote of "present" for the swearing-in of Members of Congress, and a vote for Speaker of the House, for a total of 472 total votes.

In 30 years in Congress, O'Konski has averaged a 90 percent attendance record, which puts him in the top 25 percent of all Members of Congress.

ACCOMPLISHMENTS OF THE 92D CONGRESS, FIRST SESSION: REPORT TO THE PEOPLE OF THE FOURTH DISTRICT OF WISCONSIN

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ZABLOCKI. Mr. Speaker, I would like again, as has been my practice over the past 23 years as the Representative of the Fourth Congressional District of Wisconsin, to summarize the major accomplishments of the first session of the 92d Congress and to highlight the major issues that need to be faced during the second session of the 92d Congress.

In keeping with my practice of reporting to the people of my district on my activities during the 92d Congress, I have no doubt my record will not totally please each and every constituent. However, in representing them I followed the dictates of my conscience and sincerely tried to work in their best interests.

Despite Presidential vetoes of some major bills, the accomplishments of the first session of the 92d Congress are extensive. The major areas of congressional action which are already developing productive results include the economy, the environment, legislative reorganization, an expanded electorate and international affairs.

ECONOMY

Because unemployment rose last March to almost 5 million and inflation spiralled to near 6 percent, the 92d Congress extended the authority it had given the President in 1970 to control wages and prices, urging him to once again act immediately. Although reacting late, on August 15 the President finally made his recommendations to restore the economic well-being of our country.

Continuing its initiative in the economic sphere, the 92d Congress approved emergency employment legislation and accelerated public works authorization in order to alleviate the distressing high level of unemployment. Congress further enacted tax relief to stimulate the economy and extended the President's temporary authority to impose wage, price, rent and interest controls in order to combat inflation. Congress strengthened and refined both these measures to provide balance and equitable treatment for all Americans.

ENVIRONMENT

A significant achievement of the first session of the 92d Congress includes its constructive action to restore and preserve our natural environment.

The Federal Water Pollution Act was extended with a $2 million appropriation for grants to local governments for construction of water treatment facilities in fiscal 1972. In-depth congressional hearings were conducted to lay the groundwork for comprehensive new water pollution legislation during the second session of the 92d Congress.

I supported the pesticide control bill which regulates the use of insecticides, fungicides and rodenticides by placing controls and registration requirements on their manufacture and use.

Additional pollution control legislation approved by the Congress which I supported was a measure that would prohibit unregulated dumping of waste material into the Great Lakes, oceans, and coastal waters and to ban the transportation or dumping of chemical or biological warfare agents or radioactive wastes in the same waters.

Also, the Federal Saline Water Conversion program was extended for another 5 years through fiscal 1977 and expanded to include chemically-contami-

nated water purification by desalinization and to deal with solid waste disposal problems.

LEGISLATIVE REORGANIZATION

As a result of the new Reorganization Act passed during the 91st Congress, the recorded teller vote was implemented during the first session of the 92d Congress, effecting an 80-percent increase in the number of Members voting. The publicizing of committee attendance and voting has thus affirmed Congress' attempts to move away from secrecy to the open conduct of national legislation.

18-YEAR-OLD VOTE AMENDMENT

Congress led the way in affirming the duties and responsibilities of our youth by passing and submitting to the States the 26th constitutional amendment lowering the voting age to 18 in Federal, State, and local elections. By extending the right to vote to 25 million young Americans, the 92d Congress has joined past historic Congresses which have abolished property qualifications, slavery and sex discrimination as barriers to full suffrage.

INTERNATIONAL AFFAIRS

In view of the continued tragic status of our prisoners of war and missing in action in Indochina, I sponsored a resolution which was passed unanimously, calling for the humane treatment and early release of all American prisoners of war held by North Vietnam and the National Liberation Front. It was also my privilege to successfully sponsor a resolution requiring the President to report to Congress whenever he committed U.S. forces abroad without prior congressional approval and reaffirming the constitutional power of Congress to declare war. During the upcoming session, I will continue my efforts to assure the return of all of our POW's in the Indochina conflict and to achieve the withdrawal of all our combat forces in Vietnam at the earliest practicable date.

PROGRESS IN OTHER AREAS

Our Nation's veterans once again received particular attention as approval was given for increases in veterans' and dependents' pensions and disability benefits.

Significant progress was also achieved in the vital area of the health professions. Congress approved new programs of aid to medical and nursing schools and students in those schools in the hope of meeting the growing need for additional personnel in these professions.

THE UPCOMING SESSION

The accomplishments of the first session of the 92d Congress, I believe, have been significant and responsive to the needs and demands of the people of the Fourth District and of the Nation. Nevertheless, there remains important unfinished business to be considered and acted upon during the coming session.

The House has passed important and worthy legislation which is pending in the Senate for the approval of that body. For example, for the second consecutive session, the House approved new Federal programs to improve social security and medicare programs, and to make social welfare more responsive to those in real need and less costly in relation to benefits received.

Other legislation passed by the House and now awaiting action in the Senate includes a constitutional amendment to provide equal rights for men and women; a bill which would establish a consumer protection agency to better meet the needs of the public; and provision for additional medical benefits for veterans. Further, revision of the foreign assistance programs, new and expanded Federal assistance for higher education, and measures to reform campaign and election practices which are currently before joint House and Senate Conference Committees should receive early and full consideration.

In addition, other programs to be considered in the second session of the 92d Congress will be the creation of a system of national health insurance, provisions for no-fault automobile insurance, and formulas for sharing Federal revenues with State and local governments.

Following is a summary of my position and status of the major issues considered during the first session of the 92d Congress:

VOTING RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, FIRST SESSION

POSITION, ISSUE, AND STATUS

National economy

Voted for: Increased individual tax exemptions and tax incentives for business. Became law.

Voted for: One year extension of President's authority to control prices, rents, wages and salaries, and other provisions to combat unemployment. Became law.

Sponsored: An increase in the personal and dependency income tax exemptions. Pending in House.

Voted for: Federal guarantee of $250 million in bank loans to Lockheed Aircraft Corporation. Became law.

Voted for: Two year extension of interest equalization tax to discourage American investment abroad and correct our balance of payments. Became law.

Voted for: Legislation to increase the Small Business Administration's loan ceiling from $2.2 billion to $3.1 billion. Became law.

Consumer protection and crime control

Cosponsored: Increased consumer protection through the creation of an independent Consumer Protection Agency. Passed by House.

Supported: Establishment of minimum standards for warranties on consumer products. Passed by Senate.

Voted for: Continued enforcement of Flammable Fabrics Act. Passed by House.

Cosponsored: Establishment of a law enforcement officers' bill of rights. Pending in House.

Voted for: Increased Federal efforts to cope with the problems of Juvenile Crime. Became law.

Voted for: Measures to prohibit sending obscene materials to minors through the mails. Passed by House.

Voted for: Increased funds for the Commission on Marihuana and Drug Abuse. Became law.

Pollution control, conservation and agriculture

Voted for: Increased Federal regulation of the manufacture and use of pesticides. Passed by House.

Cosponsored: Establishment of a Joint Committee on the Environment. Passed by House and Senate.

Voted for: Establishment of a National Environmental Data System. Passed by House.

Voted for: Settlement of land claims with Alaska's Natives. Passed by House and Senate.

Voted for: Legislation to protect and control wild free-roaming horses on public lands. Became law.

Voted for: Provisions for criminal penalties for those harassing or shooting birds or other wildlife from aircraft. Became law.

Voted for: Five year extension for Federal saline water conversion program. Became law.

Voted for: Continued funding for the Council on Water Resources and extension of the Federal Water Pollution Control Program. Became law.

Voted for: Legislation to control the dumping of waste materials into coastal and offshore waters. Passed by House and Senate.*

Voted for: International moratorium on the killing of whales. Passed by House and Senate.

Voted for: Legislation to conserve and protect Atlantic salmon. Passed by House.

Cosponsored: Imposition of a tax on polluting smoke and other industrial emissions. Pending in House.

Cosponsored: Price supports for manufacturing milk at not less than 85% of parity. Pending in House.

Voted for: Federal financing for telephone cooperatives and companies serving rural areas. Became law.

Voted for: Authorization for the Secretary of Agriculture to purchase up to 300 million bushels of wheat and 25 million tons of feed grains as a reserve. Passed by House.

Voted for: Modernization of the farm credit system. Became law.

Voted for: Continued protection for the domestic sugar industry. Became law.

Education, labor and civil rights

Voted for: $19 billion authorization for aid to higher education, including new program of general financial assistance to colleges and universities. Passed by House and Senate.*

Voted for: Funds to aid school districts in court ordered desegregation costs; but not to be applied to busing for purposes of racial balance. Passed by House.

Voted for: Increased appropriations for elementary and secondary education. Became law.

Voted for: Continuation of school lunch programs for needy children. Became law.

Voted for: Emergency Employment Act to authorize $2.25 billion in the next 2 years for public service jobs for the unemployed, with special consideration for Vietnam veterans. Became law.

Voted for: $5.5 billion authorization for a program of accelerated public works projects. Passed both Houses, vetoed by President.

Voted for: Additional 13 week extension of unemployment benefits in States where unemployment is greater than 6.5%. Became law.

Voted for: 10% increase in Railroad Retirement pensions effective January 1, 1971. Became law.

Cosponsored: Legislation to provide more effective means for protection of public interest in national emergency strikes in the transportation industries. Hearings completed.

Supported: Additional Federal laws to protect contributions to private pension plans. Hearings in House.

Cosponsored: Requirements for safety standards for school buses. Pending in House.

Voted for: Additional authority for the

*Denotes measures being considered in House-Senate Conference Committees to resolve differences between versions passed by the House and Senate.

Equal Employment Opportunity Commission. Passed by House.

Cosponsored: Legislation to repeal the Emergency Detention Act. Became law.

Voted for: Constitutional Amendment to provide equal rights for men and women. Passed by House.

Social security, health and welfare

Voted for: 10% across-the-board increase in social security benefits effective January 1, 1971. Became law.

Voted for: Further increases in social security benefits and improvements in the social security and medicare programs. Passed by House.

Sponsored: Reduced social security benefits for retirees at age 60. Pending in House.

Cosponsored: Additional across-the-board increase in social security benefits and in the amount which a beneficiary may earn without reducing his benefits. Pending in House.

Supported: Supplemental national health insurance programs. Hearings completed.

Cosponsored: Establishment of a House Select Committee on Aging. Pending in House.

Cosponsored: Establishment of a Conquest of Cancer Agency within the National Institute of Health. Became law.

Voted for: $3.7 billion for expanded programs of grants to health professions, schools and programs of student assistance loans and scholarships. Became law.

Voted for: 2-year extension of anti-poverty program. Vetoed by President.

Voted for: Welfare reforms to make the program more adequate to those in real need and less costly in relation to benefits received. Passed by House.

Government organization and operation

Voted for: Constitutional Amendment lowering the voting age to 18. Became law.

Voted for: Reforms in Federal election campaign procedures. Passed by House and Senate.*

Voted for: Cost-of-living pay increases for Federal employees effective January 1, 1972. Became law.

Voted for: Voluntary public funding of Presidential elections. Became law, to be effective 1976.

Voted for: Legislation creating pay rates for Federal blue collar workers. Became law.

Cosponsored: Resolution requesting the President to release impounded appropriated funds. Pending in House.

Sponsored: Constitutional Amendment to permit voluntary silent prayer or meditation in public schools. Pending in House.

Servicemen and veterans, national defense and space

Voted for: Reforms in Selective Service System and $2.4 billion military pay increase. Became law.

Voted for: Legislation providing drug treatment and rehabilitation in VA hospitals. Passed by House.

Voted for: Cost-of-living increases in veterans' and survivors' pensions. Became law.

Voted for: Increased medical benefits for veterans. Passed by House.

Sponsored: Health benefits for survivors of a serviceman killed in hostile fire areas. Pending in House.

Voted for: Establishment of a survivor benefit plan for the Armed Forces. Passed by House.

Voted for: Additional funds for research and development of the SST. Passed by House, defeated in Senate.

Voted for: Increased government subsidies for veterans in nursing homes. Passed by House.

Sponsored: Resolution encouraging international cooperation in satellite broadcasting. Pending in House.

International affairs

Sponsored: Resolution requiring the President to report to Congress whenever he committed U.S. forces abroad without prior Congressional approval and reaffirming the Constitutional power of Congress to declare war. Passed by House.

Sponsored: Resolution calling for humane treatment and early release of American prisoners of war held by North Vietnam and the National Liberation Front. Passed by House.

Sponsored: Resolution to allow the people of Trust Territory of the Pacific Islands to express their wishes as to the form of government they desire as soon as possible. Pending in House.

Voted for: Extension and revision of U.S. economic and military aid programs to developing countries. Passed by House and Senate.*

Sponsored: Legislation to limit the contributions of the United States to the United Nations. Pending in House.

Sponsored: Legislation to allow United States Information Agency materials distributed abroad to be open to public inspection under certain conditions. Pending in House.

Sponsored: Additional assistance for land reform programs in South Vietnam. Pending in House.

Cosponsored: Legislation to extend the Export-Import Bank and to expand its functions. Passed by House.

Voted for: Measures to stimulate export industries. Became law.

ROLLCALL RECORD OF CONGRESSMAN CLEMENT J. ZABLOCKI, 92d Cong.

	Yeas/ nays	Quorum calls	Recorded tellers	Grand total
Number of calls or votes	211	151	108	470
Present responses (yea, nay, present, present-paired for or against)	199	146	108	453
Absences (absent, not voting, not voting-paired for or against)	[1] 12	[2] 5		17
Voting percentage (presence)	94.3	96.6	100	96.3

[1] Paired on rollcall votes when possible; excused when on official business.

[2] Absence on quorum call does not necessarily mean an entire legislative day's absence.

FEDERAL AID TO EDUCATION

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, with 9 years of teaching experience in high schools, colleges, and universities in our Nation, I was keenly aware of the need for a Federal aid to education program. My first assignment to a committee in Congress was the Education and Labor Committee. Twenty years before my time, I advocated and laid the foundation for a program for Federal aid to education.

I was a cosponsor of the National Defense Education Training Act which was the first step in the Federal Government program of aid to education. Being a cosponsor of the GI bill of rights he saw how that bill resulted in saving hundreds of small colleges and universities in our Nation.

The GI bill of rights is the most historic piece of legislation in the field of not only helping veterans but helping our colleges and universities. I feel that Federal funds for higher education should be allocated on a per student basis. This year, finally, the Congress has adopted a per student formula in the field of Federal aid to higher education. Starting with $100 per student, $150 for other students, and $200 for graduate students, the sound barrier has been broken and from now on we will have a clear and effective Federal aid to higher education bill. The bills in the past have been a hodgepodge of confusion and bureaucracy and definitely inadequate and inefficient to meet our education needs. Now that we have a per student enrollment formula the amounts will be increased from $100 per student as the years go by and the idea I presented to Congress will become an effective weapon in aiding education.

I feel that at least 20 percent of the cost of elementary and secondary education should be borne by the Federal Government. This program, too, should be on a per student enrollment basis directly to the school districts. Just as we have finally accomplished our goal in higher education, his efforts, he is convinced, will accomplish a similar program for elementary and secondary education.

To give an idea just from the standpoint of building construction on what Federal aid has meant to higher education, the table below will give some indication:

COLLEGE AND UNIVERSITY CONSTRUCTION IN 10TH DISTRICT UNDER O'KONSKI YEARS

Northland	Ashland	$1,258,000
WSU, Superior	Superior	2,284,000
Stout	Menomonie	2,835,000
WSU, Eau Claire	Eau Claire	3,834,600
Nicolet	Rhinelander	900,000
Total		11,111,600

Mr. Speaker, the funds listed above are for building costs only. Other aids to higher education by the Federal Government such as the work-study program and special programs, amount to more than $20 million in the last 6 years. So the total aid to higher education in the 10th District during the years I have served has been in excess of $31 million.

Property taxes in the north are in the area of confiscation. The Federal Government must pay at least 20 percent of the cost of elementary and secondary education. This Federal aid must be used to reduce property taxes. Property taxes should be outlawed as a major source of funds for elementary and secondary education.

SUMMARY OF PUBLIC WORKS LEGISLATION IN THE FIRST SESSION OF THE 92D CONGRESS

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. BLATNIK. Mr. Speaker, under leave to extend my remarks, I submit the following summary of public works legislation and various actions taken by

the Committee on Public Works during the first session of the 92d Congress.

GENERAL STATEMENT

May I first express my deep appreciation for the efforts of the committee during a particularly long and difficult session. The majority and the minority have been extremely helpful and cooperative in the operations of the committee and in consideration of the legislation the committee handled this first session of the 92d Congress.

On February 18, 1971, the committee was formally organized into a structure consisting of seven subcommittees:

Subcommittee on Rivers and Harbors.

Subcommittee on Flood Control and Internal Development.

Subcommittee on Roads.

Subcommittee on Public Buildings and Grounds.

Subcommittee on Conservation and Watershed Development.

Subcommittee on Investigations and Oversight.

Special Subcommittee on Economic Development Programs.

The committee had 474 bills referred to it during the first session. These dealt with a multitude of subjects covering many fields including amending the Public Works and Economic Development Act and extending the Appalachian Regional Development Act; providing financial assistance for the reconstruction or repair of private nonprofit medical care facilities which are damaged or destroyed by a major disaster; river basin authorizations; amending the Disaster Relief Act of 1970 to authorize disaster loans with respect to certain losses arising as the result of recent natural disasters; amending the Federal Water Pollution Control Act; the Public Buildings Amendments of 1971; amending section 127 of title 23 of the United States Code relating to vehicle width limitations on the Interstate System, in order to increase such limitations for motorbuses; authorizing the Secretary of the Army to contract with the city of Arlington, Tex., for the use of water supply storage in the Benbrook Reservior, as well as consideration of two safety standards proposed by the Department of Transportation—Pupil transportation safety and accident investigation reporting.

The committee adopted 49 navigation, flood control, and beach erosion resolutions proposed by individual Members of Congress which require only committee action. The civil works resolutions authorized review survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in the submission of project reports to Congress if the projects are found feasible and are approved by the Board of Engineers for Rivers and Harbors and the Chief of Engineers.

Section 201 of the Flood Control Act of 1965 permits the Committees on Publice Works of the House of Representatives and U.S. Senate to authorize without additional congressional action water resources development projects under $10 million. Six projects were approved by the committee under this authority.

The committee adopted 13 watershed resolutions, approved pursuant to the Watershed Protection and Flood Prevention Act—Public Law 566, 83d Congress, as amended—which requires major watershed projects having not more than 12,500 acre-feet of flood control capacity to be approved by the Committee on Public Works.

The committee approved 31 projects, including construction, alterations, leases, and a building project survey, under the provisions of the Public Buildings Act of 1959, and the Independent Offices and Department of Housing and Urban Development Appropriations Act, 1971.

In addition, a Special Subcommittee on Inter-American Highways conducted an on-the-site inspection of the Darien Jungle where Congress authorized the final link in the Inter-American Highway between Panama and Colombia. The special subcommittee also inspected the road operation in Costa Rica, Nicaragua, Mexico, and the Virgin Islands. A special investigating subcommittee visited the earthquake disaster area and held hearings in Los Angeles, Calif., on the earthquake disaster. The Subcommittee on Conservation and Watershed Development made an inspection of watershed projects and held hearings in different areas of the country at Ardmore, Okla., Bluefield, W. Va., Macon, Ga., Greenville, Miss., Davenport, Iowa, and Wichita, Kans., in connection with a special study of the watershed development program. A special subcommittee visited Alaska to conduct a comprehensive study of flood control, navigation and river and harbor projects planned for the State and also to examine the Alaskan economic development programs to see if they were meeting their goals.

SUBCOMMITTEE ON INVESTIGATIONS AND OVERSIGHT

The Subcommittee on Investigations and Oversight was constituted in the first session of the 92d Congress, to widen and expand upon the scope and jurisdiction of the work formerly handled by the special subcommittee on the Federal-aid highway program, which it replaced. As the name of the new subcommittee implies, its mandate is to conduct pertinent investigations and exercise oversight over all types of programs and matters coming within the jurisdiction of the House Committee on Public Works.

HIGHWAY SAFETY

On dates during May the subcommittee held public hearings which probed wet weather performance of pavement surfaces being installed on the Nation's new roads, with emphasis on the relationship of pavement surface to skidding. Testimony disclosed that during 1969 alone, almost 3 million accidents took place on wet roads, accounting for some 8,000 traffic deaths—nearly 16 percent of all fatal accidents on highways that year—and 244,000 injuries. Motion pictures were shown by the staff, taken on rainy days at several Interstate System locations near Washington, D.C., showing car after car coming into a curve, going into a "fishtail" skid or sometimes hurtling off the road, down a steep 50-foot embankment onto a busy highway below. Testimony by members of a panel of eminent highway traffic experts confirmed the fact that many things can be done to identify and correct such hazardous, "slippery when wet" locations; also to regulate, warn, and guide the traffic that passes over them. Utilizing knowledge already at hand, timely action can be taken to anticipate their perilous nature and guard against further proliferation of them during design and construction.

In addition to testimony about skidding, the hearings also probed the safety and effectiveness of studded tires for motor vehicles. Witnesses suggested their experience and research has shown that metal studs cause excessive and accelerated wear of pavement surface, out of proportion to whatever safety factor they may provide.

A third segment of the hearings dealt with the astonishing lack of uniformity of traffic laws among the various States. Testimony showed that despite more than 50 years of recognition of the need for uniform traffic laws throughout the Nation, there still exists a substantial lack of uniformity. The result is, in many cases, a veritable hodgepodge of regulations instead of the uniformity that is necessary to safely regulate and guide the flow of traffic on the country's highways, roads, and streets. Witnesses pointed out that the application of a different rule in the same traffic situation merely because one has crossed a political boundary makes little sense, but is, instead, dangerous, unreasonable, and illogical. Consequently safety, efficiency, and justice require that steps be taken as expeditiously as possible to assure a nationwide uniformity in regard to traffic laws.

REDTAPE

At public hearings during June the subcommittee probed the tendency in government to proliferate paperwork, stretch out the processing phase, require more and more studies, and add new forms ad infinitum. This process, commonly known as redtape, was described by witnesses as a major cause of frustration and, not uncommonly, despair among State and local citizens and organizations.

Testimony suggested that because of the suffocating paperwork drag, needed projects are delayed, local interests become confused and frustrated, conscientious administrators lose enthusiam, and the public loses confidence in the Government.

Specific examples were forthcoming in abundance, some of them ludicrous and others a cause for grave concern. In the highway program, for instance, it was disclosed that without Federal aid, construction on a needed highway could start within 6 months after plans were formulated; with Federal aid, during the 1940's it took a whole year, while today the bureaucratic drag is 6 years and it is growing.

The hearings made it very clear that, in too many cases, American taxpayers are being deprived of worthwhile Government services simply because the programs have become so ensnarled in redtape.

IMPACT OF POSTAL BUILDING PROGRAM ON FEDERAL AGENCIES

Testimony at public hearings before the subcommittee during July disclosed that since the Postal Service Corporation was created in 1970 and the Post Office Department was removed from requirements of the Public Buildings Act of 1959, there has been a concerted pattern of withdrawal by the Post Office from congressionally approved multipurpose building projects. As a result, GSA and other Federal agencies often are left with building plans no longer justifiable for Federal agencies remaining in the project.

In some cases, land already has been purchased and architectural design completed and paid for. The Postal Service is taking options on other land in some of these communities, abandoning the congressionally approved project, paying more money for new land and in some cases entering into long-term lease projects which will cost more in the long run while the Government will never own the building. The effect on other Federal agencies, in some of these cases, is most unfortunate.

The testimony disclosed that an agreement which the Post Office Department—now the Postal Service—entered into with the Army Corps of Engineers to conduct its multibillion dollar building program was consumated over the strenuous objection of the General Services Administration; that the agreement may have a profound effect upon the future capacities of the GSA, while the abrupt divorce of the Postal Service from the GSA may indeed make it difficult for GSA to provide needed space for the Federal agencies. Testimony further suggested that based upon experience to date, the Army may have great difficulty in staying within the 5.5-percent ceiling on overhead costs to which it has agreed, and that if a cost overrun does occur the Treasury will have to bear the expenses.

The hearings served a legislative purpose in connection with a bill pending before the committee to restore congressional jurisdiction over postal building projects.

CLOSURE OF FORT WORTH CLINICAL RESEARCH CENTER

On October 8, 1971, the Department of Health, Education, and Welfare summarily closed the Fort Worth, Tex., Clinical Research Center—CRC—a major drug treatment facility, and sent 92 narcotics patients back to their home communities for outpatient supervision before their treatment could be completed. These were patients voluntarily committed under the Narcotics Addict Rehabilitation Act, many of them accepting treatment in lieu of prosecution for drug-induced crimes. None had been under treatment for more than 4 months. None, according to the doctors treating them, was actually ready for release.

The abrupt action came at a time when the future role of the facility was under active consideration by a House-Senate conference committee. Despite the fact that the House had voted overwhelmingly to keep the facility open, HEW suddenly ordered the facility closed and all the NARA patients shipped out within 24 hours.

In the 10 days following October 8, investigative staff members made inquiries to learn what had happened to the 92 patients. The stories were sordid and disheartening. Although they did little more than scratch the surface of the entire situation, the facts turned up by the investigators strongly suggested that a tragic mistake had been made in closing the Clinical Research Center as a narcotics treatment facility.

It was learned, for example, that a high percentage of the patients were "shooting up" with heroin again before the weekend was over—at least one of them before he even left the Fort Worth bus depot en route home. Another one, a former drug pusher, resumed his nefarious traffic immediately upon his return to the streets of New Orleans. Among still other examples was a group of five, including one who had been convicted of strongarm robbery in support of his habit. Most of the five were very drunk upon arrival, according to a NARA after-care representative who went to the airport to meet them. When they reported to the treatment center on Monday, urine tests showed that all five had shot themselves with heroin over the weekend. Similar reports surfaced, in such volume as to make it abundantly clear that the abrupt decision by HEW was a bad one, in addition to having been made with clear knowledge that Congress had not yet resolved the legislative intent on the Clinical Research Center.

Following their investigation, subcommittee staff representatives cooperated with the Public Health and Environment Subcommittee of the Interstate and Foreign Commerce Committee in the preparation of public hearings held by that subcommittee on October 26, 1971.

INTERSTATE 75 SAFETY PROJECTS IN NORTHERN KENTUCKY

A 1-day public hearing was held by the subcommittee at Covington, Ky., on September 24, 1971, following field investigation by staff personnel and a first-hand view by members of traffic engineering on the "death hill" section of Interstate Highway 75. One of a series of hearings the subcommittee has held over a period of years in which various high accident locations have been identified, the purpose of the hearing was to show how corrective engineering and traffic control assistance can effectively reduce accidents and fatalities.

The testimony disclosed that at the particularly dangerous stretch of I-75 under scrutiny by the subcommittee, a dramatic decrease in the number of highway fatalities followed the completion of corrective steps undertaken by the State highway department during the previous 4 years in cooperation with stepped up traffic control and enforcement by State and local police. Basically, the improvement was due to such safety projects as the installation of New Jersey type median concrete barriers, the installation of improved signing, breakaway poles, and be reduced speed and increased enforcement.

As the testimony unfolded, the subcommittee appraised with interest the techniques developed and exploited in northern Kentucky and the location under study, with a view to encouraging the application of similar techniques elsewhere. The testimony by highway designers, traffic engineers, law enforcement officers and the general public depicted a success story showing what can be accomplished when such high hazard locations are identified and attacked with available technology and determination.

WATER POLLUTION CONTROL PROGRAM—OVERSIGHT HEARINGS

Early in 1971 the subcommittee staff conducted an inquiry into the administration of the Federal water pollution control program which culminated in a series of oversight hearings beginning in May.

The inquiry established a number of weaknesses in the overall program. Some of the problem areas identified as requiring attention included: First, the necessity for a more cost effective approach for construction grants; second, the need for better coordination and direction of the research effort and more rapid implementation of results in the field; third, lack of implementable plans; fourth, variance in the adequacy of State agencies, laws, and programs; fifth, questionable cost estimates; sixth, Federal agency lacking some essential tools, for example, authority to fund construction and rehabilitation of essential sewage collection systems; seventh, difficulties involved in the Federal permit program; eighth, need for revision of the enforcement program.

Certain problem areas are subject to improvement simply through administrative steps, and efforts are now underway by the agency to make corrections. The resolution of other problems can be assisted by changes in the law.

Upon completion of the oversight hearings, the subcommittee staff continued its investigative work to assist the parent Public Works Committee in its legislative effort, and subsequently participated in public hearings in connection with the pending water pollution control bill.

BILL APPROVED BY THE HOUSE AND SENATE AND VETOED BY THE PRESIDENT

A bill to extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965—H.R. 5376: The committee reported H.R. 5376 on March 29, 1971, which amended the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965. Title I of the bill extended and modified the Public Works Acceleration Act of 1962 and authorized $2 billion for public facility projects to meet the economic conditions confronting the Nation in 1971. The purpose was to stimulate immediate temporary jobs in areas of high unemployment by providing funds for the construction of Federal and local public works projects and also meet the needs for such facilities to pave the way for further expansion of employment.

Also included were amendments and extensions of the Public Works and Economic Development Act and the Appalachian Regional Development Act. The bill authorized a total of $5.5 billion to

be used for the purpose of stimulating the creation of jobs in distressed areas. Following a conference between the two Houses, the bill was passed as S. 575 by the Senate on June 8 and the House on June 15. The President vetoed this bill on June 29, 1971, because of his objections of title I of the bill. The Senate failed in its effort to override the Presidential veto.

A section-by-section analysis of the bill as passed by the Congress is as follows:

SECTION-BY-SECTION ANALYSIS

To extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965.

SECTION-BY-SECTION ANALYSIS OF TITLE I, PUBLIC WORKS ACCELERATION ACT

Section 101: Short title cites title as the "Public Works Acceleration Act Amendments of 1971".

Section 102(1): Alters the purpose clause (Section 2) to cite Congressional recognition of communities and areas burdened by substantial unemployment and underemployment resulting from the economic decline of 1970.

Section 102(2): Alters purpose clause to emphasize need for assistance in urban and rural areas suffering persistent or substantial unemployment or underemployment.

Section 102(3): Amends Section 3(a) to redefine eligible areas as:

1. Redevelopment areas or as economic development centers for the purpose of the Public Works and Economic Development Act of 1965 (Title IV), or Title I areas designated by the Secretary of Commerce under EDA Act, and;

2. Areas designated by Secretary of Labor as having 6 percent or more unemployment for at least 6 of the preceding 12 months.

3. Areas designated by the Secretary of Labor as having an average rate of unemployment of Vietnam veterans at least 25 percent above the national average rate of all unemployment for 3 consecutive months or more during the preceding 12 month period.

Section 102(4): Amends Section 3(c) to increase maximum Federal participation from 50 percent and 75 percent to 80 percent, or up to 100 percentum of the cost of such project if the State or local government has exhausted its effective taxing and borrowing capacity and therefore does not have effective taxing and borrowing authority to assume all of the financial obligations required.

Section 102(5): Amends Section 3(d) to authorize a maximum authorization of $2 billion for the fiscal years beginning after June 30, 1970, to be allocated by the President.

Section 102(6): Amends Section 3(e) to require the President to give priority to those basic public works projects vitally and urgently needed, including works for the storage, treatment, purification, or distribution of water; and sewage, sewage treatment, and sewer facilities.

Section 102(7): Amends Subsection 3(h) to redefine the criteria used by the Secretary of Labor in determining areas of substantial unemployment. Substantial unemployment is defined in Section 8.3(a) of Title 29 of the Code of Federal Regulations as in effect March 2, 1971, and reads as follows:

The Secretary will classify a labor area as one of substantial unemployment if (1) he finds that its rate of unemployment is 6 percent or more of the area work force, discounting temporary or seasonal factors, and (2) he anticipates that the rate of unemployment during the next 2 months will remain at 6 percent or more, discounting temporary or seasonal factors.

Section 102(8): Amends Section 4(a). Under current law, States and local governments are required not only to continue their level of capital improvements expenditures but also to increase that level by an amount equal to the non-Federal share of projects authorized under the Acceleration Act.

This amendment changes the maintenance of effort requirements by eliminating the requirement for an increase in the non-Federal share but prohibits any allocation by the President if the proposed or planned total expenditure (exclusive of Federal funds) of such State or local government during such fiscal year for all its capital improvements projects is decreased.

Section 102(9): New Section 7 provides that an eligible area designated under this act shall retain such designation only so long as it continues to meet the unemployment criteria applicable to it. But it further provides that in no event shall such designation be terminated prior to one year from the date of designation. This applies only to areas designated under Section 3(a)(2) of the Public Works Acceleration Act.

Section 8. Federal financial assistance made from allocations made by the President under this act may be used for all or any portion of the basic Federal contribution to projects and for the purpose of increasing the Federal contribution to such projects. This includes contributions to the local share of projects to be constructed by Federal agencies.

The purpose of a new Section 8 is to assure that both original and supplemental grants may be made from the funds appropriated.

Section 103(a): A technical amendment to correct an incorrect reference to the original act.

Section 103(b): A technical amendment to make the same change as in 103(a) plus increases from 50 percent to 80 percent the maximum Federal participation in grants made by the President from allocations under the Public Works Acceleration Act for construction of public works or facilities under Title II of the Housing Amendments of 1955.

Section 104: Adds new section to prohibit discrimination because of sex under any program funded under the Public Works Acceleration Act.

SECTION-BY-SECTION ANALYSIS OF TITLE II, THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

Section 201: Short title cites title as the "Public Works and Economic Development Act Amendments of 1971".

Section 202: Amends Section 105 to authorize a $550 million annual authorization for grants and supplementary grants for 2 years to June 30, 1973. (Additional $50 million on annual authorization intended for airport safety projects.)

Section 203: Amends Section 201(c) to extend for 2 years until June 30, 1973, the limitation on authorizations for public works loans and industrial and commercial loans and guarantees of $170 million per year.

Section 204: Amends Section 302 to extend for 2 years until June 30, 1973, the $50 million annual authorization for technical assistance research, information and demonstration projects.

Section 205: Amends Section 401(a) to revise two of the existing criteria for designation of "redevelopment areas" eligible for financial assistance under the Public Works and Economic Development Act of 1965, and adds a new criterion.

Presently areas having a median family income 40 percent less than the national median qualify for designation. 401(a)(2) is amended to increase from 40 percent to 50 percent of the national median, the maximum median family income under which an area can qualify.

The "special impact" area definition in 401(a)(6) is deleted and redefined. It includes communities or neighborhoods (a) with large concentration of low-income persons, (b) that are rural in nature, with substantial outmigration, (c) with substantial unemployment, (d) with an actual or threatened abrupt rise in unemployment due to closing or curtailment of major source of unemployment.

Each area must submit an acceptable OEDP which demonstrates beneficial impact upon such condition.

This area designation cannot be used to meet criteria requirements for district designation.

A new criterion is added to permit designation of those areas where per capita employment has declined significantly during the next preceding 10-year period for which appropriate statistics are available.

Section 206: Amends Section 402 which pertains to the annual review of redevelopment areas to provide that designated areas may not be terminated in less than 3 years from date of designation.

Section 207: Amends Section 403 to extend for 2 more years until June 30, 1973, the $50 million annual authorization for grant and loan assistance to economic development centers and for the 10 percent bonus money for projects in redevelopment areas within designated economic development districts.

Section 208: Amends Section 509 to authorize $305 million for the 2-fiscal-year period ending June 30, 1973, for the Regional Commissions. (Additional $50 million intended for Airport Safety.)

Section 209: Amends Section 512 to extend until June 30, 1973, another 2-year authorization of $500,000 to the Federal Field Committee for Development Planning in Alaska.

Section 210: Amends Section 2 of the Act of July 6, 1970, (Public Law 91-304) which provided that no area designated as a redevelopment area would have its designation terminated or modified after May 1, 1970, and before June 1, 1971, unless the local governing body of the county qualified under existing criteria for the de-designation specifically requests de-designation in action. The amendment would extend the June 1, 1971, date to June 1, 1972.

Section 211: Adds new section to prohibit discrimination because of sex under any program funded under the Public Works and Economic Development Act of 1965.

SECTION-BY-SECTION ANALYSIS OF TITLE III—APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965

Section 301: Short title cites title as the Appalachian Regional Development Act Amendments of 1971.

Section 302: Amends Section 105 to authorize for administrative expenses a total of $2,700,000 for the fiscal years 1972 and 1973 for the Commisison not to exceed $525,000 for the expenses of the Federal Co-Chairman, his alternate, and his staff, and $3,300,000 for fiscal years 1974 and 1975 not to exceed $575,000 for the expenses of the Federal Co-Chairman, his alternate, and his staff.

Section 303: Amends Section 106 to extend for four more years, until June 30, 1975, the authority of the Commission to lease office space.

Section 304: Amends Section 201 to increase the fiscal year 1973 authorization from $170 to $180 million and to extend the program for five more years through fiscal year 1978, by authorizing for:

Fiscal year:	*Millions*
1974	$180
1975	185
1976	185
1977	185
1978	180
Total new authorization	915

Section 305: Adds new Section 208, "Airport Safety Improvements" grants for removal of hazards, safety equipment, navigation aids, land and airspace acquisition for safety at existing airports. Federal share 90 percent, 100 percent for navigation aids. Provides for contract authority of $40 million over a 4-fiscal-year period through June 30, 1975.

Section 306(a): Amends Section 202(c) of the Health Demonstration Program to reaffirm authority for health and child development services, including those provided in Title IV of the Social Security Act. In addition, it eliminates for demonstration projects in the Appalachian region under this section, requirements of the Social Security Act to offer services on a "statewide basis".

Section 306(b): Amends Section 202(d)—provides that Appalachian Act funds can be combined with other Federal grant funds to raise Federal share of planning grants to 75 percent. Existing provisions already provide for such combining in case of construction and operating grants.

Section 307(a): Amends Mining Area Restoration Section 205(a)(1) to include grants for the purpose of controlling or abating mine drainage pollution.

Section 307(b): Amends Section 205(b) to make reasonable value, including donations, of planning, engineering, and land eligible as project costs. Extends the existing 75–25 Federal-State cost sharing ratio for restoration projects. Present statutory language allows land acquisition costs to be included only in the non-Federal share of the project and requires that the land be acquired after the enactment of the 1967 Amendments to the Appalachian Act.

Section 308: The catchline to Section 207 is amended to read as follows: "Assistance for Planning and other Preliminary Expenses of Proposed Low and Moderate Income Housing Projects," Subsections (a), (b) and (c) are rewritten and revised and Subsection (e) is amended as follows:

First: Amends existing subsection (a) by rewriting the language that permits the Secretary of HUD to make grants and loans out of the Appalachian Housing Fund, to nonprofit, limited dividend, cooperative organizations, or public bodies for planning and obtaining Federally insured mortgage financing for housing construction or rehabilitation projects under Section 221 or 236 of the National Housing Act. The language has been changed to include Section 235 of the Housing Act and to delete the language requiring such housing projects be within an area that has significant potential for future growth.

Second: Amends existing Subsection (c) by relettering it Subsection (b) and revises the language on loan conditions to provide that, except for loans to organizations established for profit, loans shall be made without interest. Legal fees have been added to the list of expenses for which loans may be given. Former provisions providing for waiver of repayment of loans have been reworded to make clear that loans may be cancelled if adequate, permanent financing cannot be obtained.

Third: Amends existing Subsection (b) by relettering it Subsection (c)(1) and revises the language on grant conditions to make clear that expenses are not limited to "administrative" expenses but may include all expenses incident to planning and obtaining financing for a housing project.

Fourth: A new Subsection (c)(2) is added to authorize the Secretary to make grants, up to an amount equal to 10 percent of the cost of the housing project, to non-profit organizations and public bodies for site development costs and off-site improvements such as water and sewer extensions, when he finds that such projects are essential to the economic feasibility of housing projects designed for low and moderate income families.

Fifth: Amends Subsection (e) to permit the Commission, as well as the Secretary of HUD to provide or contract for the provisions of information, advice, and technical assistance with respect to construction, rehabilitation, and operation by nonprofit organizations of low or moderate income income housing.

Section 309(a): Amends catchline for Section 211 from "Vocational Education Facilities" to "Vocational Education Facilities and Education Demonstration Projects".

Section 309(b): Amends Section 211(a) to authorize the use of funds for the operation of vocational education facilities.

Section 309(c): Amends Section 211(b) to authorize a new vocational and technical education demonstration program similar to the formulas in the Section 202 Health Demonstration Program. It provides grants for planning, construction, equipment, and operation of vocational and technical education demonstrations: For construction and equipment, Federal share 80 percent; operating funds including EDA constructed schools, 100 percent for two years, and 75 percent for next three years; and planning, 75 percent.

Only public entities are eligible. Federal contribution may be entirely from funds under this section or in combination with funds from other similar Federal programs. Funds in this section may be used to increase the Federal share up to the maximum set by this section.

Section 310(a): Amends Supplementary Grant Section 214(a) to permit use of funds to make basic grants when basic grant funds available under the authorizing Act are insufficient. It expands the supplementary grant program to include "first money" grants under this section. This language is similar to that provided for EDA Title V Regions in the 1969 amendments to the Public Works and Economic Development Act. In addition funds are available without regard to limitations on areas eligible for assistance or authorizations in any other Act.

Section 310(b): Amends Section 214(e) of the Act to make supplemental grant assistance under this section available for Federal grant-in-aid programs enacted prior to December 31, 1974 (presently limited to December 31, 1970).

Section 311: Amends Research and Demonstrations Section 302(a)(2) to permit the use of technical assistance, research, and demonstration funds for construction when necessary to carry out such projects up to 100 percent Federal participation. Funds may be entirely from this section or in combination with funds available under any other Federal program or any other source. These funds may also be used to increase the Federal share of any other Federal program notwithstanding its Federal share limitations.

Section 312: Authorizes for programs other than highway and airport safety:

$282 million for fiscal years 72–73.

$294 million for fiscal years 74–75.

Section 313: Amends Section 405 to extend the termination date of the Act (for other than the highway programs), for four more years to July 1, 1975.

Section 314: Adds new section to prohibit discrimination because of sex under any program funded under the Appalachian Regional Development Act.

BILLS AND RESOLUTIONS ENACTED INTO LAW

PUBLIC WORKS AND ECONOMIC DEVELOPMENT AND APPALACHIAN REGIONAL DEVELOPMENT PROGRAM EXTENSIONS—PUBLIC LAW 92–65

Subsequent to tne veto by the President of S. 575, the committee reported out H.R. 9922 on July 21, 1971. In the light of the views expressed by the President in his veto message the Public Works Acceleration Act amendments—Title I of S. 575—were eliminated. The Public Works and Economic Development Act amendments—Title II of S. 575—were redesignated as title I of the new bill and modified to authorize additional funds and authority to assist areas of high unemployment and underemployment. The Appalachian Regional Development Act amendments—Title III of S. 575—were retained as passed in the original bill but redesignated as title II of the new bill.

This new bill was passed in final form by the Congress as S. 2317 on July 30, 1971, and signed into law by the President on August 4, 1971—Public Law 92–65.

A section-by-section analysis of the law is as follows:

ANALYSIS

SECTION-BY-SECTION ANALYSIS OF TITLE I—THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT AMENDMENTS OF 1971 PUBLIC LAW 92–65

Section 101: Cites title as the "Public Works and Economic Development Act Amendments of 1971".

Section 102: Amends Section 101 of the Act as follows:

First: Provides that projects undertaken in special impact areas designated under Section 401(a)(6) will provide immediate useful work to the unemployed and underemployed persons in the area.

Second: Permits the Secretary to reduce the non-Federal share of Public Works grants approved for projects in any redevelopment area and to waive such share entirely in areas designated under Section 401(a)(6), when the State or political subdivision has exhausted its effective taxing and borrowing capacity.

Section 103: Amends Section 105 to authorize $800 million annually for grants and supplementary grants for two years to June 30, 1973. The unappropriated portion of the authorization for fiscal year 1972 is available for appropriation in fiscal year 1973. It further provides that no less than 25 percent nor more than 35 percent of all appropriations made for fiscal years 1972 and 1973 authorized above shall be expended in redevelopment areas designated under Section 401(a)(6).

Section 104: Amends Section 201(c) to extend for two years until June 30, 1973, the limitation on authorizations for public works loans and industrial and commercial loans and guarantees of $170 million per year.

Section 105: Amends Section 302 to extend for two years until June 30, 1973, the $50 million annual authorization for technical assistance, research, information, and demonstration projects.

Section 106: Amends Section 401(a) to revise two of the existing criteria for designation of "redevelopment areas" eligible for financial assistance under the Public Works and Economic Development Act of 1965, and adds a new criterion.

First: Presently areas having a median family income 40 percent less than the national median qualify for designation. 401(a)(2) is amended to increase from 40 to 50 percent of the national median the maximum median family income under which an area can qualify.

Second: The "special impact" area definition in 401(a)(6) is deleted and redefined. It includes communities or neighborhoods without regard to political or other subdivisions or boundaries which the Secretary determines has one of the following conditions:

(a) with large concentration of low-income persons,

(b) that are rural in nature, with substantial outmigration,

(c) with substantial unemployment, or

(d) with an actual or threatened abrupt rise in unemployment due to closing or curtailment of a major source of employment.

Projects approved in areas established under this paragraph are not subject to the long-term objectives described in Section 101 (a)(1)(A) and (C); nor are they required to submit an overall economic development program. This area designation cannot be used to meet the requirements for district designation.

Third: A new criterion is added to permit designation of those areas where per capita employment has declined significantly during the next preceding 10-year period for which appropriate statistics are available.

Section 107: Amends Section 402 which pertains to the annual review of redevelopment areas to provide that designated areas may not be terminated in less than three years from date of designation.

Section 108: Amends Section 403 to extend for two more years until June 30, 1973, the $50 million annual authorization for grant and loan assistance to economic development centers and for the 10 percent bonus money for projects in redevelopment areas within designated economic development districts.

Section 109: Amends Section 509 to authorize $305 million for the two-fiscal-year period ending June 30, 1973, for the Regional Commissions. (Additional $50 million intended for Airport Safety.)

Section 110: Amends Section 512 to extend until June 30, 1973, another 2-year authorization of $500,000 for the Federal Field Committee for Development Planning in Alaska. The Federal Field Committee was abolished by the President by Executive Order 11608 on July 19, 1971.

Section 111: Amends Section 2 of the Act of July 6, 1970 (Public Law 91-304), which provided that no area designated as a redevelopment area would have its designation terminated or modified after May 1, 1970, and before June 1, 1971, unless the local governing body of the county qualified under existing criteria for de-designation specifically requests de-designation action. The amendment would extend the June 1, 1971 date to June 1, 1972.

Section 112: Prohibits discrimination because of sex under any program funded under the Public Works and Economic Development Act of 1965.

Section-By-Section Analysis of Title II—The Appalachian Regional Development Act Amendments of 1971, Public Law 92-65

Section 201: Short title cites title as the Appalachian Regional Development Act Amendments of 1971.

Section 202: Amends Section 105(b) to authorize for administrative expenses a total of $2,700,000 for the fiscal years 1972 and 1973 for the Commission not to exceed $525,000 for the expenses of the Federal Co-Chairman, his alternate and his staff; and $3,300,000 for fiscal years 1974 and 1975 not to exceed $575,000 for the expenses of the Federal Co-chairman, his alternate, and his staff.

Section 203: Amends Section 106(7) to extend for four more years until June 30, 1975, the authority of the Commission to lease office space.

Section 204: Amends Section 201(g) to increase the fiscal year 1973 authorization from $170 to $180 million and to extend the program for five more years through fiscal year 1978, by authorizing for:

Fiscal year:	*Millions*
1974	$180
1975	185
1976	185
1977	185
1978	180
Total new authorization	915

Section 205: Adds new Section 208 to provide grants for removal of hazards, for safety equipment, navigation aids, and land and airspace acquisition for safety at existing airports. Federal share 90 percent except 100 percent for navigation aids. Provides for contract authority of $40 million over a 4-fiscal-year period through June 30, 1975.

Section 206: Amends Section 202 of the Health Demonstration Program as follows:

First: Reaffirms authority to combine Federal assistance funds under the Appalachian Act with Federal grant funds under other programs for health and child development services, including Title IV of the Social Security Act. In addition, it eliminates for demonstration projects in the Appalachian region under this section, requirements of the Social Security Act to offer services on a "statewide basis".

Second: Confirms that Appalachian Act funds can be combined with other Federal grant funds to raise Federal share of planning grants to 75 percent. Existing provisions already provide for such combining in case of construction and operating grants.

Section 207: Amends Section 205 of the Act as follows:

First: It includes grants for the purpose of controlling or abating mine drainage pollution.

Second: It makes the reasonable value, including donations, of planning, engineering, land, materials, and services eligible as project costs and extends the existing 75–25 Federal-State cost sharing ratio for restoration projects. Prior statutory language allowed land acquisition costs to be included only in the non-Federal share of the project and required that the land be acquired after the enactment of the 1967 Amendments to the Appalachian Act.

Section 208: The catchline to Section 207 is amended to read as follows: "Assistance for Planning and other Preliminary Expenses of Proposed Low and Moderate Income Housing Projects", Subsections (a), (b) and (c) are rewritten and revised and Subsection (e) is amended as follows:

First: Amends existing Subsection (a) by rewriting the language that permits the Secretary of HUD to make grants and loans out of the Appalachian Housing Fund, to non-profit, limited dividend, cooperative organizations, or public bodies for planning and obtaining Federally insured mortgage financing for housing construction or rehabilitation projects under Section 221 or 236 of the National Housing Act. The language has been changed to include Section 235 of the Housing Act and to delete the language requiring such housing projects be within an area that has significant potential for future growth.

Second: Amends existing Subsection (c) by relettering it Subsection (b) and revises the language on loan conditions to provide that, except for loans to organizations established for profit, loans shall be made without interest. Legal fees have been added to the list of expenses for which loans may be given. Former provisions providing for waiver of repayment of loans have been reworded to make clear that loans may be cancelled if adequate, permanent financing cannot be obtained.

Third: Amends existing Subsection (b) by relettering it Subsection (c)(1) and revises the language on grant conditions to make clear that expenses are not limited to "administrative" expenses but may include all expenses incident to planning and obtaining financing for a housing project.

Fourth: A new Subsection (c)(2) is added to authorize the Secretary to make grants, up to an amount equal to 10 percent of the cost of the housing project, to non-profit organizations and public bodies for site development costs and off-site improvements such as water and sewer extensions, when he finds that such projects are essential to the economic feasibility of housing projects designed for low and moderate income families.

Fifth: Amends Subsection (e) to permit the Commission, as well as the Secretary of HUD to provide or contract for the provision of information, advice, and technical assistance with respect to construction, rehabilitation, and operation by non-profit organizations of low or moderate income housing.

Section 209: The catchline to Section 211 is amended to read as follows: "Vocational Education Facilities and Vocational and Technical Education Demonstration Projects". The section is amended as follows:

First: Amends Section 211(a) to authorize the use of funds for the operation of vocational education facilities in addition to the presently authorized use of such funds for construction and equipping such facilities.

Second: Amends Section 211(b) to authorize a new vocational and technical education demonstration program similar to the Section 202 Health Demonstration Program It provides grants for planning construction equipment, and operation of vocational and technical education demonstrations: For construction and equipment, Federal share 80 percent; for operating grants, Federal contribution 100 percent for 2 years, and 75 percent for next 3 years; and planning, 75 percent. Also provides that despite Section 104 of the Public Works and Economic Development Act, schools constructed with the financial assistance of the Economic Development Administration may be part of a demonstration receiving an operating grant.

Only public entities are eligible. Federal contribution may be entirely from funds under this section or in combination with funds from other Federal programs providing assistance for education-related facilities or services, and funds in this section may be used to increase the Federal share under such other programs up to the maximum set by this section.

Section 210: Amends Supplementary Grant Section 214 as follows:

First: In addition to previously authorized supplements to basic grants under other Federal grant-in-aid programs, permits use of funds to make basic grants when basic grant funds available under such other programs are sufficient. This language is similar to that provided for EDA Title V Regions in the 1969 amendments to the Public Works and Economic Development Act. In addition, funds are available without regard to limitations on areas eligible for assistance or authorizations in any other Act.

Second: Amends Subsection (e) to make grant assistance under this section available for Federal grant-in-aid programs enacted prior to December 31, 1974 (presently limited to December 31, 1970).

Section 211: Amends Section 302(a)(2) to eliminate limiting language against use of funds for construction purposes and make clear that technical assistance, research, and demonstration receiving an operating grant. struction when necessary to carry out such projects. Funds may be entirely from this section or in combination with funds available under any other Federal program or any other source. These funds may also be used to increase, up to 100 percent, the Federal share under any other Federal program notwithstanding its Federal share limitations.

Section 212: Amends Section 401 to provide authorizations other than for administrative expenses, highways, and airport safety provided in other sections, to carry out the Act as follows:

$268.5 million for fiscal years 70–71.

$282 million for fiscal years 72–73.

$294 million for fiscal years 74–75.

Specific ceilings on authorizations for the various programs are eliminated from the existing law.

Section 213: Amends Section 405 to extend the termination date of the Act (for other than the highway programs), for 4 more years to July 1, 1975.

Section 214: Prohibits discrimination because of sex under any program funded under the Appalachian Regional Development Act.

DISASTER RELIEF FOR CERTAIN MEDICAL CARE FACILITIES—PUBLIC LAW 92–209

This act provides Federal financial assistance for the reconstruction or repair of nonprofit medical care facilities which are damaged or destroyed by a major disaster.

The California earthquake in February 1971 was the first disaster that brought into play the application of the Disaster Relief Act of 1970. The existing legislation had contemplated the need for assistance to repair or reconstruct facilities belonging to State and local governments. Public hospitals damaged or destroyed in the disaster were eligible for Federal assistance under the existing legislation. However, it became apparent in reviewing the problems encountered as a result of this disaster, that the situation had been overlooked where facilities providing needed medical services for the general public were operated by nonprofit organizations rather than by State or local governments.

This law amends the Disaster Relief Act of 1970 by adding a new section to it. This section authorizes the President to make grants up to 100 percent of cost for the purpose of repairing or reconstructing any medical care facility which is damaged or destroyed by a major disaster and which is operated on a nonprofit basis by an organization exempt from taxation under section 501(c)(d)(e) of the Internal Revenue Code of 1954.

The act also authorizes Federal grants up to 50 percent of cost to restore to predisaster conditions nonprofit medical care facilities which were under construction when damaged by a major disaster. Payments of up to 50 percent of increased construction costs due to changed conditions since the disaster are also authorized. The act is effective retroactively to January 1, 1971, in order to make this assistance available to those facilities damaged or destroyed in the California earthquake.

RIVER BASIN MONETARY AUTHORIZATION ACT OF 1971—PUBLIC LAW 92–222

This legislation authorizes an increase in the monetary authorization for 14 comprehensive level basin plans previously approved by the Congress, provides additional modifications of existing project authorizations and general legislation, and includes the authorization of one project. The following is a discussion of the sections of S. 2887:

Section 1 provides increased authorizations for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers. The appropriations intended to be covered by the increased authorizations are those necessary for the scheduled funding requirements through calendar year 1973. Allowance is made for the amount of monetary authorization presently available in the various basins. The necessity for these increased authorizations is explained below.

Monetary authorizations first were put into effect by the Flood Control Acts of 1936 and 1938. They limit authority to appropriate and expend funds within specified basins or specified major projects to levels below the total costs of the authorized basin or project developments. In this way they give the Congress opportunity to review and control the rate of accomplishment of the basin plans and major projects to which they apply.

In these plans, the Congress has approved an entire plan for development of a river basin in the interest of flood control, navigation, power, and allied water uses, but limited the amounts of funds to anticipated appropriations for a specified period of years, allowing accomplishment of only part of the plan. Subsequently, the Congress has augmented some of the previously approved plans, by authorizing additional projects, or modifications of projects, and increased the monetary authorization to provide for additional appropriations. When the monetary authorization limit of a plan is approached, legislation is required to provide additional authorization so that appropriations can be made to permit the plan to continue. If such legislation is not forthcoming when needed, construction of projects in the basin plan cannot proceed, even if funds have been included in appropriation acts for this purpose.

In addition to projects comprising these basin plans subject to monetary authorization, Congress has authorized other projects in the basins for which full monetary authorization for appropriations has been provided under the terms of the authorizing act. Projects in this category require no further monetary authorization action by the Congress.

At the present time there are 29 basin development plans subject to basin monetary authorization limitations. Authorizations provided to date, including the most recent provided by legislation in 1970, are adequate for work to be performed in most of the basins through calendar year 1971. However, there are nine basins whose monetary authorizations will be exhausted in calendar year 1972, unless further authorization is provided and there are basins which will run out of authorization in calendar year 1973 unless additional authorization is provided.

The following table furnishes for the basins shown in section 1 of the bill the dates of original authorization and the amount of increased authorizations needed for the work to be performed through calendar year 1973:

Basin	Act of Congress	Amount
Alabama-Coosa River	Mar. 2, 1945	$38,000,000
Arkansas River	June 28, 1938	57,000,000
Brazos River	Sept. 3, 1954	20,000,000
Central and southern Florida	June 30, 1948	18,000,000
Columbia River	June 28, 1938	130,000,000
Mississippi River and tributaries	May 15, 1928	97,000,000
Missouri River	June 28, 1938	101,000,000
North Branch Susquehanna River	July 3, 1958	17,000,000
Ohio River	June 22, 1936	62,000,000
Ouachita River	May 17, 1950	1,000,000
San Joaquin River	Dec. 22, 1944	44,000,000
South Platte River	May 17, 1950	37,000,000
Upper Mississippi River	June 28, 1938	2,000,000
White River	do	4,000,000
Total		628,000,000

Sections 2 through 13, in general, modify existing projects and general legislation and include authorization of one project. Section 2 authorizes construction of dikes on the Missouri River to protect pumping plant intake of the Frazier-Wolf Point irrigation unit. Section 3 would provide additional community facilities at the Drow Creek Sioux Tribe Indian Reservation in South Dakota. Section 4 excludes assurances for future water supply storage from general authority provided in section 221 of the Flood Control Act of 1970.

Section 5 provides for a flood control survey of Chiltipin Creek in the vicinity of Sinton, Tex. Section 6 provides for the replacement of the George Washington Memorial Parkway bridge over Four-Mile Run at Federal expense. Section 7 eliminates certain items of local cooperation for the diversion channel feature of the Tiptonville-Obion River levee project. Section 8 eliminates an item of local cooperation relating to furnishing water rights for the Stonewall Jackson and Rowlesburg Dam and reservoir projects, West Virginia. Section 9 authorizes use of future navigation storage in Benbrook Reservoir for emergency water supply for Arlington, Tex. for a period not to exceed 4 years. Section 10 authorizes recreation area access road improvements in the vicinity of Perry Lake, Kans. Section 11 authorizes reconveyance to former owners of certain lands acquired in fee along the Verdigris River portion of the McClellan-Kerr Arkansas River navigation project. Section 12 authorizes Whiteoak Dam and Reservoir on Whiteoak Creek, Ohio, subject to approval by the Appalachian Regional Commission and the President. Section 13 modifies the Lower Monumental lock and dam project, Snake River, Wash., to provide for Federal performance or pay cost of protecting a bridge or structure from damage caused by the project.

Section 14 identifies this act as the River Basin Monetary Authorization Act of 1971.

BILLS APPROVED BY THE HOUSE BUT NOT ACTED UPON BY THE SENATE

A bill to amend section 127 of title 23 of the United States Code relating to vehicle width limitations on the Interstate System, in order to increase such limitations for motor buses—H.R. 4354: The purpose of H.R. 4354 is to permit the operation of 102-inch wide buses on the Interstate Highway System and only on those sections which have traffic lanes at least 12 feet wide.

The bill would become effective on the first day after the Secretary of Transportation has completed the necessary safety studies concerning the effects of allowing these wider buses to operate on the Interstate System and has promulgated such safety regulations as he deems necessary, or on July 1, 1973, whichever date first occurs unless, prior to such effective date, the Secretary reports to Congress that as a result of such studies he has determined that the operation of motor buses having a width of 96 inches but not in excess of 102 inches upon 12-foot wide traffic lanes of the Interstate System will be unsafe and cannot be made safe by promulgation of safety regulations.

It is clear to the committee that every means must be made available to the people of this country to improve its transportation capability. One of the most critical areas of the need for improved mobility is in the mass transportation systems of our urban areas.

Practically all of the cities in the country presently permit 102-inch buses to operate on their streets and highways the lane widths of which are for the most part much narrower than those on the Interstate System and which have safety characteristics which are considerably less than those of the Interstate System. It should be further pointed out that as of January 1, 1971, UMTA—DOT—has provided financial assistance for the purchase of 2,481 buses of which 1,761 are 102 inches in width. Yet, in these cities the newly constructed Interstate System is not available to them under current law. There are approximately 22,000 buses of 102-inch width in operation at the present time across this country. In urban areas where express bus service and long haul sections of transit routes have strong potential for improving the overall mass transit capability, the very system which presents this potential—the Interstate System—is denied to this use for those mass transit vehicles which are the most efficient and modern, the 102-inch bus.

The fallacy of these existing situations was repeatedly pointed out to the committee throughout the hearings. The clear facts that the 102-inch bus is in widespread use with an excellent safety record on narrow lanes with lesser safety characteristics than the Interstate System has convinced the committee that the 96-inch restriction on the Interstate System should be removed. The committee is clearly of the opinion that this inequity is preventing in a major way the flexibility and efficiency so necessary in the mass transit system of our urban areas.

The other part of the bus operation—intercity long haul buses—presents still another phase of the transportation system which must be realized to its peak efficiency. This fact is accentuated by the recent developments in the railroad industry which have completely removed passenger service to many cities and so curtailed others as to create hardships on the total mobility of the American people.

Testimony before the committee has shown that 102-inch buses have been used extensively in Canada on intercity operations and on the New York Thruway and on the Interstate System in the nine States which were permitted 102-inch widths on the Interstate System by the grandfather clause of the 1956 Highway Act. Here, again as in the case of the urban bus operation the vehicle itself is in existence and given the proposed increase in the width limitation on the Interstate System it would go into operation on the system immediately.

A bill to authorize the Secretary of the Army to contract with the city of Arlington, Tex., for the use of water supply storage in the Benbrook Reservoir—H.R. 9886: The purpose of H.R. 9886, which was passed by House of Representatives on December 6, 1971, is to authorize the Secretary of the Army to contract with the city of Arlington, Tex., which is facing a serious water supply problem, for the use of water supply storage in Benbrook Reservoir to meet the serious water supply needs of the city pending improvement of the city's water supply system.

The Benbrook Reservoir was authorized by the River and Harbor Act of March 2, 1945, for the purposes of flood control and navigation. The navigation storage was for future use in connection with the Trinity River navigation project. The reservoir, placed in operation in 1952, contains 72,500 acre-feet of storage for navigation. The Trinity River navigation project, authorized in 1965, is not yet under construction.

During construction of Benbrook Reservoir the city of Fort Worth expressed an interest in obtaining municipal water supply from the reservoir. This was not possible without legislation, and in 1956 the Congress enacted legislation—Public Law 782, 84th Congress, 70 Stat. 632—which modified the Benbrook project to authorize the Secretary of the Army to contract with the city of Fort Worth for the use of water supply storage in the reservoir for municipal water supply until such time as the water supply storage is needed for navigation purposes.

In 1970, that legislation was amended—Public Law 91-282—to authorize the Secretary of the Army to contract with the Benbrook Water and Sewer Authority also.

The bill would authorize the Secretary to contract with the city of Arlington, Tex., for the use of water supply storage in Benbrook Reservoir for any storage not used by the city of Fort Worth or the Benbrook Water and Sewer Authority, for a period not to exceed 4 years or until such time as the water supply storage is needed for navigation, whichever first occurs.

The city of Arlington is facing a serious water supply problem because of the deteriorating quality of the water in its wells, brought on by a drought. The bill would provide relief pending improvement of their water supply problem.

BILL REPORTED TO THE HOUSE BUT NOT ACTED UPON

A bill to amend the Disaster Relief Act of 1970 to authorize disaster loans with respect to certain losses arising as the result of recent natural disasters and for other purposes—House Joint Resolution 893: This bill was reported by the committee on November 30, 1971, which amends two related acts, the Disaster Relief Act of 1970, and the National Flood Insurance Act of 1968. The purpose of the amendments is to defer the effective date of two restrictions now contained in sections 1314 and 1315 of the National Flood Insurance Act which deny the benefits of the disaster loan and disaster loan forgiveness features of the Small Business Act to persons who could have purchased flood insurance during the year preceding the date the disaster occurred, but failed to do so, and require as a condition for continued community eligibility for flood insurance after December 31, 1971, that the appropriate local government adopt land use and control measures to reduce or avoid future flood damage.

The committee believes more time should be allowed for the public to become aware of the existence of the flood insurance program and of the need to purchase flood insurance, before imposing a penalty upon those who do not purchase the insurance. Section 1 of the bill accomplishes this purpose by inserting a new subsection (b) at the end of section 231 of the Disaster Relief Act, which would postpone the application of the disaster relief denial provisions of section 1314(a)(2) of the National Flood Insurance Act for a period of time commencing one year after the date on which flood insurance was made available in the area where the disaster occurred and ending 1 year following the date of enactment of the bill.

Section 2 of the bill would amend the National Flood Insurance Act by deferring the December 31, 1971, date contained in section 1315, for a period of 2 years, in order to enable local governments to obtain additional technical information about the nature of their flood hazards before adopting restrictive zoning and building code measures as the act requires. This is accomplished by simply striking out the 1971 date and substituting the 1973 date.

BILLS ORDERED REPORTED

A bill to amend the Federal Water Pollution Control Act—H.R. 11896: The committee held a considerable number of hearings on review and oversight of the existing water pollution control program. The hearings were held on May 25 and 26, June 2, 3, 8, 9, 10, 15, 17, 22, and 24, and July 7, 1971. At the conclusion of the hearings, the following statement was issued by Chairman JOHN A. BLATNIK:

STATEMENT OF CHAIRMAN JOHN A. BLATNIK

The Committee on Public Works has now concluded this phase of its oversight hearings on water pollution control, and has established a number of significant findings which should serve as guidelines for early administrative and legislative action.

First, these extensive hearings have established that the basic water pollution control law drafted by this Committee some 15 years ago and improved upon in subsequent years is organically sound and points our national efforts in the right direction. Considering the explosive population growth and the proliferation of new industries since its enactment, it is clear that this legislation has, at the very least, prevented far worse degradation of our water resources than we have actually experienced.

The failures and disappointments of the pollution control program—and they have been many—trace largely to these factors, some unforeseeable, others clearly avoidable:

1. An almost complete lack of comprehensive, practical planning, as required by law, prior to the granting of Federal funds for construction of local sewage treatment plants.

2. Enforcement procedures were criticized by a number of witnesses as being too slow and cumbersome. The Committee is following through on these complaints with a view to streamlining this essential element of the program.

3. A breakdown of coordination and cooperation between Federal and State agencies responsible for pollution control. State officials testifying before this Committee complained that they are being strangled by Federal red tape and that the entire program

has been slowed down by the injection of the 1899 Refuse Act into the water pollution effort.

"In justice to the Federal authorities, it should be noted that administrative responsibility for this program has been shuffled from agency to agency over the years and finally came to rest in the Environmental Protection Agency barely a year ago.

"Nevertheless, there would appear to be some justification for the State complaints. And there is logic in their judgment that the application of the 1899 Refuse Act, enacted in another age and for other purposes, is handicapping their own efforts by superimposing Federal permit requirements on the permit systems already existing in most of the 50 States.

The Water Pollution Control Act of 1956, and subsequent enactments, made it clear that primary responsibility and authority for cleaning up our waters rest with the States. The State witnesses who appeared before us have told us that, in their judgment, a dual system of permits for industrial discharge into our Nation's waters is unworkable and that Congress must decide between the Federal and State systems.

Other problems have surfaced in the course of these hearings, notably the need for re-examination of water quality standards and implementation schedules, for intensified research, and for improved collection and dissemination of all the varied information this program requires for its success.

We have reason to be sadly disappointed over the slow pace of our progress, but we can be encouraged by the fact that the program is gathering momentum in many States—particularly in view of the fact that reasonably adequate Federal funding has been available to them only in the past 2 years.

This Committee next will turn its attention to proposals for additional water pollution control legislation and will welcome constructive suggestions from every quarter. And I speak from 25 years' experience when I say that we are better prepared, as a result of these oversight hearings, than any Committee has ever been to tackle the problem on an intelligent and systematic basis.

The legislative hearings commenced on July 13 and continued for a total of 22 days through November 9, 1971. During this period of time, the committee heard 187 witnesses and received over 100 additional statements for the record. Subsequent to these hearings, all the committee members joined in introducing H.R. 11895 and 11896 and additional hearings were held on December 7, 8, 9, and 10, 1971, with testimony relating specifically to these bills. On December 15, after 2 days of executive session, the committee ordered reported H.R. 11896 with amendments.

H.R. 11896

H.R. 11896, as ordered reported by the Committee on Public Works of the House of Representatives on December 15, 1971, included the following provisions:

The objective of the bill is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters.

It is declared to be national goals to eliminate the discharge of pollutants into the waters of the United States by 1985 and to achieve water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by 1981.

It is stated policy of the bill to prohibit the discharge of toxic pollutants in toxic amounts, to provide financial assistance to communities to construct waste treatment facilities, to increase research and development, to expand the regional and basin planning and management programs, and eliminate red tape in the administration of water pollution control programs. It is stated to be the policy of the Congress to encourage Federal-State efforts in the water pollution control policy.

It is also declared to be the policy that the President shall take action to insure that to the fullest extent possible all foreign countries shall take meaningful action for the prevention, control, and abatement of water pollution in their waters and international waters and to achieve and for the achievement of goals to at least the same extent as the United States does.

In order to achieve these policies and goals, the following provisions are included in the program:

(1) Authorizes appropriations of over $800,000,000 for basic and advanced research, development, and training.

(2) This program recognizes the need for an expanded and improved State participation in the water pollution control program. The grants for the funding for State programs has been increased from $30 million for the previous three years to $165 million for the next three years.

(3) The program would encourage alternative systems including advanced technologies and land disposal systems including the Muskegon System.

(4) It is required in the implementation of this bill that the agencies consider all potential impacts relating to water, land, and air to insure that in enhancing the water quality, other significant environmental problems are not created.

(5) Authorizes $20 billion for construction of waste treatment works for fiscal years 1972–1975. This includes construction of treatment facilities and collector sewer systems, including systems for treatment of storm sewer run-off.

(6) Establishes the basic Federal share of construction grants at 60 percent. If a State pays 15 percent of the cost, the Federal grant is increased to 75 percent.

(7) Provides for contract authority for construction grants.

(8) Establishes allocation of grant funds to the States on the basis of need for waste treatment works.

(9) Provides that all projects initiated after 1956 which meet the requirements of the previous Acts would be eligible for retroactive grants. $2,750,000,000 is authorized for this purpose.

(10) Provides for user charges to assure that recipients of waste treatment services will pay their share of the cost of constructing, operating, and maintaining waste treatment facilities. The portion of the Federal grants for construction which is applicable to industrial user wastes will be retained by the local waste treatment works management agency to provide for its needs.

(11) Emphasizes the necessity for areawide waste treatment management and makes provisions for areawide management agencies. $450,000,000 is authorized to the Environmental Protection Agency and the Corps of Engineers to assist in carrying out this areawide waste treatment management. The Water Resources Council is directed to complete comprehensive river basin plans by January 31, 1980, and $200,000,000 is authorized to be appropriated to carry out these plans.

(12) Retains the process in existing law for establishing water quality standards for interstate waters. The bill further requires that water quality standards be established for all navigable waters.

(13) Requires point sources other than publicly owned treatment works to utilize the best practicable control technology currently available or a higher level of treatment if required to meet water quality standards.

(14) Required those municipal treatment works for which grants are approved as of June 30, 1974, or which are in existence on January 1, 1976, to have effluent limitations based on secondary treatment.

(15) Because of concern about the economic and social impacts of the desirable objective of attaining the 1981 and 1985 goals, the bill required that the National Academy of Sciences complete within two years of the enactment of this bill, a comprehensive study of the economic, social and environmental costs impacts and benefits. The 1981 and 1985 goals would not be implemented until the Congress has an opportunity to evaluate the report and take further action.

(16) Requires that new sources of water pollution be constructed to meet a standard that reflects the greatest degree of effluent reductions that can be achieved by the use of the best available, demonstrated control technology. If practicable, the standard would permit no discharge of pollutants. Each new plant or modification of existing plant will be required to follow such standards unless it can be demonstrated that the economic and social costs of achieving this standard exceeds the economic and social benefits.

(17) Requires the Administrator to publish a list of toxic pollutants. Six months thereafter the Administrator must publish proposed effluent limitations for the listed pollutants. This limitation when justified could prohibit any discharge of toxic material.

(18) Requires effluents from industrial facilities which are discharged into municipal treatment works to have a level of pretreatment which would interfere with the operation of the treatment process or which would not be susceptible to treatment.

(19) Repeals existing enforcement procedures, including conferences and 180-day actions for violation of the water quality standards. The bill substitutes a system of enforcement based upon discharge permits and effluent limitations. Violations under the provisions of this bill could result in penalties of up to $50,000 and two years in jail.

(20) Modifies existing provisions of law dealing with oil pollution to add liability for the cleaning up of any hazardous material discharged into navigable waters. Under the bill, EPA is required to designate materials and quantities of such materials that are hazardous. To be judged hazardous, a pollutant must present an element of substantial danger to the public health and welfare, including danger to fish, shellfish, and beaches. The negligent discharge of any hazardous substance which cannot be cleaned up liable to a penalty not to exceed $50,000. There is no limitation of liability for willful discharges.

(21) Requires Federal facilities to meet the same effluent limitations and water quality standards as private sources of pollution unless the facility is specifically exempted by the President. The President cannot exempt any source from new source performance standards or toxic and pretreatment standards.

(22) Requires all States to identify and classify their lakes according to eutrophic conditions and to establish procedures to control and restore polluted lakes $300,000,000 is authorized for this program.

(23) Adds new provisions for thermal discharges. The bill provides for continuing comprehensive studies of the effects and methods of control of thermal discharges which shall consider costs, benefits, environmental impacts, and methods to minimize adverse effects and maximize the beneficial effects of thermal discharges. The results of these studies shall be reported within one year. The Administrator is required to issue

proposed regulations for control of thermal discharges within one year after enactment of the Act. Permits for thermal discharges are required as a part of the national discharge permit program.

(24) Declares to be unlawful the discharge of any pollutant by any person except as specifically authorized in the bill. The bill establishes a Federal-State discharge permit program. All permits issued under this program shall be consistent with the specific requirements of the bill, including effluent limitations, national standards of performance, toxic and pretreatment standards, and ocean discharge.

(25) Provides that upon enactment of this bill, no new permits will be issued under the 1899 Refuse Act. Permits previously issued under that Act will be considered to be permits under this new program. Pending applications under the Refuse Act program would be transferred from the Corps of Engineers who are administering the 1899 Refuse Act to the Environmental Protection Agency who would be initially responsible for the administration of the new program.

(26) The Administrator shall promulgate guidelines which spell out the details of a State program which would be capable of managing the permit program. Those States which in the Administrator's judgment have programs which meet these guidelines would assume the responsibility of managing the permit program in those States. In States which fail to meet the guidelines, the Administrator will carry on the program. In the interim, while the guidelines are being promulgated, the Administrator may delegate authority to those States that have an adequate program to grant permits, except that in these cases all permits proposed to be granted would be subject to the review and approval of the Administrator.

(27) The permit program includes the regulation of discharge into the navigable waters, territorial sea, the waters of the contiguous zones, and the oceans.

(28) Establishes provisions for citizen participation in enforcement of control requirements and regulations created by this bill. Anyone who has standing may initiate a civil suit against any person who is alleged to be in violation of a Federal or State effluent standard or limitation or an order with respect to such a standard or limitation and may initiate a civil suit against the Administrator for failure to perform a nondiscretionary act. The bill grants standing to citizens of the area where the direct interests are affected and to groups who have been actively engaged in the administrative process and have thereby shown an interest in the area in controversy.

(29) The bill precludes the Federal government from patronizing or subsidizing polluters through its procurement practices and policies.

(30) Directs the Secretary of Commerce to make an investigation and study of the effect that the costs of undertaking abatement control programs would have on the competitive position of the United States manufacturers as compared with foreign industrial nations not having the same degree of pollution control. This study would include alternative means of equalizing any competitive cost advantage that foreign nations may have and encouraging them to implement pollution and abatement programs. $1,000,000 is authorized for the study and an initial report is due within six months from the date of the enactment of this section.

(31) Amends the Small Business Act and makes available $800 million to make loans to assist small concerns likely to suffer substantial economic injury in meeting the water pollution requirements established under the Federal Water Pollution Control Act. These loans would be for the purpose of making additions or alterations in the equipment, facilities, including the construction of treatment facilities and interceptor sewers, or methods of operation.

(32) Requires the President to investigate and report to the Congress within six months the feasibility of establishing a separate court or court system to deal with environmental matters.

(33) Requires the President to make an investigation and to report the results to the Congress within two years of all national policies and goals heretofore established by law with the purpose of determining the relationship between these possibly competing policies and goals. This evaluation should take into account the available resources of the Nation. $5,000,000 is authorized for this study.

(34) Authorizes the establishment of an Environmental Financing Authority (EFA) under the supervision of the Secretary of the Treasury for the purpose of facilitating the efforts of State and local governments to obtain funds to finance their share of the construction costs of waste treatment facilities that receive grants from the Federal government.

The bill, as reported, authorizes $27 billion for water pollution control.

CONTINUING AUTHORIZATIONS—FEDERAL WATER POLLUTION CONTROL ACT

While the extremely important hearings on the oversight of the water pollution control program and on legislative proposals were proceeding, funding for the existing Water Pollution Control Act expired on June 30, 1971. Because of the necessity to continue the funding for the program, it was necessary to pass legislation extending the program.

S. 2133 which passed the House on July 1, 1971, and was approved on July 9, 1971—Public Law 92–50—included three sections: Section 1 provided that funds authorized for research, investigations, training and information under section 5 and for research and development under section 6 of the Federal Water Pollution Control Act for the fiscal year ending June 30, 1971, would remain available until September 30, 1971. Section 2 authorized $2,500,000 for grants for State water pollution control programs for the 3-month period ending September 30, 1971, a level which was 25 percent of the fiscal year 1971 authorization. Section 3 authorized construction grants for the 3-month period ending September 30, 1971, in the amount of $500 million, a level which was consistent with the administration's budget request for this program.

S. 2613 which passed the House on September 30, 1971, and was approved on October 13, 1971—Public Law 92–137—extended the authorization for the basic sections of the Federal Water Pollution Control Act for an additional month to October 31, 1971. Section 1 of the bill extended section 5(n) of the Federal Water Pollution Control Act which authorizes an additional $7 million for research, investigations, training and information programs under the jurisdiction of the Environmental Protection Agency. Section 2 authorized further funding for research and development programs under section 6(e) of the Federal Water Pollution Control Act. Section 3 authorized $4 million for section 7(a) of the Federal Water Pollution Control Act. This allowed the States to carry on the planning of their programs. Section 4 of the bill authorized $650 million for section 8(d) of the Federal Water Pollution Control Act which is the basic grant program for waste treatment facilities.

BILL APPROVED BY THE HOUSE AND AMENDED BY THE SENATE

A bill to extend the Federal Water Pollution Control Act until January 31, 1972—H.R. 11423: On October 28, 1971, the House passed and sent to the Senate H.R. 11423 extending the Federal Water Pollution Control Act until January 31, 1972. Section 1 of the bill extended section 5(n) of the Federal Water Pollution Control Act and provided an additional authorization of $20 million for the 4 months ending January 31, 1972, for research, investigations, training, and information programs. Section 2 authorized $7 million in addition to funds previously appropriated for financing research and development grant programs under section 6(e). Section 3 provided an aditional $6 million for section 7(a) of the Federal Water Pollution Control Act—a total of $10 million for the 7-month period ending January 31, 1972. This was to permit the States to continue the planning of their programs in an orderly fashion. Section 4 increased the authorization for the basic grant program for waste treatment facilities under section 8(d) to $1,250 million. In addition, section 4 provided for extending section 8(c) of the Federal Water Pollution Control Act. Under this section certain States are eligible to be reimbursed for the Federal share on such projects as have been prefinanced under section 8(c). On November 3, 1971, the Senate amended H.R. 11423, deleting the reimbursement provision and cutting back on the extension to November 30, 1971. No further action was taken on this bill.

PUBLIC BUILDINGS AMENDMENTS OF 1971—H.R. 10488

H.R. 10488, the Public Buildings Amendments of 1971, was ordered reported by the committee on December 16, 1971. The bill as reported authorizes the construction of public buildings for a 3-year period by purchase contract or lease construction. It would also establish a permanent revolving fund created by rentals paid by Government agencies for use of space and other purposes under which the General Services Administration, after approval of prospectuses under the Public Buildings Act of 1959, would construct public buildings.

The bill also includes a 1-year authorization of $1,500,000 for the operation and maintenance of the memorial portion of the John F. Kennedy Center for the Performing Arts.

SAFETY STANDARDS PROPOSED BY THE DEPARTMENT OF TRANSPORTATION

The Subcommittee on Roads held hearings on two new standards proposed by the Department of Transportation under the Highway Safety Act of 1966, namely, standard No. 17 on pupil transportation safety and standard No. 18 on accident investigation reporting.

The subcommittee recommended and the full committee concurred in reporting to the Secretary of Transportation that the standards not be promulgated at this time. The committee's action in this case was a positive one which is geared toward a reexamination of the entire safety picture during the upcoming hearings on highway legislation in 1972. At that time a consolidation of the standards which has been underway since

January 1971 in the Department of Transportation will be examined and proper administrative and funding procedures recommended by the committee.

My sincere appreciation for their splendid cooperation goes to the committee members, particularly the subcommittee chairmen—Congressman RAY ROBERTS, chairman of the Subcommittee on Rivers and Harbors; Congressman ROBERT E. JONES, chairman of the Subcommittee on Flood Control and Internal Development; Congressman JOHN C. KLUCZYNSKI, chairman of the Subcommittee on Roads; Congressman KENNETH J. GRAY, chairman of the Subcommittee on Public Buildings and Grounds; Congressman JAMES KEE, chairman of the Subcommittee on Conservation and Watershed Development; and Congressman JIM WRIGHT, chairman of the Subcommittee on Investigations and Oversight.

To Congressman WILLIAM H. HARSHA, of Ohio, the ranking minority member of the committee, as well as the other able members of the minority side who have done much to further the work of the committee, I wish to extend my deep and sincere appreciation also.

To all the staff of the committee and subcommittees, may I think you sincerely for a job well done.

SUMMARY

The following is a summary of measures acted upon by the committee in the first session:

BILLS AND RESOLUTIONS ENACTED INTO LAW

Public Law No.	Bill No.	Date approved	Title
92-65	H.R. 9922 (S. 2317)	Aug. 5, 1971	Public Works and Economic Development Act Amendments of 1971 and Appalachian Regional Development Act Amendments of 1971.
92-209	S. 1237	Dec. 18, 1971	Provide financial assistance for the reconstruction or repair of private nonprofit medical care facilities which are damaged or destroyed by a major disaster.
92-222	S. 2887	Dec. 23, 1971	River Basin Monetary Authorization Act of 1971.

BILLS APPROVED BY THE HOUSE BUT NOT ACTED UPON BY THE SENATE

Bill No.	Date passed House	Title
H.R. 4354	July 21, 1971	To amend sec. 127 of title 23 of the United States Code relating to vehicle width limitations on the Interstate System, in order to increase such limitations for motorbuses.
H.R. 9886	Dec. 6, 1971	To authorize the Secretary of the Army to contract with the city of Arlington, Tex., for the use of water supply storage in the Benbrook Reservoir.

BILL APPROVED BY THE HOUSE AND SENATE AND VETOED BY THE PRESIDENT

Bill No.	Date vetoed	Title
H.R. 5376 (S. 575)	June 29, 1971	To extend the Public Works Acceleration Act, the Public Works and Economic Development Act of 1965, and the Appalachian Regional Development Act of 1965.

BILL APPROVED BY THE HOUSE AND AMENDED BY THE SENATE

Bill No.	Date passed House	Date passed Senate	Title
H.R. 11423	Oct. 28, 1971	Nov. 3, 1971, amended	To extend the Federal Water Pollution Control Act until Jan. 31, 1972.

BILL REPORTED TO THE HOUSE BUT NOT ACTED UPON

Bill No.	Date reported	Title
H.J. Res. 893	Nov. 30, 1971	To amend the Disaster Relief Act of 1970 to authorize disaster loans with respect to certain losses arising as the result of recent natural disasters.

BILLS ORDERED REPORTED

Bill No.	Date ordered reported	Title
H.R. 11896	Dec. 15, 1971	To amend the Federal Water Pollution Control Act.
H.R. 10488	Dec. 16, 1971	Public Buildings Amendments of 1971.

ACCURACY IN MEDIA

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. ASHBROOK. Mr. Speaker, almost 2 years ago a group of citizens here in Washington, fearful that the content and presentation of the news by many sections of the media were undermining the democratic process and thus threatening this Nation's freedom, formed an organization which they titled "Accuracy in Media." As the title indicates, the purpose of the group was to call to public attention cases of inaccurate and unbalanced news packages of the communications media. By means of critiques, articles, editorial replies, bulletins, reprints, and news releases AIM has received coverage in the CONGRESSIONAL RECORD, Barron's, Copley Papers, Washington Star, Edith Kermit Roosevelt's column, Combat, Editor and Publisher, the Montgomery County Tribune, many other local papers and some radio and TV stations.

The August 21, 1971, issue of Editor and Publisher carried an article under the byline of Luther A. Huston which briefly but adequately outlines the purpose of the newly formed AIM.

Stated Mr. Huston in part:

Abraham H. Kalish, executive secretary, says AIM is not interested in the ideology of communications medium; all it wants is that the media report news that the public is entitled to know, and not suppress, ignore, or distort news because the newspaper or the network disagrees with the content or the angle of the story.

Recently AIM turned its attention to a most vital area—our Nation's defense posture. Citing two cases involving the status of our defenses in contrast to those of the Soviet Union, AIM compared the various treatments by the communications media in this area and rated the various participants accordingly. Because the adequacy of our defenses and thus our national security is under discussion more and more these days, the critique entitled "The Press Sounds an Uncertain Trumpet on Defense Posture of America," issued recently by AIM

should be of interest to those concerned with our country's defenses. I insert at this point in the RECORD the AIM study preceded by the previously mentioned article from Editor and Publisher.

The items follow:

EYES AND EARS OF AIM MONITOR ALL NEWS MEDIA

(By Luther A. Huston)

Whether it is a small newspaper in the sticks or a large metropolitan daily; a local television station or a national network, it had better be accurate and fair in its reporting or it may hear from AIM.

AIM stands for Accuracy in Media and it has eyes and ears monitoring the media in all parts of the country.

In a speech in the House of Representatives recently, Representative Philip M. Crane, of Illinois, described AIM as "a singular scholarly and valuable effort undertaken by private citizens to seek accurate, objective, nonbiased news reporting and commentary; in other words, to keep the press honest with itself and the American public."

Abraham H. Kalish, executive secretary, says AIM is not interested in the ideology of any communications medium; all it wants is that the media report news that the public is entitled to know, and not suppress, ignore, or distort news because the newspaper or the network disagrees with the content or the angle of the story.

In pursuit of AIM's objectives, Kalish has become something of a burr under the saddle of editors who ride the news desks in newspapers and television newsrooms who consider it their prerogative to acknowledge and in some cases correct, their own mistakes. Most newspapers prefer to be their own ombudsman, and so do the broadcasters.

Accuracy in Media was formed as a citizens organization in 1969 and recently became an educational, non-profit corporation. It has no governmental backing. Its activities so far have been financed by small contributions from active supporters but it hopes to raise enough money from public and foundations to enable it to broaden its operations.

AIM's president is Dr. Francis G. Wilson, emeritus professor of political science, University of Illinois. Its vice president is Alphons Hackl, a Washington book publisher, and John K. McLean, a Washington stockbroker, is treasurer. Kalish is a retired professor of communications.

A National Advisory Board, in process of formation, includes Dean Acheson, former Secretary of State; Elbridge Durbrow, a former ambassador; Dr. William Yandell Elliott, emeritus professor of government at Harvard University; Dr. Charles Burton Marshall, Washington Center of Foreign Policy Research, Johns Hopkins University; Morris L. Ernst, a New York lawyer, and Edgar Ansel Mowrer, foreign correspondent and author.

AIM maintains an office in Washington but it has no paid employes. Kalish is an unsalaried secretary. All others, including those who monitor newspapers and broadcasts, are volunteers who receive no pay.

SOME ACTIONS UP TO NOW

Among the things AIM has done thus far are:

Prepared a detailed critique of CBS documentaries, "The Selling of the Pentagon," and "Sixty Minutes" on Castro's Cuba. Both reports were reprinted in the *Congressional Record*.

Prepared a detailed report on news media coverage of the House Internal Security Committee hearings on the antiwar protests in Washington last spring, also reprinted in the congressional paper.

Protested "seriously misleading" editing of an NBC documentary "Say Goodbye."

Obtained a correction by *National Review* of an erroneous quote attributed to Representative William R. Anderson of Tennessee. Kalish acknowledges that many of AIM's protests and citations of errors have either drawn irritated responses or been ignored. For instance, he said, CBS has not answered any of 50 questions AIM asked three months ago about "The Selling of the Pentagon."

In his speech in the House, Crane recounted that more than 100 Congressmen had participated in a "series of special orders" which dealt with the deteriorating situation of national defense. A press conference was held on the same subject.

"But," Crane said, "the *Washington Star, Washington Post* and *New York Times* didn't cover this event," despite the fact that bipartisan participation made it one of the largest special orders in the recent history of the House and despite the fact that this issue has to be the No. 1 priority of our Government at any time.

"This, I would contend, is a fine example of what many would consider bias in the media."

Kalish agrees with Crane that failure by the media to publish stories about such issues deprives the public of information that would arouse it from apathy and stimulate public interest.

THE PRESS SOUNDS AN UNCERTAIN TRUMPET ON DEFENSE POSTURE OF AMERICA

"Our national strength depends upon an informed public to a large extent." So said Assistant Secretary of Defense Daniel Z. Henkin in the interview he gave CBS when they were making "The Selling of the Pentagon." CBS did not use that statement in the program, preferring to convey the impression that it is wrong for the Government to give to the public the information that will lead them to support a strong national defense. But can we depend upon the communications media to keep the public informed about defense requirements

To see how well the media do in this area, AIM made an analysis of media coverage of three recent events that provided the media with an opportunity to bring to the attention of the public important facts about America's defense posture and the military threats to our national security.

The first event was the colloquy on national defense in the House of Representatives on August 4, 1971. Some 88 members of Congress requested under special orders that time be set aside for a discussion on what they considered to be an alarming deterioration in the national defense posture of the United States. Members of both parties participated, and their statements filled 90 pages of the Congressional Record of August 4 and spilled over into the issue of the following day. Although these Congressmen spoke as the representatives of millions of Americans on an issue of vital importance, and although the press had been alerted in advance, neither the AP or UPI or any major East Coast newspaper carried one word about this event. It was similarly ignored by television and radio news, and by the large weekly news magazines. However, the readers of such papers as the Knoxville News and the Sacramento Union were informed of this meeting. Officials of the Washington Post and the Washington Star said they did not consider this event newsworthy. An AP spokesman conceded that it was newsworthy, but the reporter who covered the event had not filed a story. (See AIM Bulletin of August 24, 1971).

The other two events occurred a month later. On September 2, 1971, the International Institute for Strategic Studies released its annual survey of world military power, "The Military Balance 1971–72." On the same day the Special Committee on Defense Priorities, an unofficial committee set up by concerned members of the House of Representatives, held a hearing in Washington to head expert testimony on America's defense posture. The report and the hearing complemented each other. The report gave the latest facts about relative military power in the world; and the expert testimony in Washington provided commentary on the significance of the changing balance of military power for our country.

AIM found that the report of the International Institute for Strategic Studies received widespread press coverage. Both wire services carried reports on it. Stories were published in all three Washington papers and the New York Times. It was also mentioned on a number of television and radio news broadcasts. The Congressional hearing was also covered by both wire services; the Washington Post published a story on it. It was ignored by the Washington Star, the Washington Daily News and the New York Times. It received excellent coverage on TV Channel 5's evening news program, but was ignored by the TV network news broadcasts.

AIM has analyzed in detail the news coverage of both the report and the hearing. It found that of the four newspapers and two wire services monitored, the best reporting was done by the Washington Post. The New York Times was a distant second in terms of the amount of information conveyed. Moreover, The Times wrote the story in a way that would arouse a minimum of concern. The Post did not shrink from informing its readers that the USSR was overtaking the U.S. in nuclear missile strength, but its excellent story was buried on page A–21, a location that suggests something less than prime importance. More importance was attached to the hearing, which was reported on page A–2.

NEWS MEDIA COVERAGE OF REPORT, "THE MILITARY BALANCE, 1971–72," AND THE HEARINGS OF SPECIAL COMMITTEE ON DEFENSE PRIORITIES

I. "The Military Balance 1971–72".

The release of this annual report of the prestigious International Institute for Strategic Studies was widely covered by the daily press on September 3, 1971. AIM has not seen the actual report, but it has analyzed the stories about it that were published by The New York Times, The Washington Post, The Washington Star (attributed to AP), The Washington Daily News (attributed to UPI) and the story carried on the AP ticker. The information derived from all of these stories was tabulated and the papers were rated on the basis of the amount of information they provided about the contents of the ISS report. As the following table shows, the Washington Post provided far more information than the other papers and the AP. The New York Times was a distant second.

	Points of information	Number of words	Location of story	Headline
Washington Post	42	1,100	A–21	Good.
The New York Times	27	600	P. 2	Poor.
Associated Press	22	550		Good.
Washington Daily News (UPI).	21	475	P. 7	Do.
Washington Star	20	470	A–11	Poor.

A total of 66 points of information is provided in these stories. The total information points unmistakably to the conclusion that the military balance in 1970–71 continued to shift against the United States and its allies. The Soviets have a commanding lead in ICBMs and they are rapidly wiping out our lead in submarine based missiles. They have increased their military manpower while we have cut ours back. The Warsaw Pact countries have a very marked superiority over NATO forces in tanks and aircraft, though not in nuclear warheads. One would suppose that such developments would be of considerable interest to the American people and

would merit being called forcefully to their attention.

There are three ways of doing this: (1) place the story in a prominent location; (2) give the story an attention-getting headline and lead; and (3) give plenty of space to the story.

Not a single editor thought that this story which spelled out the deterioration of U.S. military might in comparison with the Soviet Union merited page-one treatment. The New York Times came the closest, placing the story on p. 2. However, the Times chose to stress a comforting angle. Its headline read: "Analysts Find Deployment of Soviet Missiles Slowed." This referred to the slowdown in deployment of land-based ICBMs, in which the Soviets already enjoy a commanding lead. The Times did not even mention in its story the rapid build-up of Soviet based missiles and the fact that our lead in this area will be wiped out in 1974 if present rates of growth continue.

The Washington Post had by far the best story of any of the papers, and it had a good headline: "Gap Narrowing in U.S., Soviet Missiles, Subs." The lead said:

"The Soviet Union now has almost half again as many land-based intercontinental ballistic missiles (ICBM) as the United States, and is building ballistic missile nuclear submarines at a rate that will wipe out the present American lead in submarine-launched weapons by 1974."

The Post's story, written by its London correspondent, gave better than average treatment to 7 out of 8 topics covered by the 66 points of information.

Only one topic—the relative strength of the forces of NATO and the Warsaw Pact countries—was completely ignored by the Post. This good story was however buried on p. A-21.

The Washington Daily News (UPI) story focused on the developments with respect to strategic missiles, both land and submarine based. Its headline read: "Russia Has Huge Lead in Rockets." It also reported on the superiority of the Warsaw Pact forces and the reduction in our conventional forces while the Soviets are increasing theirs. It nevertheless considered all of this only page-7 news.

The Washington Star, although attributing its story to the AP, published a story substantially different than the one AIM got from the AP ticker. It was a markedly inferior version. Its main weakness was that it completely ignored the Soviet submarine build-up, a development that the AP story included in its lead. For some reason, the Star decided that what was important was the reduction in strategic bomber forces. Its headlines read: "Missile Race Continues But Bomber Forces Fall." The story did not convey any strong impression of a shift in the military balance that was unfavorable to the U.S., although it did discuss the military superiority of the Warsaw Pact countries. The Star story was buried among the ads on page 11. The difference in emphasis on the part of the Star and the AP is shown by the contrast in their leads. The Star said:

"The United States and the Soviet Union are cutting back strategic bomber forces, but the missile race between the two superpowers continues unabated, military research experts reported today."

The AP lead said:

"Russia has tripled her Polaris-type missile force and set up nearly 300 new giant intercontinental rockets since starting talks with the United States on curbing strategic nuclear weapons, the International Institute for Strategic Studies said today."

The points of information included in these news stories are listed below, with an "x" indicating the paper or wire service that carried the information. It is interesting to note that there were only 12 out of the 66 points of information which were reported by as many as four out of the five papers and wire services. The news judgment of the professionals is hard to fathom. The greatest degree of uniformity of judgment as to newsworthiness came in the area of comparing the strength of NATO and Warsaw Pact forces, but this was the one area completely ignored by the Washington Post. On the other hand, the Post was the only paper to consider, newsworthy, the developments affecting the military balance in the Middle East tinder box.

II. Hearing of the Special Committee on Defense Priorities of the House of Representatives.

On the same day the International Institute for Strategic Studies released its report in London, an ad hoc committee of the U.S. House of Representatives met in Washington to hear testimony from experts on the status of the U.S. defenses. The committee heard testimony from Dr. William Kintner, director of the Foreign Policy Research Institute at the University of Pennsylvania, Frank Armbruster, defense analyst of the Hudson Institute and Lt. Gen. Arthur G. Trudeau, former chief of army research and development.

This hearing dovetailed nicely with the IISS report, since these experts provided an interpretation of the significance of the changing balance in armament and forces, and made recommendations with respect to policies the U.S. should adopt.

Dr. Kintner and Mr. Armbruster focused on the strategic weapons balance and policy. General Trudeau devoted his testimony to a discussion of the great importances of research and development, contrasting our effort with that of the Soviets.

AIM has tabulated the main points made by Dr. Kintner and Mr. Armbruster in their prepared statements. It has compared this with the reporting of this testimony by the press.

The hearing was reported by the AP, UPI and the Washington Post. It was completely ignored by the Star, the Washington Daily News and the New York Times. It received good coverage on TV channel 5 in Washington, but it was not covered by any of the network TV news broadcasts. It was briefly mentioned by channel 9.

The Washington Post devoted 450 words to the hearing, placing the story prominently on page 2. The Post focused entirely on the testimony of Mr. Armbruster, which dealt largely with a criticism of U.S. policy for failing to develop an adequate ABM defense of our major cities and a capability of using missiles to destroy enemy missiles in hardened sites. It did not discuss the testimony of Dr. Kintner, who developed the point that the expansion of Soviet military power poses a serious threat to the U.S.

The AP devoted about 200 words to the hearings, focusing on Dr. Kintner's testimony. However, the story coverde only a little more than a quarter of the points Dr. Kintner made in his prepared statement, not to mention his replies to questions. Much that Dr. Kintner said gave meaning to the figures in the IISS report, but this was not brought out by the AP.

The UPI devoted about 400 words to the hearings, dividing the space between Mr. Armbruster and Dr. Kintner. Again, only a fraction of the points made by the two men in their testimony was reported. None of the news media reported the Trudeau testimony.

The table in Appendix II shows the points made by these two witneses in their prepared statements. The "x" is used to show when the point of information was included in a news story. As will be readily seen, the reporting was very thin, except for the coverage by the Post of Mr. Armbruster's statement.

APPENDIX I

INTERNATIONAL INSTITUTE FOR STRATEGIC STUDIES REPORT—POINTS OF INFORMATION

	WP	NYT	Star	News	AP
A. MISSILE STRENGTH OF U.S. AND U.S.S.R., LAND BASED					
1. U.S.S.R. has 1,510 ICBM's		X	X	X	X
2. United States has 1,054 ICBM's	X	X	X	X	X
3. U.S.S.R. has almost 50 percent more ICBM's than United States	X				
4. United States has made no effort to increase land-based missile launch	X	X	X	X	
5. United States placing 3 independently targeted warheads on launchers	X	X	X		
6. 500 triple-warhead launchers to be deployed by 1975	X	X			
7. This will double number of targets Minuteman force can hit	X	X	X	X	X
8. U.S.S.R. has slowed down ICBM deployment and may have reached or be approaching planned level	X	X			
9. U.S.S.R. building new silos, probably to protect existing missiles, especially triple warhead SS-9's	X				
10. U.S.S.R. has 280 operational SS-9's	X			X	Xe
11. Experts think SS-9's threaten U.S. missile sites				X	
12. Soviet nuclear force appears to be primarily designed to deter U.S. attack on U.S.S.R.				X	
13. U.S.S.R. has 630 medium range rockets directed at Western Europe and 70 aimed at China and Japan					X
Total	9	7	5	7	5

	WP	NYT	Star	News	AP
B. MISSILE STRENGTH OF UNITED STATES AND U.S.S.R., SUBMARINE BASED					
1. United States had 4 to 5 lead in SLBMs when SALT talks started being arranged but now has 656, to 440 for U.S.S.R.					X
2. U.S.S.R. SLBMs trebled in past 2 years to total of 440				X	X
3. U.S.S.R. building 7 or 8 nuclear submarines a year	X			X	
4. At this rate of growth, U.S. lead in SLBMs will end in 1974	X			X	X
5. United States now deploying more advanced Poseidon SLBM's, each with 10 independently targeted nuclear warheads	X				
6. This will increase number of SLBM warheads from 1,500 to over 4,500 (News) 5,400 (Post and AP)	X			X	X
Total	4	0	0	4	4
C. STRATEGIC BOMBER FORCES AND TERRITORIAL AIR DEFENSE					
1. Both sides have let strategic bomber forces dwindle					
2. B-52's now 360 (Post: well below 500); Soviet Bear and Bison planes number 140	X		X		
3. Effectiveness of U.S. bombers may be increased by adding short-range attack missile (SRAM)	X		X		

APPENDIX I—Continued

INTERNATIONAL INSTITUTE FOR STRATEGIC STUDIES REPORT—POINTS OF INFORMATION—Continued

	T	WP	NYT	Star	UPI	AP
4. Soviets have shown no interest in matching this effort	X			X		
5. Soviets have devoted more effort than United States to territorial air defenses	X					
6. Soviets deploy 10,000 antiaircraft missiles, 3,000 interceptor aircraft and may be ready to install improved ABM	X					
Total	6	0		4	0	2
D. GROUND FORCES						
1. U.S. military manpower down to 2,700,000 from 3,500,000 3 years ago; next year it will be 2,500,000	X		X		X	X
2. In same period Soviet forces rose from 3,150,000 to 3,375,000	X		X			
3. Soviets have 3,370,000 men under arms	X		X		X	X
4. Soviets have deployed 18 more divisions in Chinese border areas without drawing any from Europe	X					X
5. Soviets sent 3 divisions to Chinese border last year and now have 33 divisions in that area				X		X
6. Chinese have 48 divisions in that region				X		
7. Soviets have increased forces in Eastern Europe from 26 in 1967 to 31 now		X		X	X	
Total	4	4		3	3	4
E. FORCES IN EUROPE						
1. Warsaw Pact countries have marked superiority over NATO forces numerically (superiority increased—NYT and AP)		X		X	X	X
2. NATO has little more than ⅓ as many operational tanks as Warsaw countries (5,500 to 16,000—UPI, 7,750 to 21,700—Star)		X		X	X	X
3. NATO has 2,500 fewer tactical aircraft than Warsaw countries (2,850 to 5,360—Star)		X		X	X	X
4. U.S. forces in Europe have fallen from 434,000 in 1962 to 300,000 now		X		X	X	X
5. Soviets have increased forces in Eastern Europe from 26 divisions in 1967 to 31		X		X	X	X
6. NATO outbuild Soviets in conventional warships over decade, launching 196 destroyers and frigates to 114 for Warsaw Pact		X				
7. NATO launched 45 nuclear subs and Warsaw Pact members 50		X				
8. NATO has 7,000 nuclear warheads to Warsaw Pact 3,500						X
Total	0	7		5	5	6
F. CHINA						
1. China has deployed about 60 medium range missiles (1,000 miles)	X	X		X	X	X
2. May have enough nuclear material for a total of about 120 atomic weapons	X				X	
3. Has developed new missile test range that suggests development of intermediate range ballistic missile	X					
4. At least 1 nuclear submarine under construction	X	X				
5. Improving military production qualitatively and quantitative	X	X				
6. Now building own tanks, fighter planes and bombers				X		
7. Developing a twin-engine fighter		X				
8. Forces not equipped on scale of industrial countries and mobility limited				X		
9. Of 140 divisions only 5 are armored; mobility limited	X					
10. Navy and airforce account for 10 percent of total armed forces of 2,880,000 against 30 percent in U.S.S.R.	X					
11. Deploys about 20,000 construction troops and protective forces for them in Laos and North Vietnam	X					
Total	8	4		3	2	1
G. OTHER AREAS—MIDDLE EAST						
1. North Vietnam has 90,000 troops in South Vietnam	X					
2. Israel increased combat aircraft by 40 over last year	X					
3. Egypt increased combat aircraft by 100 over last year	X					X
4. Egypt increased tanks by 250 over last year	X					
5. Soviet advisers in Egypt increased by 15,000 to 20,000	X					
6. Soviet-flown planes increased by about 50 in Egypt	X					
7. Many more Soviet-controlled SAM sites in Egypt	X					X
8. Deploy 150 Soviet-flown fighters in Egypt, including MIG 235					X	
9. Soviets have several different types of SAM's (surface-to-air missiles in VAR)					X	
Total	7	0		0	2	2

	WP	NYT	Star	News	AP
H. DEFENSE SPENDING					
1. Defense spending increased last year in all but few countries	X	X			
2. Warsaw Pact countries increased defense spending		X			
3. Most NATO countries increased spending on defense but spent less in real terms because of inflation		X			
4. Israel devoted 25.5 percent of GNP to defense in 1971	X	Xe			
5. Egypt devoted 19.6 percent of GNP to defense in 1971	X	Xe			
6. Table showing total and per capita defense expenditures of major countries in 1970 and 1971 and percentage of GNP devoted to defense	X				
Total	4	5	0	0	0
Grand total	42	27	20	21	22

APPENDIX II

AD HOC HOUSE COMMITTEE HEARING

	T	WP	NYT	Star	UPI	AP
A. ARMBRUSTER						
1. U.S. failure to develop warhead capable of destroying enemy missiles in concrete silos has left President with too few options in case of nuclear attack.	X				X	
2. U.S. policy in missiles is imprudent and morally questionable.	X	X				
3. Threatens many millions of innocent people with death as a deterrent to war.	X	X			X	
4. Low priority attached to ABM deployment puts defense of our cities from nuclear attach beyond reach in not so near future.	X					
5. Our policy is not to develop capability of destroying enemy missiles in hardened silos.	X					
6. Enemy attack delivery systems are most logical military targets and one of few morally acceptable targets.	X	X				
7. Enemy is hardening his missile silos and we are left with a primarily soft-target nuclear force.	X	X				
8. United States should develop heavy defense of cities against nuclear attack and ability to destroy hardened missile sites.	X	X				
9. Must be concerned not only with "rational" enemy behavior but also potential enemy behavior.	X	X				
10. Given our present missile capabilities, Chinese could threaten destruction of Los Angeles and San Francisco leaving us with only the option of backing down or threatening to destroy some of their cities.	X					
B. KINTNER						
1. Rapidly growing Soviet military power has created a serious threat to the United States.	X					
2. Protection provided by U.S. strategic forces to our friends and allies is being reduced by Soviet expansion of power.	X					
3. 3 crucial areas are Soviet buildup of expansion of Soviet navy and increased defense R. & D.	X					
4. Soviets have substantial lead in number and size of ICBM's and are rapidly catching up in SLBM's.	X					X
5. Soviets have almost 1,400 ICBM's, including the SS-9 with a 25-megaton warhead, while we have 5,000 smaller missiles.	X				X	
6. Soviets now challenge Western naval superiority in several key areas.	X					
7. Have built up sizable Mediterranean fleet and now moving into Indian Ocean.						
8. Soviet research and development expenditures are larger and are growing at faster rate than ours.	X					
9. Soviets spend about $11,000,000,000 on military R. & D., 40 to 50 percent more than United States and this grows about 15 percent a year.	X					
10. Approximate nuclear parity now exists between United States and U.S.S.R.	X					
11. This increases importance of Soviet superiority in conventional forces.						
12. With nuclear parity and pressure for U.S. troop reductions NATO may not be able to continue as bulwark of Western security, a function it has performed for 20 years.	X					
13. Middle East could become scene of major confrontation for which United States is ill-prepared.	X					
14. United States has sought security at bargain rates, as evidenced by decline in defense expenditures as proportion of GNP.	X					
15. We could be faced with decision whether to give in to Soviet demands or launch a first nuclear strike.	X					X
16. Otherwise would have to go into area like Middle East with conventional forces or cave in, letting Israel go down drain.	X					X
17. Limiting ABM defense to Washington and Moscow would favor Soviets, since Washington not as vital to us as Moscow is to Soviets.	X					X
18. Soviets buying time at SALT talks to increase missile strength.	X					X

GOOD ROADS FOR NORTHERN WISCONSIN

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 17, 1971

Mr. O'KONSKI. Mr. Speaker, during the O'Konski years, I have been a member of the Veterans' Affairs Committee, the Education and Labor Committee, the Public Works Committee and the Armed Services Committee. My membership on these committees stems from the concern I have for the people of northern Wisconsin in each of these areas.

When I first came to Congress, I worked diligently on the Veterans' Affairs Committee to get the GI bill of rights passed along with a veterans benefit plan. With these objectives accomplished, I switched to the Public Works Committee.

My reason for switching to the Public Works Committee was because I wanted to lay the foundation for the completion of the St. Lawrence Seaway, and in this effort, I was among the most active Members of Congress in achieving that goal. Another reason that I wanted to be on the Public Works Committee was to establish a Federal highway program which would be beneficial to the north country.

I was well aware of the need and value of good roads. I presently have pending in Congress a bill to make U.S. Highway No. 2 a part of the Interstate System so that the Federal Government will bear 90 percent of the cost. Largely because of my efforts, the people of the north are very close to having a 4-lane highway system on U.S. Highway No. 2, all the way from Ironwood, Mich. to Superior, Wis.

Before this was accomplished, I was well aware of the fact that the north country needed good feeder roads, and a review of the table below will show the results of my efforts in getting funds for every northern Wisconsin county.

Federal aids for roads and highways during the O'Konski years

Ashland	$2,455,636
Barron	501,379
Bayfield	1,336,920
Burnett	651,838
Chippewa	2,869,297
Douglas	13,516,836
Dunn	589,148
Eau Claire	19,526,390
Iron	1,631,934
Oneida	4,340,561
Polk	3,788,158
Price	2,372,456
Rusk	1,342,315
St. Croix	7,264,279
Sawyer	1,990,163
Vilas	2,068,676
Washburn	1,460,890
Lincoln	2,854,285
Taylor	1,175,130
Total	71,736,291

Having achieved the completion of the Great Lakes St. Lawrence Seaway, a 90-percent Federal aid highway program, and a $17 million interstate bridge at Superior-Duluth, I then transferred to the Armed Services Committee because I believed that northern Wisconsin was not getting its share of Government contracts. The only way I felt northern Wisconsin could get a fair share of Government contracts was to become a member of the Armed Services Committee.

It is interesting to note that since my membership on the Armed Services Committee, the 10th District of the State of Wisconsin today is the Federal Government's biggest Government contractor, exceeding even Metropolitan Milwaukee, Kenosha, and Racine.

Every committee that I have been a member of has produced positive results for the people of northern Wisconsin. I have achieved my goal for the people of northern Wisconsin by using my position on the various committees to get results for the north country.