EXTENSIONS OF REMARKS

WHAT MY FLAG MEANS TO ME

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. HASTINGS. Mr. Speaker, the Allegany County American Legion auxiliary in my district has just concluded its essay contest on the subject, "What My Flag Means To Me."

Students from 11 schools in grades 3 through 9 took part. Sixth-grade winner Joanna Setchel, from Cuba Central School, has grasped the meaning of the flag in a way that could put many of us adults to shame.

Her understanding of what the colors mean gives happy reassurance that despite the few who would desecrate the flag, our Nation, especially its youngsters, still finds strength and hope in it as a symbol of freedom.

I want to commend the American Legion for affording these young people an opportunity to express their views on the flag and I especially compliment Joanna on her prize-winning essay.

It is my desire that my colleagues share her thoughts, and I include it in the RECORD:

WHAT MY FLAG MEANS TO ME

(By Joanna Setchel)

The flag, to me, is more than a piece of material in three different colors, or the latest fashion in color ensembles, "The Patriotism Look."

It means strength, fellowship, and a united people living in a country in which many people sacrified their lives to make America a proud place to display such a work of love.

Recalling the story of Betsy Ross, I am proud that she took time and care with her skilled fingers to produce a lovely banner symbolizing our America.

Also the story in the poem about Barbara Frietchie by John Greenleaf Whittier shows her loyalty to the country and its flag. Do you remember: "Shoot, If you must this old gray head; but spare your country's flag," she said.

If everyone in the United States loved the flag as Betsy Ross and Barbara Frietchie did, would there be so many conflicts about it?

Now I close my eyes and find a mind picture. A vivid red comes flashing to my eyes blending with a brilliant white. Also striking my eyes is a field of blue in an upper left corner spangled with dazzling white stars. And as my brain's picture comes to life, I can see it rippling and rolling in the waves of my brainstorm. Do you notice it in your mind picture? The waves of my brainstorm go all through my body. Oh! Now I feel something gripping my heart. What can it be?

Oh, if I could only explain to you my feelings all over inside me, you would feel it, too. It is a love for a flag meant to honor, not abuse and walk on. It gives me a yearning to climb to the top of the world and yell out to all that would listen, "This is a flag representing the country in which you live! You should love the country with all its mountains, rivers, and people. You, people were meant to live to love it. Do you love it? I do. I honestly do!"

Do the colors of the flag mean anything to you? Well, look at it this way. The stars in the field of blue could represent people, each one standing, allowed to stand by himself in freedom. The color red; I remember the blood shed by our forefathers so that generations to come could live in a free country. White is a color of purity. America was a clean, pure and religious country where clean, pure, religious people lived and still live.

If anyone had anything to say, I would give them a few reasons to love their flag.

As long as our flag flies proudly over cities, homes, and schools, we will live in a free country. Free to worship God in our own ways, free to live where we want to live, and free to write what we feel is needed to be put in writing, like this essay. My flag means a democratic country ruled by the people by their wants and needs. I am sure I would not want to live in a non-democratic country.

Also the American flag symbolizes that our country must and will stay united in times of war, tragedy and emergency as well as in times of peace and tranquility.

There are words that are very hard to describe. Can you describe sweet? Or how about describing love? It is not very easy and I am finding it a bit difficult to describe what my country's flag means to me the way I wish to say it. Motions and gestures might help, but I need words. Words to express my emotions for my flag.

I can use words such as affection, loyalty, warmth, friendliness and compassion. But these words are inadequate to express my deepest feelings about my country's flag.

UNFAIR PROCEDURE

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 18, 1971

Mr. CHAPPELL. Mr. Speaker, this week two vital pieces of legislation came before the House of Representatives. One of those matters dealt with the limit on our debt ceiling; the other was to increase social security benefits.

I wish to protest the grossly unfair procedure of combining important legislation into one package as the joint committee from the Senate and the House of Representatives did in this instance—and which has too often been the case in the past.

On March 3, 1971, I cast my vote against the increase in our public debt. I feel that $430 billion is excessive; it will eventually mean more tax dollars taken from the public, and I wanted the people of my district to understand how I felt. The people we represent deserve to know our votes and positions on these matters.

At the same time, I have vigorously supported an increase in the social security payments to our elder citizens. The urgency of their plight—of being on fixed incomes during a period of heightened inflation—has been a deep concern to all of us.

By foisting off on the Congress a bill that tied both the debt limit increase and the social security payments increase, many of us who wanted to assert our position on each matter separately, were placed in the position of weighing the damage to our economy by the debt limit increase against the dire need of social security recipients for an increase in their incomes. My concern for our elderly prompted me to vote for this "package."

Mr. Speaker, I reiterate my objection to this type of trick legislation, whereby two unrelated and nongermane pieces of legislation are packaged together so that we are not given a chance to record our votes on each proposition separately. I hope the public is aware of this practice and will join me and other interested Members of Congress in seeking a revision of such regressive customs in our legislative system.

NIXON'S SPECIAL REVENUE SHARING FUND FOR TRANSPORTATION

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. RAILSBACK. Mr. Speaker, I want to say a few words in support of President Nixon's Special Revenue Sharing Fund for Transportation. I represent an urban constituency. For the people of my district this plan focuses on our most basic transportation problem—financing.

Considerable headway has been made in recent months in promoting urban mass transit development. We are aware of our congestion and pollution problems. And we know most of the options available to solve them. Special revenue sharing will help answer the big question: Where will the money come from?

Our area, like many areas in America, is feeling the inflationary forces that have swept the country. And we have some unemployment. It is difficult indeed to plan long-term heavy investments for transportation in this kind of an urban climate. Special revenue sharing, as proposed in the President's message, would give our urban areas the assurance of Federal funding—without the matching funds requirement and without the usual Federal restrictions.

Maximum flexibility in local spending alternatives is an admirable goal in any program. But it is an absolute prerequisite in urban transportation planning. We must be able to decide at the local level whether or not we need highways, buses, subways, rowboats, or whatever.

It is unrealistic to ask urban areas to make objective intermodal choices under the present grant-in-aid system. The choice between dollars for highways and pennies for subways is no choice at all.

Special revenue sharing for transportation would make all modes equal in terms of financing. I support both the concept and program.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

REAR WARFARE—REVOLUTIONARY ANTIMILITARISM

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. SCHMITZ. Mr. Speaker, the following highly informative articles concern two facets of the Communist effort to disintegrate American military forces. The author of these articles, Francis J. McNamara, has had experience in both Army intelligence during World War II and with the House Committee on Internal Security, serving as staff director from 1962 to 1969.

Mr. McNamara's articles deal with the efforts being made by the Communists and other leftist groups to disrupt our Nation's efforts to maintain an effective fighting force by destroying the selective service apparatus and the Reserve Officers Training Corp. Mr. McNamara clearly distinguishes between legitimate and loyal opposition to the draft and the illegal bombing and burning of selective service and ROTC by those who wish to totally destroy our Armed Forces.

Bolshevik antimilitary activity has historically included quite a wide range of targets and operational patterns ranging from industrial sabotage and strikes, to attempts to influence members of legislative bodies to cut necessary programs, to agitation and violence at research institutions connected with the military. The general goal of Bolshevik revolutionary antimilitary activity today would seem to be the lowering of the fighting capability of the main enemy, the United States, while at the same time increasing their own military capability, until a point is reached where Soviet victory becomes probable. The results of Communist operations of this type are felt when the first blow of the Red armed forces, nuclear and nonnuclear, cave in the opposing forces—at least this is the ideal which they strive to bring about.

Antimilitary activity in the enemy country before the battle begins is supposed to pave the way for Soviet victory in the armed struggle which is launched when victory seems more or less assured.

The following two articles appeared in the March 13 and March 20, 1971, edition of Human Events Newsmagazine:

"UNDERMINE AND DESTROY THE ARMY"

The revolutionary or would-be world conqueror who did not try to undercut and subvert the armed forces of his opposition would be a fool. Communists are not fools—either as revolutionaries or world conquerors. No group in history has devoted as much time, thought and debate to the development of a solid body of revolutionary doctrine—and to the field testing of it. In their drive toward world conquest, they have devoted more attention to revolution than to concepts of traditional warfare (though that has been anything but neglected).

Years ago, when Communists were primarily domestic revolutionaries and the idea of world conquest was no more than a distant dream, their 1919 classic *ABC of Communism* (N. Bukharin and E. Preobrazhensky) stated: "It is necessary, above all things, to undermine and destroy the army in order to overcome the bourgeoisie."

It is Establishment dogma that this quotation is completely irrelevant to the U.S. today, at least as far as our internal affairs are concerned. The reason being that communism in the U.S. is washed up, finished discredited as a philosophy and ineffective and powerless as a movement.

Yet, to get a realistic picture of the domestic Communists' ability to influence events in this country and significantly weaken its security, the most productive thing to do is keep the above quotation clearly in mind while taking a hard look at certain matters affecting the readiness of our military services.

Most Americans are aware that there has been a steady escalating attack on the entire U.S. defense organization in recent years. The assault is probably broader, more intensified and varied than at any other time in history.

No aspect of military preparedness has escaped. There is criticism of our admittedly huge defense budget, carping about what are termed excessive U.S. military commitments abroad, extensive publicity about cost overruns for weapons development (but not the Kennedy Cultural Center). Department of Defense research for anything but purely military purposes has been hit—and curtailed. University research cooperation in solving defense problems is refused.

Recruiting for the armed services, the Central Intelligence Agency, and firms engaged in defense production such as General Electric and Dow, is disrupted. ABM and MIRV have been the subjects of extensive propaganda and agitation. ROTC, the draft, and traditional military discipline, along with the system of military justice, are under siege.

All of these issues are, and should be, matters of completely patriotic concern and debate. They are also matters of great interest to subversives, however, and U.S. Communists have been involved in the agitation and debate that has taken place on all of them, sometimes with disturbing success.

The word "Communist" is used here to include not only the Moscow-controlled CPUSA and its youth groups but also the Peking-allied Progressive Labor party (PLP), the Trotskyist Socialist Workers party (SWP) and its youth section, the Young Socialist Alliance (YSA) and the Workers World party and its Youth Against War and Fascism, as well as several smaller Communist "splinter" organizations.

It also includes the two major factions of Students for a Democratic Society which started out in 1962 as a native radical youth movement dedicated to "participatory democracy," barring Communists as members and opposing communism and the USSR (as well as U.S. capitalism). Challenged by their technical exclusion, Communists of all varieties moved into the organization.

In 1965 at an SDS convention attended, according to J. Edgar Hoover, by representatives of "practically every subversive organization in the U.S.," the unenforced ban on Communists was revoked. Not long afterward, SDSers, in submitting papers on various issues to be debated at conventions and national council meetings were openly identifying themselves as "CP" or "PLP." A subsequent step in the communization of SDS came in 1967 when several key national officers of the group openly identified themselves as communists with a small "c".

SDS has since split into three separate groups, all of which have stated their goal is revolution and communism. The Worker-Student Alliance faction is controlled by the openly Communist and revolutionary PLP. The Revolutionary Youth Movement II faction is dominated by CP, ex-PLP and other Communist elements. (The third faction, the Weathermen, is excluded, though its leaders have also proclaimed their goal is communism. They have degenerated into a handful of fanatical, drug-using anarchists whose doctrines and methods of operation violate accepted Communist teachings.)

Finally, the term "Communist" also embraces another element that can be identified only generally and not in any strict organizational sense. They are people, mostly young, who have studied Marx, Engels and Lenin and accept their economic and political doctrines. Their heroes are Mao, Fidel, Ché and Fanon; their spiritual homelands, Algeria, Cuba and Red China. Many subscribe to Mao's doctrine that "Political power grows out of the barrel of a gun."

They are not, however, members of SDS nor of any formally organized Communist party. Some are members of "collectives" and communes, or of small, independent revolutionary groups. Still others are loners. Most participate in "actions" sponsored by SDS and organized Communist groups, in addition to carrying out revolutionary operations of their own.

All the above-mentioned Communist types have been particularly active—and successfully so—on a matter that goes to the very core of our defense capability, the question of the quality and quantity of our fighting men, officers and enlisted. Their assault on the personnel base of our defense organization has been a typical Communist double-pronged attack—undercutting, discrediting and weakening it from without and, at the same time, penetrating and undermining from within.

The external phase of their attack—the subject of this article—has concentrated on two institutions, ROTC and the draft, the object being to deny our defense establishment the personnel needed for effective military operations, either offensive or defensive. In this first installment, the assault on ROTC will be discussed; next week the Communist-supported attacks on the draft will be explored.

THE OFFICER CORPS

The importance of ROTC is obvious. Through the draft and enlistment, the United States could field an army of 10 million men at any given time, but if it did not have the officers to train and lead it in combat, an army of this size—or any other size—could be decimated in short order by a military force one quarter its size, or even smaller. Without officers to lead it, you have no army.

Reserve Officers' Training Corps is the principal supplier of our military officers. Over 100,000 ROTC graduates served as commissioned Army officers in World War II. Gen. George C. Marshall, Army Chief of Staff during the war, said ROTC officers "made the difference between defeat and victory" and that "The most valuable asset we have had in the emergency has been the product of ROTC."

Harold Dodds, when president of Princeton, pointed out that in World War II, "The reserves supplied the backbone of the officer combat personnel. . . . At the end of the hostilities, the majority of Army officers at battalion and company levels were former ROTC students."

Based on his extensive experience in, and study of, World War I, World War II, the Korean War and the Viet Nam war, the noted military analyst, S. L. A. Marshall has said of ROTC officers: "We simply could not get along without them. With few exceptions, their quality is amazingly high."

In peacetime, 80 per cent of all new officers entering the active Army are ROTC-trained. Last year DOD informed the Scranton Commission on Campus Unrest that "ROTC is currently supplying over half the regular officers of the combined services and a sizable number of the Reserve Officers."

There were 511 ROTC campus units in the 1969–70 academic year. They turned out over 23,000 officers. By contrast, the service academies—West Point, Annapolis and the

Air Force Academy—produced about 2,300, one-tenth the number.

The message is clear. Hit ROTC and you hit the ability of the U.S. to defend itself.

COMMUNISTS AND ROTC

The Communist party has traditionally opposed ROTC. At its 17th National Convention, held in New York City in 1959, it adopted a "Resolution on the Youth Question" which, in one of its subsections, gave No. 1 priority to:

"Abolition of . . . the ROTC."

Charlene Mitchell, of California, CP candidate for Vice President of the United States in the 1968 elections, gave a report on party youth work to the Southern California District convention which immediately preceded the party's 1959 national convention. She spoke of the recent appearances of "Comrade Dorothy" (Healey) on a number of campuses and stated:

"The poll that was recently conducted on one of the campuses on whether the students were in favor of compulsory ROTC the response was overwhelmingly opposed to the continuation of the compulsory military training on campus. And the stirrings of student organizations has already begun to take initial steps."

In her recommendations for "mass work" by the party, she said:

"We join in every activity around the issues confronting the students to help raise the demands for complete academic freedom on the campuses. For the elimination of compulsory ROTC in the state universities. . . ."

The party's anti-ROTC program was not a roaring success in the early '60s, although it did succeed in staging sporadic campus marches and demonstrations. These were usually engineered by supposedly independent "Marxist Study Clubs" which it controlled. A number of factors contributed to a later, much intensified and much more successful operation. They were:

The emergence of SDS in 1962 and its gradual communization over a period of years.

The 1963 formation of the PLP, a Peking-oriented CP offshoot which attracted the younger, more violence-prone element of Communist-inclined youth.

The formation of the DuBois Clubs in 1964, giving the party an on-campus agency to propagandize and agitate on the issue.

In addition, the Trotskyist SWP had launched a youth group of its own, the Young Socialist Alliance, in 1959 and Youth Against War and Fascism (YAWF) was similarly established in 1962 to serve as the youth arm of the Trotskyist splinter group, the Workers World party.

Some time passed before each one of these groups became operationally effective, but all adopted anti-ROTC stands and despite their factionalism and rivalry, worked together for their common objective of destroying the military readiness of the United States by undermining its officer corps.

When the party's youth front, the anti-ROTC, W.E.B., DuBois Clubs of America, faded out of the picture in 1969, its successor, the Young Workers Liberation League (founding convention, Chicago, February 1970) immediately placed itself in opposition to ROTC.

"The Student Rebellion," a paper distributed at its convention, had been prepared by DuBois Club leaders. The program section of this paper outlined a number of demands the new Communist youth group would make. One of them read:

"First, of course, is the demand for the abolition of ROTC and of military research of all forms on the campuses."

The general resolution adopted at the YWLL convention, in the subsection entitled "College Students," read:

"We will work among youth to . . fight against every manifestation of militarism in the universities (against ROTC, Dow recruiters, war research programs, etc.).

The CP, of course, is still opposing ROTC. The youth section of its "New Program," promulgated in May 1970, said, "We advocate . . . abolition of all military use of schools and colleges, including ROTC and military research."

STUDENT MOBE

A major Communist instrument in promoting campus propoganda and agitation against ROTC, the draft and all other aspects of defense preparation is the Student Mobilization Committee Against the War in Viet Nam. Student Mobe was organized by Bettina Aptheker, a member of the Communist party's National Committee and a professed party member at the time, for the purpose of organizing a nationwide student strike against the war in Viet Nam. It's founding convention was held in Chicago in December 1966. Host for the affair was the Communist-front Chicago Peace Council.

Over 250 delegates attended the convention, representing about 50 colleges and universities and 16 states, Puerto Rico and Canada. Representatives of the Communist party. DuBois Clubs of America, Socialist Workers party, Young Socialist Alliance, Progressive Labor party, and Youth Against War and Fascism, took part in the proceedings.

Other organizations, of course, were also invited—National Student Association, SNCC, SSOC, CORE, SCLC, American Friends Service Committee, Young Christian Students, Methodist Student Movement and, additionally, several Communist fronts. Most of them took the bait.

There were workshops on the draft, campus military recruiting (CIA, Dow and the military services), university "complicity" with the war and military research. All aspects of the party's sabotage-DOD line were covered.

The first day's speakers were Bettina; Sidney Peck, formerly a member of the Wisconsin State Committee of the CP; Marjorie Kinsella, an ex-nun since identified as a party member; Dan Styron of YSA; two SDS representatives, one of them the son of Sam Kushner who has served on CP's national committee; and Eugene Groves, then NSA president; Peter Orris of Harvard SDS, since identified as a CP member, was master of ceremonies.

Not surprisingly, a delegate of the Peking-oriented Progressive Labor party later wrote bitterly that the convention was dominated by the CP, the DuBois Clubs and YSA.

Student Mobe operated more or less as a united front for some time afterward with the DuBois Clubbers and the young Trots in DCA and has been running it ever since. YSA took control of the organization from the DCA and has been running it ever since YSA describes itself as "a nationwide Communist revolutionary organization."

Opposition to ROTC has been a major Student Mobe program since its founding. Promotional literature distributed at the time of the Oct. 15, 1969, Viet Nam Moratorium, for example, described the group in part as follows: "Campus chapters of SMC work to build actions against ROTC, recruiters, war research and the draft."

The YSA "Program for the Campus Revolt," published in its magazine *Young Socialist* last year, contains the following demand: "Abolish ROTC, end all ties between the university and the military. No military recruiters on campus. End cooperation with the Selective Service System, abolish the draft."

The Trotskyist Communist YSA leaders have been boasting recently that they have taken the leadership of the "left wing of the nation's student movement" away from SDS and are today the top-ranking campus activist group.

FBI Director Hoover describes YSA, which still controls Student Mobe, as "the largest and best-organized youth group in left-wing radicalism."

SDS'S ROLE

SDS opposition to ROTC and the intensity of its attacks on the institution have paralelled the communization of the organization. When it first took a stand on ROTC in 1964, it called only for abolition of *compulsory* ROTC. A few years later individual chapters were calling for complete abolition of ROTC, as well as the draft, recruiting and military research.

A House committee report points out that during the 1968 academic year, SDS protests fell into one or more of four broad categories, the first being "war-related issues such as opposition to ROTC military or CIA recruitment on campus, and military research on campus."

"Smash the Military Machine in the Schools (A National Winter-Spring Offensive)" was the title of a paper considered—and rejected—at a December 1968 SDS National Council meeting. It was later approved, however, at a Princeton regional conference in February 1969 (attended by strong Black Panther and PLP contingents) and subsequently by SDS national interim committee.

To implement a nationwide program of mobilizing people to actively "combat" and not merely "resist" imperialism, the paper recommended the adoption of the following demands under the "SMASH" slogan:

"No ROTC.

"No war or counter-insurgency research.

"No military or war recruiting.

"No draft assemblies in high schools.

"No high school sending of names to draft."

In reference to the first demand, the paper explained: "In the case of ROTC, a nationwide attack would severely hurt the military . . . . As a result of VC sharpshooting, the military is experiencing a severe shortage of officers."

The Marxist-Leninist "class warfare" basis of the SDS anti-ROTC struggle was spelled out:

"We must articulate and demonstrate the class nature of these military institutions, as well as their racist nature—that ROTC supplies the officers and high schools supply the GIs for imperialist wars. In talking to GIs about our spring actions we must talk about ROTC as the main producer of the officer class (85 per cent of all second lieutenants, and 45 per cent of all officers on active duty) which most immediately oppresses the enlisted man."

No Communist group conceals its efforts to abolish ROTC. But SWS, *"nouveau riche"* in its revolutionary Marxism-Leninism compared to the others, goes to much greater lengths in spelling out the ideological base for its position.

A University of Maryland SDS flyer entitled "Smash ROTC—Smash Imperialism," distributed on the same day its "action" had taken place, proclaimed that it had "Stopped the Air Force Reserve Officer Training Corps from registering students. We overturned their table and destroyed their papers."

Paragraphs of ranting about U.S. "imperialism" in typically Marxian language followed—and then:

"The ROTC programs foster all the destructive, oppressive capitalist ideologies . . . ROTC plays a vital role in the imperialist system. In fact, ROTC supplies 50 per cent of the Army, 35 per cent of the Navy, and 30 percent of all Air Force officers . . .

"The university serves imperialism through programs like ROTC; it therefore is, and will continue to be, a battleground . . ."

Another SDS flyer circulated on the campus of George Washington University in our Nation's Capital was somewhat more mildly captioned "Abolish ROTC—Fight Capitalism." Its rationale was thoroughly Communist: The war in Viet Nam is not an aberation, an isolated mistake in U.S. policy but

the natural result of U.S. capitalist (and hence imperialist) culture. ROTC should be abolished because it is "essential" to the implementation of U.S. imperialist policy in Viet Nam.

Under such subheadings as "ROTC: The Main Source of Officers" and "No Alternative to ROTC," the flyer quoted statements made by the former commanding officer of the Harvard ROTC in his vain efforts to preserve it at that institution in the face of a successful Communist-SDS onslaught:

"The Armed Forces simply cannot function without an officer corps comprised largely of college graduates . . .

"Let it be understood beyond question that there is at present no acceptable alternative source of junior officer leadership if ROTC is driven from the college campus."

The SDSers were clear in their ultimate purpose. Statistics were then cited to prove the truth of the above statements and to demonstrate SDS's point that "a widespread anti-ROTC movement *would* have the desired effect."

By the time its 1969 convention rolled around, the Viet Nam war and "militarism" were the keynote of most SDS activity. It was a far cry from the native radical, anti-Communist organization of 1962 that concentrated almost exclusively on community problems such as poverty and integration and was primarily interested in the lot of the deprived, black or white, in ghettos or the Appalachias. One paper submitted to the convention stated:

"In struggles against the war—such as anti-ROTC struggles—it is crucial to fight in the interests of the international working class. ROTC should go because it provides officers to be used against revolutions abroad, and black rebellions and strikes at home."

When the Workers-Student Alliance (PLP) faction of SDS held its convention in Chicago in December 1970, it adopted a resolution entitled "Fighting ROTC." A workshop was devoted to the subject and the following plan adopted for an intensified offensive against ROTC this spring:

Groups of four or five will enter ROTC classes and disrupt them by asking a barrage of questions. Then larger groups will invade classes and close them down. Picket lines will be thrown up and finally, the SDS-WSAers hope, they will call strikes that will close down universities conducting ROTC programs.

THE TEST ACTION

Words and doctrines are important to Communists. Actions are more so. Did the above positions and statements, repeated, enlarged and reiterated on campuses from one end of the nation to the other by the Communist coalition in speeches, flyers, newspapers, etc., result in action?

Anti-ROTC activities of all kinds mushroomed on campuses across the country—and in Puerto Rico and Hawaii. In the spring of 1965, agitating students forced the cancellation of the annual Navy ROTC awards ceremony at Columbia University by blocking the entrance to the building in which it was to be held. Speakers at this demonstration, in addition to Prof. Staughton Lynd, and Alan Krebs, included Rick Rhodes of PLP, Doug Jennis of YSA and Key Martin, chairman of YAWF.

Similar "demonstrations" were then, and are still, taking place on campuses all over the country. ROTC classes, drills and ceremonies are routinely disrupted by sit-ins, break-ins and other disruptive tactics. Campus recruiting and registering is blocked. ROTC facilities are firebombed and destroyed or damaged by explosives.

Testifying in April 1969 FBI Director Hoover stressed that:

"In September 1968, within a five-day period, three ROTC establishments were sabotaged and a fourth threatened. . . . On Sept. 13, 1968, Callahan Hall, the Naval ROTC building at the University of California at Berkeley was damaged by explosives which caused in excess $25,000 in damage. Two previous attempts were made to firebomb this building in 1968.

"On Sept. 15, 1968, several firebombs were thrown into the ROTC armory at the University of Delaware, damaging or destroying 300 military uniforms and public address system equipment.

"On Sept. 18, 1968, a fire of undetermined origin caused extensive damage in Clark Hall, the Naval ROTC building at the University of Washington in Seattle. Prior to this date, members of SDS at this university had announced the Naval ROTC unit as one of their 'targets.' Furthermore, at the scene of the fire, Robbie Sterns, self-described SDS activist, was observed chanting, 'This is No. 1 and the fun has just begun: burn it down, burn it down!' "

Michael Siskind of Washington University in St. Louis has pleaded guilty to an attempted fire-bombing of the ROTC installation at the university on Dec. 3, 1968.

SDS-sponsored anti-ROTC demonstrations immediately preceded and helped spark the April 1969 riot at Kent State University in which four students were killed.

In the FBI's annual report for 1969, Hoover pointed out that so far in the 1969-70 school year, "52 violent demonstrations have been held against the ROTC program and damage thus far attributed to the demonstrations has amounted to well over $1 million."

The year 1970 saw an escalation of violent attacks on ROTC facilities. A few examples:

At the University of Wisconsin in February, the ROTC headquarters was attacked during a demonstration against GE recruiting. The demonstration was sponsored by YSA, SDS, Student Mobe and the Black Council.

In April, over 100 windows were broken in an anti-ROTC demonstration at Stanford University which followed a speech by Mobe leader Tom Hayden.

At the University of California, also in April, police had to use tear gas and clubs to break up an attack on an ROTC building. One of the key agitational speakers at the rally immediately preceding this attack was Victor Caufield, a leader of the PLP faction of SDS.

Another ROTC protest demonstration at Stanford University on April 24, 1970, turned into a riot and rampage. Appropriately, the protest was scheduled as a celebration of Lenin's birthday. Damage was estimated as high as $150,000. The result—the life work of 10 visiting scholars—was completely destroyed, including a 22-year project on the caste system of India undertaken by a man recognized as one of that country's greatest anthropologists.

The FBI report for the fiscal year 1970 pointed out that:

"ROTC facilities were singled out as a target [of violence] on 182 occasions" and were the subject of 281 attacks in the 1969–70 academic year. Director Hoover has more recently revealed that in the period Sept. 1, 1970 to the end of February 1971, ROTC campus units had been subjected to 49 additional attacks.

The key question: Has this intense anti-ROTC drive hurt U.S. preparedness?

Some facts: In 1968, before the assault had its full impact, 112 colleges and universities had compulsory ROTC. By 1970 the number had dropped to 48.

ROTC enrollment reached its peak in 1961: 303,693. It then began a gradual decline which accelerated sharply in 1966. In 1968 it was down to 202,417. By 1970 it had plummeted to 109,598—the lowest in almost a quarter of a century and only one-third the '61 figure.

Twenty-four major colleges and universities have already dropped, or decided to drop, ROTC. Included are Harvard, Princeton, Yale, Dartmouth, Columbia, Brown, Tufts, Stanford, Bowdoin, Boston U., NYU and Colgate. As a result, about 4,500 officers will be lost to the armed services each year.

US News & World Report recently reported that "The Pentagon is starting for the first time to worry openly about its future supply of officers." The key word there is "openly."

Numbers are not the only concern. In February 1970, in an official report on the status of the country's reserve forces, DOD stated that a further reducting in ROTC enrollment (below the fiscal '69 level) "may lower the quality of the product."

That was over a year ago—before the 1970 drop of over 50,000. In view of the sharp decline that had already taken place, the report stated only that the services "appear" able to meet their fiscal '70 officer production objectives.

The image and repute of ROTC has also been hurt. In June 1969 the Cadet Colonel of the Georgetown University ROTC told a congressional committee:

"It [campus opposition and harassment] has had a very definite effect on the morale, especially the basic Corps of Cadets, which would be freshmen and sophomore cadets.

"They often expressed to me the feeling that they are kind of lost because it seems that there is continual ranting and raving against ROTC and against these fellows for being in the program, but nobody ever seems to back them up, any of the administration. Nobody ever seems to express interest in what I would call dedication, because it is really rough to be in the ROTC nowadays on campus.

"Georgetown is really one of the easiest campuses to be in ROTC. It is really getting rough."

ROTC enrollment had already dropped about 20 percent at Georgetown, in part because fewer freshmen were joining the program than in the past. According to the Cadet Colonel, John Thomas Hoffman:

"I think the seniors coming out of high school today hear so much about the anti-ROTC sentiment on the campus that it is no longer stylish to be in ROTC. . . ."

The fact that most students favor campus ROTC (though they may not be willing to enroll in it) is an indication of how successful this Communist campaign has been. The above results have been accomplished against the will of the majority.

A nationwide Harris poll taken in May 1970 revealed that 70 per cent of students thought ROTC should be permitted on campus (25 per cent of the students polled opposed it). In other polls Dartmouth, Stanford, Boston College and the State University of New York at Buffalo, the majority of students voted against ROTC. It should be pointed out, however, that in some of these polls only a minority bothered to express their opinion.

Physical destruction and dollar damage is also a factor to consider.

A DOD report prepared for the Scranton Commission stated there were 20 acts of violence against Army ROTC units in the 1968–69 academic year. The following year, the number jumped to 126. There had been only five acts of violence against Air Force ROTC units in 1968–69; the number jumped to 56—11 times that figure, in 1969–70. In the case of Navy ROTC units, the increase was from three to 15. ROTC buildings were completely destroyed or substantially damaged on 19 campuses in the 1969–70 year.

So successful have the Communists been in centering hatred on ROTC that during the rioting that swept many campuses in May 1970 following the invasion of Cambodia, 40 ROTC buildings were damaged by fire; 10 of them being totally or partially destroyed.

A General Services Administration report indicates that in the 1968–69 academic year there were 30 "incidents" involving ROTC

facilities, resulting in an estimated $208,000 damage to federal property. The following year, 1969–70, the incidents jumped to 277, almost 10 times the number, and the property damage was close to $1.5 million.

More important, destruction and damage to equipment and facilities, along with frequent disruption of classes, drills and ceremonies has meant the loss of many hours of instruction.

On a purely statistical basis it can be argued that U.S. military preparedness has not been impaired by the Communist anti-ROTC campaign. Forty-two educational institutions are on the waiting list for Army ROTC units. The Air Force has requests from 72 institutions to establish ROTC units and the Navy 29. Thus, for every institution that drops a unit, there is another waiting to establish one.

But a new ROTC unit does not turn out a competent military officer overnight—or in one year. And creating new units for those eliminated does not solve the problem of the immense enrollment drop in the old-line continuing units.

DOD is so concerned it has proposed three major steps in an effort to rebuild the seriously lagging ROTC program.

Almost double ROTC scholarships—from 16,500 to 30,000 per year.

Double the subsistence allowance for junior and senior ROTC students from $50 to $100 per month.

Do what has never been done before: Pay institutions with ROTC programs $500 for every officer commissioned.

If approved, this program will cost at least $35 million per year.

The Communists have not completely destroyed ROTC. Obviously they never will. But they have kicked it around, battered it and reduced it to just about the lowest relative state in its history.

Not a small accomplishment for a movement that, Establishment dogma says, exists only in the minds of oddballs who see a Red under every bed!

Just what would the U.S. do if a year or so from now it suddenly faced a full-war crisis and, for its survival, urgently needed the vast number of ROTC-trained officers such an emergency demands?

THE COMMUNIST ASSAULT ON THE DRAFT

Military conscription is unpopular, ancient and apparently necessary for all nations in time of war. The Bible records that two years after leading his people out of Egypt, Moses drafted over 600,000 men into the army to defend the nation of Israel. The early American Colonies, following British custom, used military conscription to man their militia.

George Washington, after his Revolutionary War experience with troops that faded away, urged the very first Congress to adopt a federal draft. It refused his plea. Jefferson and Madison did the same as Presidents, again without results. During the Civil War both the North and the South raised their armies largely through the draft. Conscription was also used during World Wars I and II. Of the almost 15 million men who served in World War II, over 10 million—about 66 per cent—were draftees.

Because of Communist aggression and war-making we have had draft laws in effect for all of the last 30 years, except for about 12 months in the 1947–48 period.

The present draft law expires on June 30. President Nixon has proposed an all-volunteer Army to eliminate the need for an indefinite continuation of the draft. Congressional committee chairmen with extensive knowledge and experience in the area, and as knowledgeable a pro as Gen. Hershey, say it won't work.

Whether it will or not, the basic consideration for now is that, for the past three decades, it has been the considered judgment of the Congress and of every President that military conscription has been vital to the defense of the United States.

THE COMMUNIST VIEW

When the Soviet Union was our "ally" in World War II, the Communist party favored universal military training, a proposal more drastic than any draft law enacted in this country's history. During all other periods, all Communists have opposed the draft for the simple reason that it has been the decisive instrument in the maintenance of forces adequate to protect this country and defeat attempted Communist aggression and revolutions.

The report to the Youth Panel at the Communist party's 1948 convention stated, "America's youth . . . can be won in the millions . . . for the repeal of the draft." In 1951, speaking at the New York State Convention of the Communist party, Gus Hall stated that the draft was one of the central questions that agitated the youth of America.

In its 1955 report on the Labor Youth League, which was then the Communist party's youth arm, the Subversive Activities Control Board pointed out that both the party and the LYL "urge repeal of the draft." At the party's 17th national convention, in 1959, reports by three topranking party officials—Hyman Lumer, Arnold Johnson and William Albertson—all urged a Communist drive to destroy the draft.

At the 1960 May Day rally in New York City's Union Square, Paul Perlman, then president of Advance, the Communist party's youth group of that period, called for abolition of the draft. At an Advance rally held in New York City the following month, one of the themes was, "End the Draft. Bring Our Boys Back Home." The DuBois Clubs sang the same song during their '64-'69 life.

The newly created Young Workers Liberation League, successor to the DuBois Clubs, put itself on record as opposed to the draft at its founding convention in February 1970.

The general resolution adopted at that convention stated at one point, "We shall work among youth . . . to fight to abolish the draft, for the rights of GIs, and to end militarization of the campus." A document distributed at the convention, "KO Racism, Unite the Working Class," called for a "Fighting Program" that included the objective "End the Draft."

Basically the progress of the Communist anti-draft campaign has paralleled that of the anti-ROTC drive. It moved along at a steady—desultory pace—not too effectively—through the '50s and early '60s. From 1965 on it accelerated rapidly, reaching its climax in 1970.

The reason for this is readily understandable. It is most difficult—even for a strong, smooth-functioning subversive group or coalition—to wage a really effective anti-draft or anti-ROTC campaign in peacetime.

The draftee may not be charmed with the idea of military service, but it means no more than a temporary interruption of his freedom or his life plan, if he has one. It even has attractions of sorts—experiencing a new way of life, getting away from home, perhaps seeing a foreign country, etc. For the poor, it unquestionably means a better way of living.

While an ROTC commission involves some military obligations for a period of years, it is a mark of honor. Technically, it means the holder has the qualities to lead other men, even in combat. Any normal male would be proud of this, though not all desire to be put on that spot or will go out of their way to achieve it.

But when the shooting starts and men start dying, things change. The attractions disappear. The price of military service for both officer and enlisted man becomes much higher. No normal, intelligent young man wants to die or unnecessarily risk his life in combat, even though a sense of duty and honor usually impel most to do so when it is required.

War immediately creates a mass of potential service evaders and resisters—those lacking courage, patriotism, a sense of duty; those overly sensitive to violence, war and killing, etc.

The 1965 commitment of U.S. troops to combat in Viet Nam and the escalating numbers involved in battle there during the next few years created a golden opportunity for the Communists. They were organized and ready, knew what they wanted and exploited the opportunity fully.

THE MARXIST CONTRIBUTION

The CP was not the only Communist organization waging an anti-draft campaign. All those involved in the anti-ROTC drive waged a parallel campaign. Much of the anti-ROTC literature quoted earlier also contained ringing anti-draft declarations and often gave them greater priority because many more young men are affected by the draft than ROTC.

Early in 1964 Phillip Abbott Luce, as an independent revolutionary radical, had drafted one of the first "We Won't Go" statements. Then he joined the May 2nd Movement (M2M), and anti-Viet war front for the Progressive Labor party which took his statement and revised it before circulating it on campus for signatures.

Why the revision? Luce's original declaration said in part: "We understand our obligation to defend our country and to serve in the Armed Forces." It then went on to say that, if drafted, the signers would refuse to serve in Viet Nam.

The PLPers running M2M would not tolerate the above quote. They changed it to read: "We the students of the United States refuse to be drafted. We do not recognize the right of the government to draft our fellow students."

Luce has since left the radical movement.

An M2M document prepared by PLP member Jeff Gordon, dated Oct. 30, 1965, had a subsection entiled: "Anti-Draft Unions." It revealed that at an M2M meeting on October 24,

"The essential decisions were that anti-draft activity should be carried out through the formation of independent Anti-Draft Unions, though some chapters may decide that the situation on their campus calls for the work to be done directly by M2M."

M2M, which had chapters on about 20 campuses at the time, issued a press release on its proposed anti-draft activity. It included suggestions for actions to be taken. Those listed read like a scenario of what has taken place over and over again during the last five or six years:

". . . demonstrations at draft boards when a member of the Union is being forced to go into the Army; similar demonstrations in support of members who refuse to go into the Army; demands on campus that the university cease all cooperation with the draft board—that they hand over no grades or other information to the draft board and that professors refuse to give in grades for this purpose—and that ROTC Get Off the Campus; if these campus demands are not met the Union might consider the organization of student strikes to support the demands; that the Unions approach high school students and tell them about the war in Viet Nam and about the different alternatives open to them on the draft."

In 1965 another PLP front, the Viet Nam Day Committee (which was headed by Jerry Rubin, collected money for the Viet Cong and attempted to halt troop trains carrying personnel and supplies bound for Viet Nam), founded an anti-draft committee in cooperation with SDS.

This committee staged anti-draft demonstrations in Oakland and San Francisco. Among other things, it circulated a docu-

ment entitled "Brief Notes on the Ways and Means of 'Beating' and Defeating the Draft." Suggestions included: "Be a C.O." "Be 'gay.' Play the homosexual bit." "Be an epileptic." "Play psycho." "Arrive drunk." "Arrive high." "Be an undesirable. Go for a couple of weeks without a shower. Really look dirty. Stink." "Bed-wetting."

The I Wor Kuen is a new Maoist organization. Composed primarily of Chinese-Americans, it was organized in November 1969 and has its headquarters in New York City. It has worked with the Black Panthers, the Young Lords and SDS, the most extreme of the groups on the left. One of the first projects undertaken by the I Wor Kuen in Chinatown, New York, was a draft "counselling" service for the young men of the community.

THE YOUNG TROTS

Student Mobe, the offspring of Bettina Aptheker kidnapped by the Trots, has played a major role in stimulating anti-draft activity in all parts of the nation. At Student Mobe's 1966 founding convention the very first question prescribed for discussion at the workshops on the opening day was:

"How can we effectively build mass opposition to the draft on the campus? Is non-cooperation with the Selective Service effective? Is opposition to 2–S a good focal point for student anti-war action? Can a campaign to abolish the draft attract large numbers of students? How should the anti-war movement relate to students already drafted?"

The "Call to Viet Nam Week" adopted at the convention attacked the draft, not in Communist terms but on the grounds that it "perpetuates a system of racism in the United States . . . penalizes the poor" and was used by the government to crush the aspirations of racial minorities. The idea, of course, was to appeal to the blacks and liberal-minded non-Communists in attendance.

The convention also proposed that the forthcoming Viet Nam Week demonstrations focus on four major issues, one of which was "Abolishing the draft, and supporting the right of individuals to refuse to cooperate with the military system."

Viet Nam Week, 1967, was a week of anti-Viet Nam war actions organized by the Spring Mobilization Committee to End the War in Viet Nam and supported by Student Mobe. It culminated in rallies in New York and San Francisco on April 15 of that year, attended by over 200,000 people.

The week was characterized by anti-draft activity of the type suggested at Student Mobe's founding convention: Opposing the sending of draftees to Viet Nam; opposing 2–S; supporting students who refuse to cooperate with the draft; sit-ins at draft boards, the circulation of "We Won't Go" pledges, etc.

Stude Mobe, under both CP and Trot control, has staged "Stop the Draft Weeks" for the last four years.

Mike Zagarell, national youth director of the Communist party and a member of its national committee, was arrested on Dec. 7, 1967, during Student Mobe's violent "Stop the Draft Week" demonstration at the induction center at 39 Whitehall Street, New York City.

Now the education director of the party's new youth front, the Young Workers Liberation League, Zagarell then served on the New York City Coordinating Committee for Stop the Draft Week, as well as the national council of Student Mobe. (A September 1966 Communist party National Youth Conference considered a report by Youth Director Zagarell entitled "End the War—End the Draft" which stressed the importance of party anti-draft work.)

The CP and other Communist parties have given their all-out support to Student Mobe's anti-draft activities. When William Di Vale, an undercover informant for the FBI, testified before the Subversive Activities Control Board in the spring of '69, he described the agenda of a Communist party meeting he attended in West Los Angeles in September 1967 in part as follows: "The second point on the agenda centered around a report and discussion about the coming Stop the Draft Week activities."

The DuBois Clubs of America also played a major role in this type of activity. At a meeting of the National Executive Committee of the DuBois Clubs held on Nov. 5, 1967, there were two main points of discussion, one of them being Student Mobe's upcoming Stop the Draft Week (first week of December 1967). It was decided that DCA would give its full support to the operation.

Actually, the 1967 Stop the Draft Week had been thoroughly discussed by the DuBois Clubs' National Coordinating Committee at a meeting held in Chicago as early as June of that year.

"BIG" MOBE

The adult Mobe group has also played a very important role in the Communist campaign against the draft. "Mobe" originated as the November 8 Mobilization Committee for Peace in Viet Nam, for Human Rights and for Economic Justice. Its purpose was to make Viet Nam an issue in the 1966 elections. It has since operated under the name "Spring," "National" and "New" Mobilization Committee to End the War in Viet Nam.

Mobe, like Student Mobe in its early days, was a coalition or umbrella-type organization. Again, the key roles in the group were played by the CP and the Trots, with the two groups contending for domination. Their uneasy marriage ended in a split last summer. The Trots have now formed their own anti-war front called the National Peace Action Coalition. The other Mobe element, centering around such persons as Rennie Davis, Dave Dellinger, Sidney Peck and Donald Kalish, formed a rival group called the National Coalition Against War, Racism and Repression and then changed its name to Peoples Coalition for Peace and Justice. This group is referred to as "the Stalinist coalition" by the Trotskyists running the NPAC.

Under all its names, however, the adult Mobe group has vigorously pushed the Communist anti-draft campaign.

At a Mobe meeting held in a camp outside Chicago in March 1968 (the first step in planning the Democratic Convention riot that summer), the program adopted included a demand, as its earlier ones had, for an immediate end to the draft.

In September 1968, immediately after the convention riots, a 28-member U.S. delegation organized by Mobe leader and self-identified non-Soviet communist David Dellinger, travelled to Budapest where they met with representatives of North Viet Nam and the Viet Cong to discuss ways in which the U.S. could be undercut and a Communist victory promoted in South Viet Nam. Encouraging draft resistance was one of the steps decided on.

Also that month, on September 24, the administration committee of what was then called New Mobe, met in Washington. One of the items considered was a report from Prof. Donald Kalish of the University of California, which urged continuing pressure on draft boards. A long-time key Mobe activist who has described himself as somewhat to the left of the Communist party, Kalish gave Angela Davis her job at UC, where he heads the Philosophy Department.

One of the last actions of New Mobe before it split in the summer of 1970 was its spring "Stop the Draft Week," held March 15–22 of that year. Announcing the event in February, Mobe stated, "A determined effort will be made to close down as many draft boards and induction centers as possible, through the 'dialogue of confrontation'."

It added that there would be picketing, distribution of leaflets, draft card turn-ins, that its followers would ask draft board employes to resign, invade draft board offices to "dialogue" with employes and, if evicted, block the entrances to prevent board operation. The week was also to feature a march on Selective Service headquarters in Washington.

New Mobe leaders held a press conference in Washington on March 14, 1970. They said their Stop the Draft Week would feature haunt-ins at draft boards, death watches by supporters dressed in black; also complyins—harassment by over-compliance with the draft regulation which requires registrants to keep their boards informed of any change in their status.

The idea was to flood the boards with irrelevant, unnecessary information in order to impede their work. For example, have you started working for the telephone company? If so, visit your draft board and present it with a directory. It was their hope, the leaders of New Mobe said, that they would succeed in completely shutting down the entire Selective Service operation for at least one day. (They did not succeed.) They claimed that there would be demonstrations at draft boards, induction and recruiting centers in over 100 cities.

"PARTICIPATORY DEMOCRACY" AT WORK

Students for a Democratic Society has contributed as heavily to the Communist campaign against the draft as it has to the drive against ROTC. Its Peace Research and Education Project urged abolition of the draft in 1964. Following the 1965 SDS convention, there was a meeting of SDS's National Council over the Labor Day weekend. A vigorous anti-draft program was proposed at this meeting which included plans to counsel draft-age youth on how to avoid the draft. Submitted to the SDS membership for approval, it was defeated by a narrow majority. Despite this, SDS announced that each local chapter would make its own decision about undertaking an anti-draft program.

The anti-draft program and the Viet Nam protest movement dominated discussions at the SDS national membership conference held in Urbana, Ill., in December 1965.

SDS sponsored a draft-card burning during the so-called Assembly of Unrepresented People held in Washington in August 1965 to protest the war in Viet Nam and launched an all-out anti-draft campaign in October 1965.

At the 1966 convention, Jeff Segal, who had been indicted for draft evasion (and has since served a prison term for it), was named the SDS national anti-draft organizer. By the end of 1966 SDS was on record for "resistance" as opposed to mere "opposition" to the draft.

The SDS paper on draft opposition, calling for both legal and illegal measures, was written by Vice President Carl Davidson, an open advocate of revolution. He saw opposition and resistance to the draft as promoting opposition to the government itself, to the Viet Nam war and also as something which would hit the U.S. military machine where it was "most vulnerable."

DRAFT "COUNSELING"

With millions registered under a complicated draft law, the spread of draft counseling was inevitable. Many young men cannot figure out all the ins and outs of the law. They don't know if they qualify for deferments, exemptions, etc. They need honest, qualified help.

Churches, service organizations, educational institutions, pacifist and anti-war groups are in the counseling business. Some lawyers specialize in it. Most are beyond criticism and neither want nor accept draft-dodgers as clients.

Some draft counseling, however, both group and individual, is either highly suspect or clearly a Communist operation.

Two cited Communist fronts with many identified Communists as members, the National Lawyers Guild and the National Emergency Civil Liberties Committee, joined forces in June 1968 to form the New York Draft and Military Law Panel. The panel is non-profit, allegedly supported by voluntary contributions. Its members serve without fee, requiring only payment for their out-of-pocket expenses.

The panel is not neutral. It is an attack organization whose members admit they are opposed to the Viet Nam war and sympathize with all kinds of military resisters. Their aim is to challenge every angle of draft and military law. They have handled scores of cases.

It claims over 100 lawyer members and an additional 300 lawyers spread throughout the country who will respond to calls for assistance. Similar groups exist in Boston, San Francisco and Los Angeles.

Communist groups promote business for these panels. The Peace Action Council of California, while headed by identified CP member Irving Sarnoff, published a newsletter called "Counterdraft." This newsletter publicized, for example, the 131 San Francisco lawyers who had formed a panel to defend draft dodgers.

The panel was headed by Aubrey Grossman, who has been identified as a CP member on six different occasions in HCUA testimony. He once served as educational director of the party in San Francisco, was a key official in one of the party's old legal defense agencies, the Civil Rights Congress, and via party papers has instructed the faithful on how not to cooperate when approached by the FBI.

THE WHITEHORN CASE

The case of Erik Whitehorn sheds interesting light on Grossman's draft "counseling" technique. Whitehorn, after serving four months of a four-year term for refusing to be drafted, was released from prison by a federal judge, Gus Solomon, on Aug. 25, 1969—after the judge had received a letter from the jailed Whitehorn and granted him a hearing at which he explained how he had become a draft resister. Here's the story as told in the letter and hearing:

In 1966, at age 16, Whitehorn went to Oakland to visit a girl friend, who talked him into taking part in what turned out to be a violent anti-draft demonstration at the Oakland Induction Center. He was arrested and spent six hours in jail before his mother arrived from their home in Palo Alto to bail him out. He was later given probation and placed in custody of his mother till age 21.

Whitehorn's arrest made him a hero of the left. "I thrived on the limelight and began to believe I had gone to Oakland for a reason other than wanting to be with a girl friend and see some excitement." Eventually "everyone was left with the impression that I was a strong-willed man of conscience. I had a reputation."

As he approached draft age, Whitehorn conceived the idea that his mother could refuse to let him register for the draft because there were various other acts he could not perform legally without her consent. In the summer of 1968 he and his mother went to see Aubrey Grossman after being given his name by the Draft Resistance.

"When we went to see Grossman, one of the first things he talked about was publicity. He had ideas of a defense fund.

Grossman told me that the "Whitehorn Case" was going to be a famous test case and he told us how he would send out lots of publicity. I was excited."

Once he had seen Grossman, he was "programmed" to adopt a position he did not really believe in. From that point on "my destiny . . . was planned by my lawyer and mother."

On Oct. 21, 1968, two days after his 18th birthday, Whitehorn appeared at his draft board with Grossman and his mother. His mother gave the board a letter saying she had denied him permission to register. The group held a press conference. (His mother also left a press release with the dean of students at Erik's high school.) The machine went to work. National publicity followed. Whitehorn was famous.

Doubts arose in his mind and he wavered during his April 1969 trial. He discussed his fear with Grossman.

"Mr. Grossman told me that whatever the outcome of the trial we would appeal, so I lost, or suppressed, my fear. . . . There was so much confidence, so many letters of praise" that Whitehorn did not stop to think through what he was doing (by trial time, his mother claims, she had received over 1,000 letters, all but 20 supporting her).

Whitehorn was convicted on April 4, 1969. Judge Solomon, who had been brought from Portland to conduct the trial because of the publicity given the case, denied bail and also an appeal which, he said, would have "no merit," be "frivolous" and "solely for purpose of delay and to allow him [Whitehorn] to continue his agitation."

The judge added: "This is the first case I've ever tried where I thought the motivation [for draft violation] was political."

After four months in a prison cell and a lot of thinking, Whitehorn wrote a long letter to Judge Solomon, revealing the lies in his trial, the sham nature of the whole case, asking for a modification of his sentence and saying he wanted to register for the draft. He was granted a hearing. Judge Solomon reduced his sentence to time served and placed him on probation for three years, provided he complied fully with the Selective Service law.

Whitehorn told Judge Solomon he had wanted to back out of the case but had been pushed on by his mother and his "fancy San Francisco lawyer," Aubrey Grossman. He added that he believed his mother had been "victimized" by Grossman just as much as he had.

What was Grossman's reaction when informed of Whitehorn's letter to Judge Solomon?

"It breaks my heart. It's a terrible thing that the pressures of prison have changed a beautiful, moral, 18-year-old into a supplicant who has lost all his self-respect. This emphasizes the unfairness of placing the entire burden of opposing the Viet Nam war on 18- and 19-year-olds."

The Whitehorn case helps explain why, when he testified before the House Armed Services Special Subcommittee on the Draft last July, draft director Curtis W. Tarr said:

"The spread of draft counseling is certainly one of the most alarming changes in America as it relates to the draft right now."

It was clear he was not referring to legitimate counseling. He referred to experience he had had.

". . . with people who come up to young men who are about to assume their obligation to the nation and who are pestered, ridiculed, attempts are made to force them into lawlessness, and all this goes on very openly right in front of our eyes . . . it is important for us to set forth to ourselves and to others the grim reality of the degree to which people openly try to undermine what we are trying to do."

William S. Sessions, chief of the Government Operations Section of the Justice Department's Criminal Division, told the same subcommittee about—

"Organizations throughout the nation which are openly advocating defiance of the draft law . . . such activities seem to present nearly insurmountable obstacles to prosecution. Counselors invariably are careful to couch their speeches in contexts of protest against the war so as to come within the 1st Amendment protection."

Individual counselors, he said, " . . . are particularly well versed in the law . . . and are cautious enough to prepare their defense in advance."

THE ATTACK SUCCEEDS

Has the Communist anti-draft campaign paid off? Consider the following facts.

Violent attacks on draft boards were unheard of in the early and mid-'60s. The FBI announced in October 1969 that it was undertaking an investigation of the bombings of draft boards and other federal facilities. In the first nine months of 1970 there were 271 violent attacks on Selective Service facilities.

Selective Service announced in September 1970 that the records and minutes of every draft board in the country had been duplicated in state offices to protect them against destruction by arson, bombing, looting and burglary. Each state now has a "duplicate central locator" of all records that can be checked if those in the local boards are destroyed. Selective Service said it was making this announcement "to forcefully convey the message" that destroying records would not stop inductions.

There were 136 cases of arson, bombing and vandalism in GSA-controlled buildings in fiscal 1970. Damage was estimated at $728,000. Almost one-third of the cases involved Selective Service facilities.

Result: It is increasingly difficult to find office space for draft boards.

GSA General Counsel Hart T. Mankin illustrated the problem when he testified before the McClellan Committee last summer:

Arsonists destroyed the building leased for Selective Service in Lafayette, Ind., on Nov. 17, 1969. The draft board was put in the National Guard Armory until new quarters could be found.

Trying to find new quarters, GSA learned that owners of single-tenancy property would not lease to them because they had been threatened with insurance cancellation if their property was occupied by a draft board. Owners of multiple-tenancy property also refused to lease to GSA for draft boards. They were not willing to risk their property or the lives of other tenants in the buildings.

One owner was finally persuaded to lease his property to GSA. The night before the lease was to be executed, however, a nearby military recruiting office was burned out. The following morning the owner refused to sign a lease.

When Mankin testified, 10 months after the Selective Service building was destroyed by arson, GSA was still trying to find new space for the draft board.

Mankin added: "The Lafayette situation exists as to Selective Service offices in many other locations. Selective Service occupies space, some leased and some government-owned, in 2,631 buildings throughout the country. GSA is having to re-examine its entire program for housing the Selective Service offices."

Harassment and violence have created personnel problems. Selective Service had a low personnel turnover in the early and mid-'60s, particularly considering that the great majority of its workers are volunteers. In 1965 the turnover rate was 6.3 percent. In 1968 it had jumped to 18.6 per cent, roughly a 300 per cent increase in three years.

Another indicator: the number of draft violators serving time in federal prisons. In the early '60s there were only 200. By mid-1968 the number had jumped to 729. Last November a Justice Department official testified: "More Americans are behind prison bars today for refusing military service than any year since 1947."

Indictments for draft law violations follow a similar pattern. In 1969 they had increased 1,000 per cent over a five-year period. In fiscal year 1965 there were only 369 nationwide. In 1966 the number had almost doubled—it was 642. In 1967 it more than doubled over '66—to 1,388. In 1968 it jumped to 1,698. In 1969 there were more than twice the 1968 figure—3,455. Best estimates are

that the year 1970 figure will total well over 4,000.

1970 indictments were six times higher, on a percentage basis, than in World War II or Korea. Draft law violations ranked as the fourth highest category of federal crime. In all of World War II, when 15 million men saw service, there were only 5,000 jailed as draft delinquents.

In 1967, 33.7 million men were registered under the draft and some 14,400 were delinquent on one ground or another. In May 1969, with 37.5 million registered, delinquents had jumped to 23,280—almost double the figure of two-and-a-half years earlier.

It would be unrealistic to take the position that the President's decision to recommend an all-volunteer Army in place of the draft was not in some way affected by the Communists' intense anti-draft campaign of the last few years.

Selective Service Director Tarr stated last November that the draft had become so unpopular it was living on borrowed time, and that Congress might soon eliminate the President's power to conscript men for military service.

Other significant changes, and proposed changes, in draft regulations and law attest to the effectiveness of this phase of the Communist effort to undermine U.S. defense preparedness.

On June 16, 1970, President Nixon signed an Executive Order authorizing induction orders for all registrants who had not reported for pre-induction physical examinations. This was done because 60,000 men had failed to show for examinations.

Last December, Tarr urged repeal of the law that requires every male 18 years of age and older to carry his draft card with him at all times, and that registrants be prohibited from changing the location of their induction or physical examination whenever there was evidence it was being done to delay induction.

Finally, there is the fact that the number of draft-dodgers now in Canada is reliably estimated at 30,000, with some claiming the total is as high as 50,000 to 100,000. This means that at least 30,000 men, who would otherwise never have seen military service, have had to don uniforms to replace these draft-dodgers, some of them to die, or be crippled or wounded in Viet Nam.

It is not claimed that every anti-draft and anti-ROTC action of recent years has been conceived, organized and actually led by Communists—or that most of those taking part in them have been Communists or conscientious pro-Communists.

It is claimed, however, that this drive has been overwhelmingly a Communist operation, that Communists have been primarily responsible for it, that it demonstrates their ability to influnce many thousands of people and to inflict serious damage on the U.S. defense posture.

Many non-Communists oppose the draft. Sen. Barry Goldwater, William F. Buckley and Young Americans for Freedom have spoken out against it. The same is true of various anti-Communist liberals. The old-line pacifist groups, such as the War Resisters League and Central Committee of Conscientious Objectors, also fight it.

The important point, however, is that neither the conservative nor the liberal draft critics organize or promote the bombing, burning or "trashing" of draft boards and ROTC facilities.

They do not counsel or support draft evasion, nor do they flood the campuses, high schools and ghettoes with highly inflammatory anti-draft or anti-ROTC literature. They do not harass ROTC or draft board personnel. Their opposition is expressed almost exclusively in airily reasoned arguments, written or spoken, to the public, legislators and appropriate executive branch officials.

The true pacifist groups are inconsequential. Pacifism has never been a politically viable product in America. The power of these organizations can be gauged by the fact that when they have staged anti-war demonstrations completely on their own in recent years, they have been lucky to have 100 people turn out. Success for them has been fabulous when on a few occasions they have had as many as 200.

Concerted, large-scale human action with great geographic spread and with focus on a specific issue, does not occur spontaneously. It requires instigation, organization, planning and promotion. Yet we have seen just such action on the draft and ROTC issues in the United States for the past five years at least. Moreover, it has occurred precisely when it has been obvious to most Americans that these institutions have been vital to the nation's defense.

If the pacifists are not responsible, if the liberals and conservatives aren't, then who but the Communists—who say they want just what has happened—could be?

Domestic communism may deserve a little more attention and concern than it has been getting lately.

RHETORIC IS NOT ENOUGH

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DRINAN. Mr. Speaker, I include herewith a thoughtful article on the plight and future of private institutions in America written by Mr. Emanuel Goldberg and published in the March 18, 1971, issue of the Jewish Times, a distinguished Boston weekly.

Mr. Goldberg, a former special assistant to President Sachar of Brandeis University, and now a well-known Boston public relations expert, points in this article the essential and urgent needs of further encouragement at all levels for private institutions in this Nation.

Mr. Goldberg's article follows:

RHETORIC IS NOT ENOUGH

(By Emanuel Goldberg)

I suspect that most Americans don't know who Alan Pifer is and certainly didn't notice, or have already forgotten, his recent pessimistic comments about the future of private institutions in America.

Alan Pifer is president of the prestigious Carnegie Corporation of New York and in the annual report of that foundation, about a fortnight ago, he made some incisive comments of real importance to adult Americans and their children. These are worth underscoring again and again.

Mr. Pifer suggested that the burdensome financial problems of private, non-profit institutions—schools, colleges and universities, museums, private libraries, art galleries, symphony orchestras and civic theatres, voluntary hospitals, welfare oriented organizations now servicing disadvantaged or disabled members of the population—are in danger of virtually dying out in the next generation.

Right now, the first stage of this expiration, financial crisis, is actually underway. It is the moment when the institution, for the first time, shows itself incapable of vigorous response to changed times.

The diagnosis, by the way, though it occurs at the crucial second when remedial steps must be taken, is not entirely financial. There are other fundamental reasons for the sickness.

Certainly to be taken into consideration are the present attitudes and beliefs of the American people, says Mr. Pifer. Millions of our citizens, because of poverty, discrimination or disillusion with the society's values, are alienated. Some of them actually consider private institutions to be like the government: simply part of a rotten system and representative of the status quo.

Ironically, another substantial part of Americans, those who are fearful, insecure, disturbed by the changes that have been taking place, and already inclined to a conservative outlook, are also disenchanted with private institutions—but for entirely different reasons. They feel the latter have gone overboard on the side of "liberalism" and permitted the blacks to be pandered to, the students to be coddled and the law to be ignored while "good people" like themselves are ignored in their legitimate aspirations and taxed to death.

Pifer has recognized four stages of death cycle evolution of private institutions: the first, the aforementioned financial crisis; the second, when the loss "of a cutting edge" undercuts the institution's own self-confidence and the public's confidence in it; the third, when recruitment of capable staff becomes increasingly more difficult and, finally, the fourth when declining income causes curtailment of important activities and reduction of staff.

Institutions don't die quickly. The process may be protracted and inconspicuous for many years. But eventually, it has to close down.

So what?

Pifer answers this by citing four extremely valid reasons for the preservation of this private sphere.

First, the institutions offer special opportunity for concerned citizens, through membership on boards of trustees or by participation in a wide range of voluntary activities, to accept "a significant measure of personal responsibility for the provision to the public of many kinds of essential services . . ." Public authority, in other words, cannot alone solve all of the nation's problems.

Secondly, private service institutions and organizations play a vital role in the safeguarding of academic, professional and artistic freedom. Third is the fact that these institutions do exist and if they ceased to function as a private responsibility, there is no guarantee that the same kinds and quality of service now provided would ever be reinstated at public expense. (Some of the taxation implications are also frightening.)

Finally, Pifer places greatest stress on the importance of private institutions in bringing to our national life "vital elements of diversity, free choice and heterodoxy." Though he didn't say so, it's manifest that the Jewish population traditionally has an enormous stake here.

Heterodoxy and toleration of unconventional ideas and philosophies are a sign of national maturity and self-confidence. Pifer still feels that the average citizen can sort out what is genuine and what is specious. Pifer also recognizes that today's iconoclasm may, as a result of changing conditions, be tomorrow's orthodoxy and that any attempt forcibly to stifle the free play of ideas, however eccentric, may unleash those powerful social forces which can eventually result in violent upheaval.

The president of the Carnegie Corporation of New York especially urges the nation's "top political leaders" to educate the public about the threat to independent institutions "rather than simply mirroring public ignorance and apathy." Rhetoric and sentiment on the part of partisans are no longer enough. There must be a "substantial new effort" to help and understand the private institutions. This means all of us—and it involves, in our region, helping Brandeis, BC and BU, the Boston Symphony Orchestra and the New England Conservatory, the Beth Israel, Deaconess and Faulkner Hospitals, the Museum of Fine Arts and the Institute of

Contemporary Art, the Museum of Science, and all the rest, depending upon an individual's interests, responsibilities and capacity.

Alan Pifer is a name. His message is literally a command.

THE PRISONER OF WAR ISSUE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. TEAGUE of Texas. Mr. Speaker, during this Week of National Concern for our Prisoners of War in Southeast Asia and Men Missing in Action I think it proper that the Members of this body fully and completely understand the background and the issues at stake; regardless of how they may feel with respect to our involvement in Southeast Asia. One of the best pieces I have seen with respect to the background of the issue and the ramifications of the various treaties to which we are part as well as North Vietnam was the following article prepared by the American Enterprise Institute:

INTRODUCTION

August 5, 1970 was the sixth anniversary of the capture of Lieutenant Everett Alvarez, a Navy pilot, who was the first known United States serviceman to become a prisoner of the North Vietnamese. In the early 1960s when the contingent of United States military advisors in Vietnam was less than 50,000, a few American military men were captured in South Vietnam by the communist forces known as Viet Cong. As the fighting intensified, more American servicemen and civilians serving in diplomatic or other positions were captured by communist forces in South Vietnam, and a number of pilots and aircrewmen were captured after being shot down over North Vietnam. In Laos too by the mid-1960s, aircrewmen were missing and some were known to be in the hands of the Pathet Lao or North Vietnamese communist forces which occupy much of Laos.

Today in December, 1970, approximately 1,600 United States servicemen are missing in Southeast Asia. This figure includes both the men who have been identified by one means or another as being prisoners of the communists and those men who are missing in action and not accounted for.

As of December 5th, the Department of Defense unofficially carried these men as follows:

Missing	
South Vietnam	520
North Vietnam	403
Laos	227
Subtotal	1,150
Believed captured	
South Vietnam	79
North Vietnam	378
Laos	3
Subtotal	460
Total	1,610

In the United States the anxious parents, children, wives, other relatives and friends of the 1,600 missing American servicemen have been waiting in some cases for more than six years for their men to return or to learn whether they have died and will not be returning.

The fact that these men are missing or in captivity raises a multitude of humanitarian, political, social, and moral issues as well as some legal questions. This analysis will concentrate on the rights of military prisoners under international law and compare what is known about the treatment of American prisoners in Southeast Asia with the standard of treatment that international law prescribes.

LEGAL SETTING

For over 60 years international agreements have attempted to formalize the neutral status of prisoners of war. The Hague Conventions of 1907 and the Geneva Conventions of 1929 and 1949 all undertook to address some of the problems created by war and to provide guidance for the treatment of prisoners. The most recent international agreement concerning prisoners of war is the Geneva Convention Relative to the Treatment of Prisoners of War of 1949.[1]

The 1949 Geneva Convention has been ratified or assented to by the following participants in the present conflict in Southeast Asia.

(1) North Vietnam acceded to the Geneva Convention in 1957.

(2) The United States ratified the Geneva Convention in 1955.

(3) South Vietnam agreed in 1965 to be bound by the earlier accession of Vietnam in 1953.

(4) The position of the International Committee of the Red Cross is that the accession by the legitimate government of South Vietnam binds the National Liberation Front (hereinafter Viet Cong) or, in the alternative, North Vietnam's accession binds the Viet Cong.

To a large extent, the 1949 Geneva Convention continues in force the basic principles relating to prisoners of war found in earlier agreements. The Hague Convention of 1907 proclaimed that prisoners of war must be humanely treated. It provided that to kill or wound an enemy who has laid down his arms or surrendered is "especially forbidden," and it established that prisoners of war are the responsibility of the government, not the individuals or military units that capture them. The provisions requiring humane treatment of prisoners of war are touchstones of the subsequent Geneva Conventions. In fact, the humane treatment of prisoners of war is now also a matter of customary international law and supposedly accepted as such by all nations. Another timeless requirement in the Hague Convention is Article 20 which stated that "after the conclusion of peace, the repatriation of prisoners of war shall be carried out as quickly as possible."[2]

The earlier conventions had their shortcomings, however, and during World War II the International Committee of the Red Cross (hereinafter ICRC) began drafting new conventions to replace the 1929 Geneva Conventions. Following several meetings after the war ended including a meeting of experts, a diplomatic conference was convened in Geneva in April 1949 by the Swiss Federal Council as the depository of the 1929 Conventions. Fifty-nine states were officially represented by delegates with full powers to discuss the procedures and four countries sent observers. These sessions culminated on August 12, 1949, when a revised draft of the 1949 Conventions was submitted for approval. On that day, 17 of the delegations signed the four conventions of August 12, 1949, and the other representatives signed either at a special meeting called for that purpose on December 8th or subsequently up to February 12, 1950.

Government ratification was required before the conventions came into operation for any of the signing countries, and six months after deposit of ratification the conventions were to become binding. Thus, since October 21, 1950, when the conventions became effective as between Yugoslavia and Switzerland, the first countries to ratify them, these 1949 Conventions have been open to accession by states which were not among the original signatories. By the end of 1958, 75 countries had ratified or acceded to the conventions and by the spring of 1970, 123 countries had ratified or acceded.

The drafters of the 1949 Conventions and, in particular, the ICRC were pleased with the work which had been accomplished and thought that the conventions constituted a positive and great step forward in general humanitarian law. The attitude of the ICRC was summarized at page 10 of the Commentary on this Geneva Convention:

From the Hague Regulations to 1929 Convention, from the 1929 Convention to the present Convention, the "law of prisoners of war" has thus made considerable progress. It is no exaggeration to say that prisoners of war in present or future conflicts are covered by a veritable humanitarian and administrative statute which not only protects them from the dangers of war, but also ensures that the conditions in which they are interned are as satisfactory as possible. Obviously rules as detailed as these were drawn up primarily with a view to lengthy conflicts, such as the last two world wars; but they also have the tremendous advantage of defining, in practice and in relation to certain specific circumstances, the position of the human being as such in the present-day international system.

Basic provisions of the Geneva Convention

The current Geneva Convention consists of six parts and 143 articles. The most important articles and the ones most relevant to the current situation in Southeast Asia are described in some detail as follows:

Part I, General Provision

Article 2 provides that "the present Convention shall apply to all cases of declared war or of *any other armed conflict* which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them."[3] This article supports the position of the ICRC that the convention is applicable to the present Vietnam conflict. The United States and South Vietnam have indicated to the ICRC their recognition of the convention's full applicability and their intent to honor its provisions.

Article 3 deals with conflicts not of an international character which occur within the territory of a contracting nation. This article was at one time considered to be especially relevant to the Vietnam conflict. It specifies the minimum standards which should regulate civil wars or rebellions which are essentially of a domestic character. It requires that persons not taking part in the hostilities be treated humanely including those taken as prisoners. However, the fact of the United States' participation, and that of other countries such as the Republic of Korea, Aus-

[1] There were in fact four Geneva Conventions of 1949 which are listed as follows: Convention for the Amelioration of the Conditions of the Wounded and Sick in Armed Forces in the Field; Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Convention Relative to the Treatment of Prisoners of War; and Convention Relative to the Protection of Civilian Persons in Time of War. Unless otherwise noted, references in this analysis to the Geneva Convention mean the 1949 Geneva Convention Relative to the Treatment of Prisoners of War.

[2] Article 20 of the Regulations Annexed to the Hague Convention No. IV Respecting the Laws and Customs of War on Land, October 18, 1907.

[3] Emphasis added.

tralia, New Zealand, and Thailand, as well as that of North Vietnam would appear to rule out the applicability of this provision of the convention and, instead require the application of the entire remainder of the convention, which is the conclusion reached by the ICRC.

Article 4 defines the categories of persons who are entitled to prisoner of war status and the treatment that status requires. The basic category of prisoner of war includes "members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces." It includes guerrilla forces or other volunteer bodies if they satisfy certain conditions. The available evidence indicates that every American serviceman who has been captured in Laos, North Vietnam, and South Vietnam was openly a member of the armed forces of a party to the conflict and, in fact, a uniformed regular armed services member. On the other hand, many of the communist guerrilla forces who have been treated as prisoners of war might not satisfy the requirements for prisoner of war status.

Article 5 states that prisoners of war shall have the full benefit of the convention from the moment they . . . fall into the power of the enemy and until their final release and repatriation.

Should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy, belong to any of the categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

Article 7 declares that "prisoners of war may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention. . . ."

Articles 8 through 11 establish the concept of "protecting powers" that authorizes neutral states or other impartial third party organizations such as the ICRC to oversee the application of the convention in order to safeguard the interests of prisoners and the parties to the conflict.

Part II, General Protection of Prisoners of War

Article 12 declares that prisoners are in the hands of the enemy power, not the hands of the military units which have captured them, and that the detaining power is responsible for the treatment given the prisoners. It authorizes the transfer of prisoners by the detaining power to another party to the convention, but only if the detaining power is satisfied of the willingness and ability of the other power to apply the convention to the prisoners. Although the responsibility for the application of the convention passes to the power accepting them, a residual responsibility remains with the transferring party, and it must take effective measures to rectify any important shortcomings or request return of the men. This is the provision that sanctions the United States' policy of turning its prisoners of war over to South Vietnam and outlines United States' continuing responsibility for prisoners so transferred.

Article 13 is so fundamental that it is quoted below in full:

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

Article 15 requires that prisoner receive free maintenance and the medical attention required by their state of health.

Part III, Captivity

Part II extends from Article 17 through 108 in the following 6 sections:

1. Beginning of Captivity.
2. Internment of prisoners of war.
3. Labor of prisoners of war.
4. Financial resources of prisoners of war.
5. Relations of prisoners of war with the exterior.
6. Relations between prisoners of war and the authorities.

(1) *Beginning of Captivity.* Article 17 declares that at the beginning of captivity, every prisoner when questioned is required to give only his name, rank, date of birth, and serial number or equivalent information. This provision requires further that every party send its servicemen to war with appropriate identification. It adds, however, that "no physical or mental torture nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind."

Article 19 requires that prisoners be evacuated as soon as possible after capture to camps out of the combat zone and that they not be exposed to danger unnecessarily while awaiting this evacuation. Article 20 requires that evacuation of the prisoners shall always be effected with sufficient food and water, necessary clothing, and medical attention.

(2) *Internment of Prisoners of War.* Article 21 recognizes the necessity of internment but cautions that prisoners may not be held in close confinement except when necessary to safeguard their health.

Article 22 requires that prisoners be interned only on land but not in unhealthy areas or where the climate is injurious to them. Similarly, they shall not be separated against their will from fellow prisoners belonging to the armed forces with which they were serving at the time of capture.

Article 23 directs the detaining power to provide information regarding the geographical location of prisoner camps to the prisoners' country.

Article 26 requires that "the basic daily food rations shall be sufficient in quantity, quality and variety to keep prisoners of war in good health and to prevent loss of weight or the development of nutritional deficiencies. Account shall also be taken of the habitual diet of the prisoners." It also requires that sufficient drinking water be provided and outlaws collective disciplinary measures regarding food.

Article 27 requires that sufficient quantities of clothing, underwear, and footwear be provided to the prisoners with due consideration to the prevailing climate.

Articles 29 through 32 place upon the detaining power the responsibility of insuring that internment camps are sanitary and that prisoners have regular, periodic medical attention.

Articles 34 through 38 provide that prisoners may practice their religion, undertake intellectual and educational pursuits, and have the opportunity for physical exercise including "being out of doors."

Articles 39 through 42 deal with discipline in the camps and require proper respect for officers and the posting of the text of the Geneva Convention where it will be available for all prisoners of war to read in a language they can understand.

(3) *Labor of prisoners of war.* Articles 49 through 57 authorize the detaining power to utilize the labor of physically fit prisoners in any of a number of listed categories of nonmilitary work. The detaining power must provide suitable working conditions, including food, clothing, and equipment and the work cannot be dangerous except on a voluntary basis. Excessive or unreasonable labor is prohibited and payment for work shall be fairly fixed.

(4) *Financial Resources.* Articles 58 through 68 treat this subject in great detail. They cover proper payment of prisoners of war for labor performed during captivity and the keeping of financial accounts on their behalf. Article 63 specifies that "prisoners of war shall be permitted to receive remittances of money addressed to them individually or collectively."

(5) *Relations of Prisoners of War with the Exterior.* Articles 69 through 77 cover the prisoners' relationship to the exterior. Article 70 establishes the all-important notification of prisoner of war status by requiring that—

Immediately upon capture, or not more than one week after arrival at a camp, even if it is a transit camp . . . every prisoner of war shall be enabled to write direct to his family, on the one hand, and to the Central Prisoners of War Agency provided for in Article 123, on the other hand, a card similar, if possible, to the model annexed to the present Convention, informing his relatives of his capture, address and state of health. The said cards shall be forwarded as rapidly as possible and may not be delayed in any manner.

Article 71 deals with the correspondence rights and states that "prisoners of war shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the number of letters and cards sent by each prisoner of war, the said number shall not be less than two letters and four cards monthly."

Article 72 provides "prisoners of war shall be allowed to receive by post or by any other means individual parcels or collective shipments containing, in particular, foodstuffs, clothing, medical supplies and articles of a religious, educational or recreational character which may meet their needs. . . ." It states that the only limits on these shipments will be those proposed by the protecting power in the interest of the prisoners themselves or by the ICRC because of exceptional strain on transport or communications.

Article 76 states that correspondence should be censored only once and the censorship of other items or packages should be done in the presence of the addressee or a fellow prisoner designated by him.

Article 77 requires a detaining power to provide the necessary facilities for the transmission of instruments, papers or documents intended for prisoners or sent by them, especially powers of attorney and wills.

(6) *Relations Between Prisoners of War and the Authorities.* Article 78 guarantees to prisoners the right to make complaints regarding to conditions of their captivity without any fear of punishment for making a complaint.

Articles 79 and 80 deal with the election or appointment of a prisoners' representative whose duty is to further the physical, spiritual, and intellectual well-being of the prisoners in representing them before the camp authorities.

Articles 82 through 108 cover penal and disciplinary sanctions and provide generally that prisoners shall be subject to the same laws, regulations, orders, penal sentences, and disciplinary sanctions as are members of the armed forces of the detaining power provided that the proceedings or punishments are not contrary to any convention provisions.

Article 84 is a basic due process requirement and decrees that "in no circumstances whatever shall a prisoner of war be tried by a court of any kind which does not offer the essential guarantees of independence and impartiality as generally recognized, and, in

particular, the procedure of which does not afford the accused the rights and means of defense provided for in Article 105."

Article 85 provides that prisoners of war retain their status as such and must be treated as required by the convention even after they have been convicted by the detaining power for acts committed prior to capture. North Vietnam submitted a reservation to Article 85 which is discussed in greater detail in the section of this analysis entitled "The Present Dilemma."

Article 87 forbids collective punishment for individual acts, corporal punishment, imprisonment without daylight and, in general, any form of torture or cruelty.

Articles 89 through 98 deal with disciplinary sanctions which are applicable to prisoners of war. Article 89 provides that "in no case shall disciplinary punishments be inhuman, brutal or dangerous to the health of prisoners of war." Article 90 limits the duration of any single disciplinary punishment to 30 days, and articles 92 and 93 state that attempts to escape shall subject a prisoner only to disciplinary punishment.

Article 98 states that even prisoners undergoing confinement as a disciplinary punishment shall continue to enjoy the benefits and provisions of the convention to the extent that they are not necessarily rendered inapplicable by the fact of confinement. For example, it specifies that prisoners undergoing disciplinary punishment shall continue to send and receive letters, but parcels and money may be withheld until completion of their punishment.

Articles 99 through 108 deal with judicial proceedings for the more serious offenses committed by prisoners of war. Article 99 provides that the prisoner may not be tried or sentenced for an act which is not forbidden by a law of the detaining power or by international law at the time the act was committed. It outlaws moral or physical coercion on the prisoner to induce an admission of guilt.

Article 104 requires the detaining power to notify the protecting power at least three weeks in advance of any judicial proceeding against a prisoner, and Article 105 entitles accused prisoners of war to present a defense with the assistance of a qualified advocate or counsel, an interpreter, a fellow prisoner and with the power to call witnesses. Article 106 gives prisoners a right of appeal.

Part IV, Termination of Captivity

Article 109 requires a detaining power prior to the ending of hostilities, to return willing prisoners of war to their own country if the prisoners are "seriously wounded and seriously sick . . . after having cared for them until they are fit to travel."

Article 110 provides that less seriously wounded or sick prisoners whose recovery is expected within one year may be accommodated in a neutral country.

Article 118 states simply that "prisoners of war shall be released and repatriated without delay after the cessation of active hostilities." It provides that this should be done with or in the absence of any agreement. The last three paragraphs of Article 119, however, provide for the retention of prisoners of war against whom criminal proceedings for indictable offenses are pending or where the punishment for such offenses has not been completed.

Article 120 provides for wills, death certificates, burial and cremation of prisoners of war who die in captivity in order to ensure proper accountability and record keeping by fully identifying the dead prisoner and by recording the date, place and cause of death, the date and place of burial and sufficient information to identify the graves.

Article 121 requires that every death or serious injury due to an unknown cause or the act of another person shall be the subject of an official inquiry by the detaining power.

Part V, Information Bureaus and Relief Societies for Prisoners of War

Articles 122 through 124 require each detaining power to create an information bureau to cooperate with the Central Prisoners of War Information Agency (authorized by Article 123 and now located in Geneva, Switzerland) in transmitting information regarding the identity, health, address, and status of prisoners of war to their country and relatives.

Article 125 states that "subject to the measures which the Detaining Powers may consider essential to ensure their security or to meet any other reasonable need, the representatives of religious organizations, relief societies, or any other organization assisting prisoners of war, shall receive from the said Powers . . . all necessary facilities for visiting the prisoners [and] for distributing relief supplies and material . . ." to the prisoners. In this regard, Article 125 stipulates that "the special position of the International Committee of the Red Cross in this field shall be recognized and respected at all times."

Part VI, Execution of the Convention

Article 126 provides that representatives of the protecting power and delegates of the ICRC shall have access to all premises occupied by prisoners of war and shall be able to interview the prisoners without witnesses. Any restriction of such visitation rights must be a temporary, exceptional measure required solely by imperative military necessity.

Article 129 requires that the parties to the convention undertake to enact any legislation necessary to provide effective penal sanctions for persons committing or ordering to be committed any of the "grave breaches" of the convention.

Article 130 defines "grave breaches" as those involving any of the following acts committed against persons or property protected by the convention:

Wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.

Articles 133 through 143 are the final provisions of the convention and relate to its applicability and effectiveness. Articles 134 and 135 state that this convention replaces the July 1929 Geneva Convention and complements the Hague Convention Respecting the Laws and Customs of War on Land as to parties to those agreements.

Article 138 states that the convention shall come into force 6 months after at least two instruments of ratification are deposited and thereafter shall come into force for a high contracting party 6 months after its instrument of ratification is deposited. Article 139 provides that any party who has not signed the convention can accede to it after it has come into force. Article 141 waives the waiting period for effectiveness if armed conflict breaks out in the interim.

Article 142 authorizes the parties to denounce the convention in writing to the Swiss Federal Council and this denunciation becomes effective one year thereafter unless the denunciation is by a power then engaged in a conflict. Under such circumstances, it does not take effect until peace has been concluded and the release and repatriation of persons protected by the convention have been completed.

EXPERIENCE IN WORLD WAR II AND KOREA

As mentioned previously, the 1929 Geneva Convention was in existence when World War II began, but neither Japan nor the Soviet Union had ratified it, and both countries largely ignored its provisions for the protection of prisoners of war. Similarly, Germany which had ratified the 1929 Convention did not apply it to Russian prisoners. As between the United States and Germany, both of whom ratified the 1929 Agreement, its requirements were generally observed. Pictet's Commentary recognizes the contributions of the 1929 Geneva Convention:

During the Second World War, this Convention applied to millions of prisoners of war; it provided the basis for action by the International Committee of the Red Cross in their behalf and made it possible to carry out over 11,000 camp visits, to send relief at the rate of 2,000 freight cars per month from 1943 on and to build up a card index containing 30 million cards.

The 1929 Convention was applied throughout the Second World War and provided prisoners of war with effective protection and treatment far better than that which they had received during the 1914–1918 conflict.

It nevertheless became apparent to those who benefited from it as well as to those who had to apply it, that the 1929 Convention needed revision on a number of points because of changes in the conduct and the consequences of war and even in human living conditions. In particular, it had become necessary to widen the scope of the term "prisoners of war" so as to include members of armed forces following capitulation and in order to avoid the arbitrary loss of that status at any given moment; there was also a need for stricter regulations governing captivity, in view of the increase in work by prisoners of war, assitance received by them or judicial proceedings brought against them. It was necessary to reaffirm the principle of immediate liberation at the end of hostilities; lastly, it was essential to ensure that the agencies responsible for looking after the interests of prisoners of war and seeing that the relevant regulations were respected should, in regard to both their status and their scope, be as independent as possible of the relations between belligerents.[4]

Shortly after the diplomatic conference presented the 1949 Geneva Conventions, the world was confronted with war in Korea. In fact, by its terms, the Geneva Conventions had not even come into force for the first two ratifying countries (Switzerland and Yugoslavia on October 21, 1950) when North Korea invaded South Korea on June 25, 1950, and neither the United States, Communist China nor North Korea had ratified the convention at that time. The North Koreans and their Chinese Communist allies captured over 7,000 American servicemen during the Korean hostilities, and the United Nations command in Korea captured over 120,000 North Korean and Chinese Communist prisoners. Of the Americans believed captured, only 4,428 survived captivity in the hands of the Chinese and North Korean Communists.

Inhumane treatment, torture and execution began for Americans captured in Korea with the so-called "death marches" to the prison camps. Many prisoners never survived these marches. Once in the camps, the facilities, food, and treatment were inadequate and medical care, when available, was poor. The harsh climate added to the ordeal of the prisoners who were not provided with the minimum standards of treatment required by either the 1929 or 1949 Geneva Conventions. The small and seldom provided favors of mail, tobacco, and candy were usually offered as bribes or withheld as a form of punishment. Only a few relief packages were received in the camps and the ICRC was not permitted to visit the camps. Interrogations, attempted indoctrination, mistreatment to secure information were the order of the day for American prisoners of

[4] Geneva Conventions of 1949, Commentary, Vol. 3, pp. 4–6 (J. Pictet, ed. 1960) (hereinafter cited as *Commentary*).

war in Korea, and the United States learned a great deal there about the possibilities for mistreatment of prisoners. The Vietnam conflict, however, has presented the first test of the 1949 Geneva Convention involving the United States.

THE PRESENT DILEMMA

The United States' major involvement in the fighting in Southeast Asia began in 1964 when American ground forces first engaged the enemy in South Vietnam in other than an advisory role. The American prisoner of war problem began even sooner, however, with the capture of the first United States adviser and has grown ever since.

The primary responsibility for captured servicemen and the welfare of their families rests with each of the military services. In the Army, this responsibility resides in the first instance with the Adjutant General; in the Navy, with the Bureau of Naval Personnel; in the Air Force, with the Casualty Division; and in the Marines, with Headquarters Marine Corps.

When the first American was captured by the Viet Cong in the early 1960s, there was in existence an interdepartmental committee on prisoner matters which was chaired by the State Department. This group coordinated American efforts to establish contact with and obtain the release of American prisoners of the Viet Cong and later the North Vietnamese. Membership on this committee included representatives from the office of the secretary of defense, the military services, the joint chiefs of staff and the State Department.

In July 1967, Deputy Secretary of Defense Paul Nitze, appointed Paul C. Warnke, then general counsel and designate assistant secretary of defense for international security affairs, as chairman of the Department of Defense prisoner of war policy committee. This appointment was an attempt to concentrate the various resources available in the Department of Defense to address the growing prisoner of war problem and to establish a single point of contact with other government agencies on prisoner matters. This committee continues to discharge its responsibilities under the chairmanship of assistant secretary for international security affairs, G. Warren Nutter. The committee's charter among other things directs it to coordinate all ongoing prisoner of war programs, to provide assistance and information to families of missing and captured servicemen, and to plan for recovery and repatriation of prisoners of war.

In 1967, when this Defense Department committee was created, the principal government responsibility for prisoner of war matters resided with Ambassador Averill Harriman in the Department of State. Ambassador Harriman had been appointed as President Johnson's personal representative in prisoner matters. He continued this responsibility and his interest in prisoner matters when he assumed the role of chief negotiator in the Paris Peace Talks in 1968.

These individuals and groups within the federal government as well as private groups working on the problem of captive and missing American servicemen have had extremely limited success largely because the communist forces in Southeast Asia have refused to agree that the Geneva Convention applies to American servicemen there and have thus refused to discharge the responsibilities of a detaining power under the Geneva Convention.

Does the Geneva Convention apply?

North Vietnam has argued among other things, that the Geneva Convention is not applicable to any part of the conflict in Southeast Asia because war has not been declared and the state of war has not been recognized by more than one of the parties to the conflict. Consequently, the North Vietnamese have asserted (although they appear to have abandoned this point) that the prerequisites for application of the convention set out in Article 2 remain unsatisfied and the convention does not bind them in this conflict.

The reply of the United States is that Article 2 states that the "Convention shall apply to all cases of declared war or any other armed conflict" between parties to the convention. The qualification in Article 2 concerning the recognition of a state of war cannot be read to require a declaration of war without reading the key phrase "or any other armed conflict" out of the convention, without disregarding the reality of war in Southeast Asia, and without interpreting the convention in a manner contrary to its basic purpose of extending the protection of humanitarian rules to prisoners in the largest possible number of circumstances.

North Vietnam has also asserted that the Geneva Convention does not protect American military men who are shot down and captured in North Vietnam because these men are not prisoners of war but are instead "air pirates" or "criminals" subject to punishment according to its laws.

North Vietnam bases its refusal to afford American aircrewmen prisoner of war status on its reservation to Article 85 of the Geneva Convention. Article 85 reads as follows:

Prisoners of war prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present Convention.

The reservation that North Vietnam submitted to this article in its French to English translation stated that—

The Democratic Republic of Vietnam declares that prisoners of war *prosecuted for and convicted* of war crimes or crimes against humanity, in accordance with the principles established by the Nuremberg Tribunal, will not enjoy the benefits of the provisions of the present Convention as provided in Article 85.[5]

Passing the thorny question for legal theorists pertaining to the effect of any reservation to a multilateral treaty we reach the following central issue: Assuming its validity, does this reservation to Article 85 apply to American pilots and servicemen captured in North Vietnam and remove them from the protection of the Geneva Convention?

The North Vietnamese contend that the bombing of North Vietnam without a declaration of war constitutes a war crime.

War crimes may consist of many different offenses. The more common examples are the use of poison weapons; prohibited weapons or missiles; a continuation of fighting after surrenders; the mutilation of bodies; acts of war on places which are not defended and are of no military significance; abuse or violation of the protective red cross emblem; poisoning of springs and water courses; pillaging and wanton destruction; compelling prisoners of war to do prohibited work; execution without trials of spies; or violation of armistice agreements. Crimes against humanity consist of any inhumane acts by authorities of the state or by private individuals against civilian populations, such as murder, extermination, enslavement, or deportation.

Insofar as the servicemen now detained in North Vietnam are concerned, they have been accused of committing war crimes or crimes against humanity rather than crimes against peace. Our government's position is that these charges are not included within the terms of North Vietnam's reservation and are not generally considered applicable to men in combat but instead to national leaders who have the capacity to plan and initiate a war.[6]

North Vietnam has not attempted to establish that any acts committed by American servicemen are indeed war crimes, and it would seem that the bombing reported to have been done in North Vietnam is not inconsistent with military practice since before World War II and that it would be highly unlikely for any independent tribunal to conclude that such bombing was a war crime or a crime against humanity.

Even if North Vietnam could establish some specific war crimes against men it is holding, these prisoners retain under Article 85 (absent the reservation) the full protection of the convention. Article 85 was intended to rectify an omission in the 1929 Convention which contained no provisions concerning punishment for crimes or offensives committed by prisoners of war *prior to their capture*. Articles 45 to 67 of the 1929 Convention have been interpreted as relating only to acts committed during captivity, although acts prior to captivity were not specifically excluded.[7] Even then, however, the ICRC requested that the 1929 Convention guarantees should be applied, for in its view, they constituted only minimum standards recognized by the majority of civilized nations. An excellent discussion of the drafting process for Article 85 of the present convention is contained in the *Commentary* as follows:

When the International Committee of the Red Cross undertook the revision of the 1929 Convention, it therefore gave immediate attention to introducting provisions which would afford certain guarantees to prisoners of war, even when accused of war crimes, and remove all ambiguity which had resulted from the earlier text.

At the Conference of Government Experts, which met at Geneva in 1947, the International Committee proposed that prisoners of war accused of war crimes should continue to receive all the benefits of the Convention until their guilt was definitively proved. This suggestion received only limited support from the Commission of Experts, which merely suggested that prisoners of war should enjoy the benefits of the Convention until a *prima facie* case was made out against them and they were indicted of war crimes. In particular the Anglo-Saxon Powers were opposed to the maintenance of the benefits of the Convention until a court passed sentence.

The International Committee did not, however, share the view expressed by the Commission of Experts, and in the draft revised Convention which it submitted to the XVIIth International Red Cross Conference at Stockholm, it again proposed that prisoners of war should continue to enjoy the benefits of the Convention until such time as they had been actually judged. At Stockholm the delegations which had formerly opposed the maintenance of the benefits of the Convention until after conviction changed their opinion completely; they proposed—and the Conference agreed—that prisoners of war should continue to enjoy those benefits even after they had been judged. Article 85 was therefore submitted to the Diplomatic Conference in its present form.

Discussion of the Article at the Diplomatic Conference was protracted and often difficult. Most of the opposition came from the USSR Delegation, which considered that prisoners of war convicted of war crimes or crimes against humanity should be deprived of the benefits of the Convention *after con-*

[5] 274 United Nations Treaty Services 340 (1957) (emphasis added).

[6] For the definitions of war crimes, crimes against humanity, and crimes against peace as established by the Nuremberg Tribunal, see 6 F.R.D. 69, 77–78 (1946).

[7] See *Yamashita* v. *Styer*, 327 U.S 1 (1946).

viction. In other words, that Delegation wished to revert to the text submitted to the Stockholm Conference. The USSR Delegation considered that there was no reason why prisoners of war convicted of such crimes should not be treated in the same way as persons serving sentence for a criminal offence in the territory of the Detaining Power. Those in favour of the text as it now stands pointed out that the object of the Convention was to afford protection to prisoners of war; the few humanitarian rules which it provided for convicted prisoners of war could not in any way jeopardize or hamper the repression of war crimes. This view was finally adopted by the Diplomatic Conference but, as will be seen later, the USSR and several other States entered a reservation in this connection when they ratified the Convention.[8]

The Soviet Union's reservation to Article 85 has received the most publicity and it differs only slightly from North Vietnam's reservation. The USSR reservation reads as follows:

The Union of Soviet Socialist Republics does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been *convicted* under the law of the Detaining Power, in accordance with the principles of the Nuremberg Trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment.[9]

The Soviet Union responded as follows to an inquiry by the Swiss Federal Council to clarify its reservation:

As may be seen from the text, the reservation entered by the Soviet Union with regard to Article 85 of the 1949 Geneva Convention relative to the Treatment to the Prisoners of War signifies that prisoners of war who, under the laws of the USSR, have been convicted of war crimes or crimes against humanity must be subject to the conditions obtaining to the USSR for all other persons undergoing punishment in execution of judgments by the courts. Once the sentence has become legally enforceable, persons in this category consequently do not enjoy the protection the Convention affords.

With regard to persons sentenced to be deprived of their liberty, protection afforded by the Convention becomes applicable again only after the sentence has been served; thereafter, the persons concerned are entitled to repatriation in accordance with the conditions set forth in the Convention.

Furthermore, account should be taken of the fact that the conditions applicable to all persons serving sentence under the legislation of the USSR correspond to all requirements of humanity and hygiene and that corporal punishment is strictly forbidden by law. Moreover, in accordance with the regulations in force, the prison authorities are required to transmit immediately to the competent Soviet authorities, for further investigation, any complaints by convicted persons concerning their conviction and sentence or requests for a review of their case, as well as all other complaints.[10]

This further explanation by the Soviet Union makes it even clearer that the reservation was intended to take effect only after a prisoner of war was tried and convicted for the offenses designated. The differences between the Soviet reservation and that by the Democratic Republic of Vietnam are quite simple. Some have contended that North Vietnam's use of the phrase "prosecuted and convicted" in place of the Soviet's use of "convicted" means that it would be necessary for only the minimal start of "prosecution" by North Vietnam for the individual to lose his prisoner of war rights. In addition to the obvious practical and legal interpretive problems inherent in this view (i.e., that "and" really means "or"), it also seems apparent that such an interpretation would result in the circumvention of the requirements of the convention. An interpretation requiring only the step of bringing of charges in order to suspend the operation of the convention would make the reservation incompatible with accession to the treaty; in effect this interpretation makes the exception practically as large as the rule.

In fact, North Vietnam has not claimed that it has attempted to begin formal prosecution. In 1966, North Vietnam announced as it paraded captured American servicemen through the streets of Hanoi, that it was going to try these men as war criminals. There was a resounding global outcry and North Vietnam has not indicated that this threat was ever carried out, although from time to time North Vietnam has repeated with some vehemence that the men are subject to the laws of North Vietnam as criminals or air pirates. These threats do not realistically constitute prosecution in a legal sense and there have been no convictions reported.

There is no civilized precedent for a claim that prejudges all captives as criminals and denies protected prisoner of war status to them from the beginning without a hearing. Perhaps, the recent announcements by North Vietnam which refer to the Americans as "captured American military men" or "captured U.S. servicemen" reflect a change from North Vietnam's position that the men are "criminals."

The ICRC has refused to accept the argument that North Vietnam's reservation to Article 85 removes captured American pilots from protected status under the convention and has declared that the captured American servicemen are prisoners of war and entitled to the treatment which flows from that status. On February 6, 1970, J. P. Maunoir, assistant director of the ICRC, wrote to Raymond S. Eaton, vice president of the American National Red Cross concerning North Vietnam's position on captured American servicemen. Maunior stated in part:

I am therefore in a position to confirm that the International Committee of the Red Cross is of the opinion that all prisoners of war detained by the Democratic Republic of Vietnam should benefit under the said Convention. This is moreover probably one of the reasons why the North Vietnamese authorities have not followed-up the repeated requests we have made to them and which we continue to make on the subject.

Violations of the convention

North Vietnam and its allies in South Vietnam and Laos have persistently refused to provide the ICRC or another neutral and impartial body with an official list of all American servicemen held captive with the information required by the convention as to identification and state of health. Perhaps the recent communications from North Vietnam to Prime Minister Palme of Sweden and to Sens. Fulbright (D., Ark.) and Kennedy (D., Mass.) which contained some information concerning a partial list of Americans, foretells a change in policy. To date, however, it is the position of our government that the information supplied, assuming its authenticity, is inadequate and not in full compliance with the Geneva Convention.

Article 8 of the convention provides for the appointment of a protecting power to aid in the implementation of the Convention. American authorities report that North Vietnam has rebuffed all efforts to satisfy this requirement and has refused to recognize or accept the offers of the services of the ICRC or another humanitarian organization seeking to assume the protecting power's functions.

The record leaves little doubt that North Vietnam has restricted mail privileges for the American prisoners, and that the Viet Cong in the south and Pathet Lao in Laos have virtually denied them. Articles 71 and 76 of the convention authorize the sending of at least two letters and four postcards a month by prisoners of war. Only 620 letters from 103 men in North Vietnam had been received by January of 1969. Since then, approximately 2,000 brief six-line letters have been received from a total of 332 men. Only a single letter has been received from an American captive of the Viet Cong and none from Laos. Although there has been improvement in the flow of mail from North Vietnam to the families within the last year, it seems reasonable to conclude that all of the mail provisions of the convention still are not being honored by North Vietnam. In fact, some letters from prisoners indicate that they are denied incoming mail.

There is a similar record in the instances of personal gift packages which the prisoners are entitled to receive under the convention. In 1966, all Christmas packages sent by families to prisoners in North Vietnam were returned. In 1967, 465 packages were known to have been sent and 457 were returned with the curt marking "refused by the postal service of Vietnam" even though the packages had been correctly addressed and mailed. There was no information indicating that those packages not returned were delivered to the men. In 1968 and 1969, packages were again sent, and for the first time there was confirmation that at least some were received by the men. Only a small number were returned from North Vietnam. Receipt of packages of medicines and personal items is a hopeful sign.

Another example of the current dilemma is North Vietnam's persistent refusal to allow the ICRC or any other neutral intermediaries to enter North Vietnam to visit the prisoners and inspect all their places of detention as required by Article 26 of the convention. Thus without the benefit of impartial inspections, all of North Vietnam's assertions concerning prisoners and their treatment remain unverified.

Hanoi has participated in the sale of films of some American prisoners to news media throughout the world. Interestingly, these films, although released by North Vietnam, sometimes show the extent to which the men are being subjected to humiliation in disregard of the convention's prohibitions. These films and photographs released by North Vietnam have been cited as evidence of isolation and physical abuse and serious loss of weight on the part of the captured men and as evidence that some prisoners are suffering from injuries months and years after capture. Articles 109 and 110 require that the seriously sick or wounded be repatriated as soon as they are fit to travel.

Article 26 requires that food be sufficient in quantity and quality to maintain the good health of the prisoners and prevent weight loss or nutritional deficiencies. It also requires that consideration be given to the native diet of the prisoners. Yet two men released from North Vietnam each lost almost 50 pounds after approximately two years of captivity.

A graphic summary of North Vietnam's mistreatment of prisoners of war in direct violation of the basic tenet of Article 13, that "Prisoners of war must at all times be humanely treated," was provided by Navy Lieutenant Robert Frishman who returned in August 1969, after almost two years of captivity in North Vietnam. At a public news conference following his return, he stated:

My intentions are not to scare wives and families but Hanoi has given false impressions that all is wine and roses and it isn't so.

[8] *Commentary*, pp. 415–16.
[9] *Commentary*, pp. 424–25 (emphasis added).
[10] *Ibid.*

The North Vietnamese tried to get Lieutenant Commander Stratton to appear before a press delegation and say that he had received humane and lenient treatment. He refused because his treatment hadn't been humane. He'd been tied up with ropes to such a degree that he still has large scars on his arms from rope burns which became infected. He was deprived of sleep, beaten, had his finger nails removed and put in solitary, but the North Vietnamese insisted that he make the false humane treatment statements and threw him into a dark cell alone for 38 days to think about it. . . .

All I'm interested in is for Hanoi to live up to their claims of humane and lenient treatment of prisoners of war. I don't think solitary confinement, forced statements, living in a cage for three years, being put in straps, not being allowed to sleep or eat, removal of finger nails, being hung from a ceiling, having an infected arm which was almost lost, not receiving medical care, being dragged along the ground with a broken leg, or not allowing an exchange of mail to prisoners of war are humane.

I feel as if I am speaking not only for myself, but for my buddies back in camp to whom I promised I would tell the truth. I feel it is time people are aware of the facts.

Previously, in January of 1968, North Vietnam announced "humanitarian" release of three American fliers. The first notice that the wife and family of one of these men received that he was alive was when North Vietnam announced that he was being released. Subsequent to the release, North Vietnam announced the release of an additional three pilots. Two of them had been carried by the United States as missing. Their families also learned for the first time with this announcement that they had in fact been captured. Finally, in August of 1969, North Vietnam released three men, all of whom had been carried as captured, but two of whom had spent considerably longer periods of time in North Vietnam than the preceding six who had been released. None have been released from North Vietnam since then.

From time to time since the early days of the conflict, the Viet Cong in South Vietnam have released approximately 20 American servicemen singularly or in small groups. They also are reported to have executed American captives and permitted others to die of starvation in captivity. No inspection of the Viet Cong's prisoner camps has been permitted.

Prisoners captured by the United States

As authorized in Article 12 of the convention, the United States transfers to South Vietnam the prisoners it captures. South Vietnam is therefore responsible for the treatment of these North Vietnamese and Viet Cong prisoners of war subject to the residual responsibility of the United States for the prisoners captured by its men.

To avoid confinement of innocent persons, all captives are initially classified as detainees by the United States and South Vietnam. After subsequent screening and questioning, they are classified as either (1) prisoners of war, (2) civil defendants, (3) returnees or *hoi chanhs* or, (4) innocent civilians. The prisoners of war are transferred to one of the six prisoner of war camps maintained by the South Vietnamese with American advisors. The civil defendants are those found to be spies, saboteurs, or terrorists. They are processed through the South Vietnamese court system. The returnees are processed through *hoi chanh* centers for rehabilitation and assimilation into Vietnamese society. The innocent civilians are released and returned to the place of capture as soon as possible if the locale and circumstances permit their safe return.

The ICRC has assumed the primary functions of the protecting power in South Vietnam and its delegates regularly inspect the six South Vietnamese prisoner of war camps. They also have access to and inspect the collecting points of prisoners captured by United States and South Vietnamese forces.

The largest prisoner of war camp maintained by the army of South Vietnam is located on Phu Quoc Island and contains approximately 8,000 North Vietnamese prisoners of war while some 28,500 Viet Cong prisoners of war are distributed among the six prisoner of war camps in South Vietnam. On at least two occasions, members of the press have visited these camps within the limitations imposed by the Geneva Convention designed to protect prisoners from public curiosity. Visiting pressmen have expressed their general satisfaction with the treatment and conditions of these camps which usually contrast with the less attractive living conditions of people residing near the camps. In fact, the families of the prisoners are permitted to visit them and deliver gift parcels personally. Over 100 sick or wounded prisoners have been returned to North Vietnam and other wounded or infirm Viet Cong prisoners have been released.

EFFORTS TOWARD SOLUTION

On several occasions, President Nixon has publicly recognized the United States' obligation to the men who are missing and captured in Southeast Asia. He has also recognized the country's responsibilities to the families of these men and he has met personally with some of the families. The United States has given the prisoner issue high priority in the Paris talks, and the United States has proposed immediate negotiations concerning the repatriation of all prisoners held by both sides and has even offered to release immediately all communist prisoners of war in exchange for all American and South Vietnamese prisoners held by the other side. Moreover, Secretary of Defense Laird has made it clear that "until the prisoners are released there will be no total and complete withdrawal of the American presence in Viet Nam. . . ."

The Congress of the United States also has recognized its obligations to the men and their families. The House of Representatives held a special order session dedicated to these men in September 1969. The proceedings covered more than 70 pages in the *Congressional Record*. On September 22, 1970, there was an unprecedented joint meeting of Congress devoted exclusively to the prisoner of war problem. Several resolutions expressing concern and outrage over the other side's intransigence on the prisoner issue have been introduced and passed, and a number of proposals have been considered to provide indemnification for missing or captive servicemen and to provide benefits for their dependents. On December 10, 1970 Congress cleared a bill authorizing educational benefits and home loan assistance for dependents of missing or captive servicemen.[11]

Most recently, in early December 1970, the United Nations General Assembly recognized that the treatment accorded to prisoners of war was properly its concern and adopted a resolution which calls upon all parties to any armed conflict to comply with terms and provisions of the 1949 Geneva Convention relative to the treatment of prisoners of war in order to insure humane treatment of all persons entitled to the protection of the convention and to permit regular inspection in accordance with the convention of all places of detention of prisoners of war by a protecting power or humanitarian organization such as the ICRC.

This resolution endorses the continuing efforts of the ICRC to secure effective application of the convention and it requests the secretary general to exert all efforts to obtain humane treatment for prisoners of war especially for the victims of armed aggression and colonial suppression.

[11] See S. 3785, 91st Congress, 2d Session (1970). See also P.L. 91–289.

It also urges compliance with Article 109 of the convention, which requires repatriation of seriously wounded and seriously sick prisoners of war and which provides for agreements with a view to direct repatriation or internment in a neutral country of able-bodied prisoners of war who have undergone a long period of captivity.

The families of men who may be prisoners have even organized as the National League of Families of American Prisoners and Missing in Southeast Asia, to ensure that the plight of their men is not forgotten and that all possible efforts to resolve the prisoner of war problem are vigorously pursued.

Despite these undertakings, there has been little progress toward a solution of the prisoner of war problem. The position of North Vietnam is that it will not discuss the release of prisoners of war unless the United States announces a plan for withdrawal of "all its troops and those of the other foreign countries" by June 30, 1971. But President Nixon has pointed out that "indicating when the Vietnamization will be concluded would completely destroy any reason to continue the Paris negotiations" and that we will continue the negotiations in an effort to end the war and solve the prisoner of war problem before the Vietnamization process is completed.

Obviously, any settlement of the Vietnam conflict must take into account the prisoner of war problem. Moreover, the timing of the resolution of the problem is important as the duration of captivity for all prisoners increases and time runs out for a growing number of them.

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MR. FULBRIGHT'S INVESTIGATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DERWINSKI. Mr. Speaker, the junior Senator from Arkansas, chairman of that body's Foreign Relations Committee, has been known for the persistency of his views and the consistent manner in which he disregards evidence or information that might cause him to reappraise a situation.

Therefore, it comes as no surprise that when we keep in mind that the present Greek Government is not acceptable to him that the Senator has refused to reappraise his views on the situation. Recently, the Hellenic News, an independent Greek-American newspaper of New York City, published an article which was first published in Greek on February 11 and then in English on February 25. The article is, I believe, an objective commentary on the situation in Greece and the reference to the junior Senator from Arkansas is consistent with the facts of the matter.

[From the Hellenic News, Feb. 25, 1971]

ON MR. FULBRIGHT'S "INVESTIGATION"

(By Spyros Triantafyllou)

Every so often, Senator Fulbright comes out with his statements in various forms to assert that he is struggling for Greece's return to democratic life, "protecting" thus, in his opinion, the liberties of the Greek people. In this way, Mr. Fulbright justifies his assaults against the Greek Government and the National Revolution of April 21, 1967, as well as his protests to the Nixon Administration to suspend the American aid until Greece pulls back to the parliamentary "normalcy."

Besides Mr. Fulbright, there are some other Senators and Members of the House, as well as some American newspapers—with "The New York Times" first in line—who insistently charge against the Greek Government established by the National Revolution of April 21, 1967, and use repetitiously the rational that they act . . . "in the name of Democracy."

It is, indeed, very . . . touching to see these distinguished American politicians and journalists being concerned about Greece, her Democracy, the freedoms of the Greek people, however distant they may be from the fact that the National Revolution of April 21, 1967, averted the threat of a new Vietnam in Europe, and that without the present Greek Government the Americans and their 6th Fleet would have been thrown out of the Mediterranean and that NATO would have crumbled into pieces.

It is a happy coincidence that the bitter political experience and the prudence of the Greek people, the Revolution's composure and the national responsibility of the present Greek Government did not allow an explosion of the Greek temper to happen as a result of these unjustified insults, and cause an anti-American feeling as exists presently in Turkey.

That is also because the Greeks are still teaching Democracy; because they know better than anyone else what freedom means throughout centuries of innumerable historical examples with their struggle, sacrifice and bloodshed to preserve their freedom and Democracy.

The Greeks have never asked from friendly nations or allies any protection or assistance to secure their political liberties—which they are able to restore and preserve when it becomes necessary. In the past, and particularly during the German occupation, the reaction of the Greek people—the most recent example of Greek mentality—proves that the Greeks would have overthrown the present Revolution if they had not been convinced about its national necessity.

The Greeks are not naive nor cowardly people by letting their Armed Forces interfere, in protecting and restoring their institutions, with no sign of protest. It is simply because, in the past, these institutions were under constant jeopardy and their very existence was threatened by ambitious and ruthless politicians who pursued personal and partisan gains at the expense of national interest. Above any other political, economical or social freedoms the Greeks place their national freedom, which they value as the dearest of all freedoms.

Obviously, the foreign zealots who supposedly "defend" freedom and democracy—and particularly the Americans, whose national freedom was never threatened—ignore this fact. Furthermore, the Greeks know that Democracy and Civil Rights in their Country are protected by the Greek Armed Forces which have been guarding them ever since the new Greek State was constituted after 1821's Revolution.

The Greek Armed Forces, acting within the spirit of preserving Democracy in the Country, often obliged in the past the Crown, bad political leaders or worse politicians to accept the Constitutions on which the Country relied until April 21, 1967, when the National Revolution took over and with the people's consent voted the new Constitutional Chart of 1968. Mr. Fulbright and the others—the few or many American politicians—should therefore know that if they want to restore in Greece the same political chaos with such leaders as Kanellopoulos, Mavros, Papaspyrou, Averof, A. Papandreou, Glezos, Kefallinos and others, and return to the same era, with the Lambraki's gangs and the red or reddish pimps of democracy, they should know that under no conditions will the Greek people accept such "restoration."

In the Greek conscience, the Revolution and the Papadopoulos' Government are, comparatively speaking, a thousand times better than the corrupted prerevolutionary political establishment, even more so, because during this Administration no one was hurt or abused.

These gentlemen should also know that the Greek people have never forgotten the Bloody December of 1944, the nightmarish days of mass executions by the communists, the communist guerrilla war—the so called civil war—and the turbulent era of 1963–1967.

However, Mr. Fulbright and the other American politicians and journalists—who appear to be fighting a good-intentioned battle for a so-called "democratic restoration" in Greece—must know, for if they don't know we are telling them now, that their political tactics and their assaults against the National Revolution and the Greek Government do not promote the cause of Democracy, but rather help and directly support the Soviet policy and propaganda, which for many years have been working to create anti-Americanism in Greece. Where then the Soviet policy and propaganda failed, acting in isolation, to cause corrosion in the Greek-American friendship, this failure is being transformed gradually into a successful accomplishment on Russian account (!) by these American Senators and their press who express Mr. Fulbright's views. For their statements and articles are insults against the Greek self-esteem and patriotism and enrage the Greeks against the United States.

Did Mr. Fulbright ever stop to think what the repercussions would be in the case of Greece's neutrality, or even her participation in the Eastern Alliance?

Because we don't think that the tactics of the Chairman of the Foreign Relations Committee in the American Senate support the Greek-American relations, or serve the American interests . . .

The Greeks have survived through thousands of years, before America was discovered and without . . . American aid, in situations far more critical than today's; and they are now doing their best for their country, even withstanding a slight and insignificant deviation from the parliamentary system, trying to restore everything that was destroyed by the unscrupulous politicians of the past.

By this, we are not referring to the accomplishments made by the National Revolution and the Papadopoulos' Government in improving the standards of living in Greece and fostering a healthy economy with a steady growth. It is not our intention to become advocates, to herald these successes and plead for their stay in Greek Administration. We are limiting ourselves only within the area of national sovereignty, in order to underline the importance of National Revolution's contribution to Greece and the Greeks, who, even with none of these improvements in their lives, would still support the present Government. With no hesitation, the Greeks will be eternally grateful to them because this Government literally saved them from a serious national danger and secured for them their national freedom.

Of course, it is Mr. Fulbright's right to believe in whatever he thinks right, even in matters concerning Greek affairs. But no Greek is responsible for his impatience to reasonably wait and witness the end, the fulfillment of the National Revolution in which the Greeks believe deeply.

As of this moment we don't know the content of the report that Mr. Fulbright's special emissaries are writing on Greece, nor are aware of the Senator's future plans . . . What we know, however, is that the patience

of the Greek people, the National Revolution and the Greek Government cannot remain calm forever; their patience has limits which are getting increasingly narrower, because the Senator's rhetoric on a non-existent for the Greeks issue creates a crack in the Greek-American relations, with possible international consequences threatening severely the Free World.

In spite of malicious propaganda, there is no such thing as Fascism, Nazism or Dictatorship in Greece. What we have there is a peaceful Revolution which enjoys the trust and support, not only of the Greek people in the Motherland, but of all around the world, because today's Greek Government is building the future Greek Democracy totally freed from the perils it experienced in the past.

Four million tourists who visited Greece during the last 3 years is very impressive a number to provide the factual evidence and confirmation of the peaceful nature of the National Revolution, even though Mr. Fulbright's special envoys may probably ignore it. But Greece won't get lost in spite of such biased reports. She was not lost when she rejected with contempt the decisions of the "European Coffee-Shop," known as the Council of Europe, and she is still glowing against the ridiculous discussions and the meaningless books by authors such as Mrs. Vlachos and Mrs. Margaret, as well as against Melina's telegenci hysteria . . .

It is a really happy coincidence, for the United States and the Free World, the fact that the U.S. Government and the great majority of the American people look at the so called "Greek issue—which in essence does not exist—in its real dimensions and not from a prejudicial position which characterizes the demagogic attitudes and sophistries of the suspicious "protectors" of democracy in Greece.

ENDING U.S. RELIANCE ON SOVIET CHROME TRADE

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. PRICE of Texas. Mr. Speaker, I join my good friend, the distinguished fellow Republican from Texas, Mr. COLLINS, in introducing legislation to foster a resumption of the Rhodesian chrome trade, and I commend him on the outstanding work he has done on this vital issue.

The entire Rhodesian question is of great concern to me and it is with a continuing sense of deep regret that I witness the ongoing refusal of the Government of the United States to recognize that tiny country. As I have pointed out, Rhodesia has come of age as a nation and has fully met the accepted international legal definition of statehood; namely, it has a permanent population, a defined territory, a working government, and the capacity to enter into international relations. There is no substantive reason why it should not be accorded full recognition.

I have also vocally deplored the fact that as a consequence of our ill-conceived Rhodesian policy, we have stopped buying vitally needed chromium from that country and have turned instead to the Soviet Union for our major purchases.

As a matter of principle, isolating an avowedly friendly nation by trading with a sworn enemy has nothing to recommend it. As a matter of practice, we are getting hoisted on our own petard.

Basically, this is exactly what is happening in the chrome trade. To backtrack for a moment, prior to 1965, the year in which the United States embargoed Rhodesian chrome, Rhodesia was supplying 37 percent of U.S. chrome imports. During that same period the U.S.S.R. was supplying us with 27 percent of our chrome imports by undercutting the Rhodesian market price. Since the 1965 Rhodesian trade embargo went into effect, however, we have been forced to turn to Russia for greater amounts of chromium. As a result the Soviet Union has come to enjoy a sellers market in chrome. And when we handed the Soviet Union this economic windfall, the Communists exploited it by raising their prices on chromium almost triple what they were in the preembargo days. As a consequence, the United States is today purchasing about 60 percent of its chrome from the U.S.S.R. and paying approximately $28 million a year for chrome we could buy in Rhodesia for about $17 million.

In addition to this price diseconomy we suffer on a product quality basis as well. One American company that buys Russian chrome reports that on a ton-by-ton measure, half the company's purchase orders turn out to be comprised of substandard ore. The significance of this fact extends far beyond this particular company's plight. Because if this is happening on an extensive basis, and given the Communist way of doing things I can think of no reason why it is not, the ability of this Nation to utilize high grade chromium in the production of military jet aircraft, guided missiles, and satellites is being significantly impaired. I can just imagine the glee of the Kremlin leaders when they get together and celebrate the fact that they are weakening the national security of the United States and making a handsome profit at the same time.

Mr. Speaker, Department of State officials are not unmindful of this situation. In view, however, they have chosen a very inappropriate way to correct it. The State Department has, without fanfare, recommended to Congress that consideration be given to opening up U.S. chromium reserves and using them as an alternative to heavy American reliance on Russian imports.

Although this idea may sound appealing on the surface, if it is analyzed in terms of its implications, the weakness of it becomes readily apparent. Take the fact that at the present time the U.S.S.R. is supplying about 60 percent of U.S. chromium needs. Couple it with the fact that if just 30 percent of our chromium reserves were used to offset these annual foreign purchases, U.S. reserves would be exhausted in a little more than 3 years, and the weakness of this approach becomes evident.

On the other hand, if we continue to follow the present course, and continue to increasingly rely on Russian imports of chromium as we have since the Rhodesian embargo of 1965, then before the end of this decade this Nation will become almost totally dependent on Russian imports of chromium. I base this statement on the fact that in 1964, the United States relied on the U.S.S.R. for 27 percent of its chrome; while in 1970, just 5 years after the Rhodesian trade embargo, the United States relied on Russia for about 60 percent of its imports.

Obviously Mr. Speaker, both these alternatives are unacceptable. Pursuing either of them would give the Soviet Union a critical influence on the national security of this Nation.

In my judgment, the most economically feasible and politically sound way to end this Nation's excessive reliance on Russian chromium imports would be to reopen trade channels with Rhodesia. This is the goal of the legislation I am sponsoring today. This is a goal I think worthy of support by all Members of Congress who are concerned about maintaining the national security interests of the United States. Moreover, I hope that such resumption of vital trade would quickly lead to full U.S. legal and diplomatic recognition of Rhodesia. As I have stated on an earlier occasion, Rhodesia has earned our respect and our diplomatic recognition. To ignore this fact would be tantamount to ignoring our own heritage.

THE PRESIDENT'S SPECIAL REVENUE SHARING PROGRAM

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. GROVER. Mr. Speaker, the development of transportation in the United States is one of the great technological success stories. In the space of 70 years our primitive roads have been transformed into vast arterial systems unifying the national market and providing unheard of mobility for people and cargo.

During the same time span, in fact, within only 50 years, our system of aerial flyways has grown from the simplicity of the first landing strip with wind socks into a complex electronic network capable of handling 168 million passenger enplanements per year.

At the same time, however, our success has left us with unprecedented problems of localized noise, congestion, air pollution, and declining mass transit. States and communities would like to solve these problems in balance with their true needs but they have lacked the financial resources to do so. The established relationships between the Federal and other governments have proved cumbersome and unyielding.

I am convinced that the President's Special Revenue-Sharing program is the only way out of this impasse. Revenue-sharing will create productive new relationships between government at all levels. It will restore local participation in local decisions. And it will enhance opportunities to achieve a balanced in-

tegrated national system of transportation—one built around human needs, not around machines per se.

With revenue sharing we can create the fast, safe, clean, convenient, and comfortable transportation which a sophisticated public now demands.

WHY THE SST IS NOT GOOD BUSINESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include an excellent article on the supersonic transport—SST—that appeared on the editorial page of the March 23 Wall Street Journal. The author, Allen Ferguson, is a transportation consultant and was formerly coordinator for international aviation in the State Department:

WHY THE SST IS NOT GOOD BUSINESS

(By Allen R. Ferguson)

The question that the Senate will settle tomorrow afternoon is not whether there should someday be an American SST, but whether one should be developed and built before the private sector is prepared to finance it, and hence whether the taxpayers should be required to pay for its development.

The basic economic fact about the U.S. SST is that if it were expected to be economical, there would be no need to subsidize it. Its advocates argue that the investment is too large and too risky for the private sector, but it is obvious that the private capital market could raise the $1.3 billion the administration plans to put into the development. Last year the capital market provided American industry with more than $30 billion in new debt and equity money. That the large financial institutions resist financing the prototype development simply indicates that the SST is not a good business.

It is economically unsound because it poses a problem that is largely new in aviation. Until the SST, innovation has typically combined greater speed, comfort and range with reduced costs per seat-mile. Since World War II, with the introduction first of the large four-engined piston aircraft and then with the jets, the American aircraft industry has dominated the airways of the world. This dominance has been based on designing and producing technically and economically superior aircraft that could be operated at lower unit cost than their foreign rivals. The consequent secular decline in the costs of air travel and shipment has, of course, been the major force behind three decades of spectacular growth in commercial aviation.

With the SST the situation is different in a crucial way. Whereas the SST would offer many technical advances and be a monument to the sophisticated design and production capabilities of American industry, it is expected, even by its most enthusiastic supporters, to be more costly per seat-mile than the subsonic jets it is intended to replace.

COST INCREASES

The FAA has estimated that ideally the seat-mile costs of the SST would approximate those of present subsonic jets at maximum range, but they would be higher at shorter ranges and, of course, over populated areas where, according to present regulations, it would have to fly at subsonic speeds. Thus, its average cost, even by FAA estimates, would exceed those of present jets. However, in the eight to ten years before the SST was in extensive service, there will be improvements in the wide-bodied subsonic jets that will reduce their operating costs. Further, clearing up the remaining technical problems and imposing any additional restrictions on its use, such as restricting airport operations at night, would probably raise its operating costs further. The SST is expected to cost one-quarter to one-third more per seat-mile than the then-existing fleet of subsonic jets.

This would pose a serious problem of both domestic and international fare policy for the government. A policy that would be both efficient and equitable would require a fare premium reflecting the cost differential between the supersonic and the subsonic vehicles. If the fares were set 25% to 30% above the corresponding fares of the subsonics, SST passengers would have to pay for the speed advantage, and travelers at subsonic speeds would not have to subsidize SST operations through excessive fares. The advantages of each type of service would be available to passengers in accordance with their willingness to pay. However, aviation experts simply do not believe that to most travelers supersonic speed will be worth what it costs. Consequently a fare policy that made broad economic sense would visit financial disaster on the whole SST venture.

If the SST is eventually produced under federal support it is likely to be impossible for the U.S. government to insist on rational pricing of its services. Once the government has subsidized its creation and in various ways induced American and foreign carriers to buy it, letting the U.S. SST become a financial failure would be, to say the least, politically difficult. Obviously, to retain the appearance that the American taxpayers were recouping their investment in the SST, the government would be under great pressure to force many of them to subsidze the SST through excessive fares.

If, as is to be expected, there were little or no fare differential, travelers would presumably prefer the time-saving and would fly on the SST. Payloads on subsonics would tend to be depressed. Their early retirement from the affected routes would be forced on the industry. A larger and larger proportion of at least the trans-ocean fleets would become supersonic, and hence, to avoid losses, the fares on those services would have to approach the seat-mile costs of the SST. Thus, such a fare policy would almost certainly force fares on virtually all types of aircraft substantially above the level at which they would otherwise rest.

Given the effect of the SST on fares, the implications of "success" of the SST program are not hard to draw. First and most obvious there would be less air travel than otherwise.

If air travel is constricted there will be less employment in the airlines, fewer aircraft will be needed and, hence, eventually perhaps less employment even in the aircraft industry.

DECREASE IN AIR TRAVEL

How much of a decrease in air travel could be expected is impossible to predict with precision, but in 1964, when the most recent sweeping reductions in trans-Atlantic rates went into effect, an average reduction of about 15% was followed by a 40% increase in travel. A major study of the sensitivity of the volume of travel to fares in the North Atlantic indicated that for each one-percent change in fares there had tended to be a two-percent change in travel. If this sensitivity in the future is only half its estimated level in the past, a 20% increase in overall fares would cause a 20% drop in travel compared to what it would be with a more efficient, subsonic fleet.

These are the obvious direct consequences for the aviation industry of a technically successful SST program. They are at least among the reasons why many airline executives privately—and a few publicly—express reservations about the SST. There are other consequences. Since subsonics would be displaced at a faster rate than would otherwise be the case, the obsolescence of the recently acquired wide-bodied and other subsonics would be accelerated; consequently, depreciation and interest charges or equipment write-offs would be increased, reducing airline profits. The financial problems of the airlines would be aggravated. Their debt is now at historic highs; major carriers are incurring unprecedented losses, such as American Airlines' $10 million loss in the month of February. To burden present operations and financing with the prospect of billions of dollars of additional investment for a basically inefficient vehicle seems hardly prudent.

There is another serious adverse potential. The U.S. international air network is based on a traditionally liberal structure of bilateral agreements, which impose relatively few limitations on traffic and operations. Opposition to this relatively free and expansive arrangement has been increasing in recent years and has accelerated frequently in response to American innovations and to financial difficulties of foreign airlines. The introduction of the SST might induce major restrictions by foreign governments, removing one of the foundations on which American efficiency and pre-eminence in world aviation are based.

But what of the "threat" of foreign supersonics, the British-French Concorde and the Russian TU-144? Will the airlines of the world be forced to replace their American-built fleets with them—as is often alleged? Both these foreign supersonics are ahead of the U.S. SST. Both will probably prove technically operational. But neither is certain. More important, some things about both are certain. Neither will be able to fly even New York-Rome non-stop, to say nothing of Los Angeles-London or San Francisco-Tokyo. Neither will be allowed to fly acros thse U.S. or across Europe at supersonic speeds. Both will be extremely costly to operate: Last November the British Aircraft Corporation announced that the Concorde's expected seat-mile cost would be 36% higher than that of the 747.

There is simply no way that such equipment can penetrate a large segment of the world's aviation market. Whether it penetrates any significant fraction of the U.S.-international market at all depends largely on the policy of the American government. Unless the U.S. government permits fares in international travel (over which it can exert considerable influence) to force travelers on the American-built subsonics to subsidize the Concorde or the TU-144, they will have virtually no markets of significance—even if their remaining technical and operational problems are all solved.

This brings us to the question of American "aviation leadership." Aviation leadership consists of the leadership of our manufacturers and of our airlines.

It is clear that within the aviation community both at home and abroad the U.S. would certainly gain some "prestige" from producing a superior and ultimately dominant SST. Throughout the world there are many aviation authorities afflicted with that form of myopia which prevents their seeing beyond technological elegance to social and economic utility. But many aviation officials also do understand and would resent the economic and financial strains that would be imposed upon their own carriers by artificially premature obsolescence of their American-built subsonic jets, in the interest of U.S. prestige.

The consequencies for U.S. leadership in aircraft production go much further. Now, the U.S. has an indisputable lead: The world

flies American equipment. The British failed to capture any significant fraction of the market with the technically premature Comet or the luxurious but costly VC–10. The U.S. leadership is soundly based on economic reality, not technological novelty. To jeopardize it with a speculative program whose economics are so unpromising that the private sector eschews its opportunities to participate fully would be, at least, a most questionable choice.

Similarly, the U.S. airlines enjoy a highly prestigious, traditionally profitable and socially functional position in international aviation. This, too, is based more on superior economic efficiency than on any other single factor. To try to shift the basis of this leadership to some intangible and rather esoteric advantages associated with the employment of an elaborately inefficient vehicle is, at best, risky.

What would be appropriate policy, in the real interests of U.S. aviation? First, the aerospace industry is facing its present serious problems, not because of any developments in the civil air market but because of shifts and reductions in the nature and level of defense expenditures, particularly the secular decline in the procurement of strategic weaponry (and space equipment). No policy concerning civil aviation can solve its problem. It is clearly not appropriate to undertake half measures to try to help some aircraft companies at the expense of the taxpayers or American aviation interests in general. The problems of unemployment in the aerospace industry can only be addressed effectively through a national policy of maintaining generally high levels of employment and through suitable manpower programs.

SUBSIDIES AND UNCERTAINTIES

Second, appropriate policy on the SST for most U.S. aviation interests would involve opposing the present program to subsidize the SST. The SST should be allowed to develop in due course as technological advances in various areas and changes in air transport markets reduce the costs and uncertainties now associated with it—or produce other developments that obviate the "need" for the SST.

Third, aviation interests should press for an early statement that American policy on fares will not permit discrimination either against foreign-built vehicles or, more particularly, against travelers using subsonic equipment—a policy in the interest of air travelers of all nationalities and in the interest of most foreign as well as U.S. airlines.

Fourth, once the U.S. SST is stopped, the U.S. should pursue an international agreement to discontinue subsidization of SST development.

In general the self-interest of U.S. airlines and most manufacturers is served by policies that play to their established economic superiority, rather than to the unstructured game of competitive government subsidization.

SUPPORT FOR FEDERAL REVENUE SHARING

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. STEIGER of Wisconsin. Mr. Speaker, the city of Fond du Lac, Wis., recently approved a resolution supporting the concept of Federal revenue sharing. I concur with their position, and I shall work on the Federal level to show trust in local governing bodies to utilize tax money in a responsible manner.

For the information of my colleagues, and as a record of my own support, I am including the March 18, 1971, letter from the president of the Fond du Lac City Council and resolution 1413 as part of my remarks at this point:

CITY OF FOND DU LAC, WIS.,
March 18, 1971.

Hon. WILLIAM A. STEIGER,
U.S. House of Representatives,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN STEIGER: I am taking this opportunity to express to you the vital concern of the Fond du Lac City Council in the matter of Federal revenue sharing.

Enclosed is Resolution No. 1413 adopted by unanimous vote at the March 10, 1971, Fond du Lac City Council meeting. This resolution appropriately expresses the Council's position in support of revenue sharing based on the country's current tax structure. We in the State of Wisconsin, and more particularly the City of Fond du Lac, find the level of the local property tax approaching confiscatory levels to all our property owners. Coupled with this is the significant contribution in tax payments by our City's residents to the Federal Government and a relatively low rate of return of funds to our community under the current Federal assistance structure.

The concept of revenue sharing as currently proposed by the Administration would seem to offer a more equitable opportunity for our community's citizens to obtain Federal support for necessary local government functions. I would, therefore, ask that you lend your support toward the adoption of the proposed Federal revenue sharing program.

Sincerely yours,

PAUL W. MICHLER,
President, Fond du Lac City Council.

RESOLUTION No. 1413

Resolution in support of Federal revenue sharing

Whereas, local revenue sources based primarily on the regressive and unresponsive property tax are inherently weak and do not improve while deficiencies in revenues to pay for city government operations worsen; and

Whereas, the local property tax has become confiscatory to people on low and fixed incomes; and

Whereas, the United States government possesses the prime revenue sources and is the largest and relatively most efficient tax collector; and

Whereas, state and local governments are best equipped to determine local community priorities and administer local programs; and

Whereas, revenue sharing is a matter of basic and lasting relevance to the future vitality of our intergovernmental fiscal structure; and

Whereas, a sound program for sharing of Federal revenues with state and local governments in a broad and unconditional manner has been presented to the Congress of the United States;

Now, therefore, be it resolved, by the City Council of the City of Fond du Lac, Wisconsin, that said legislation be enacted into law at the earliest possible time; and

Be it further resolved, that all Congressional Representatives from the State of Wisconsin be strongly urged to support said legislation; and

Be it resolved, that a certified copy of this resolution be sent to all Representatives and Senators elected from the State of Wisconsin.

Submitted by:

ELLEN B. HUMLEKER,
Councilman.

Attest:

THOMAS LEHMAN,
City Clerk-Treasurer.

MR. MOYNIHAN ON THE PRESS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DERWINSKI. Mr. Speaker, since there has been much criticism and second guessing of the press and that includes, of course, television programing, one could observe at the risk of oversimplifying that "where there is smoke, there is fire."

In its lead editorial Sunday, March 21, the Chicago Tribune commented on the recent remarks of Daniel P. Moynihan relative to the press. Those of us who have observed Dr. Moynihan's career at the White House and who are aware of the trials and tribulations he went through, certainly appreciate this editorial which follows:

[From the Chicago Tribune, Mar. 21, 1971]

MOYNIHAN ON THE PRESS

Daniel P. Moynihan, former White House adviser on urban affairs, has good personal reasons for his criticism of the "elite" liberal press ["The Presidency and the Press"] in this month's issue of Commentary magazine.

His fellow liberals turned against him six years ago when he suggested that their parlor liberalism was doing little to solve the problems of the slums, and they took revenge last year when they got hold of a confidential memorandum in which he proposed "benign neglect" of the issue of race—meaning the "heroics and histrionics" of extremists on all sides. With almost a single voice, the liberal press accused him of advocating neglect of the black community.

Considering this background, Mr. Moynihan's article is commendably restrained and thoughtful.

What led to it was Mr. Moynihan's concern over the gap—credibility or otherwise—which has grown between the White House and the press in the course of the Viet Nam war. He attributes it to five shortcomings of the press: [1] an Ivy League "elitism" which regards federal officialdom as an enemy to be outmaneuvered, [2] the simplistic assumption fostered by the liberal press and television that the President is omnipotent and that anything that goes wrong is therefore his fault, [3] the exploitation by the liberal press of self-serving leaks from dissident bureaucrats, without examining motives or looking for the rest of the story, [4] the tendency to overpublicize demagogs on both sides and thus exacerbate issues, and [5] "the absence of a professional tradition of self-correction" on the part of the press.

The first two of these shortcomings have shown up plainly in the President's press conferences. As we've said ourselves, there is a clique of reporters who seem more interested in trying to prove the President wrong than in eliciting useful information for their readers or listeners. Mr. Moynihan's contempt for journalists who regard the war as an excuse to abandon objective reporting isn't just White House dogma; Mr. Moynihan has opposed the war policies himself.

Mr. Moynihan offers no solutions—and wisely, perhaps, because the problem does not lend itself to arbitrary solutions. Mr. Moynihan does, however, warn against the idea of a national regulatory council, even one formed by the press itself.

"To set up such a council in this country at this time," he says, "would be just the wrong thing to do. There is a statist quality about many of the press councils abroad; often as not they appear to have been set up to ward off direct government regulation.

Freedom of the press is a constitutional guarantee in the United States; how that freedom is exercised should remain a matter for the professional standards of those who exercise it."

Freedom of the press is like freedom of competition. It doesn't guarantee perfection [if there is such a thing], but it is the surest way man has found to guarantee the public the greatest variety of opinion and the least irresponsibility. In time, it tends to bring to heel those who abuse it?

True, it can be strengthened. Mr. Moynihan suggests more competence on the part of reporters, and this is being achieved. Today's reporters are vastly better and more broadly trained than yesterday's. Mr. Moynihan also suggests a greater readiness on the part of officials to criticize individual newspapers and on the part of newspapers to criticize one another and themselves. This should go with a free press. Mr. Moynihan is certainly doing his part. We are trying to do ours.

Mr. Nixon is trying to end the war, which did so much to bring on the present crisis in journalism, and to cut down the enormous federal bureaucracy and the confusion and back biting which it entails. In time, we are sure, this activist press will do its part and get back to reporting the news instead of trying to make it.

"AN EPITAPH OF THE LAOTIAN INVASION"

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. RIEGLE. Mr. Speaker, in this morning's New York Times, there appears a poignant and provocative article written by Mr. Tom Wicker concerning the consequences of the invasion into Laos. While ostensibly the purpose of this invasion is to save American lives, the paradox, as aptly drawn by Mr. Wicker, is that these lives were saved only at the expense of the dead Indochinese now laying on the battlefields. Mr. Wicker also points out that the present policy is only a continuation of a decade of destruction in Indochina, and he grimly concludes that there is no relief in sight for the people in Southeast Asia. I would like to draw Mr. Wicker's perceptive remarks to my colleagues' attention, a copy of which follows:

KICK THEM OFF THE SKIDS

(By Tom Wicker)

WASHINGTON, March 22.—Some South Vietnamese soldiers, in the retreat from Laos, have been clinging to the landing skids of American helicopters. Some have been falling to their deaths from these precarious perches, and in addition, "we just have to kick some of them off," an American pilot has reported. "We have to think about ourselves, too. You just cannot lift this bird with fifteen guys clinging to it."

Let that stand as the epitaph of the Laotian invasion, as it comes to an end so much less than glorious that even those who claim great things for it do not sound as if they have convinced themselves. It is an appropriate epitaph, for if the invasion had any rational purpose at all it was, in the familiar incantatory words of the Nixon Administration, "to save American lives."

This is not a purpose any American can oppose, but how high a price must the rest of the world, particularly the Indochinese, pay to rescue Americans from a decade of blunders? In the Laotian operation alone, taking Saigon's figures at their dubious face value, more than 12,000 North Vietnamese and 1,031 South Vietnamese have been killed; in addition, 219 South Vietnamese are missing and 3,985 were wounded. When North Vietnamese wounded and missing are considered, these figures suggest that perhaps 25,000 Indochinese military casualties have been suffered. (At least 59 American helicopted crewmen have been killed, 68 wounded and twenty are missing.)

What were the civilian casualties produced by this meatchopper of an operation? It is a safe bet that no one can say, because no one in Washington or Saigon, any more than in Hanoi, bothers to make such estimates before launching big military strikes, and it is only weeks or months later that the refugees and the wounded and the dead begin to make their miserable marks. Thus, it was only last week that semi-official figures were obtained from Senator Kennedy's subcommittee on refugees: 125,000 to 150,000 civilian casualties from military action by both sides in South Vietnam in 1970, with 25,000 to 35,000 civilians killed.

These figures have not so far been disputed here or in Saigon. They do not include civilian casualties in Cambodia or Laos. They *are* included in the estimated 1.1 million civilian casualties, including 325,000 deaths, in South Vietnam since 1965, when Americans entered the war in force; of the total of those casualties, about a third are thought to have been children under thirteen.

Aside from the bloodshed, once more a military operation was heavily oversold in advance as a decisive action, one that proved the South Vietnamese "can give an even better account of themselves than the North Vietnamese" (General Abrams via Mr. Nixon's news conference).

No doubt this hardsell will cause Mr. Nixon domestic political problems. It is more important that, once again, the American command made the old familiar error of assuming that when it made a move, the other side would have no answer; in this case, the answer was at least partially a mass of heavy tanks. Moreover, since the President himself predicted that the North Vietnamese would fight and fight hard, it is also clear that the fighting abilities of the South Vietnamese Army were overrated. All of that suggests a continuing underestimate of the power and determination of Hanoi and the people it commands, a repeated overestimate of Saigon's ability, with or without American help, to match the effort from the North, and another mistaken effort at a quick, winning blow in a war that will not permit such a blow.

It would probably be a mistake, nevertheless, to think that the Laotian repulse will lead Mr. Nixon to a significant change of policy. If he accedes to the request General Abrams probably will make for a slowdown in American withdrawal, the President will wreck domestic political stance; and he is more likely than ever to think that pulling out at a faster rate would open both Saigon and any remaining American forces to disastrous attack.

Nor is there any reason to believe that the expulsion of the South Vietnamese from Laos signals anything but even wider and more destructive aerial warfare "to protect American lives." The heavy series of air attacks on North Vietnam at this time can be read in no other way than as Mr. Nixon's defiant message to Hanoi that he still has the will and the means to carry on the fight, if only by air.

So the long, costly, shabby policy of withdrawing while propping up Saigon and ravaging Indochina probably will go on, without any new attempt to negotiate an end to the slaughter. It is a policy of kicking them off the skids so the American bird can fly.

THE PRESIDENT'S LEGAL BRIEF ON CROSS-FLORIDA BARGE CANAL TERMINATION REVEALS HE WAS MISLED ON THE LAW

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BENNETT. Mr. Speaker, one of the architects of our democracy, James Madison, wrote in the Federalist Papers—No. 47:

The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

The President, in halting construction of the Cross-Florida Barge Canal, one-third complete, authorized for national defense reasons, and said by the Congress to be justified economically and ecologically, acted in an unconstitutional manner when he issued his stop edict on January 19, 1971.

The President has the constitutional responsibility to take care that the laws be faithfully executed. Section 3 of article 2 of the Constitution.

He was misled by his lawyers in the legality of stopping "permanently" the Cross-Florida Barge Canal and should he not amend this edict it will break a contract between the U.S. Government and the State of Florida, and without authority repeal duly enacted laws of our country.

On March 23, 1971, I submitted a statement and brief to the Subcommittee on Separation of Powers of the Senate Judiciary Committee on the President's action on this needed national and very worthwhile project. The statement as I prepared it follows herewith:

STATEMENT OF CONGRESSMAN CHARLES E. BENNETT OF FLORIDA, BEFORE SUBCOMMITTEE ON SEPARATION OF POWERS SENATE JUDICIARY COMMITTEE, TUESDAY, MARCH 23, 1971

Mr. Chairman, I deeply appreciate this opportunity to appear before your Committee on "impoundment of funds." This is an important subject because it is timely and goes to the roots of our form of government; and I congratulate the Chairman and Committee for considering it.

A learned lawyer, applying for admission to the New York bar in December, 1963 wrote:

"The principles underlying the government of the United States are decentralization of power, separation of power and maintaining a balance between freedom and order.

"Above all else, the framers of the Constitution were fearful of the concentration of power in either individuals or government. The genius of their solution in this respect is that they were able to maintain a very definite but delicate balance between the federal government and state government, on the one hand, and between the executive, legislative and judicial branches of the federal government, on the other hand."

This same learned lawyer, who, incidentally, was admitted to the Bar of the State of New York and was later elected President of the United States in the 1968 elections, recently completely abrogated his thesis in the 1963 paper with an edict not unlike a Catherine de Medici decision of the 16th century.

He destroyed the "delicate balance between the federal government and the state government" by cavalierly breaking a contract between the United States government and the State of Florida, and he also dictatorially repealed an authorized law of Congress by "permanently" halting the Cross-Florida Barge Canal. He did not even give notice to the public or to Congress that he was going to do it, much less allow any objective presentation of views on the subject.

The 18th century French writer Montesquieu wrote in *The Spirit of the Laws* on the Constitution of England: "When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner."

Later, Justice Brandeis said the "doctrine of separation of powers was adopted by the Convention of 1787, not to promote efficiency but to preclude the exercise of arbitrary power."

In the recent case of the Cross-Florida Barge Canal, the President both promoted inefficiency in government by stopping a vital and worthwhile national project, one-third complete, and creating great uncertainty and loss of taxpayers' funds and predictable damage to the environment, but he also acted in an unconstitutional and arbitrary manner.

This brief discusses the President's edict to terminate the Cross-Florida Barge Canal and shows that he was misled on the law backing his decision, just as he was misled by his environmental advisors, to the detriment of the seven million citizens of Florida and the 23 million annual visitors to our state and the economy and national security of America.

The canal case is a current classic in the "impoundment of funds" field.

The responsibility of the President of the United States is as stated in Section 3 of Article 2 of the Constitution to "take care that the laws be faithfully executed." He has the power of veto in the process of enactment or repeal of a law (Section 7 of Article 1); but after a bill is signed into law and appropriations are made he cannot repeal the law himself without Congressional repealing; and the President must execute or carry out the duly enacted law. He can, of course, recommend that the law be repealed. No principle of American constitutional government is more fundamental than this to our heritage or more clearly stated in our Constitution.

The keystone of our government is its division into the three separate branches: legislative, executive and judicial. One of our founding fathers, President James Madison expressed it well in the Federalist Papers (No. 47) when he wrote: "The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."

So in defining the powers of the new president our forefathers wrote into our Constitution: "He shall take care that the laws be faithfully executed."

The Cross-Florida Barge Canal was specifically authorized n 1942 by Public Law 77–675. Although its value to the defense needs of our country were recognized in its authorization, the shortage of manpower for its construction during World War II postponed the appropriations needed for its commencement. But the appropriations have been made continuously ever since 1964 and now total $60 million; and the project is now more than a third complete.

Last year in the House Report on the appropriations bill the following statement was made: "The committee has included in the bill the $6,000,000 including carryover funds, proposed in the budget to continue construction of the project . . . the committee does not feel that it would be warranted, in the light of the current facts available, in delaying construction of the project which was started in 1964 and is now about 30 percent complete . . . Considering, therefore, the status of the construction and the need for the project, the committee recommends that the construction work continue and that every effort continue to be made to minimize any adverse effects on the environment, ecology, and fish and wildlife in the area."

It is not proposed to discuss here the merits of the canal; but only the legality of a Presidential edict to terminate the project. The merits which amply justify the project, will be discussed in another presentation. However, the facts are that about $50 million have been spent on this canal (1) which the Joint Chiefs of Staff supported to provide an additional and shorter line of communication between the Gulf Coast and the East Coast" that would "reduce exposure of shipping to submarine attack" and (2) which several independent studies found to be justified for economic and job producing reasons, and (3) which many geologists and ecologists, and all Congressional public hearings, open to all points of view, gave a clean bill of health to on ecological grounds.

On January 19, 1971 the President issued a press release in which he said, "I am today ordering a halt to further construction of the Cross-Florida Barge Canal."

After repeated requests to the White House, on February 25, 1971 the White House staff furnished the following statement on the legal authority of the President to terminate the Cross-Florida Barge Canal without Congressional approval, reciting that this was the opinion of the Department of Justice.

"An appropriation of funds for a particular project or activity is ordinarily regarded as permissive in nature and not as equivalent to a direction that such projects or activity be undertaken or that such funds be spent. See 42 Ops. A. G. No. 32, p. 4 (1967); *McKay* v. *Central Electric Power Cooperative*, 223 F.2d 623, 625 (C.A.D.C. 1955)."

The only court decision cited to uphold the quoted conclusion was *McKay* vs. *Central Electric Power Cooperative* (an R.E.A. Cooperative). This case does not in any way support the President's action on the canal; because, unlike the canal which was specifically authorized and specifically appropriated for, the R.E.A. contracts in the McKay case depended—solely for any specific performance on such contracts—upon the language of a general appropriations law for electrical transmission facilities, while the law made no reference whatsoever to particular projects or particular contracts. In fact, the legislative history of the law in the electrical case indicated an intent to exclude the contracts sought to be performed; but this was not relied upon in the appellate decision, but only the fact that the legislation was silent on the specific project and the specific contracts involved. The court observed that the claimants might, despite the court's ruling on specific performance of the contracts, sue the government for breach of contract in another suit.

Clearly, the above cited case is not only no authority for the President's action on the canal matter; but it is in fact authority against the President having such authority when the project involved, such as the canal, is both authorized and appropriated for by specific provision of law. This would be true whether a suit is for specific performance or for breach of contract.

The only other authority relied upon by the Administration for its position was the 1967 opinion of Attorney General Ramsey Clark upholding the power of the President to impound Federal-Aid Highway funds before they had been obligated by approval of a specific qualifying project. This impoundment was not to end any project but only to temporarily reduce the level of spending to curb inflation. No contractual obligations of the United States were involved in any way. Clearly that decision is not analogous in any way to the President's order to terminate completely a project duly and specifically authorized and funded by legally enacted law. The Attorney General said:

"It is my conclusion that the Secretary has the power to defer the availability to the States of those funds authorized and apportioned for highway construction which have not, by the approval of a project, become the subject of a contractual obligation on the part of the Federal Government in favor of a State.

Moreover, since the purpose of action here is not to reduce the total amount of the funds to be devoted to the Federal-Aid Highway Program but merely to slow the program for a limited period, hopefully it will have no adverse effect on the completion of the program 'as nearly as practicable' by the end of the period envisaged in 23 U.S.C. 101 (b)."

The Attorney General in the above opinion stated:

"The Courts have recognized that appropriation acts are of a fiscal and permissive nature and do not in themselves impose upon the executive branch an affirmative duty to expend the funds. *Hukill* v. *United States*, 16 C. Cl. 562, 565 (1880); *Campagna* v. *United States*, 26 C. Cl. 316, 317 (1891); *Lovett* v. *United States*, 104 C. Cl. 557, 583 (1945), affirmed on other grounds, 328 U.S. 303 (1946); *McKay* v. *Central Electric Power Cooperative*, 223 F. 2d 623, 625 (C.A.D.C. 1955)."

The Library of Congress Reference Service paper "Impoundment by the Executive of Funds which Congress Has Authorized It to Spend or Obligate" at page 15 observes of the above Attorney General's opinion that the cited cases do not "sustain the broad proposition for which they were cited."

In the Hukill case, above cited, the United States had enacted an appropriations law which would pay postal employees for services rendered in the South during the Civil War, under certain circumstances; and then provided that any unexpended balance would be turned over to the Treasury in two years. After the two years expired, Hukill attempted to enforce the payment terms of the appropriations law. Although holding against Hukill because he had not shown that he had not theretofore been paid for the same services by the Confederacy, the Court also held that if he had not been so previously paid he could have recovered under the above statute. In deciding this, the Supreme Court said:

"An appropriation by Congress of a given sum of money, for a named purpose, is not a designation of any particular pile of coin or roll of notes to be set aside and held for that purpose, and to be used for no other; but simply a legal authority to apply so much of any money in the Treasury to the indicated object.

Every appropriation for the payment of a particular demand, or a class of demands, necessarily involves and includes the recognition by Congress of the legality and justice of each demand, and is equivalent to an express mandate to the Treasury officers to pay it. This recognition is not affected by any previous adverse action of Congress; for the last expression by that body supersedes all such previous action."

The Hukill case is clearly not a case that supports as legal the action of the President in the canal matter. To the extent that it is in point, it would support the continuation of the canal under the duly enacted appropriation laws even if there were no prior authorization law. However, the canal has no

deficiency in authorization and does not need to rely on the Hukill case.

The Campagna case, above cited, is a case in which a Marine Band musician sued for a salary of $23 per month as distinguished from a rate of $17 since the appropriations statute involved provided for "thirty musicians at forty dollars, eight at twenty-six dollars, and fifteen at twenty-three dollars per month each, nine thousand dollars." After observing that Congress was confronted with paying musicians whose pay varied because of longevity, etc., the Court held as follows:

"An appropriation is per se nothing more than the legislative authorization prescribed by the Constitution that money may be paid out at the Treasury. Frequently there is coupled with an appropriation a legislative indication that the designated amount shall be paid to a person or class of persons, and from such an appropriation a statutory right arises upon which an action may be maintained. Occasionally an appropriation act goes still further, and expressly or by necessary implication changes preexisting law so as permanently to increase or diminish the compensation of an officer, agent, or employe of the Government. (*Faris Case*, 23 Stat. L., 374)."

The above case is no authority whatsoever for the termination of any project. Insofar as there was a project in the Campagna case—the hiring of musicians—there was no interruption of it. Only the amount of wages was ruled adverse to the claimant and even this was upon an interpretation of a particular statute, as affected by legislative intent.

In the Lovett case, the only case cited above that has not already been discussed, the plaintiffs sued for their wages as employees of the U.S. Government for a period of time after November 15, 1943, Congress having enacted in July of 1943 a law which provided that no Federal funds should be expended to pay them for any services rendered after November 15, 1943, unless prior to such date the President should have appointed them "with the advice and consent of the Senate." They were never so appointed, but they served beyond the November 15 date under less formal appointments. The Court ruled that the statute did not destroy the obligation of the Government to pay for services rendered and therefore, did not prevent a judgment in favor of the plaintiffs for the wages involved even for services after the November 15 dates. In the opinion of Justice Madden in this case, the following statement was made:

"It may well be that under our Constitution, and under any constitution which might be devised for a free people, one branch of the Government could, temporarily at least, subvert the Government. The Judges might refuse to enforce legal rights or convict criminals. The President might order the Army and Navy to surrender to the enemy. Congress might refuse to raise or appropriate money to pay the President or the Justices of the Supreme Court and the other courts. But any of these imagined actions would not be taken pursuant to the Constitution, but would be acts of subversion and revolution, the exercise of mere physical power, not lawful authority. And conduct by any branch of the Government less ruinously subversive, but, so far as it goes, equally unconstitutional, is likewise an exercise of physical power rather than lawful authority."

It is clear than the authorities relied upon by the Justice Department in advising the White House, do not give any support at all to the action taken. In no such case was there specific authorization and specific appropriation for a project that was terminated; and the cases clearly deny, rather than support, the Administration's position. In fact, the decisions could not hold otherwise in view of the specific Constitutional mandate that the President "shall take care that the laws be faithfully executed." The same memorandum which revealed the Department of Justice recitation of cases above referred to also observed:

"The Department of Justice advises us that since the funds presently available for construction of the canal have been appropriated without fiscal year limitation, no further legislative action would be necessary to make such funds available for a resumption of construction. Whether a reauthorization would be necessary as a basis for future appropriations is a matter for Congress to decide."

In making the above statement, the Justice Department has in fact conceded that the President cannot repeal a law; and since the laws that authorized and appropriated for the canal still exist they must admit, if they are to be logical, that the Constitution requires these laws to be carried out by the President until they are legally repealed.

In view of the Constitutional provision which binds the President to execute and carry out the law, and in view of the fact that the Department of Justice has produced no authorities to support the President's power to terminate the canal (which it obviously could not do in the face of the Constitution), only a few leading cases will now be discussed which the Justice Department failed to mention but which clearly show that the President has no power to terminate the canal unless and until the laws providing for the project are duly repealed. The President does, of course, have the right to veto a bill; but once it is passed with Presidential consent or by another vote overriding the veto he must carry out the laws of the land. Otherwise, as Justice Madden said, above, the deed would be one of physical rather than of lawful authority.

"Under our system of government it is the legislative branch which is to make and decide policy. The executive branch is supposed to carry out the policies declared by Congress. (31 Cong. Dig., No. 1, p. 1, at 2 (1952).) (See MacLean, President and Congress: The Conflict of Powers, 61 (1955).)"

The following comments rely heavily on the excellent article by Gerald W. Davis in the October, 1964, edition of "Fordham Law Review.

Whether the Constitution in directing the President to "take care that the laws be faithfully executed vests in him discretion as to the execution of laws was argued in *Kendall* v. *United States ex rel. Stokes*. (37 U.S. (12 Pet.) 524 (1838).) Postmaster Kendall had disallowed claims of Stokes for carrying the mail. Congress passed an act directing Kendall to credit Stokes with the amount due. Kendall again refused to pay the claim, contending that only the President, under the power to see that the laws are executed could require that he pay the claims. The Supreme Court upheld a mandamus ordering the payment, holding that the President was not impowered to dispense with the operation of law upon a subordinate executive officer:

"When Congress imposes upon any executive officer any duty they may think proper, which is not repugnant to any rights secured and protected by the Constitution . . . in such cases, the duty and responsibility grow out of and are subject to the control of the law, and not to the direction of the President. . . .

"To contend that the obligation imposed on the President to see the laws faithfully executed, implies a power to forbid their execution, is a novel construction of the Constitution, and entirely inadmissible."

To avert a nationwide strike of steelworkers in April, 1952, which he believed would jeopardize national defense, President Truman issued an Executive order directing the Secretary of Commerce to seize and operate most of the steel mills. According to the Government's argument in *Youngstown Sheet & Tube Co.* v *Sawyer* (343 U.S. 579 (1952)), the directive was not founded on any specific statutory authority, but upon "the aggregate of the President's constitutional powers as the Nation's Chief Executive and the Commander in Chief of the Armed Forces." The Secretary of Commerce issued an order seizing the steel mills and the President promptly reported these events to Congress, but Congress took no action. It had provided other methods of dealing with such situations and had refused to authorize governmental seizures of property to settle labor disputes. The steel companies sued the Secretary and the Supreme Court rejected the broad claim of power asserted by the Chief Executive, holding that "the order could not properly be sustained as an exercise of the President's military power as Commander in Chief . . . nor . . . because of the several constitutional provisions that grant executive power to the President"

Mr. Justice Black, who delivered the opinion of the Court, noted:

"In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad. And the Constitution is neither silent or equivocal about who shall make laws which the President is to execute. The first section of the first article says that 'All legislative Powers herein granted shall be vested in a Congress of the United States . . .' After granting many powers to the Congress, Article I goes on to provide that Congress may 'make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'

"The President's order does not direct that a congressional policy be executed in a manner prescribed by Congress—it directs that a presidential policy be executed in a manner prescribed by the President . . . The power of Congress to adopt such public policies as those proclaimed by the order is beyond question . . . The Constitution does not subject this lawmaking power of Congress to presidential or military supervision or control.

"It is said that other Presidents without congressional authority have taken possession of private business enterprises in order to settle labor disputes. But even if this be true, Congress has not thereby lost its exclusive constitutional authority to make laws necessary and proper to carry out the powers vested by the Constitution 'in the Government of the United States, or any Department or Officer thereof.'"

Mr. Justice Douglas, in a concurring opinion, noted:

"The power to recommend legislation, granted to the President, serves only to emphasize that it is his function to recommend and that it is the function of the Congress to legislate. Article II, Section 3, also provides that the President 'shall take care that the laws be faithfully executed.' But . . . the power to execute the laws starts and ends with the laws Congress has enacted."

The three dissenting Justices did not assert that the President could act contrary to a statute enacted by Congress. They argued that there was no statute which prohibited the seizure and that there was "no evidence whatever of any Presidential purpose to defy Congress or act in any way inconsistent with the legislative will."

Mr. Justice Jackson, concurring with the majority opinion, remarked on the "poverty of really useful and unambiguous au-

thority applicable to concrete problems of executive power as they actually present themselves." He suggested that "Presidential powers are not fixed but fluctuate, depending upon their disjunction or conjunction with those of Congress." Justice Jackson then listed the situations in which a President may doubt, or others may challenge, his powers and indicated the legal consequences of the factor of relativity to the powers of Congress:

"1. When the President acts pursuant to an express or implied authorization of Congress, his authority is at its maximum, for it includes all that he possesses in his own right plus all that Congress can delegate . . . If his act is held unconstitutional under these circumstances, it usually means that the Federal Government as an undivided whole lacks power . . .

"2. When the President acts in absence of either a congressional grant or denial of authority, he can only rely upon his own independent powers, but there is a zone of twilight in which he and Congress may have concurrent authority, or in which its distribution is uncertain. Therefore, congressional inertia, indifference or quiescence may sometimes, at least as a practical matter, enable, if not invite, measures on independent presidential responsibility. In this area, any actual test of power is likely to depend on the imperatives of events and contemporary imponderables rather than on abstract theories of law.

"3. When the President takes measures incompatible with the expressed or implied will of Congress, his power is at its lowest ebb, for then he can rely only upon his own constitutional powers minus any constitutional powers of Congress over the matter. Courts can sustain exclusive presidential control in such a case only by disabling the Congress from acting upon the subject. Presidential claim to a power at once so conclusive and preclusive must be scrutinized with caution, for what is at stake is the equilibrium established by our constitutional system."

"In the canal matter, the President has taken a step such as Justice Jackson describes in the third situation above, that is one incompatible with the intention of Congress in duly enacted laws. Therefore, "he can only rely upon his own constitutional powers, minus any constitutional powers of Congress."

The weight of authority is against the existence of an inherent presidential power to impound appropriated funds—Goostree. The Power of the President To Impound Appropriated Funds: With Special Reference to Grants-In-Aid to Segregated Activities, 11 Am. U.L. Rev. 32, 42 (1962).

The general theory underlying the Constitution is that Congress shall be responsible for the determination and approval of the fiscal policies of the Nation and that the executive shall be responsible for their faithful execution—Report of the President's Committee on Administrative Management at 15 (1937).

This division of authority was stated by President Wilson in a message to Congress on May 13, 1920:

"The Congress and the Executive should function within their respective spheres . . . The Congress has the power and the right to grant or deny an appropriation, or to enact or refuse to enact a law; but once an appropriation is made or a law passed, the appropriation should be administered or the law executed by the executive branch of the Government. (Report of Pres. Comm. on Admin. Mgt. at 15.)"

Congress has the final responsibility, subject to constitutional limitations and the President's veto power, for deciding which activities are to be undertaken by the Government and the amount of money to be spent on each. The President's role is to recommend to Congress a unified and comprehensive budget and to administer the budget as finally enacted—Committee on Organization of the Executive Branch of the Government Report on Budget and Accounting in the U.S. Government at 12–13 (1955).

Although an authorization may be considered as only constituting permission to expend funds for a particular purpose, an appropriation of funds implies a directive that such funds be expended to effect the purpose indicated.

"Congress in making appropriations has the power and authority not only to designate the purpose of the appropriation, but also the terms and conditions under which the executive department of the government may expend such appropriations . . .

The purpose of the appropriations, the terms and conditions under which said appropriations were made, is a matter solely in the hands of Congress and it is the plain and explicit duty of the executive branch of the government to comply with the same. Any attempt by the judicial branch of our government to interfere with the exclusive powers of Congress would be a plain invasion of the powers of said body conferred upon it by the Constitution of the United States. (*Spaulding* v. *Douglas Aircraft Co.*, 60 F. Supp. 985, 988 (S.D. Cal. 1945), aff'd, 154 F. 2d 419 (9th Cir. 1946).)"

The Supreme Court has also held that when Congress makes an appropriation in terms which constitute a direction to pay a sum of money to a particular person, the officers of the Treasury cannot refuse to make the payment—see, for example, *United States* v. *Louisville* (169 U. S. 249 (1898); *United States* v. *Price*, 116 U. S. 43 (1885); compare 2 Ops. Att'y Gen. 295 (1902).)

The cases cited clearly demonstrate that the President cannot lawfully disregard a duly enacted law. It could be argued that Congress by statute has authorized the President to exercise discretion as to whether funds appropriated for a particular public works project should be expended or impounded. An examination of the statutory law gives no substance to that argument. There appears to be no statutory authority for the impounding of appropriated funds, except for purposes of economy and efficiency in executing the purposes for which the appropriation is made.

The President cannot dispense with the execution of the laws, under the duty to see that they are executed. To hold otherwise would be to confer upon him a veto power over laws duly passed and enrolled. To accord discretion to a President as to what laws should be enforced and how much, would enable him to interpose a veto retroactively.

Some may say, what can one do to see that the President carries out the Constitution? There have been no suits on recent impounding of funds for defense objectives, such as for the advanced bomber, as far as I know. There may be many reasons for this; but perhaps the most conclusive one has been the lack of standing of one to sue to enforce the Constitution in a particular case. In the matter of the Cross-Florida Barge Canal there may well be such ability to sue however; because not only has the State of Florida entered into expensive contractual arrangements with the Federal Government on this matter, but many local real estate owners have been taxed through the years to contribute the local funds that have been expended in Florida for this canal. The Canal Authority of the State of Florida, the official body for this project in the state, has filed suit in the Federal Court in Jacksonville asking that the President's order be declared to be of no effect, illegal and constitutionally void. Other official governmental bodies involved have also entered this suit, including the Jacksonville Port Authority and perhaps other outside organizations and individuals have joined them by now.

It is sincerely to be hoped that the President will reconsider this matter and at least let the proponents of the canal be heard on the issues, which has not yet been allowed. Particularly, since the evidence is strong that the reasons for the President's action seem to have overlooked the fact that the Oklawaha can be inexpensively bypassed and that no wildlife preservation is in fact achievable by terminating the canal these being the grounds relied upon in the President's press release.

It would be very appropriate and helpful if the committee could look into the constitutionality of the President's action on the canal matter and express an opinion thereon.

A BALANCED TRANSPORTATION SYSTEM FOR OUR CITIES AND STATES

HON. LOUIS FREY, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. FREY. Mr. Speaker, the purpose of the special revenue-sharing fund for transportation is to enable the Governors and mayors of our Nation to restore in the States and cities a balanced transportation system. What we are seeking is a system in which the various transportation tasks are performed by the most efficient mode. It takes no efficiency expert to recognize that mile long lines of cars—each bumper to bumper and each carrying an average of one and a fraction of a passenger—represents an inefficient use of our automobiles and our highways.

It is obvious that an obsession with the private car plus a heavy concentration of Federal dollars in highway construction have furthered the cause of the automobile to the detriment of sound transportation planning—particularly in urban areas. Transportation revenue sharing will help correct this inbalance.

The transportation revenue-sharing fund will permit local officials to meet their special local transportation needs. They know best their requirements. They should make the decisions.

The present system of dispersing Federal transportation funds to the States and cities virtually rules out any choice by local officials. These Governors and mayors are aware that under existing laws, if the transportation decision is in favor of highways, $1 of State funds will earn $9 of Federal funds. If, on the other hand, these officials turn to mass transit, they discover $1 of State funds will get them only $2 of Federal money. In this present era of restricted State budgets, it is obvious the decision will go in favor of more highways. Yet, many States even now—and many others in the years to come—will have no need for more highways, but will have a desperate need for urban mass transit improvements.

The special revenue-sharing fund for transportation is designed to help these officials make the efficient decision—not the expedient decision. One of the key features of this fund is that no matching dollars are required by the States or local authorities. The decisions then can

be made solely on the basis of what will best resolve local transportation problems.

GIVE RURAL AMERICA A CHANCE

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MYERS. Mr. Speaker, it is said that "hope springs eternal in the human breast." That truism was never more real than when applied to the people of rural America. A vast area of even more vast potential has been chafing at the bit for a long time, eager to join the mainstream of the Nation's economic forward thrust.

Too many segments of 2,600 counties in this country which are largely rural have stood still or retrogressed for no real reason except that the opportunity has been siphoned off by unrealistic Government policies. Its people have been forced into the burdened cities to gain equality with their urban counterparts.

It is also true that the Congress has attempted in hundreds of ways to offer pump-priming services to rural communities. Billions of dollars have been spent but most of them have trickled in and gushed out because there was little means provided for using local initiative. At the same time, the tax money that could have assisted local, county, and State planners flowed in a steady stream to the Central Government. Too little of it came back to the source, except for certain projects in isolated areas. The projects required approval of an insulated bureaucracy often unaware of local needs or unable to apply proper action because of restrictive laws which fail to take into account varying situations and conditions.

Congress now has been presented with a bill, rural development special revenue sharing, which I believe can change rural America to help meet the changing requirements of the entire Nation. Under this program, $1.1 billion would be allocated to the States to be used as the people, through their elected officials and the legislature, determine to be the best means of revitalizing the Nation's great storehouse of economic and social advancement.

Again, it is true that this initial funding will not be sufficient as a full-blown resurgence of rural America gets underway. But it should prove adequate to start people enthusiastically planning and beginning in rural areas. The local resources will add to the Federal revenue-sharing funds many times over. As the program proves itself, there should be minimal trouble increasing financial assistance. Success feeds success.

I urge my colleagues to seize this opportunity to give rural America a running chance to lift itself by the great energies and potential available in an area comprising 91 percent of the Nation's land area. We have tried many less promising programs. Let us give this one a quick and honest chance to succeed.

HON. BARBARA M. WATSON ADDRESSES INTERNATIONAL AVIATION CLUB

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. RODINO. Mr. Speaker, on February 16, 1971, the Honorable Barbara M. Watson addressed the International Aviation Club regarding the impact of international travel on consular operations.

Miss Watson is no stranger to the Hill, having ably testified many times before the House Committee on the Judiciary, and I feel that her speech should be included in the RECORD to bring home to all the import of her work as Administrator of the Bureau of Security and Consular Affairs of the Department of State.

Miss Watson has worked long and hard as Administrator and this is evidenced by the expansion and modernization which the Bureau has undergone under her able leadership. Presently, with increasingly large numbers of world travellers, the Consular service has continued to streamline its operation in order to cope with its important responsibilities and this is accurately described in Miss Watson's speech, the text of which follows:

IMPACT OF INTERNATIONAL TRAVEL ON CONSULAR OPERATIONS

This past year I have heard many reports of near-empty commercial aircraft and resort hotels. I will not dwell on this point, which may be painful to some of you. Nor will I attempt to theorize on its causes, something you can do much more intelligently than I. I must, however, confess that I am puzzled because our statistics and the reports from our Embassies and Consulates abroad indicate that the travel explosion is continuing unabated.

Ten years ago our passport agencies in this country and our foreign service posts abroad issued some 800,000 passports. In 1970 the figure topped 2 million, an increase of almost 300%. And, in 1970, in contrast to the usual 10 to 12 percent annual increase, passport issuances increased some 20 percent over 1969.

According to the Immigration and Naturalization Service citizen departures in 1970 were up 27% over 1969.

This great flow of international travellers is not, of course, one-way; nor is it confined to Americans. The increase in issuance of nonimmigrant visas by our Embassies and Consulates abroad to foreign visitors rose from 670,000 in 1960 to almost 2 milion in 1970, an increase of almost 300%.

These remarkable increases have obvious economic implications for the travel industry as well as other enterprises whose well-being depends principally or in part on international travel. It also has significant financial implications for the operations of the Department of State both in this country and abroad. You are more familiar than I with the benefits to the travel industry that result from this increased flow of people between countries and continents. For the Department of State, however, the benefits are mostly intangible. The tangible results are mainly problems.

I do not mean to suggest that the benefits to our foreign relations are not important because they are intangible. We firmly believe that travel abroad by American citizens and travel to this country by foreign nationals serves the United States national interest in a very important way. Our policies and procedures with respect to the issuance of passports to U.S. citizens and visas to foreign nationals spring from this belief. I admit that we have our aberrations. Occasionally, we deny a visa or a passport for what appears to be no good reason. But when we are wrong, our errors are usually pointed out to us rather quickly by the press or in more leisurely fashion by the courts. On the whole, I think our administration of the laws relating to passports and visas is faithful to the basic premise that this travel flow, in both directions, should be encouraged and facilitated.

Unlike most other areas of the Department of State, the activities and responsibilities of our world-wide consular operations are largely governed by Federal statute. As a result, the measures we can take to facilitate international travel and to meet the problems resulting from increased travel often depend on our ability to obtain Congressional enactment of our legislative proposals. Our success in this regard has been mixed. On the passport side we obtained enactment of legislation in 1968 to make passports valid for five years rather than for three years renewable for two years. That same legislation also made it possible for persons who have previously held passports to apply for and obtain their passport entirely by mail under certain circumstances.

On the visa side we have sought—unsuccessfully so far—authority to eliminate the visa requirement entirely for nationals of certain countries who want to come to the United States for business or pleasure for a period of up to ninety days.

There are measures that do not require legislation that we have taken. One of the major problems on the domestic side of our passport operations has been the overburdening in the past few years of our passport application and processing facilities. This has resulted in long lines at our passport agencies and at those federal and state courts that accept passport applications. It has also resulted, at some periods, in substantial delays in processing and issuing passports. To meet this problem we instituted, with the cooperation of the Post Office Department, a pilot project in Houston, Texas; Detroit, Michigan and eight cities in Connecticut whereby passport applicants could apply for passports at post offices. The results of the pilot project have, on the whole, been extremely encouraging. It now seems likely that the use of post offices to accept passport applications will be expanded nationwide to some 500 cities by the end of 1971 and ultimately to some 4,000 first-class post offices.

On the visa side we instituted, in 1962 a procedure whereby, under certain circumstances, foreign nationals could obtain visas for the United States entirely by mail. This program has been expanded to the point where at present a substantial percentage of visitor visas issued by some of our posts are done by mail. For example, 80 percent of all such visas issued by our Embassy at London are issued by mail. In France the figure is 70 percent.

In 1967 we authorized an indefinite validity or so-called life-time visa to be issued in certain cases—principally to foreign nationals who are clearly not prospective immigrants and who have occasion to visit the United States frequently.

I should point out that in the vast majority of cases obtaining a visa to visit the United States is not a difficult or time-consuming chore for the foreign national. From that point of view, the visa-by-mail procedure, the life-time visa and even the elimination of the visa requirement may not be signifi-

cant travel inducements. However, the visa requirement does represent a psychological barrier to a significant number of foreign nationals. For the most part, we have stopped asking the prospective foreign visitor such embarrassing questions as: "do you seek to enter the United States to engage in any immoral sexual act?" But we have reason to believe that the visa requirement itself creates an air of suspicion that is resented by many foreign nationals, particularly if their own country does not require Americans to obtain visas to visit his country. In this sense, therefore, the measures we have taken are helpful and, we believe, enactment of the legislation to eliminate the visa requirement entirely in certain circumstances would be an important step in encouraging travel to this country.

The third important area of our consular operations on which the increase in travel abroad by U.S. citizens has had its greatest impact is in the area of protection of and assistance to U.S. citizens abroad. Although we can and do take various measures to help our citizens abroad, many Americans seem to have a number of misconceptions about what our consuls are authorized to do. Unfortunately, they often have great difficulty explaining to their compatriots that the consul is not authorized to cash checks or change money, lend money to Americans temporarily out of funds, serve as a travel agent, as an employment agent or help in obtaining work or residence permits in the foreign country, act as an attorney, renew drivers' licenses, search for missing luggage or settle disputes with hotels, or perform marriages.

The disgruntled American often interprets such explanations as merely another example of bureaucratic negativism. However, the limits on the consul's functions are set by U.S. law, the law of the host country and international practice. Nevertheless, in practice the consul does assist Americans abroad in many ways above and beyond the formally prescribed limits of his responsibilities.

The protection function is a traditional one and fulfilling it is not a new problem by our consuls abroad. Recently, however, we have been hard-pressed to perform this and related assistance functions adequately because of cut backs in our personnel abroad, the increased number of American citizens travelling abroad and the attendant increase in the number of Americans arrested abroad, particularly for narcotics offenses. The basic responsibility of our consular officers in cases of American citizens who are arrested abroad is to try to insure that the American citizen receives fair treatment. This does not mean fair treatment by American-due-process standards but rather by a somewhat vague standard of accepted international practice.

The consul helps the arrested American obtain a lawyer and communicate with his family in this country. He usually visits him in jail and often attends his trial to determine whether he receives fair treatment.

In addition to some misconceptions about the functions of our consuls generally, many Americans seem to have some similar misconceptions as to the applicability to them of foreign laws. Americans abroad are, of course, subject to the laws of foreign countries in which they find themselves. This comes as a shock to many Americans some of whom seem to believe that because they are Americans they should be immune from arrest when they violate a foreign law, particularly when there is no similar law in this country. They are often surprised to learn that very likely they will not be entitled to a trial by jury or to confront witnesses against them or to exercise various other rights that are basic under our legal system. There has been much controversy recently in this country about investigative arrests and lack of speedy trial. The American who runs afoul of the law while abroad may well find himself detained for many months without bail while his case is being investigated and before formal charges are lodged. On the other hand, once the investigation is completed, he may well find that his trial is much too speedy for his taste. He may, in fact, have only a few days to prepare his defense.

His trial will rarely last more than one day any appeal he takes will probably be decided within the week. In fact, if he is acquitted or receives a light sentence, he may be surprised to learn that the prosecution has appealed his acquittal or the lightness of his sentence.

Having said this, I must also say that generally Americans do receive equal or better treatment at the hands of foreign courts than the nationals of that country and, frequently, other aliens. They often receive lighter sentences and their jail accommodations are usually much less unpleasant. This continues to be the case despite the intensive crackdown on drug violators that most foreign countries have instituted.

Prior to 1968 the percentage of Americans detained abroad on drug charges was miniscule. By October 1970, however, of some 1100 Americans in foreign jails, 700 were being detained for drug offenses.

At first it appeared that one of the inducements that foreign travel offered to many young and not so young Americans was the opportunity to escape from what they considered the unreasonable restrictions of American society, particularly its attitude toward drugs. Stories of a day's supply of marijuana for five cents in Kabul or Katmandu sounded both economical and exciting, whether they just wanted to experiment or had a consistent habit. They heard that you could finance a long Eurasian holiday by driving a car loaded with concealed hashish from Asia to Europe and selling them there. The premium price one could get for the car was a small bonus.

However, it was not long before these innocents and not so innocents discovered that it was not quite that easy. They began to hear and, unfortunately, to experience that in Turkey mere possession of a pipe-full of hashish brought a minimum of three year's imprisonment. Other countries started dealing with this problem in a similarly harsh manner. In Iran drug convictions have brought death by hanging to several, fortunately none of them Americans.

We have tried in many ways to warn Americans going abroad that rather than a narcotic nirvana, several years in an ancient and crowded prison may await them. We have tried to do this without moralizing. If they are arrested we try to assist them and insure that they receive fair treatment regardless of any opinion we may form of their guilt or innocence.

A little over a year ago a young American woman was arrested in Greece and charged, along with a young Englishman, with attempted drug smuggling. Our consular officers immediately got in touch with her relatives here, helped her get an attorney, and visited her in prison on numerous occasions. We even received calls from attorneys in this country asking if they could help in some way. To me this was a fine example of both the basic humanitarian concern of the American legal profession and the best traditions of our Foreign Service. And my opinion was not fundamentally changed when I subsequently learned that only a few weeks before the accused had appeared quite prominently in one of our more popular magazines as Playmate of the Month.

I cannot guarantee that with the increase in international travel and the attendant increase in consular services that Americans will require we will be able to fulfill our responsibilities with the same zest and enthusiasm demonstrated in that case. But I can assure you that we will try.

THE BUSINESS OF BUILDING CITIES

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MORSE. Mr. Speaker, on page 2909 of the February 17 CONGRESSIONAL RECORD, there appears the text of a speech delivered by David Rockefeller chairman of the board of the Chase Manhattan Bank, before the Regional Plan Association in New York, in which he has proposed the formation of a private or quasi-public corporation and a new Federal agency which would work together in developing new cities.

For those of my colleagues who have not seen it, I call their attention to it, for it offers what I consider to be an urgently needed and most practical approach to dealing with the present urban crisis, and reducing the pressures on existing urban centers and suburban areas.

I am also pleased to bring to the attention of my colleagues the following editorial from the Christian Science Monitor of February 18, which speaks most persuasively to the relevance and the urgency of Mr. Rockefeller's recommendation for action:

THE BUSINESS OF BUILDING CITIES

At long last American private enterprise is beginning to talk in realistic dollar terms about its responsibilities and commitment to solving the nation's snowballing urban crisis.

David Rockefeller, chairman of the Chase Manhattan Bank and as close to being "the" voice of American business as any single man can claim, has called for a $10 billion corporation to start building 110 new cities.

The figure of 110 new cities comes from a report made by the bipartisan National Committee on Urban Growth back in 1969.

A proposal was drawn up in legislative form, but it never got into the congressional hopper because President Nixon opposed it for cost reasons.

Mr. Rockefeller proposes now that a private or quasi-public corporation take on the job. It would be capitalized by banks, insurance companies, pension funds and similar institutions seeking long-term investment opportunities.

Alongside the private corporation, Mr. Rockefeller proposes a national public corporation, with powers of land acquisition similar to New York's State Urban Development Corporation.

There is no reason why a national urban development corporation should not be set up to do a similar job.

We would caution, however, that such an agency be subject to the control of a national planning body. President Nixon has already indicated his interest in national land use planning.

New towns and cities cannot be made arbitrarily to grow out in the grassy plains or on the sides of mountains, any more than tulips can be grown on the tundra or edelweis in the desert.

Probably most new towns and cities should be located on the edges of existing metropolitan areas, close by transportation and communication networks, and close in to where most of the 75 million new Americans expected by the year 2000 will want to live.

Many of these new towns and cities would probably most naturally form around existing nuclei—such as small towns or regional subcenters.

These are problems for a competent national planning agency to decide. They are too important to be left to the speculative ventures of profit-oriented developers. Down that road, as American urban history dismally shows, lies formlessness, sprawl, and uglification of the countryside.

18-YEAR-OLD VOTE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, I have been asked by my good friend and constituent, Mr. Benjamin Ginzburg, 5550 Columbia Pike, Arlington, Va., to insert into the CONGRESSIONAL RECORD a circular letter his organization is distributing to the State legislatures regarding the 18-year-old vote issue. Since this matter will be brought to the attention of the various legislatures of our States, Mr. Ginzburg felt it would be fitting and proper to make the contents available to the Members of Congress.

The letter follows:

COMMITTEE FOR CONSTITUTIONAL INTEGRITY,
Bethesda, Md., March 19, 1971.

DEAR MR. STATE LEGISLATOR: The Committee for Constitutional Integrity is a non-partisan group that has been formed to implement the deep concern felt by all responsible and informed Americans for the defense of the U.S. Constitution and for the protection of constitutional processes of government in the States as well as in the Nation.

The Committee wishes to address to you, and to each of the more than 7,000 members of the State legislatures in all 50 States, this urgent report concerning the grave crisis that has arisen in our country as a result of the 18-year vote action taken by Congress last year. This report will, we are confident, demonstrate to you the imperative need for strong affirmative action by the State legislatures, acting in their high sovereign capacity as the natural protectors of the people, to preserve intact the integrity of our Constitution and to safeguard our freedom against the usurpation which now threatens them. We entreat you to read—indeed study carefully—this report in view of the gravity of the crisis.

We hold it to be the duty of all citizens, and particularly of legislators sworn to defend the Federal Constitution and the constitutions of their respective States,

(1) to insist upon the repeal of the Congressional statute (Section 302 of the Voting Rights Act Amendments of 1970) in order to prevent that statute from becoming a precedent justifying acts of usurpation in the future, and

(2) to urge their respective State legislatures to defer any action on any proposed constitutional amendment dealing with the 18-year vote until that constitutionally offensive statute is repealed, so that the legislators will be able to deal with the proposed amendment as free and deliberative men and not as men stampeded into action by the mess created by the Congressional usurpatory legislation.

To begin with, we emphasize that our group is taking no stand on whether 18-year-olds should or should not have the right to vote. Our interest is solely that the decision should be made in accordance with constitutional processes.

The Congress of the United States is rushing through a proposed amendment to the U.S. Constitution which it will shortly submit for ratification by the state legislatures, granting the vote at 18 both in State and Federal elections. The leaders of the drive for this amendment hold that an emergency has been created by the action of the Supreme Court in validating (by a 5 to 4 vote) the statute passed last year granting the vote at 18 in Federal elections, but invalidating that section of the law which granted the vote at 18 in State elections. They hold that dual voting lists and the difficulty of distinguishing in many situations what is a State and what is a Federal election (*e.g.*, voting for delegates to a State convention that will nominate party candidates for both State and Federal offices) will create endless confusion, legal snarls, and a heavy financial burden for the State election boards which administer all our elections, Federal as well as State. They have therefore started a panic campaign to get you and your fellow state legislators to ratify this proposed amendment in a sight unseen manner so that a mess in 1972 will be avoided.

We hold that the leaders behind the amendment drive not only do not come to you with clean hands but are asking you to participate in a rape of constitutional processes. The facts are that these same leaders last year chose to circumvent the U.S. Constitution and got the Congress, by a usurpation of authority, to enact the 18-year vote (in both Federal and State elections) by simple statute. The plain words of the Constitution leave to the individual States the power to set voting qualifications not only in their own elections but in Federal elections as well. The State-set qualifications can, of course, be overriden by duly ratified amendments to the U.S. Constitution, and this has been done several times in our history. But at no time, until the episode of last year, did any responsible constitutional authority venture to suggest that Congress could override the constitutional provisions for State-set age qualifications by simple statute.

In the debates on last year's statute, the leaders in Congress made it clear that they had no hope of bringing about an 18-year vote by the process of proposing a constitutional amendment and getting it ratified by three quarters of the States. They resorted to the technique of usurpation—granting to 18-year-olds what was not in the power of Congress to grant—in definance of the advice given by George Washington in his Farewell Address never to be tempted to accomplish even a good purpose by violating the Constitution.* They hoped that the Supreme Court (which in recent years has exhibited a great tendency to validate Congressional actions with which individual justices were in political sympathy) would validate the 18-year voting provisions.

The hopes of the Congressional leaders were almost fulfilled—but not quite. By a vote of 5 to 4, the Supreme Court upheld the vote at 18 in Federal elections but by another vote of 5 to 4 (with Justice Black supplying the swing vote) the Court held the statute unconstitutional as appling to State elections. It is highly significant that Justice Stewart (with the concurrence of the Chief Justice and Justice Blackmun) noted that the opinions supporting the 18-year vote "contain many pages devoted to a demonstration of how beneficent are the goals of this legislation," and that "a casual reader might get the impression that we are being asked . . . whether or not we think allowing people 18 years old to vote is a good idea."

In short, Justice Stewart plainly hinted that the pro-vote-at-18 justices had acted to validate their political predilections rather than to disinterestedly consult the Constitution as to whether Congress had authority to enact the vote at 18.

When the proposed constitutional amendment is before your legislature, you, the legislators, will be in effect serving as a jury to determine whether the amendment should be adopted or rejected. Now just as a jury cannot function properly in an atmosphere of panic and political pressure from the outside, so we believe that you the legislators cannot exercise your judgment wisely and properly in the atmosphere of panic and pressure which has been created by the ill-conceived Congressional statute and its half validation and half invalidation by the Supreme Court.

The enactment of a constitutional amendment providing for an 18-year vote is no simple matter that can be decided at a moment's glance. It involves complex questions affecting the political life of the Nation. By way of illustration, we call your attention to an article in the New York Times of February 6, which cites the concern in many quarters that an 18-year vote may enable students in university towns to take over the town governments and in the manner of carpetbaggers raise local taxes irresponsibly and unconscionably. In many university towns students (over 21) are now allowed to vote regardless of their lack of permanent residence; in other places the right of students to vote is expected to be granted by the trend of court decisions. With the enormous inflation of the student vote that would be brought about by a lowered voting age, problems that are now minor or negligible could develop serious proportions.

We do not ask you to vote against the 18-year amendment on this ground or on any other ground. We simply say that this problem and other problems that are below the surface of the 18-year vote issue be properly studied and appraised in a calm atmosphere before making a decision pro or con on the question. The people of the State which chose you and others as legislators on their behalf expect you not to vote in haste (for them to repent in leisure) and to consider all aspects of the question.

It seems to us—as it will no doubt seem to you when you consider the matter—that in order to carry out your duty properly and conscientiously on the proposed 18-year amendment, the present atmosphere of panic and pressure will have to be removed. And it can be removed only by an action of Congress repealing the 18-year vote statute and thus restoring the normal atmosphere which existed before the passage of the ill-fated legislation.

In the interest of all citizens of this great Nation—and in your interest as conscientious legislators fulfilling your responsibilities to the people who elected you—we appeal to you to have your legislatures join forces with Virginia, whose General Assembly has passed a joint resolution memorializing Congress to repeal the 18-year voting statute. The resolution should make it clear that your State will take no action on any amendment proposed by Congress until the constitutionally offensive statute is repealed.

We trust that you will give this communication the earnest attention which is demanded by the gravity of the questions we have discussed.

Respectfully,

FRANCIS G. WILSON,
Chairman.

FRANZ O. WILLENBUCHER,
Vice Chairman.

BENJAMIN GINZBURG,
Secretary.

* If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an Amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed.

Note concerning the signers of this communication. Francis G. Wilson, Ph.D. (Stanford), is Emeritus Professor of Political Science, University of Illinois, and is the author of several books and numerous articles on political science, including *The American Political Mind* (McGraw-Hill). Franz O. Willenbucher, Captain USN (Ret.) is an Attorney at Law, whose doctorate in jurisprudence from Georgetown University was awarded largely on the basis of studies in constitutional interpretation. Benjamin Ginzburg, Ph.Dd (Harvard), is a former Research Director of the Subcommittee on Constitutional Rights of the Judiciary Committee of the U.S. Senate, and author of *Rededication to Freedom,* (Simon & Schuster).

A CONDENSED COPY OF VIRGINIA HOUSE JOINT RESOLUTION NO. 66

Memorializing the Virginia members of the Congress to initiate and support the enactment of legislation to repeal Section 302, of the Voting Rights Act Amendments of 1970 (Public Law 91-285, 84 Stat. 314).

Offered February 11, 1971.

Patrons—Messrs. Phillips (and 36 other patrons).

Referred to the Committee on Privileges and Elections.

Whereas, the Congress by the enactment of Section 302 of the Voting Rights Act Amendments of 1970 (Public Law 91-285, 84 Stat. 314), attempted through legislation, to usurp power not delegated to the Congress by the Constitution but reserved by the Constitution to the States in Article I, Section 2, Article II, Section 1, and by the Tenth and Seventeenth Amendments thereof; and

Whereas, on December twenty-one, nineteen hundred seventy, the Supreme Court in Oregon v. Mitchell, rendered what purported to be a 5-4 decision in which it held the Congress to be without power to fix voting age qualifications for persons to vote in State and local elections, but on irrational and unsupportable grounds held the Congress possessed of power to establish such qualifications for persons to vote in national elections; and

Whereas the said usurpatory statutory provision can remain effective only until repealed and the Supreme Court's decision valid only until overridden; and

Whereas, as George Washington in his farewell address, as President of the United States declared, "If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an Amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed"; now, therefore, be it

Resolved, by the House of Delegates, the Senate concurring, That the members of the Congress of the United States from Virginia are hereby memorialized to initiate, and support the enactment of legislation to repeal Section 302 of the Voting Rights Act Amendments of 1970 (Public Law 91-285, 84 Stat. 314).

(Condensed to eliminate certain references to the enactment of a proposed constitutional amendment by Congress now no longer pertinent.)

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 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?

THE ALASKAN CORPS OF ENGINEERS' REPORT — GOVERNOR EGAN'S RESPONSE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. ASPIN. Mr. Speaker, today I am including in the RECORD a news release from the distinguished Governor of Alaska, William Egan. The release, sent to me by a friend in Alaska, concerns the report of the Alaskan District Corps of Engineers on the Interior Department's Environmental Impact Statement. I placed that report in the CONGRESSIONAL RECORD of March 10th. As of that date the District Corps report was still in the Pentagon and had not yet been made public.

I include this news release in today's RECORD both in the interest of balance and in order to help keep my colleagues informed of the issues involved in the proposed trans-Alaskan pipeline.

I would add that the comments which I made concerning the Alaskan District Army Corps of Engineers' report were based almost entirely on the contents of the report itself. This news release notwithstanding I believe my statements on this report were fully accurate and that the best evidence of what the District Corps report says is the report itself.

Governor Egan's news release follows:

OFFICE OF THE GOVERNOR,
Juneau, Alaska, March 11, 1971.

JUNEAU.—The head of the Army Corps of Engineers in Alaska has told Governor William A. Egan the Corps believes the trans-Alaska oil pipeline "can be built safely and the environment protected at the same time."

Last week, Representative Les Aspin, of Wisconsin, made public a Corps of Engineers' report which called the Interior Department's environmental impact statement on the pipeline "quite vulnerable to challenge" and pointed out that permits are required from the Corps for pipeline crossings of navigable streams.

It was speculated that the Corps report could become ammunition for stalling the pipeline from Prudhoe Bay to Valdez.

In a letter to Governor Egan, Lt. Col. Paul Bazilwich, Jr., acting district Corps engineer in Alaska, said publicity concerning the report "does not, in some instances, correctly reflect important facts that should be understood." In some cases, he said, there were "unwarranted conclusions."

"This District," Colonel Bazilwich said in his letter, "has for a long time expressed the opinion in our many deliberations with others that the pipeline can be built safely and the environment protected at the same time. The project is not a simple one and will require a most careful review and control of the engineering and construction procedures."

The district Corps chief said:

"The Corps of Engineers and other federal agencies are required by the National Environmental Policy Act to review and offer commentary on such impact statements prior to their final submission.

"It is present Corps policy for District office comments to be submitted to our higher authority for review prior to release to the responsible agency.

"This procedure insures comprehensive analysis by the Corps of Engineers. The Alaska District followed this procedure in the instant case.

"Our comments were objective and candid, and were intended primarily to point out emphatically and in a comprehensive manner the legal difficulties that could develop by not meeting all requirements of the Act as we understand it.

"None of our comments were concerned with, nor were they intended to develop judgment on, the need or advisability of not constructing the project."

Governor Egan commented: "I am appreciative of Colonel Bazilwich's courtesy in informing me on this matter, because it shows the Corps' report was not intended to be a negative approach to the matter of issuance of a pipeline construction permit."

ARMY PLANS TO ELIMINATE CAPTAIN FINLEY BUT NOT SUBVERSIVES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. RARICK. Mr. Speaker, according to a report of columnist Jack Anderson, Army records contain the names of 343 Army personnel regarded as subversive. They are assigned duty at Army posts around the world, with one being stationed in the Army's supersecret communications command in Washington, D.C.

During World War II, the last war the United States fought to win and—as a consequence—was victorious, a soldier or any other member of the Armed Forces who was considered subversive would have been tried by court martial and, if found guilty, would have been summarily punished and given a dishonorable discharge. Not so in the new Army.

Yet, Capt. Jerry L. Finley, a young southern Army officer of the Judge Advocate General's Corps, was summarily suspended from his duties as a legal officer in Okinawa and has been recommended for an administrative separation from the service because, in exercising his constitutional right of freedom of association, he refrained from shaking hands with another officer at an officers' club on Okinawa.

Today, in the Army of the new American revolution, being subversive apparently is not grounds for separation from the service, but exercising one's first amendment constitutional right of freedom of association is considered sufficient grounds for removal.

Freedom must now be the enemy—not subversion—in the new Army.

I insert a newsclipping to follow my remarks:

[From the Washington Post, Mar. 17, 1971]

ARMY LISTS ONLY 343 SUBVERSIVES

(By Jack Anderson)

After all their snooping into people's private lives, Army gumshoes have accumulated

millions of dossiers but have found only 343 bona fide subversives on the Army rolls.

The Army's confidential records refer to them as "known dissenters." Another 106 "suspected dissenters" have been added to the confidential subversive list, which is known inside the Pentagon as the RITA file. The initials stand for "Resistance in The Army."

The number of resident radicals in the Army, incidentally, declined from 527 at the beginning of 1970 to only 389 at the end of the year. The figure continued to dwindle last month to the present 343 level.

With the added 106 suspects, those whom the Army now tends to regard as subversives total 449. They are scattered at Army posts around the world. There is even one in the Army's supersecret Strategic Communications Command in Washington, D.C.

There are 110 alleged subversives in the Pacific, 42 in Europe, eight in Alaska and two in Latin America. The rest are stationed at 47 Army installations throughout the U.S.

The most subversives at a single base, according to the confidential records, are found at Ft. Bragg, N.C., which has 43 names in the RITA file. There are also an extraordinary number of radicals in Texas—18 at Ft. Hood, 14 at Ft. Bliss and 13 at Ft. Sam Houston.

The Army's subversives list also shows the following at area or nearby installations: seven at Ft. Eustis, Va., six at Ft. Jackson, S.C.; six at Ft. Meade, Md.; five at Edgewood Arsenal, Md.; four at Ft. Belvoir, Va.; four at Aberdeen Proving Grounds, Md.; four at Ft. Holabird, Mr.; two at Ft. Myer, Va.; two at Valley Forge General Hospital, Pa.; one at Vint Hills Farm Station, Va.

Meanwhile, the Army has derogatory information on millions of loyal Americans in its snoop file. Other government agencies have also compiled dossiers and blacklists, which are freely exchanged between federal agencies. The traffic in unproven allegations has been promiscuous. Not only are the dossiers widely circulated but most of them carry a low security classification. This gives an alarming number of government employees access to derogatory details about their fellow citizens.

TRANSPORTATION SPECIAL REVENUE SHARING

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. SHOUP. Mr. Speaker, transportation special revenue sharing makes sense to me. It puts the decisionmaking where the problems are. It places responsibility for these decisions on the people who know the problems most intimately. And it gives them a flexibility they don't have now in matching the money with the most urgent needs.

The problems of New York City and States like Wyoming and Montana are almost completely reversed. Our great metropolises have too many people trying to move too often on too little space. Many of our Western States have too few people to support the expense of highway contruction through vast areas.

This brings me to a potential in this proposal that particularly appeals to me. Most of us have been deluged with mail from constituents and communities who are concerned that they will be severely handicapped by cessation of rail passenger service. As I understand it, this legislation provides the needed latitude so that some of the funds could be used to subsidize such service where that appears to be the most economical and convenient answer to a local problem.

I believe our States and communities should have this right of decision. I support the special revenue sharing fund for transportation.

KNOWLEDGE JUSTIFIES SPACE PROGRAM

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MILLER of California. Mr. Speaker, this Nation accepted the exciting challenge of exploring space for peaceful purposes and for the benefit of all mankind. Our space program began with a fund of knowledge that had been generated by the National Advisory Committee for Aeronautics and also with the very important ingredients of faith and hope. Twelve years later we now have an enormous inventory of scientific and technical knowledge that has been produced by the stunning success this Nation has achieved.

That knowledge which now resides within the science community and industrial complex of the United States has been, and will continue to be, invaluable to the progress and the welfare of the United States.

An editorial recently appeared in the Oakland Tribune, which is published by our former colleague in the Senate, William Knowland, that focused attention upon the knowledge the space program has produced. The article is so stimulating that I believe the Members of the House will greatly benefit from the provoking ideas and convictions expressed by the well-known author, Mr. Isaac Asimov. I now offer the editorial for inclusion in the RECORD:

"KNOWLEDGE JUSTIFIES SPACE PROGRAM"

(By Isaac Asimov)

When man first walked on the moon, people doubted: "Aren't there greater priorities? Couldn't the money be spent on somethink else more worthwhile?" Dr. Isaac Asimov, scientist, educator, author of more than 100 books and a star in the science-fiction hall of fame, has a cogent rebuttal to put forward. Already we are reaping dividends from the exploration of outer space . . . among them a new science called astrochemistry. That there's a treasure chest out there is not in doubt. The crime may be in delay, the delay of knowledge that may lead perhaps to such benefits as cancer's cure. The question may well be, not can we afford to explore space now, but rather can we afford not to?

Charity, they say, begins at home, and the bluebird of happiness is to be found in one's own backyard. So it may be, but knowledge is indivisible and can be found anywhere.

It has no boundaries. It may be that information concerning the moon can arise out of a careful consideration of a cliffside just outside of town—or information concerning your body out of a careful analysis of radio waves arriving from dust clouds lightyears away in space.

In fact, let us hope that space science will enlighten our biological investigations, for living cells are infuriatingly complex. They are so complex that some scientists now fear the techniques of physics and chemistry will be forever inadequate to penetrate their intimate workings.

Yet, unless and until we tease out the details of those intimate workings, we may never truly understand such diseases as cerebral palsy or cancer; we may never be able to handle genes in such a way as to improve and elevate the human machinery; worst of all, we may never be able to comprehend the workings of the brain in either its normal or abnormal aspect.

It wouldn't be so bad if we had something simple to work with as a start. That is what we do in the case of the many problems in which physics and chemistry have been successful. Simplified situations are studied in the laboratory and from these studies general rules are evolved. With the understanding of those rules fixed clearly in the mind, more and more details can be added, until we find ourselves working with quite complicated systems.

Newton's laws of motion were based on Galileo's experiments with balls sliding down slanting grooves; they ended up sending rockets to the moon. Dalton's atomic theory began with simple experiments involving atom-combinations ("molecules") made up of merely two or three atoms each; it ended up helping chemists to analyze the exact structure of protein molecules made up of thousands of atoms, and to put together brand new molecules that had never existed in nature before.

Put it this way—what we deal with when we look at the universe is a vast panoramic picture of enormous detail. If we try to study it directly, we are lost in complications and can make nothing of it. But suppose we find, or can construct, the artist's initial concept: the few basic lines and curves on which he built the panorama. That can give us our foundation and, if we add to it, little by little, additional items here and there, we can end up understanding large sections of the picture in detail.

In biology, we can't seem to do that. We are stuck with the complexity. There seems no way we can tackle the living cell by starting with something simple. We might move down to creatures simpler than a man, even much simpler—but they only seem simpler because they have fewer cells, less intricately arranged. The cell itself, even the single cell of a tiny bacterium, is always complicated; as complicated as that of a man.

Long ago, billions of years ago, before the first modern cell developed, there must have been sub-cells in existence, forms of life far simpler than the simplest we know today. If we had those forms to work with we might have something like the "basic concept" of life to which we could add, little by little, until we finally understood the modern cell. Unfortunately, those sub-cells are long gone. No trace remains.

Of course, we can take modern cells apart, but as soon as we do, they are no longer alive. We can study the nonliving parts, but even these are enormously complicated and how to go from the parts to the whole, as far as the intimate nature of all are concerned, is as yet beyond us.

We might study viruses, which are far smaller than cells, but they only do their work after they have invaded cells and, once within a cell, they are lost to our view.

But if nature will not supply us with the basic concepts of life and show us the artist's original guidelines, so to speak, then perhaps we can construct our own. Astronomers have worked out a chemical structure of the ocean and the atmosphere of the earth as it may have been billions of years ago before there was any life in our planet.

The simple atoms and molecules of the beginning, in the presence of the energy of sunlight, ought to come together to form more complicated molecules. Perhaps this can be tested in the laboratory.

Back in the middle 1950s, chemists began to try to duplicate what must once have happened on the earth. A mixture of common small molecules was exposed to energy in the form of ultraviolet light or electric sparks. After a week or so, the material was analyzed and small amounts of new and more complicated molecules were found.

The next step was to begin with a mixture of the small molecules and to add to them considerable quantities of one or more of the more complicated molecules that had been formed. After a while, still larger molecules were formed.

If the process was repeated over and over, chemists ended up with amino acids, which are the building blocks of proteins; nucleotides, the building blocks of genes; rings of atoms related to the coloring matter in plants and in blood.

In 15 years of trying to duplicate the conditions of the early earth, chemists haven't gotten anywhere near actual living things, but at least all the substances they form in this way point in the direction of life. The more complicated the molecules they form, the more closely connected they are with the giant molecules of living tissue.

It would look as though chemists are on the right track. They seems to be repeating the process that actually took place on the sterile earth billions of years ago, the process that ended by filling the planet with life. If they continue long enough, will they build a picture of the basic guidelines of life and guide us to an understanding of the biological problems that seem beyond us now?

Or are the chemists kidding themselves?

Do they really know what the earth was like four billion years ago? Are they really duplicating the original conditions? Perhaps, knowing what they want to end with, they are unconsciously designing the conditions of the experiment in such a way as to end there. If only there were some way of checking the chemists' deductions about the conditions on the very early earth.

Suppose we look out in space and find matter before it has formed planets. Maybe the composition of that matter can tell us something about what the earth was like when it first came into being.

All through our galaxy of over a hundred billion stars there are clouds of dust and gas with some sort of chemical makeup. There are reasons for thinking that these clouds consist chiefly of a few different elements such as hydrogen, oxygen, carbon, nitrogen. The gas is so thinly spread out, however, that chemists and astronomers both guessed it would consist entirely of single atoms.

Occasionally, of course, two atoms might come together and cling. In the 1930s, astronomers were able to tell from the type of light arriving from those clouds that there were carbon-hydrogen combinations (CH) and carbon-nitrogen combinations (CN) present. But nothing further was discovered. The light radiations couldn't be analyzed in enough detail.

Since then, however, astronomers have learned to receive and analyze radio waves from space. Radio waves can be studied in far greater detail than light waves can. Every atom and every molecule puts its mark on those radio waves and can be identified by its "fingerprint" so to speak.

In 1963, radio waves from certain dust clouds were analyzed by radio astronomers of the Massachusetts Institute of Technology, and were found to indicate the presence of combinations of oxygen and hydrogen atoms (OH). It would not have been detected through ordinary light waves.

Astronomers were not very surprised by these two-atom combinations but, to them, it seemed quite unlikely that more than two atoms would come together in one place and stick there; not with the atoms originally being so far apart.

Wrong! Beginning in late 1968 at the University of California, the radio-wave "prints" of a number of more-than-two-atom molecules were discovered. The first was ammonia with molecules made up of one nitrogen atom and three hydrogen atoms (NH_3). Then there was water (H_2O) and hydrogen cyanide (HCN).

In March 1969, came a real surprise. Using the radio telescope at Green Bank, W. Va., astronomers located signs of formaldehyde in the gas and dust of outer space. Formaldehyde molecules are made up of a carbon atom, two hydrogen atoms, and an oxygen atom (CH_2O). No one had expected that. Then came cyanoacetylene (C_3HN), formic acid (CH_2O_2) and methyl alcohol (CH_4O). The molecule of methyl alcohol is made up of six atoms.

Astonished astronomers found they had a new science on their hands, "astrochemistry," the chemistry of the thin matter of outer space. What's more, the molecules they were detecting might also be on the high-road to life. They were beginning to point in the same direction as that shown by the chemists working with their made-up primitive mixtures in the laboratory.

It looked as though the chemists might not be kidding themselves.

Did that mean that, if we looked harder and in more detail, we might find such important compounds as amino acids, the building blocks of proteins?

In December, 1970, a team of American scientists under Cyril Ponnamperuma analyzed a meteorite which had fallen in Australia on September 28, 1969, and found it to contain traces of five amino acids—each one of which is common to all proteins.

There is a chance then that the guidlines to an understanding of life may exist after all—if we can only study those gas clouds of outer space closely enough.

If they are not the guidelines themselves, they may well give us enough information to enable scientists to build those guidelines with confidence.

How can we make our studies of the gas clouds more detailed? For one thing, we have to get out from under our atmosphere, which obscures so much. We must get away from earth's distracting radio noise.

If we could build an observatory on the moon, or place one on a space station circling the earth, or even just launch a telescope in orbit (two attempts to do the last have failed) we might be able to get enormously sharper and clearer pictures of the radio waves coming from those clouds.

And it is just possible that if we increase our knowledge of those distant gas clouds, we may end up with a cure for cancer, or an understanding of the nature of genius. (If would be like going from Galileo's timing of rolling balls to rockets reaching the moon).

Knowledge, you see, is wherever we find it, and it would be foolish to inhibit the search for knowledge in any direction.

The use we make of knowledge is another thing. One or another particular application of new knowledge may seem useless, wasteful, or even downright harmful. People may rightly regret the building of hydrogen bombs, the collecting of bacterial toxins, the indiscriminate use of insecticides and detergents. To avoid such evils, it would be wise to agree to use our knowledge with greater care and discrimination—but it would certainly be criminally foolish to deprive ourselves of knowledge altogether, lest we might use it wrongly.

We may use a knife to prepare a meal or to kill a man. To avoid killing, must we abolish all knives—or cut off all the hands that might hold knives?

And what about the expense of gaining knowledge? Space exploration is expensive and there is no guarantee that it will show an immediate profit. Still, it gathers knowledge and no amount of expense in gaining knowledge is equal to the expense of not gaining it.

As short a time as two and a half years ago, not one astronomer would have dreamed his science was on the threshold of the development of an exciting field of deep-space chemistry.

Amino acids in metorites had been reported before, but they were dismissed as contamination; now, with the knowledge of what is going on in clouds, they are taken seriously. Chemists building their way toward life-chemicals in the laboratory were working in a vacuum, wondering if it all meant anything; now radio waves from light-years away are backing them up.

Even if men were willing to give up the excitement of science, the sheer adventure of following on the track of knowledge wherever that might take us, would anyone be willing to give up the great good it will surely bring all of us—if only man can somehow gain the wisdom to match his knowledge?

SGT. HAROLD M. SNODDY DAY

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BEGICH. Mr. Speaker, on March 12, 1971, the Governor of Alaska, William A. Egan, proclaimed that day as Sgt. Harold M. Snoddy Day in Alaska. Sergeant Snoddy is 29 years old and lives in Wrangell, Alaska. On that day Sergeant Snoddy received the Distinguished Service Award for his act of heroism performed in connection with military operations involving conflict with an armed hostile force in Vietnam.

It was on May 12, 1969, during an enemy rocket attack followed by a ground assault on Landing Zone Grant that Sergeant Snoddy performed so heroically. Almost immediately after the attack began, a contingent of sappers managed to overtake four perimeter bunkers. Sergeant Snoddy, who had volunteered to join the reaction force, quickly moved toward the threatened area to repel the assailants. As he made his way through the hail of enemy fire, he observed several hostile soldiers just outside the berm preparing to launch a B–40 rocket. Unleashing a salvo of rifle fire, he eliminated the positions.

Sergeant Snoddy resumed his advance on the enemy-held bunkers, and despite being thrown to the ground again and again by the concussion of satchel charges, he succeeded in recapturing a perimeter bunker by killing the enemy with hand grenades thrown into a nearby fortification, routing the enemy. He then pursued the retreating soldiers as they withdrew to another bunker. In spite of sustaining a fragmentation wound, Sergeant Snoddy continued to advance and kill two of the enemy before they reached the bunker.

Fearing that the position contained injured American personnel, Sergeant Snoddy refrained from employing grenades, and single-handedly charged the

bunker to silence the remainder of the enemy force. Inside the bunker, Sergeant Snoddy discovered a wounded comrade whom he treated and evacuated to safety.

I wish to offer to Sergeant Snoddy and his wife Carole my congratulations upon winning this high honor and I wish to express my gratitude to Sergeant Snoddy for serving our country with valor and distinction.

OPPOSITION TO CLOSING OF PUBLIC HEALTH HOSPITALS

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. O'NEILL. Mr. Speaker, recently I had the pleasure to address a group of young men from the Harry Lundberg School of Seamanship in Piney Point, Md., at the AFL–CIO Maritime Trades Department luncheon. Because many of my colleagues sponsored House Concurrent Resolution 151 to express congressional opposition to the closing of public health hospitals, I suggest all those interested in keeping the hospitals open, read the following statement which I delivered at the luncheon:

OPPOSITION TO CLOSING OF PUBLIC HEALTH HOSPITALS

(By Hon. THOMAS P. O'NEILL, Jr.)

It seems to be characteristic of this age that most people at one time or another feel powerless. The youth in particular complain about this inability to influence change, but it is not just young people or the poor or minority groups who feel this frustration. It is often members of Congress and sometimes the Congress as a whole, particularly when we are thwarted by an administration whose ideology is so different from that of the Democratic Congress and by a President who doesn't seem to have the same view of the balance of powers or checks and balances that we in the Congress see.

When we are dealing with matters relating to the sagging economy: when we see unauthorized invasions and excursions into other countries and when we see the virtual destruction of vital domestic programs, we often feel that the President has more power than the Congress.

He should not, and constitutionally he does not, and there are many of us in the Congress and in the leadership who intend to reassert the powers and prerogatives of the Congress of the United States.

In mentioning these very important and weighty issues, you may be somewhat surprised by my topic this afternoon—the Public Health Service hospitals of our Nation. However, this issue in itself is important, for it matters whether or not we keep open hospitals and clinics to offer medical service and health care. But it is also important because it is indicative of the administration's priorities, the Congress response and the cooperation between Congress and representatives of American workers. For I think that in the issue of the Public Health Service hospitals, the Congress may be achieving a victory and at this time, even small victories are greatly cherished.

A few months ago, this administration let it be known that it intended to get rid of the last eight remaining Public Health Service hospitals—that it was going to put an end to a system of medical service which has endured in this country since the First Congress established the Marine hospitals.

This disclosure brought a response from the maritime community—from management and labor, alike.

It brought protests from community leaders—mayors, city councilmen, health authorities.

It produced an immediate reaction on Capitol Hill from Members of both parties and from all sections of the country who recognize that this Nation needs more, not less, medical facilities to meet its growing medical needs.

Of course, those of us who have Public Health Service hospitals in our district and know of the great good they accomplish were personally concerned. But so were many other Members who knew of the much needed work these hospitals accomplished.

In a sense it seemed almost unbelievable that at the present time, when every individual in the Nation knows of the great need for health care and extended health service, that this administration would attempt to close the Public Health Service hospitals.

In the state of the Union message, President Nixon even listed the great health care needs of the Nation as one of his great goals. Yet at the same time, his budget message carried no funds for the Public Health Service hospitals in fiscal year 1972.

On December 21 of last year, I personally wrote to Elliot Richardson, Secretary of the Department of Health, Education, and Welfare, protesting the proposed closing of the Public Health Service hospitals and clinics. At that time, I said "It seems to me that this is one of the worst times to consider closing medical facilities. In what is acknowledged to be a severe health crisis throughout the Nation, it is ironic that your Department should be considering such a move."

Dozens of my colleagues did likewise, and in the new Congress even more members joined in opposing this senseless step.

The Maritime Trades Department, the Seafarers International Union and other members of the seafaring community urged the Congress to protect these hospitals against liquidation. As a result of your urging, for which I commend you heartily, well over a majority of the members of the House of Representatives sponsored resolutions demanding that these hospitals be kept open. Committees of both the House and the Senate called public hearings to get to the bottom of this issue and today before the Interstate and Foreign Commerce Committee, the Comptroller General of the United States is rendering his opinion and that opinion, of which he informed the committee previously, is that the DHEW has no power to close the eight remaining hospitals.

I am delighted at the Comptroller General's ruling.

It sustains an opinion which he handed down several years ago—namely that the secretary of HEW had no authority to liquidate all of these hospitals at one time. Unfortunately, bureaucrats—regardless of which administration they work for—are very adept at the art of cat-skinning.

A few years ago, when the Comptroller General said that HEW did not have the authority to liquidate all of the PHS hospitals. HEW responded by liquidating some of them.

There, of course, can be, and I am afraid there might be some chicanery within this framework.

Does this administration intend to close these hospitals on a piecemeal basis, picking off Boston perhaps this year, Baltimore next and so on. I do not mean to be a pessimist or a cynic about the intentions of the administration, but the Congress has in the past two years the extremely sad and frustrating experience of authorizing funds for certain projects, appropriating funds for those purposes and then having the president refuse to spend those funds or instructing the bureau of the budget to put a hold on those expenditures.

So we in the Congress have kept up our pressure on the administration to keep these hospitals open so that they may perform the service for which they were intended.

Secretary Richardson has retreated from his original position and now he is telling us that he never intended to shut down the public health service hospitals; that instead he would just like to turn them over to some other authorities, such as individual communities, medical schools or universities.

The incentives the department has been offering to these institutions in order to convince them to take over these public health service hospitals have been phenomenal.

These hospitals were built and authorized to provide medical care to the American seafarer. The tradition of the maritime hospital is nearly 2 centuries old and was created for a reason and still has a function.

What we need now in America is more hospitals, more and better health care that will extend to all segments of our population. It is not the time to be closing health care facilities or to transfer a hospital to an institution or organization that does not want it nor could afford to maintain it.

Secretary Richardson, although backing down from his original proposal, does not yet fully seem to understand that the basic character of these hospitals is both relevant today and provide for health care assistance to many factions of the community.

The secretary had considered transferring the PHS Hospitals to the Veterans Administration or to the Community Health Facilities and asking them to be responsible for the medical care of American seamen.

Maritime, labor and management, as well as the Congress, have rejected this scheme. It seems that the Administration too often refers to the PHS Hospitals as outdated. Therefore, I would like to tell you something about the PHS Hospital we have in Boston—The Brighton-Marine Hospital.

During Fiscal 1970, this hospital treated 17,000 people. In addition, it cared for more than 58,000 in need of out-patient care.

The Boston facility is old. It was constructed in 1799—A year after the public health service was founded: indicating that while John Adams was a conservative, he also saw the need to serve his home-town constituents.

Among those treated in Boston were American seamen, members of the Coast Guard and other military personnel and their dependents, and patients referred to the hospital by the Bureau of Employee compensation. But thousands more received benefits from the Boston Hospital.

Like other public health service facilities, the Boston Hospital works closely with the community in all facets of health care. For example, the Boston Hospital now conducts three family planning clinics each week—with special services for low-income citizens.

It conducts a college mental health infirmary that provides inpatient care for participants in the plan.

Coast guardsmen receive intensive care in a rehabilitation program fostered by the hospital. Research by its pharmacists has resulted in a new program of drug distribution and a modification of the unit-dose system that is serving as a prototype for all public health service hospitals.

The hospital works closely with several universities and technical schools in the area in the training of medical laboratory assistants, dental assistants, physical therapists, medical record technicians and medical students.

On the job training programs are conducted for a vast array of skills—skills that are in strong demand across the Nation.

Professionals in the Boston hospital work with those wishing to become radiology technicians, nursing assistants, operating room technicians, medical secretaries, pharmacy assistants, physical therapy aides and a number of other professional and semi-professional jobs that are unique to the medical field.

So in a very real sense, the Boston hospital has become an integral part of the community and its people. And it has performed all of its functions—care, research, community activity and training at a cost of less than $58 per patient day.

I know of no voluntary or private hospital that can come close to that mark—either in service or in cost.

What we are asking for, and why we are opposing the closing of these hospitals is not special privilege and special treatment. We in the Congress are merely saying that it is foolish, inefficient and callous to close hospitals at a time when a national health care program and new and additional facilities are most needed.

Hospitals provide care that is greatly needed. We have kept these hospitals operating so far and with your support and continued interest we will keep them open in the future.

Thank you.

THE AMERICAN WORKER—SCAPEGOAT FOR ECONOMIC BLUNDERS

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BADILLO. Mr. Speaker, one of the most urgent tasks which faced the new administration 2 years ago was to reverse the tide of inflation and restore stability to our economy. During the better part of 1969 it seemed reasonable to counsel patience, to give the new administration time for its policies and programs to take hold. But 1969 ended with no improvement and so has 1970. Today, 26 months since the Nixon administration took office, what is the picture?

Unemployment continues at an unacceptably high level of 6.2 percent.

Prices, not counting food, are up over 7 percent.

The gross national product shows an actual decrease in real growth for the first time since 1958.

This continued stagnation in our economy is cause enough for alarm. But of equal concern is the increasing tendency for this administration to make the American working man and woman the scapegoat for its own economic failures.

By refusing to use the prestige of the White House to "jawbone" industry into holding the line on prices, the administration caused an 11-percent rise in the Consumer Price Index. Its policies, while failing to enlist the aid of big business, the banks and Wall Street in the fight against inflation and unemployment actually made it easier for blue-chip corporations to find easy credit for conglomerate takeovers and investments in foreign subsidiaries. The administration found funds to reward inefficient and wasteful industries such as Lockheed Aircraft and the Penn Central Railroad with loan guarantees and other subsidies but opposed Democratic initiatives aimed at relieving inflation without bankrupting the workingman.

Among these initiatives were legislation giving the President powers to establish temporary wage and price controls, legislation controlling exorbitant interest rates and a new, far-reaching program of public service jobs. A strong occupational health and safety bill, initiated by Democratic leaders in Congress, was opposed by the administration, responding to pressure from the U.S. Chamber of Commerce. The President went so far as to threaten vetoes of two bills containing Federal employees pay and health benefits and convinced a majority of House Republicans to opposed one bill and try to weaken another. And the administration has declined invitations even to testify on legislation to raise the minimum wage to $2 an hour and to extend coverage of the Fair Labor Standards Act.

It was interesting to note, during last fall's campaigning, that the Republican Party made a concerted effort to convince workers that the Democrats had forgotten them. The fact is that the administration opposed emergency compensation for black lung victims, opposed a tough job safety bill, opposed wage and health benefits for Federal employees, opposed Federal unemployment compensation minimums, and stood silent while 81 percent of the House Republicans voted to deny unemployment compensation to hundreds of thousands of farmworkers.

The administration's latest economic initiative has been to suspend the Davis-Bacon Act provisions requiring payment of prevailing area wage rates on Federal construction projects—a step which can only further jeopardize thousands of workers and their families.

It is interesting to note that not a word of criticism has come from the administration regarding the exorbitant profits the banking community has enjoyed at the expense of the average family. Who can name one group of workers for whom 1970 was as good as it was for J. P. Morgan & Co., with net operating profits of 21.9 percent, or First National Bank of Dallas with 19.2 percent profits, or Chase Manhattan Bank with profits of 16.1 percent?

AFL–CIO President George Meany recently presented to the Joint Economic Committee a wide ranging program aimed at improving conditions for American workers and for the economy in general. Among Mr. Meany's proposals were modernization of the Fair Labor Standards Act to extend its coverage and raise the wage floor, full funding of Federal grant-in-aid programs, creation of public service jobs through grants to State and local governments, Federal assumption of welfare costs, further tax reform, enactment of a health security program such as that I have sponsored with Senator EDWARD KENNEDY, Congresswoman MARTHA GRIFFITHS and others, and establishment of a new Federal mechanism for meeting the current urban financial crisis through long-term, low-interest loans to States and cities—a proposal that is my current top legislative priority.

The Nixon administration's attitude toward these and other initiatives will be the true hallmark of its concern for the American worker and his family. This administration can no longer ask for time to work out its "game plan." Time has already run out for the 5.4 million unemployed in America. Let the White House be on notice: rhetoric will no longer be accepted as a substitute for action.

DEFOLIANT USE IN VIETNAM

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. JACOBS. Mr. Speaker, I commend to this House the following articles written by Mr. Bryce Nelsen of the Los Angeles Times.

[From the Los Angeles Times, Dec. 31, 1970]

DEATHS OF 90 VIET CHILDREN AFTER USE OF DEFOLIANT TOLD

(By Bryce Nelson)

CHICAGO.—Ninety infants and young children reportedly died in a four-month period in a Montagnard refugee hamlet in South Vietnam that had been sprayed with a defoliant, it was learned Wednesday at the American Assn. for the Advancement of Science meeting here.

The group's herbicide assessment commission, which visited the hamlet in August, 1970, is trying to determine if there is a link between the deaths and spraying in 1969.

The commission is now examining hair samples of mothers from the hamlet and others near the scene of the spraying. It has not yet made any determination about whether the spraying of herbicide near that hamlet actually caused the deaths of the 90 children.

The hamlet, the name of which is not available, originally had a population of about 350. It is located in Quang Ngai province.

DEATHS NOT MENTIONED

The commission issued a report on the effects of the military use of herbicides in South Vietnam on Wednesday, but made no mention of its investigation of whether herbicides were causing the deaths of humans.

The spraying, which was believed to have been done with the herbicide "Blue" which contains arsenic, was designed to kill crops being grown on nearby hillsides. But some apparently reached a nearby pond from which villagers take their water.

The Army spraying program in South Vietnam has gone on intensively for the last five years to eliminate forest cover and to destroy crops believed to be used to feed the Viet Cong or Viet Cong sympathizers.

The U.S. government has consistently maintained that these defoliants affect plants only.

In a not-yet released commission document on interviews prepared with those in Vietnam who believe themselves affected by spraying, the following notation is found: "Ninety people (20% of the population) have died here in four months, most of them in the period of last September to last December, from exposure to spraying and drinking water contaminated with herbicide after spraying operations last September and October. Airplanes flew over here spraying directly in this village. People were affected

even though they carefully boiled the water . . . but the fact that proved that these people died due to herbicides is that the deaths did not continue long after the planes no longer sprayed. Personnel of the Provincial Health Service also believe that people died here due to herbicides."

One of the reasons that the commission did not make any judgment on this case is that the group also received reports from Vietnamese who were not adversely affected by direct applications of herbicides.

Wednesday the 530-man AAAS council, with six dissenting votes, passed a resolution calling for the immediate discontinuation of all herbicides in Vietnam.

[From The Village Voice, Jan. 28, 1971]

TU MY'S CHILDREN: DEATH BY DEFOLIATION?

(By Bryce Nelson)

Ninety infants and children in the South Vietnamese hamlet of Tu My are reported to have died in the autumn of 1969 after U.S. aerial spraying of the herbicide "Blue" on the hamlet and the pond from which the villagers drew their water supply.

The Herbicide Assessment Commission for the American Association for the Advancement of Science (AAAS) visited the hamlet in August of 1970 and ascertained that children had died in the hamlet. The Commission is currently conducting scientific studies of hair from mothers in the hamlet to determine if arsenic (the main active ingredient of "Blue") is present. The U.S. military continues extensive use of the herbicides "Blue" and "White" in South Vietnam and Laos.

Since the Commission has made no scientific determination yet whether the herbicide spraying actually caused these deaths, it did not mention this incident in its widely publicized report on the military use of herbicides which it presented at the AAAS meeting in Chicago in late December. But the facts that the Commission is conducting such an investigation and that a large group of children may have been killed by U.S.-applied herbicides are largely unreported by the press.

Tu My is a Montagnard refugee camp located a few miles from Quang Ngai in an area controlled by the South Vietnamese government in Quang Ngai province (the same unfortunate province which contains My Lai). The spraying is believed to have been ordered to kill crops grown on adjacent hillsides.

The Army has sprayed intensively in South Vietnam for the past half dozen years to eliminate forest cover and to destroy crops which are believed to be used by the Vietcong or Vietcong sympathizers. The U.S. government has long asserted that the defoliants affect only plants, not humans, and has not given credence to NLF claims that 200 South Vietnamese are killed annually by herbicides.

A not yet released Commission document containing interview material with Vietnamese contains the following notation: "Ninety people (20 per cent of the population) have died here in four months, most of them in the period of last September to last December, from exposure to spraying and drinking water contaminated with herbicide after spraying operations last September and October. Airplane flew over here spraying directly in this village. People were affected even though they carefully boiled the water. . . . But the fact that proved that these people died due to herbicides is that the deaths did not continue long after the planes no longer sprayed. Personnel of the Provincial Health Service also believe that people died here due to herbicides."

One of the Commission members who visited the affected hamlet, Harvard Medical School Professor John Constable, points out that "from a political point of view, it is of great importance that people in Vietnam think their friends and relatives have been killed by herbicides, even if it is not scientifically provable."

The Quang Ngai hospital ordinarily admits only a couple of persons a month from the Tu My area, Constable said, but in November and December of 1969 it admitted 36 children; at least 10 of these are believed to have died. Constable rules out the possibility that the children were suffering from dengue. The children were admitted to the hospital with such diagnoses as gastric disorders, pneumonia, infection, malaria, diarrhea, and anemia. Tu My residents told the Commission that people and animals drinking the water and animals eating grass (such as water buffalo) were affected after the spraying. Constable said the Commission was not able to find other evidence of large group epidemics which might be related to herbicides, although the Commission did receive reports of adverse effects on small numbers of individuals in other locations. One of the reasons the Commission did not make any judgment on the Tu My deaths is that it also received reports that applications of herbicides had not affected humans in some other locations. Constable noted that the Commission had tried to be "very cautious" in stating its scientific conclusions. (Reactions to herbicide spraying could depend on a variety of factors, including the agent used, the size of the dosage, the method of ingestion, and individual tolerance to the chemical.)

In the Commission document, prepared from interview material, are several comments from Vietnamese who believed that spraying caused deaths in their villages. One mother stated "Two of my children died after eating manioc exposed to herbicide, which went gradually into their livers and blood." Another said, "My son was three years old and died in November. He seemed drunk because of the medicine sprayed by an airplane." In another location, Vietnamese stated: "Two people died here from drinking water contaminated by a herbicide two years ago."

The Commission was hampered in assessing the actual damage done because the areas most affected by herbicides are under Vietcong influence and thus unsafe to visit. In the Commission's report, Dr. Constable pointed out that the rate of stillbirths among humans in Tay Ninh province (which the Commission did visit) was much higher than that reported elsewhere in Vietnam. Tay Ninh province has been heavily sprayed with Agent "Orange," one component of which is 2,4,5-T. The U.S. government banned use of "Orange" in Vietnam in April, six months after it was publicly revealed that large doses of 2,4,5-T caused much higher incidences of birth defects in mice and rats. The Commission report noted that the highest rate of stillbirths in Vietnam was in 1967, the year of maximum herbicide spraying.

The Commission report pointed to an unusual increase in two birth defects—cleft palate and spina bifida (incompletely enclosed spinal cord)—recorded at a Saigon hospital. The Commission said there was no scientific proof that herbicides had caused such defects but urged further study of possible causal connections including a "careful autopsy of monsters and other stillborns" and of those with congenital abnormalities who died.

Without being informed by the Commission of the possibility that herbicides may be connected to the deaths of humans in Vietnam, the 530-member Association for the Advancement of Science Council still passed, with only six dissenting votes, a resolution recommending immediate discontinuation of the use of all herbicides in Indochina. It would have been unthinkable for the AAAS Council, a cautious and conservative body, to have passed such a resolution a couple of years ago. The resolution stated that "there is now strong evidence that the anti-plant chemicals used for defoliation and crop destruction in Vietnam have seriously damaged the ecology of that country and may be a serious threat to the health of the Vietnamese people and particularly to the health, livelihood, and social structure of Vietnam's hill tribes (Montagnards)."

It now seems clear that the U.S. military began large-scale defoliation in Vietnam without knowing much (or perhaps caring) about the effect of massive applications of herbicides on humans, on other animals, or even on forests and crops. There has been some indication that the White House will order a halt to spraying in Vietnam when existing stocks are depleted, but this is hardly soon enough for the Vietnamese civilian who feels his family's health will be ruined by continued spraying.

The only way the United States can escape the repeated charges that its use of herbicides is killing Vietnamese children and is doing catastrophic harm to the ecology of Vietnam is to stop spraying *now*.

WIVES OF MINNESOTANS MISSING-IN-ACTION TESTIFY FOR ANTI-WAR BILL

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. FRASER. Mr. Speaker, March 9, the Minnesota Senate passed 43 to 21 a bill aimed at preventing Minnesota servicemen from serving overseas, against their will, in a war undeclared by Congress.

Hearings on a companion bill were held before the Minnesota House Judiciary Committee, Friday, February 26, 1971. The wives of three Minnesotans missing in Southeast Asia testified at these hearings.

Two of these courageous women are constituents of mine: Mrs. David Winn whose husband disappeared over North Vietnam in 1968 and Mrs. Richard Walsh. Mrs. Walsh's husband disappeared in early 1969 over Laos. The third woman, Mrs. David Everson, comes from Coon Rapids, Minn.

Mr. Speaker, Mrs. Walsh has sent me a copy of her testimony before the committee of the Minnesota Legislature. I include this testimony and a St. Paul Pioneer Press report of the hearing in the RECORD. Each gives a good indication of the severe pressures felt by some unsung heroes of this tragic war—the families of POW's and MIA's:

TESTIMONY BY MRS. RICHARD WALSH

Mr. Chairman, and members of this committee, my name is Sharon Walsh and I live in Minneapolis. My husbands' name is Lt. Col. Richard A. Walsh, United States Air Force. He is missing in action over Laos since February 15, 1969. My husband grew up in St. Paul, Minnesota and is one of our native sons. He graduated from St. Thomas Military Academy and volunteered at age 17 to serve with the United States Marine Corps during the last year of World War II. He then received a senatorial appointment to the United States Naval Academy after which he chose his commission in the United States

Air Force and went to pilot training to fulfill a wish to fly.

My husband wore the uniform of his country for over twenty years. He was a dedicated believer in supporting his president and our nation. I never recall him doubting the reasons for our presence in Asia, but I think if he were here today he would question our involvement in that poor country. At any rate, I must speak out from my personal anguish and support and urge the passage of this resolution we are discussing here today.

Last March, I left Minnesota to go to Cambodia, Laos, and Vietnam to attempt to learn about my husband's fate. I had previously written many letters to the North Vietnamese and Pathet Lao requesting information about my husband's accident. All of these many letters remained unanswered. Finally, in an issue of The Far Eastern Economic Review, a magazine published in Hong Kong, there appeared an article about Sot Pethrasi, a Neo Lao Hak Sat Representative, the political arm of the Pathet Lao insurgent party of Laos. In this article M. Pethrasi stated that he had received many letters from families about their missing men. He said he had shoe boxes full of these letters in a closet and that he made no attempt to pass them on. I decided then to go and talk to him and the North Vietnamese in Laos. I wrote and sent cables asking to see them. When I arrived in Vientiane, the capitol of Laos, I went first to the North Vietnamese Embassy and asked the first minister if my husband were a prisoner in North Vietnam. He removed a slip of paper from his pocket and looked at it, and then at me, saying, "your husband is not a prisoner of war in North Vietnam." I then went to see M. Petharsi who is held a virtual prisoner in his villa in the center of the city. After going through two sets of guards with machine guns, I was able to wait in M. Pethrasi's parlor for him to come and keep our appointment. My interpreter, a Canadian missionary, spoke both Lao and French. M. Pethrasi asked if anyone else in the room spoke French. I indicated, "yes." At this, he said "We will speak in Lao". The summation of the three hour meeting with M. Pethrasi was that nothing, I repeat *nothing* would be communicated about the almost three hundred men who are missing in Laos, until the American forces stop bombing his country. He did say that he thought they are holding about one hundred pilots. He was firm and adamant in saying that when we cease bombing, then and only then would there be an accounting of the men missing in Laos.

The number of men missing in Laos is ever increasing. Not one letter from any American has ever come out of Laos. Not one American man is listed as a prisoner in Laos—all 267 are listed as M.I.A.—missing in action.

Gentlemen, the war has gone on too long, the bombing has gone on too long. I believe the Pathet Lao and North Vietnamese to be rigidly inflexible in this regard. They mean what they say when they say there will be no man released until we *set a date* for complete withdrawal of *supportive and combative* troops from South Vietnam. Therefore, I was very depressed to read last night's headline stating President Nixon's refusal to withdraw until the prisoners were released. This is a stalemate with the other side holding the trump card—the men themselves. Why is the President saying this at this time? I am sad to say that I question his motives. Could he be attempting to state a case for his present enlargement of the war into Laos and Cambodia? I do not know. Several months ago I wrote some of my thoughts on paper. I would like to read them to you now, but I would ask for your understanding of the anguish that caused these bitter feelings.

The Vietnam War? Nine men prosper while the tenth goes off to war. Are wars inevitable? The mark of Cain? The men who make them and the men who fight them, are they mutually allied? Unfortunately the men who make them rarely must fight them. They do not put their lives in jeopardy, their bodies in the path of a bullet. Let it be a requirement for our policy wizards to at least view an anti-war film, where phoney blood flows from young men's wounds, or should they wish reality, let them visit orphanages where bomb deformed children wait to die. Let them immerse themselves and the ones they love in the horrors of war.

Many unanswerable questions are always there as he will never again be able to come home to me, but he was a man of such integrity, self-discipline and courage who met the ultimate challenge of his life in keeping with the manner in which he lived.

We as humans are all of us trapped in the scheme of things and few of us have the myth of free will. The dice are pretty well loaded from the beginning. I think my husband's sacrifice will help his three sons and other young men, but not in sustaining the communist-paranoia-mentality that brought us, as America, to this personal and national tragedy. We must never again try to underwrite another nation's determination to defend itself with treaties that cost much too much.

When it is all over, some day, what will we have learned? What will it have told us about America and the world, Anthony Lewis, the journalist asks. About the relationship between political ends and military means. I would also say to the President of the United States that for a political end of modest significance, we have caused military destruction beyond belief and now it enlarges itself like a spreading cancer into Cambodia and Laos. In the name of morality, we must stop. Cease arousing fear among others and revulsion and dissension among ourselves. Please do not sacrifice my sons too.

In conclusion, I would like to read an essay written by our thirteen year old son, Michael:

"THE CARD

"On Thursday I got the Card. I looked with horror at it, shivering at every glance. I would go through hell and come out, or I would be wasted, and thrown away. Other people got cards too, and they were thinking as I. Then I went to a hot place on the coast, I sweated and worked to learn, learn what other men had learned when they went to the hell away from home. Six weeks later, I was done. I was to go to the place which I didn't think about before.

"I was in the jungle walking in a grassy field. I had killed, but for a commitment . . . Now it was my turn. I stepped into the undercover. Then I ran. Bang! I lay still, for I had been wasted. My life was over, but for the commitment I died, and I died fifty years before my time. I had been drafted."

[From the St. Paul (Minn.) Pioneer Press, Feb. 27, 1971]

POW WIVES TESTIFY FOR ANTIWAR BILL

(By Lee Egerstrom)

"I'm sorry, I just don't think I can do this," the wife of a Minnesotan missing in Vietnam told a House committee Friday stopping short her testimony for an antiwar bill before the Minnesota Legislature.

Mrs. David Everson, Coon Rapids, joined two other women whose husbands are apparent prisoners of war in Indochina in speaking for the bill at the House Judiciary hearing.

Mrs. Everson, a sister-in-law of former Rep. Ronald Everson, Conservative-Wadena, identified herself before the committee and said her husband's plane was shot down over North Vietnam in 1967. But then she stopped, saying she couldn't continue.

The dramatic flair was the latest segment in moving war issues from the streets to the halls of the state legislature.

The next step comes Monday, when the leaders of the Senate's Conservative and Liberal caucuses join hands to introduce a bill to establish an interim committee for studying a conversion "from a war to peacetime socioeconomic condition."

Majority Leader Stanley Holmquist and Minority Leader Nicholas Coleman will ask for a 10-member committee to form a state policy "for correcting the inevitable consequences resulting from cutbacks in defense spending."

The House has two antiwar resolutions before it that are still waiting for committee hearings. One calls on Congress to prepare a constitutional amendment restricting the use of servicemen abroad except in declared wars, after attacks on the U.S., and to voluntary assistance to foreign governments. The other is a resolution stating the legislature's objections to the country's current involvement.

The wife of a St. Paul pilot missing in Laos asked the Judiciary Committee to approve the bill it was hearing Friday, her voice breaking from emotional strain.

Supporters of the bill appeared at the hearing, and opponents will be scheduled to testify when the bill is taken up again, likely next Friday. The bill directs the state attorney general to begin a class action suit for Minnesota servicemen fighting in the undeclared war in Southeast Asia.

A Senate committee approved the bill a week ago, and it may reach the Senate floor late next week.

Rep. William Ojala, Liberal-Aurora, and the chief sponsor of the House bill, brought St. Paul attorney Kenneth Tilsen to the hearing to answer legal questions, and the three POW wives among the bill's speakers.

Mrs. Richard Walsh, Minneapolis, told the committee of a trip to Laos she took to try and learn if her husband was being held by the Pathet Lao.

She was told about 100 American pilots are prisoners in Laos, but the Communists won't say if her husband, a St. Paul native, is among them until the U.S. quits bombing their country.

"This is a stalemate with the other side holding the trump card," Mrs. Walsh said. "We must never again try to underwrite another country's determination . . ."

Mrs. David Winn, Minneapolis, told the committee she could see "a possibility in the bill you have drafted," but she asked the legislature to also create an ad hoc committee to study what Minnesota can do for prisoners of war. She said her husband disappeared over North Vietnam in 1968.

Ojala and Tilsen were asked by committee members how long it would take for a court test of the constitutionality of sending state servicemen to an undeclared war. Tilsen said the attorney general could start action on the case "within weeks" after the bill's enactment, and oral arguments could be made to the U.S. Supreme Court, if necessary, within 12 months.

Rep. Gary Flakne, Conservative-Minneapolis, and an officer in a military reserve legal branch, asked Tilsen how litigation might affect the status of the state's servicemen.

Tilsen said he doubted their status would change while the case was in the courts, but it is possible Minnesotans might get a restraining order against being sent to Vietnam. He doubted, however, that a court would consider a motion from anyone already overseas.

MRS. MARY D. CAIN NAMED TO DACOWITS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. RARICK. Mr. Speaker, Mrs. Mary D. Cain, of Summit, Miss., editor-publisher of the Summit Sun, and the Woman Constitutionalist has been appointed by Secretary of Defense, Melvin Laird to serve a 3-year term on the Defense Advisory Committee on Women in the Services—DACOWITS.

Miss Mary is an outstanding American patriot and one of the prominent women leaders of the South. Certainly this appointment could not have gone to a more able or dedicated American.

I include a related newsclipping at this point:

[From the Summit (Miss.) Sun, Mar. 18, 1971]

MRS. CAIN NAMED TO DACOWITS

Secretary of Defense Melvin R. Laird has appointed 22 new members to serve a three-year term on the Defense Advisory Committee on Women in the Services (DACOWITS).

Mrs. Mary D. Cain, editor-publisher of the SUN and The Woman Constitutionalist, is among the 22 named.

Established in 1951 by the Secretary of Defense and limited to a membership of 50, DACOWITS is composed of "prominent civilian women who are selected on the basis of their outstanding reputations in business, the professions or public service and their records of civic leadership. Members serve as individuals, not as official representatives of any group or organization with which they are affiliated," Laird's news release said.

The 1971 DACOWITS chairman is Mrs. Helen K. Leslie, Executive Vice-President, K&W Supply House, Inc., Co-Owner and Sec.-Treasurer, Krauss Air Conditioning, Inc., Krauss, Inc., Krauss Roofing Co., Inc., Stone & Clay Products Corp., St. Petersburg, Fla. Mrs. Richard A. Sutter of St. Louis, Mo., a civic leader, is vice-chairman.

The Committee meets semi-annually, normally in Washington, D.C. Following the business sessions, members visit a key military installation.

Purposes of the Committee are to interpret to the public the need for and the role of women in the services and to promote public acceptance of military service as a career field for women; to advise the Department of Defense on policies relating to women in the services; to recommend measures to insure effective utilization of their capabilities, and to make appropriate recommendations pertaining to their general welfare.

In her particular field of interest and geographical area, each DACOWITS member endeavors to increase public acceptance of the concept of military service for women as a facet of good citizenship. The Committee develops and carries out a continuing and unified education program about Women in the Services. It seeks to promote an understanding and awareness of the need for womanpower as an essential adjunct to manpower.

In Mississippi, news of Mrs. Cain's appointment was released by State Republican Chairman Clarke Reed, who said the Pike County newspaperwoman "has a distinguished record of patriotic service to her community, state and nation. The appointment could not have gone to a more dedicated woman."

Mrs. Cain, chairman of the Congress of Freedom, is past president of Miss. Press Women, Women for Constitutional Government at both state and national levels, and past president of the Miss. Federation of Business and Professional Women's Clubs. She is a member of the International Platform Association, a member of the Mississippi Folklore Society and the Mississippi Poetry Society. In 1937 she published "Clowns Remember", a book of her lyric poems, and she has contributed to several anthologies and poetry journals.

In October Mrs. Cain was named "Woman of the Year" by the McComb BPW Club, of which she is a past president. She is listed in Who's Who Among American Women, Personalities of the South, Foremost Women in Communications, and the Dictionary of International Biography.

She is also a member of the Governor's Commission on the Status of Women, chaired by Mrs. Mildred Norris of Hattiesburg.

COMMON CAUSE AND ITS CAUSES

HON. JOHN ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. ROUSSELOT. Mr. Speaker, I would like to insert in the RECORD a column by Kenneth Crawford entitled "Common Cause and Its Causes," which appeared in the Washington Post on March 19, 1971.

It will be noted that in one of his observations about this movement Mr. Crawford states:

Common Cause is, if one accepts its self-appraisal, as universal as the common cold, and some Members of Congress, who feel that they already have enough pressures bearing down on them, think it may turn out to be a rather worse affliction.

The column follows:

COMMON CAUSE AND ITS CAUSES

(By Kenneth Crawford)

Common Cause, the latest in a long succession of do-right Washington lobbying organizations, claims to have enlisted 110,000 members paying a minimum of $15 apiece and to be gaining more at the rate of 5,000 a week. There is no reason whatever to doubt its claim. Its chairman is John Gardner, former Secretary of the Health, Education and Welfare Department, a man of distinction, integrity and impeccable establishment credentials. His associates may not be as eminent but they are honorable men all.

But for the imposing respectability of its provenance, Common Cause could be and probably would be challenged on several counts.

Consider its own description of itself in some of the high-powered literature it has circulated to well-chosen lists of potential contributors. It has called itself "a lobby in the public interest," concerned only with the good of "the people," and "neither left, nor right, nor center," but promoting "an agenda for all Americans—for the poor, the comfortable, the city dweller and the farmer, for men and women." Gardner is a master of the glittering generalization.

Common Cause is, if one accepts its self-appraisal, as universal as the common cold, and some members of Congress, who feel that they already have enough pressures bearing down on them, think it may turn out to be a rather worse affliction.

What is good for the poor is necessarily good for the comfortable? What is good for the young is good for the old? What is good for the farmer is also good for the city dweller? It has always been assumed that high prices for the farmer, for example, were bad news for the city consumer. Past lobbies, even so-called public-service lobbies, have usually conceded that they represented some particular segment in the rivalries common to any free people expressing themselves through the democratic process.

No so Common Cause. It is for everybody when it is soliciting members. But when it goes into action, as it now is in a tentative way, what is it for and what is it against? It is for ending the war in Vietnam now. It is against the SST, against the ABM, against the congressional seniority system and Senate filibuster rules, for "drastic reduction" in defense spending, and for limiting campaign expenditures.

One may agree or disagree that these are common causes—believed in by all good citizens with $15. There is much to be said for the kind of congressional reforms advocated by Gardner's organization. But there are a few arguments against them, too. Actually, Congress started reforming its seniority practices on its own initiative at the start of its current session, before Common Cause was really functioning. Since then the Senate has refused to modify its filibuster rules. Gardner's suit to enjoin the major parties from violating legal limits on campaign expenditures is still pending.

Whether Congress will provide the funds needed for further development of the SST is still uncertain. The aerospace industry is lobbying for it, arguing that the United States must catch up with the Soviet Union and the British-French partnership, already well ahead in the production of supersonic vehicles, if it is not to opt out of international competition in the air travel of the future. Opponents of the SST contend that it is impractical, a waste of funds better spent elsewhere and ecologically hazardous. As usual, one man's cause is another man's poison.

Secretary of Defense Laird has just asked Congress for a modest increase in ABM installations, warning that the Russians will get too far ahead in nuclear weaponry, destroying the present balance, unless more defensive missiles are added to the U.S. system or unless these weapons are limited by agreement. Congress will debate this question, too. There will be persuasive arguments for as well as against. Where the public interest lies will not be as easy to detect as Common Cause suggests.

As for getting out of the war in Vietnam now—or by the end of this year—the argument has been going on for a long time and is familiar to almost everyone. Here Common Cause may well speak, if not for everyone, at least for a majority. The polls say it does. But President Nixon thinks the country can be persuaded to tolerate a flexible plan for withdrawal. Anyway, Gardner's recently acquired habit of speaking for the American people—most if not all—is less presumptuous in this area than in others. Where public opinion settles down will depend in large measure on the outcome of the battles now being fought in Laos.

The point is that Common Cause's are not what everybody considers to be in the public interest—not even everybody who has contributed $15. It is in danger of being regarded as sort of auxiliary of the left wing of the Democratic Party, if its causes are the causes of Sen. George McGovern, Sen. Harold Hughes, Sen. Edward Kennedy and, to a greater or less degree, of all the Democratic presidential hopefuls except Sen. Henry Jackson, who refuses to join the chorus.

Judged by the positions it has taken, it is hard to detect any great difference right now between Common Cause and Americans for Democratic Action, long the Democratic Party's ally on the liberal flank. There the similarity ends, however. ADA is democratically run. Its membership decides its positions on the issues after lengthy and often hot debate whereas Gardner seems to speak for Common Cause without let or hindrance.

He has a board and advisers but is now, to all intents and purposes, Common Cause itself.

Gardner quit the Johnson cabinet because of a dispute with the President over domestic policy, though it was assumed at the time that his real distress was over the war, an assumption he neither discouraged nor encouraged. His emphasis since Common Cause became operational has been against the war. He has surrounded himself with able veterans of that cause, among them Morton Halperin and Peter Edelman. Some of Gardner's lesser associates speculate that he has been "radicalized" by his determination to "live down" his association with LBJ.

Jack Conway, close associate of the late Walter Reuther, will join the Common Cause staff soon. He is knowing and experienced in the ways of congressional and presidential politics. To some, his acquisition by Gardner means that the organization wants to shed some of the soft fuzz of idealism for a hard shell of third-force politics that will command respect from Congress, candidates and party leaders. If and when this happens, some of the $15 contributors may wonder how Common Cause became too politically common.

THREE MORE NEW YORK COMMUNITIES SUPPORT REVENUE SHARING

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. KEMP. Mr. Speaker, the following communications indicate that three more New York communities have endorsed revenue sharing.

Only if the friends of revenue sharing can join forces is there hope of getting this crucial program of aid to financially strapped States and localities.

In New York we are making some progress and I hope my colleagues continue to call notice to the actions of the communities in their own districts.

At this point I include three letters, the third with a resolution:

VILLAGE OF LANCASTER,
Lancaster, N.Y., March 1, 1971.

Assemblyman JACK F. KEMP,
Longworth House Office Building,
Washington, D.C.

ASSEMBLYMAN KEMP: The Board of Trustees of the Village of Lancaster, in the name of all the property owners, has gone on record urging your support of the Federal Revenue Sharing Program.

As you are aware the property tax rate is reaching the bounds of endurance subject to the ever increasing prices and wage allotments as well as the mandated spending incurred by State Commissions, School Districts, Welfare Recipients and many others too numerous to mention.

Your people, the people you represent, need the revenue and urge your conscientious support.

Sincerely,

LINUS G. ECK,
Village Clerk-Treasurer.

TOWN OF MARILLA,
Marilla, N.Y., March 12, 1971.

HON. JACK F. KEMP,
Congressional Office Building,
Washington, D.C.

DEAR CONGRESSMAN KEMP: May this letter serve to inform you that at the regular meeting of the Marilla Town Board, held on March 1, 1971, an informal resolution was unanimously passed favoring revenue sharing.

Very truly yours.

DOROTHY E. PROBST,
Town Clerk.

CAYUGA COUNTY BOARD OF SUPERVISORS,
Auburn, N.Y., February 19, 1971.

Congressman JACK F. KEMP,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN KEMP: Please find enclosed a copy of a resolution adopted by our Board of Supervisors on February 16, 1971.

I believe the resolution is self-explanatory.

Thanking you for your consideration, we remain,

Very truly yours,

KENNETH D. BURGDORF, *Clerk,*
Cayuga County Board of Supervisors.

RESOLUTION NO. 32—CAYUGA COUNTY BOARD OF SUPERVISORS SUPPORT OF THE PRESIDENT'S POSITION ON REVENUE SHARING

Whereas, President Nixon has proposed a general Revenue-Sharing Plan of federal revenues with the States and localities, known as "General Revenue-Sharing Act of 1971", and

Whereas, it appears that this plan if adopted would return several million dollars to New York State, which in turn would be distributed to local governments pursuant to certain formulas, and

Whereas, it appears that under this plan local governments within Cayuga County would receive a share of these funds, now therefore be it

Resolved, that this Board of Supervisors goes on record favoring President Nixon's Revenue-Sharing Plan, and further that a certified copy of this Resolution be sent to Congressman John H. Terry and United States Senators Jacob K. Javits and James Buckley.

COMPULSORY RETIREMENT OF REPRESENTATIVES

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BROOMFIELD. Mr. Speaker, I have introduced today a measure which would require the retirement of a Representative at age 65. The business community, the Catholic Church, and the executive branch have all recently moved in this direction, conscious of the need for fresh ideas and leadership. Our own need for both these qualities is no less than theirs was—indeed, it is probably greater.

My bill would encourage younger men to seek congressional seats that open up with the retirement of Members who have reached the age of 65. In doing so, it would increase public confidence in an institution that would truly be open to all Americans.

I believe two details of my bill deserve brief explanation: First, the retirement would be effective upon the adjournment of the Congress in which the Representative reached the age of 65. The membership, therefore, would not be subject to abrupt midterm changeovers. Second, this measure would not affect those currently holding office who have reached the age of 65.

Mr. Speaker, I believe this reform is long overdue. I urge that it receive the most careful consideration of the Congress.

NATIONAL FUTURE HOMEMAKERS OF AMERICA WEEK

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. NATCHER. Mr. Speaker, it is again a pleasure for me to call attention to the approaching annual observance of National Future Homemakers of America Week. This important week will begin on March 28 and extend through April 3, and certainly this year's theme, FHA Cares, briefly but clearly describes one of the many fine and significant reasons why this well-structured organization was founded June 11, 1945.

The Future Homemakers of America is the largest organization for youth in the secondary schools and the national membership of approximately 600,000 high school home economics students in over 12,000 local chapters throughout the United States and its territories cares a great deal about what is happening to their country today and about their own preparation for the future.

This national partnership, which is not confined to an all girl organization but now has some 4,000 male members, provides numerous opportunities for the development of individual and group initiative in formulating and carrying forward many worthwhile programs pertaining to the home and the community. Clearly it illustrates the remarkable results that can and do stem from the coordinated efforts, talents, and determination of these young people, thus shortening considerably the road to their overall goal "to help individuals improve personal, family, and community living."

Mr. Speaker, I have two very good reasons to be particularly interested in and proud of the FHA—Kentucky has the enviable distinction of being the original charter association in the National Future Homemakers of America organization, and I am privileged to hold an honorary membership in this organization.

At the present time in Kentucky there are 250 chapters with a membership of approximately 17,000 and I can assure you that tremendous progress is being achieved in the Second Congressional District and my home State as a whole. An example of this progress lies in the fact that in Kentucky last year vocational home economics education programs served over 48,000 youths and adults, and certainly such training is bound to contribute effectively to the employability of both youths and adults in the dual role of homemaker and wage earner.

During the forthcoming National FHA Week special projects and activities will be sponsored to focus attention upon what 600,000 teenagers are doing in a most constructive manner to seek the

answers to many of our present-day problems in preparation for a better life in the future.

Mr. Speaker, for all of these varied and worthy endeavors, past, present, and those to come, I want to express my sincere congratulations and appreciation and to wish all of these splendid young people continued success as they proceed to meet the challenges that lie ahead.

MAYOR RICHARD LUGAR OF INDIANAPOLIS

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BRAY. Mr. Speaker, it is regrettable but true that all too often the image presented to the American public of big-city mayors is not of the best. There are various reasons—sometimes beyond the control of the mayor concerned—and I do not wish to go into them now..

Considerable national attention has been focused in recent months on Mayor Richard Lugar, of Indianapolis, as an excellent example of what the chief executive of a city can be, and also of the type of leadership, foresight, and intelligence so badly needed in the Nation's urban areas today.

I am happy and proud to insert into the RECORD the most recent article, from the Wall Street Journal of March 19, 1971:

MEET THE MAYOR: INDIANAPOLIS' LUGAR: A FRIEND AT THE WHITE HOUSE

(By Monroe W. Karmin)

INDIANAPOLIS.—The month of May is always merry for this Hoosier capital, host to the Memorial Day 500-mile auto racing championship. This coming May, however, will be sublime—both in terms of sport and politics.

Not only is the race expected to draw its largest crowd ever, but President Nixon may attend. So may Vice President Agnew, other Nixon Cabinet members, hundreds of city and county officials, delegations from 14 North Atlantic Treaty Organization countries, and possibly a couple of foreign heads of state.

But auto racing will be merely pastime for those guests. Their business in Indianapolis will be to attend an International Conference on Cities, and to pay homage to the man who presides over this flatlands city exactly in the middle of Indiana: 39-year-old Richard Green Lugar (pronounced luger, like the German pistol).

Mayor Lugar, as he likes to remind everyone, is President Nixon's "favorite" mayor, a friendship that began during the 1968 Nixon campaign and ripened after Mr. Nixon entered the White House. Indianapolis has been visited by more national dignitaries and blessed by more federal aid over the past couple of years than at any time in its history. The love affair, now well-known regionally, will be proclaimed nationally, and internationally for that matter, at the mass meeting in May. The political timing is perfect for Mayor Lugar: he's running for reelection.

The reason for the Nixonian interest also is understandable. Enlarged by Mayor Lugar, Indianapolis now is the nation's tenth largest city in population, and the only city among the ten to be governed by a bona fide Republican. (New York City's John Lindsay, though a registered Republican, is not considered a party member in good standing by the White House.)

Thus, Indianapolis is to President Nixon what New Haven, Conn., under Democratic Mayor Richard Lee, was to the Kennedy-Johnson administrations: an urban laboratory in which to test new approaches to coping with the problems of the cities. "The administration feels there's a genuine need for some strong success stories on the urban scene," Mayor Lugar explains. "Indianapolis is a very good city in which to demonstrate new urban thrusts that the President and the Cabinet wish to attempt."

And new urban thrusts initiated here by Mayor Lugar bear a striking resemblance to those initiated by Mr. Nixon in Washington. Each Chief Executive is seeking to reform governmental institutions, both to improve efficiency and to make them more responsive to the needs of the people. Mayor Lugar's instrument of change is Unigov, the merger of Indianapolis and surrounding Marion County into a consolidated city.

Unigov, which went into effect January 1, 1970, enlarges Indianapolis from 82 square miles with 520,000 residents to 388 square miles with 750,000 residents. As such, it is a major attempt at metropolitan government, a form that Mr. Nixon's urban chieftain, George Romney, has been praising for some time.

By reorganizing and simplifying local government, Unigov has assigned some 40 former city and county agencies to six new departments, not unlike Mr. Nixon's Washington reorganization plan that would shrink seven federal departments into four. Unigov is also proving to be a convenient vehicle for another Nixon innovation, the consolidation of federal grants to reduce red tape and duplication. Indianapolis applied for, and received, the first federal bloc grant ($1.3 million, including one-third matching local funds) for planning aid, covering 16 different federal programs and saving an estimated $600,000 in first year costs.

Implicit in Unigov is an attempt to demonstrate the competency of local officials, a belief deeply held by Mr. Nixon and crucial to his proposals to share federal revenues with state and local governmental authorities. "Federal officials were surprised to find such a good track record as we in Indianapolis already had going," Mayor Lugar says.

A GOOD TRACK RECORD

Perhaps the biggest surprise is that it is Indianapolis that has the "good track record" in how to use federal funds. Historically, the city has been a bastion of conservatism, a brand that regarded federal aid as wicked. State law actually prevented the city from accepting federal housing and urban renewal funds until 1965, when Democrats won repeal.

Now Mayor Lugar wants as much federal money, albeit Republican-style with as few strings attached as possible, as he can get his hands on. "The old saw that federal aid means federal control has no validity anymore," he declares. "We have given up no sovereignty here."

What Indianapolis has given up is the "we-can-do-it-ourselves" ideology. Though the state has had a public housing law, using local funds only, since 1934, the capital city had built just one project of 748 units before 1965. Much-publicized "self-help" housing projects are conceded to have had only "minimal" impact on the city's problems over the years. And, though the state preceded Washington by enacting an urban renewal law in 1945, again using local funds, Indianapolis had put just 1,000 acres of land under redevelopment before 1965.

But taking up where his democratic predecessor left off, Mayor Lugar, elected in 1967, is charging forward to remake the face of Indianapolis much as Mayor Lee attempted to do to New Haven during the '60s.

At the end of last year the number of public housing units built and occupied totaled 2,409. This year 553 units will be occupied, and 800 more will be under construction. Two years ago. Mr. Lugar brought in the city's first federal urban renewal funds, about $11.2 million to renew 155 acres. Since then, Indianapolis has received a wide variety of federal aids, including Model Cities money, code enforcement, demolition grants.

The future will be even more spectacular. Some 4,000 acres of urban renewal land will be put under rehabilitation and construction this spring. By 1973, it's figured, 12,000 acres will be in some stage of renewal, at a total cost of $112 million, of which about $60 million will be put up by the federal government. The ultimate result, says David Meeker, the mayor's director of metropolitan development, will be to generally renew "the entire inner city through a combination of federal and private urban renewal."

What may not be apparent to the casual eye, however, are some other consequences of Mr. Lugar's Unigov.

Politically, Unigov greatly enhances Republican prospects to continue to control Indianapolis by bringing Marion County's Republican suburbanities into the consolidated city to vote for mayor. "It's my greatest coup of all time," exults Keith Bulen, the Republican Party power here, "moving out there and taking in 85,000 Republicans."

The enlarged city also means that the Indianapolis black population will not come to power soon. Under the old city boundaries, the black population was estimated at 23%, which gave it one seat on the old nine-member city council and one seat on the old five-member county council. Under the new consolidated city arrangement, the black population is estimated at about 18%, which is expected to give it four or five seats on the new 29-member city-county council to be elected this fall.

Dr. Frank P. Lloyd, vice president of the Metropolitan Development Commission and a black leader here, views Unigov as a "dilution" of black voting power in more ways than one. Not only do the blacks lose strength citywide, he contends, but they are less effective within the Democratic Party because it, too, must now go after more whites. (But, the Methodist Hospital doctor adds, "We didn't have a helluva lot to lose"; he thinks the Democratic Party took black votes but never gave blacks "a real voice in party policy.")

Another intriguing fact about Unigov is that it's not all that "uni." Still not included in the consolidation are the various local police departments, fire departments, the schools, the health and hospital corporation and the airport district, as well as three communities that asked to be excluded.

The exclusions were necessary to navigate the proposed unification through stormy opposition in 1969. The reasons for excluding schools are bound up in this city's past, which saw the birth of the John Birch Society in Marion County and the activities of the northern branch of the Ku Klux Klan during the 1920s.

RAISING A SPECTER

To have included schools in Unigov would have raised the specter of racial integration of a desegregation suit brought by the National Association for the Advancement of Colored People, joined by the Justice Department, already is pending in court here—and would have meant instant death for the plan.

"We cooperated with the mayor by not killing Unigov," explains the Rev. Landrum Shields, the black president of the school board. "And I don't think Mayor Lugar is planning to attempt to include the school board in Unigov any time soon."

Mr. Shields is probably right. Though the state legislature is currently in session, Mayor Lugar has not yet proposed any new additions to Unigov. Indeed, the political solons here believe that the mayor, rather than courting the blacks, this year must concentrate on reassuring the whites—much as President Nixon is doing at the national level. And that's the kind of campaign Mr. Lugar seems to have in mind.

At a kick-off Republican fund-raising dinner the other evening, the mayor stressed the accomplishments of his administration in curbing pollution. In the months to come, Mr. Lugar is sure to lay emphasis on redevelopment progress, law enforcement innovations and Unigov's cost-cutting benefits that have permitted the mayor to lower the property tax (though increased assessments by non-Unigov authorities have actually raised the property-owner's tax bill).

The Democrats, for their part, will try to bully Mr. Lugar into errors. John Neff, a young lawyer who is a strong contender to be the Democratic choice, is eager to poke at the holes in Unigov. "We've been sold a bill of goods that we have metropolitan government when we don't," he argues. "It's a paper organization run by public relations to perpetuate Mayor Lugar in power and propel him to national attention. He doesn't really care about Indianapolis. He wants to move on."

Others in the community disagree with at least part of Mr. Neff's charge; they believe Mayor Lugar cares about his city. Most people here, however, do believe Mr. Lugar has higher ambitions. The speculation is that should President Nixon decide to dump Vice President Agnew, which is considered possible but unlikely, he might tap the mayor. Mr. Lugar has ruled out an attempt for the Indiana governorship. So, that leaves an appointment to the Nixon Cabinet, possibly to replace Secretary Romney, at some point, or a shot at Democrat Birch Bayh's Senate seat in 1974.

The mayor, himself, won't join in the speculation. Sitting in his office with a silver clasp autographed by Richard M. Nixon keeping his tie in place, Mr. Lugar does relish reciting the history of his relationship with the President dating to the primary of 1968, when Mr. Lugar introduced Mr. Nixon at a high school rally.

In the automobile, and later in the Nixon suite, Mr. Lugar recalls, he and the candidate engaged in "very animated conversation" covering urban affairs, race relations and the abilities of local government. Later Mr. Lugar helped to represent Indiana at the 1968 GOP convention in Miami Beach, and became a Nixon member of the platform committee.

FREQUENT PRESIDENTIAL CONTACT

During the 1968 campaign, and after Mr. Nixon ascended to the White House, he and Mr. Lugar have been in frequent contact. Mr. Lugar has been called to the White House to consult on urban problems and has been appointed to numerous advisory groups; Mr. Nixon in February of last year decided to hold his first out-of-Washington domestic affairs council meeting in Indianapolis.

It was there that the President asked Mayor Lugar whether he would accompany presidential counselor Daniel P. Moynihan to an April conference of the NATO countries in Brussels to speak on the problems of the cities. Mr. Lugar accepted and, he recalls, was introduced to the NATO assemblage as "the person selected especially by the President" to discuss urban affairs.

Mayor Lugar used that speech to issue the invitation to the International Conference on Cities to be held in Indianapolis this year. "The people there were in consternation," he smiles. "Why Indianapolis? Where is Indianapolis?"

Come May many members of that NATO audience not only will know the location of Indianapolis, they will be here, along with thousands of other important visitors. Most important of all will be President Nixon. As the mayor discusses the event, it's evident that, in his mind's eye, he envisions a battery of national television cameras zooming in on an excited President cheering on the racing drivers. At his side, equally excited, will be Richard Green Lugar.

FEDERAL AND STATE GRANT-IN-AID PROGRAMS

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. EILBERG. Mr. Speaker, Mayor James H. J. Tate disclosed today that the city of Philadelphia is participating in Federal and State grant-in-aid programs totaling more than a half-billion dollars.

Tate said these programs are "fiscal lifesavers" for Philadelphia and big cities across the Nation which cannot raise sufficient financial resources locally to cope with their needs.

He pointed out that Philadelphia has fared better than other urban centers in obtaining such funds, citing that the city ranks No. 1 in the Nation, per capita, in urban renewal, followed by Detroit, Chicago, New York, and Los Angeles.

The per capita allotment of Federal funds to Philadelphians is $168, compared to Detroit, which follows at $68.

As president of the U.S. Conference of Mayors, Mayor Tate has been active in lobbying for increased Federal funds for the Nation's cities and has encouraged members of his administration to work closely with Federal departments in order to take advantage of maximum Federal funding.

As a result, operating departments of the city government, and quasi-public agencies in which the city has representation have been awarded or have applications being processed for a total of $347,854,937 in Federal funds, and $84,348,505 in State funds.

These totals are augmented by the city's share of $123,271,009 in matching grants, for a grand total of $555,474,451.

The mayor said this spreads across 158 different categorical aid programs.

Mayor Tate noted that the city has some 25 applications presently pending approval in Washington and Harrisburg. These would produce an additional $124,273,209 in Federal funds and $33,458,000 in State funds, supplemented by $52,864,523 in city matching grants.

Furthermore, Mayor Tate said:

> There are a multitude of existing programs for which we will be requesting many millions of dollars in renewal or refunding when this year's appropriation is expended.

Philadelphia will press for continuing funds for the rat control program, which has been acclaimed the Nation's finest, the mental health and mental retardation program, the solid waste management program, law enforcement assistance, child welfare services, urban renewal, model cities, and antipoverty funds.

Mayor Tate stressed that the city's tax rate has been kept low specifically because of "our outstanding successes in securing Federal and State support in many fields." He said:

> However, meeting the matching requirement for categorical grants forces many communities to take funds away from other basic services. We must get more of the voters' tax money back to the electorate.

The Federal Government collects 91 percent of the income tax, the fastest growing tax source, Mayor Tate said. State and city governments have to depend on less progressive taxes. Mayor Tate said:

> The result has been that local and State Governments have not been able to fulfill the aspirations of the voters simply because of a lack of revenues.

Mayor Tate will meet with President Nixon in Washington tomorrow, Tuesday, March 23, along with members of his Legislative Action Committee of the U.S. Conference of Mayors, and the National League of Cities in an effort to obtain additional funding commitments.

The mayor has been a forceful advocate of general revenue sharing which would funnel unrestricted grants to cities:

> We are continually searching for new sources of Federal revenues to make us better equipped to cope with the multi-faceted urban problems and the municipal overburden.

Mayor Tate also mentioned the totals of Federal and State funds administered through Philadelphia's quasi-public agencies such as the Philadelphia Housing Authority, the Redevelopment Authority, Model Cities, and the Philadelphia Antipoverty Action Commission.

PAAC is responsible for the disbursement of $16,774,110; Model Cities for $25.2 million; Redevelopment Authority $39,025,000; and the Housing Authority for $100 million.

One aspect of the Housing Authority's total represents a $70 million program currently providing low-income housing on a scattered site basis. Philadelphia's public housing program has been lauded as the best in the Nation today, and our rehabilitation funding level has placed us first in the Nation.

Philadelphia was the first city in the Nation to receive a $19 million grant for "Project Rehab," which provides the potential for home ownership to low- and moderate-income families while converting the remaining units to supplement the public housing stock.

Some specific projects in operation through city departments include: Concentrated employment program, $652,082; highway safety program, $4,403,630; Federal basic water and sewer facilities grant program, $8,521,000; air pollution control, $2,860,990; maternity and infant care, $2,735,761; subway system-market street reconstruction, $7,540,000; child welfare services, $19,290,410; neighborhood renewal program, $17,455,505; and traffic operations program to increase capacity and safety, $800,890.

The mayor also listed approvals for $2,718,380 from Law Enforcement Assistance Administration 1970 funds, and has also submitted applications for an additional $1,124,243 in 1970–71 funds.

He said the city of Philadelphia is entitled to $4,834,170 in 1971 State action funds and $480,000 in "big cities" Federal categorical discretionary funds under LEAA.

Pending projects include an interim assistance program for the streets department and licenses and inspections of $935,259; a Philadelphia prisons drug abuse program, $455,455; center city commuter connection, $87,500,000; and two methadone treatment units, $419,755.

WHAT PATRIOTISM MEANS TO ME

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. ZWACH. Mr. Speaker; it is most refreshing to hear our young people talking about patriotism and love of country.

Recently, the Republican Women's Club of Cokato, in our Minnesota Sixth Congressional District, conducted an essay contest on the subject, "What Patriotism Means to Me."

Mr. Speaker, it is a pleasure for me, with your permission, to insert the three winning essays of this contest into the CONGRESSIONAL RECORD where they may be enjoyed by my colleagues and the many other people who read the RECORD:

WHAT PATRIOTISM MEANS TO ME

(By Kathy Hermann)

To me patriotism means the love for my country and the freedom I have in my country. It also is the feeling that I belong to this great land, to have a membership within. But to be a good citizen means to be loyal and have a desire that shows willingness and eagerness to serve whenever and wherever I can. By voting in the elections to elect the right men to office that will serve my country the best.

The people who participate in draft card burning, protesting, rioting and other disturbing actions each lack concern for their country. Rather than doing these actions, we should be patriotic by making good laws and obeying them. We should pray to God for peace, humility, honor, love, kindness and goodness so that our country remains strong.

WHAT PATRIOTISM MEANS TO ME

(By Kathy Chaffins)

In my heart patriotism means a great deal. Loyalty to our country is everyone's job. And everyone should be thankful that they have a great country to live in like ours. Every country doesn't have freedom of speech, freedom of religion and freedom of enterprise. Some people want to rebel against the rules of our country and just take advantage of the modern facilities we have. If they only stopped to think they would realize there has been a great deal of manpower in everything our country has. There also has been many lives that have been spent to make our country as great and powerful as it is. And most of all there has been a lot of prayers. Without the great Christian men and their prayers this country wouldn't have been able to win the wars and disputes it's had. We have a great deal to be thankful for and I hope soon all people will realize it and cherish the thoughts of having a great country to live in.

WHAT PATRIOTISM MEANS TO ME

(By Danny Carlson)

Patriotism is a big word and it involves many important things. To me, it chiefly involves the love for my country. The United States of America is the greatest country in the world through my eyes. We may have crime, the problem of pollution and a war going on, but I still like it. The war is to stop communism and many people are working on the crime and pollution problems. People are working on these problems to make our country a better place to live in. Freedom is another thing that makes me love my country. We can say, do and worship as we please. Of course we have laws to follow, but without them, well, just think what life would be without law and order. The United States is too great a country to express the way you feel about it in words. So as I grow up, I am going to express my feeling in actions. I will do all I can for my country and my community. This truly is the land of the free and the home of the brave. I'm going to try to keep it that way.

THE POLL'S MESSAGE TO WASHINGTON

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. Edwards of California. Mr. Speaker, the following is an editorial describing the result of a poll on Vietnam policy conducted by the Palo Alto Times. The message in the poll is unequivocal. As the editorial says, "Even so, the main lines of sentiment are undeniable. Most midpeninsula people want the war closed out this year. They want no more United States moves, by official word or deed, by air or land, that could broaden it. They want to get the hell out, and they want Congress to see that we do, whether the President is willing or not."

[From the Palo Alto (Calif.) Times, Mar. 15, 1971]

THE POLL'S MESSAGE TO WASHINGTON

The results of the Times poll on Vietnam policy are in, thanks to the persistent efforts of League of Women Voters tallying crews. They are worthy of attention not only in Midpeninsula homes but in Congress and the White House.

To begin with, the volume of the response was substantial. Questionnaires were clipped from approximately one of every seven copies of the Times circulated on March 9, and were marked and mailed or delivered to the newspaper office. By direct mail survey standards, that return is impressive.

What's more, comments related to the poll bore witness that in many homes the issues involved, and how the household's one ballot was to be used, were matters for every serious discussion—sometimes hot dispute.

The poll was not scientifically controlled. But it gives a fair indication of how persons in this area who are very concerned about the war in Indochina feel about certain key questions. There will, incidentally, be a check of sorts on the accuracy of the poll as a reflection of the electorate's opinions after City of Palo Alto voters cast their ballots May 11. That election will include a test of whether they are satisfied with the Nixon administration's handling of the withdrawal from the conflict, or would prefer a greatly accelerated pullout.

Midpeninsulans voting in the Times poll strongly favored a U.S. military withdrawal by the end of this year—the alternative presumably being that the pullout may drag on for a year or two beyond that. The yes vote on that question was about 72 percent—close to the 73 percent favor on that same point projected in a recent Gallup Poll.

More than two out of three voting in the Times poll supported action by Congress to cut off funds for the war by year's end. About seven out of eight rejected the idea of a U.S. declaration of war on North Vietnam, which likely would involve wider, bloodier and possibly longer fighting.

What is worthy of attention in the White House is the high discontent with presidential management of the American role in Indochina. More than seven respondents out of 10 felt that it should not be left to the President to determine what to do—the alternative clearly being congressional action to limit the U.S. role and public pressure on federal elected officials.

Even more remarkable, about 48 percent—nearly half of those participating—felt such despair about the President's actions in Indochina that they considered a discussion of his possible impeachment justified.

This is not to say that so many want him impeached, for that is a more extreme question. It is to say that, despite the traditional respect of Americans for the President and the presidency, they are willing to approve a harsh and unusual way of communicating to him the strength of their feeling.

It is true that a majority opposed an impeachment debate—the stand the Times itself took last month. It is also true that those who believed the President should be unhampered in his conduct of the war felt that very strongly—some of them refused to vote on the other questions.

Even so, the main lines of sentiment are undeniable. Most Midpeninsula people want the war closed out this year. They want no more United States moves, by official word or deed, by air or land, that could broaden it. They want to get the hell out, and they want Congress to see that we do, whether the President is willing or not.

WHATEVER HAPPENED TO NATURAL FOOD?

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MINISH. Mr. Speaker, the Sunday, March 21, edition of the Washington Post contained a most thoughtful article concerning food additives. It was written by Mrs. Ruth Winter, former science editor of the Newark Star-Ledger.

Mrs. Winter in her candid appraisal of chemical food additives has performed a most valuable public service. Since I have recently prepared and introduced legislation to phase out the so-called generally recognized as safe list, I include the article as follows:

WHATEVER HAPPENED TO NATURAL FOOD?

(By Ruth Winter)

When Eve handed Adam the apple, it may have had a worm in it, but it didn't have any pesticides, wax coloring or chemical fertilizer. We all know the consequences of taking a bite of the first apple, but what about the after effects of today's fruit?

The proof that people are worried about it is the pheonomenal growth within the past year of health food stores across the country where people are paying from two to three

times as much for an "unadulterated" apple as they would for one from the corner supermarket.

For a long time after Eden—in fact, until the Swiss first shipped DDT to the United States in 1942—most food was generally free of chemical pesticides, herbicides and fertilizers, though certainly not entirely free of chemicals. Ever since man learned that by adding salt to his food it would last longer, he has experimented with things to doctor it, sometimes with dire results. He has, however, never quite gone about it with such zeal as today's food processer.

The use of deliberately added chemicals to food has soared from 419 million pounds in 1955 to more than 800 million today. Each of us eats more than three pounds of food additives a year.

Added to these intentional chemicals, there are unintentional chemicals that get into food from pesticides, herbicides, fertilizers, packaging materials, water and air pollution and animal feeds.

A FUNCTION OF MODERNITY

What happened to Eve's apple? Why have we gone into the use of chemicals in such a big way?

In the first place, most people have moved away from the farm. They can no longer transfer food from the field to the table. It may take days, weeks—some say even years—to get the food from the farm to the supermarket to the dinner table.

Land and labor costs have risen tremendously and the number of farms has decreased. Nevertheless, overall farm production has increased 40 percent since 1950, thanks in large part to farm chemicals.

The working wife and the lack of domestic help have increased the demand for convenience foods. As a result, last year Americans passed the 50–50 mark in buying processed versus fresh foods. Of the more than $100 billion spent on foods annually, an estimated $60 billion now goes for processed and convenience foods, snacks and franchised foods.

In addition, advertising has caused Americans to expect their food to look like the ads on TV and in magazines. They also expect it to come in many varieties. Therefore, instead of the 1,500 items we had on the supermarket shelves right after World War II, we now have 8,000, many of them dressed with chemical "cosmetics." These cosmetics include preservatives, stabilizers, colorings, flavorings and antifoamers.

What has been the result? Pretty packages, convenience—and perhaps a great deal of harm.

Of the 3,000 chemicals deliberately added, a number were never scientifically tested but were put on a generally-recognized-as-safe (GRAS) list in the late 1950s. The Food and Drug Administration figured that if they didn't kill your grandfather, they won't kill you.

Because of the recent furor over cyclamates, monosodium glutamate and other controversial additives, the FDA asked for public comment on the GRAS list. The closing date for such opinions was Jan. 21. After mulling over the comments, the FDA intends to make recommendations on certain additives.

The artificial sweetener cyclamate is a good example of how weak our current protection is against potentially harmful additives. As far back as 1958, the FDA was warned by its own scientists that cyclamate caused a significantly high rate of cancer in animals. In 1969, when it was finally banned, 175 million Americans—from kids chewing bubble gum to adults fighting fat—were swallowing cyclamates in large doses. One of the FDA's own, Dr. Howard L. Richardson, a pathologist who brought to light the previously ignored early warning, was demoted.

Critics of food safety do tread on emotional ground. Take the Cornell Medical School professor who said accusingly to me: "If one diabetic dies because he couldn't get cyclamates . . . if one person dies of malaria because DDT was banned—that's more than have been killed by cyclamates or DDT!"

The professor, a pediatrician working on malnutrition in South America, was explaining why he was refusing to appear on the same New York educational TV program with me. During rehearsal he had heard me object to sodium nitrite being added to baby food.

"How do you know the minute amount of sodium nitrite added to baby food is harmful?" he stormed.

"How do you know it's not?" was my reply, as it always is to those who deride consumer concern about the safety of food additives.

The National Academy of Sciences, in its latest publication on food protection, "Evaluating the Safety of Food Chemicals," admits that current methods of testing are not completely accurate and that the "uncertainty must be balanced against the benefit to be gained from the proposed use of the substance."

What about the nitrite in baby food meats?

A joint Harvard-University of Nebraska study showed that nitrites and nitrates used as food preservatives and in fertilizers, when combined with amines in the intestinal tract, turn into cancer-causing compounds. Similar findings have been reported in England and Israel.

Dr. Barry Commoner, the ecological gadfly from Washington University in St. Louis, has warned that nitrate contamination of baby food vegetables and drinking water from nitrate fertilizers was rising high enough to affect the ability of a baby's blood to carry oxygen from the lungs to other tissues. Deaths from nitrate-contaminated drinking water have been well documented by government agencies. Nitrates turn into nitriles in babies' intestines.

All this still doesn't prove that the minute amounts of nitrites deliberately added to baby meats to color them pink is harmful. (Nitrates and nitrites are also added to processed meats for adults, and to dog foods, to keep meat looking red.)

But since babies have a poorly developed sense of taste and couldn't care less about the color of their meat, is adding sodium nitrite to baby meats worth the risk? (Dogs are color-blind, so they don't know the difference either.)

A GENETIC PERIL

There are a number of food additives in addition to nitrites and cyclamates that are carcinogens, capable of causing cancer. The same chemicals that can cause cancer are probably capable of causing genetic defects.

Dr. James Crow, for instance, of the Nobel prize for his work in genetics, said at a recent science writers' conference in New York: "Americans are very casual about what they do to their genes." He pointed out that we carelessly introduce chemicals into our environment without knowing their long-term effect. His belief is shared by many other geneticists.

Dr. James Crow, for instance, of the University of Wisconsin, chief of the National Institutes of Health's Genetic Study Section, said that exposure of a large number of people to chemical mutagens could cause a "genetic disaster." He included among the potential mutagens certain pesticides and food additives.

Recent United States and Canadian studies indicate that at least 25 per cent of human conceptions are now ending in intrauterine deaths. Among these spontaneous abortions, chromosomal anomalies can be found in 30 per cent, and in 8 per cent of all conceptions.

I first became interested in food safety in 1968 when my small daughter suffered from a severe, intractable case of the hives. After all else had failed to turn up the cause, the allergist said: "Perhaps it's the penicillin in the milk."

"Penicillin in the milk? What's it doing in milk?" I asked, and from that point I began an investigation into the denaturing of food.

Farmers, I found, do not need a prescription to buy antibiotics to treat sick animals. They minister to the cows and other livestock themselves. They are supposed to throw away the milk from penicillin-treated cows for several days after therapy, but since most milk is pooled today, it is very difficult to tell who put the penicillin in the pool.

Antibiotics, I learned, are deliberately added to the feed of livestock prophylactically and, for some unknown reason, because they add weight. Farmers are required to stop the antibiotic feed several days before animals are sent to market, but since payment is on the basis of the health and weight of the animals . . .

The U.S. Food and Drug Administration has received reports that antibiotic feeds may be contributing to the buildup of antibiotic-resistant bacteria. As a result human patients are resistant to antibiotics administered for bacterial infections, a potentially life-threatening situation. Furthermore, there is a percentage of the public—like my daughter—which is allergic even to the minute doses of antibiotics found in food.

BRITISH ARE AHEAD

FDA Commissioner Charles C. Edwards appointed an 11-member committee last May to review all aspects of the use of antibiotics in animal feeds. The task force "will also study the total impact of restricting the veterinary use of antibiotics and consider methods of implementing their recommendations."

The British curbed antibiotics in feed in 1969 after studies in that country found possible hazards to human health. The British also curbed cyclamates before we did and they look, as citizens of other Western countries do, with a jaundiced eye at our abundant use of food chemicals. One wry British official pointed out that if the British were cannibals, they would not be able to eat Americans since the body tissues of Americans now contain more DDT than the permissible limits set by the British government for foodstuff.

What about DDT and the other 12 pesticides we may consume with our meals? We know what DDT has done to the bald eagle and certain fish, but what about us?

No one really knows, but a University of Miami study of pesticide concentrations in fat tissue at human autopsies revealed that twice the amount of DDT, DDE, DDD and dieldrin were in the fat of patients who died of liver or central nervous system disease when compared to that in persons who died accidental deaths.

In addition to pesticides and antibiotics which find their way into our meats, cattle and poultry growers deliberately administer hormones to the animals to add weight. DES (short for diethylstibestrol) is an artificial hormone given to an estimated 75 per cent of the 40 million cattle slaughtered annually, and to an untold number of poultry. It is a known carcinogen. Meat packers complained in 1970 that the meat was soft and mushy because of the hormone. The hormone is supposed to be stopped several days before the animals reach the market, but because growers are paid by the weight of the cattle and poultry . . .

What about the other chemicals in our meat—mercury, for instance? The first alarm about it came not from fish but from meat eaten by the children of a New Mexico family. Their brains were damaged because they ate hogs fed mercury-treated seed. Then seven beef carcasses were stopped in Oregon because of mercury contamination.

THE BATTERED FDA

There are some 7,500 veterinarians and food inspectors, including intermittent and

part-time staff, checking our U.S. Department of Agriculture stamped meat supply. The states still have varying degrees of meat inspection.

The presence of mercury, hormones, antibiotics and other chemical contaminants can really be proven only in the laboratory, and only if that laboratory has been given the specimen to examine.

The FDA, the battered political football of the health services, has a total budget of approximately $89 million this year, less than half of what we spend a year for airport development and a minute fraction of what we spend for a single Apollo spacecraft. Only an estimated 35 per cent of that $89 million is spent on food protection services.

Two years ago, there were 800 FDA inspectors for the nearly 100,000 food, drug and cosmetic plants in the United States. The latest figures given me for this article were 649 inspectors, including 91 supervisors and 33 import inspectors. They are responsible for checking the food, drug and cosmetic industries doing in excess of $130 billion worth of business a year.

If that shocks you, what about fish inspection? The Bureau of Fisheries has a staff of 60 inspectors, yet there are 4,200 fish processing plants. According to James Brooker, head of the Division of Fisheries Inspection, the staff checks only 40 processors and then at the request and expense of the processors.

Seventy-three per cent of all the fish eaten in the United States is uninspected by any regulatory agency. Repeated attempts to get mandatory fish inspection legislation passed have met with failure.

What effect does mercury have in humans in the amounts found in fish, and perhaps meat? Large doses are known to cause brain and nerve damage and genetic defects, but no one really knows the effect of small doses over long periods of time.

What else is there in the fish that swim in chemically as well as bacterially contaminated waters? Should we worry about it?

There are more questions than answers about the intentional and unintentional additives in our food. For instance:

Sodium bisulfate, a widely used foor preservative and bleaching agent: It has been found by New York University researchers in preliminary tests to interfere with nucleic acids, the genetic controls of cells.

Carboxymethylcellulose, a cotton by-product used in soft drinks, ice creams, jellies, chocolate drinks, icings, in some candies and baby foods. According to the National Cancer Institute's journal, it causes cancer in animals.

Red Number 4, a dye used to color maraschino cherries: The FDA once attempted to take it off the market because it caused cancer in animals, but left it on "temporarily" after an outcry from food processors.

Noridhydroguaiaretic acid (NGDA), used to keep fat from going rancid. It was banned by the Canadian Food and Drug Directorate in October, 1967, as a potential hazard to health. It is still being used in the United States in shortenings, cake mixes and soft drinks.

Caffeine: It has shown to have an adverse effect on diabetes-prone pregnant women and heart patients. It is given to very young children in cola drinks, and this has many researchers worried.

All these question-mark additives may be quite harmless, as those with vested interest maintain. Then again they may not be.

The Food and Drug Administration has concentrated on protecting us from harmful and useless drugs. Most of us do take drugs occassionally. However, we all eat—every day of our lives. Nothing should be more important than adequate study and effective protection of our food supply.

WHY THE SST IS NOT GOOD BUSINESS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. HUNGATE. Mr. Speaker, the following article from the Wall Street Journal of March 23, 1971, sets forth some cogent arguments concerning the SST from a business standpoint:

WHY THE SST IS NOT GOOD BUSINESS

(By Allen R. Ferguson)

The question that the Senate will settle tomorrow afternoon is not whether there should someday be an American SST, but whether one should be developed and built before the private sector is prepared to finance it, and hence whether the taxpayers should be required to pay for its development.

The basic economic fact about the U.S. SST is that if it were expected to be economical, there would be no need to subsidize it. Its advocates argue that the investment is too large and too risky for the private sector, but it is obvious that the private capital market could raise the $1.3 billion the administration plans to put into the development. Last year the capital market provided American industry with more than $30 billion in new debt and equity money. That the large financial institutions resist financing the prototype development simply indicates that the SST is not a good business.

It is economically unsound because it poses a problem that is largely new in aviation. Until the SST, innovation has typically combined greater speed, comfort and range with reduced costs per seat-mile. Since World War II, with the introduction first of the large four-engined piston aircraft and then with the jets, the American aircraft industry has dominated the airways of the world. This dominance has been based on designing and producing technically and economically superior aircraft that could be operated at lower unit cost than their foreign rivals. The consequent secular decline in the costs of air travel and shipment has, of course, been the major force behind three decades of spectacular growth in commercial aviation.

With the SST the situation is different in a crucial way. Whereas the SST would offer many technical advances and be a monument to the sophisticated design and production capabilities of American industry, it is expected, even by its most enthusiastic supporters, to be more costly per seat-mile than the subsonic jets it is intended to replace.

COST INCREASES

The FAA has estimated that ideally the seat-mile costs of the SST would approximate those of present subsonic jets at maximum range, but they would be higher at shorter ranges and, of course, over populated areas where, according to present regulations, it would have to fly at subsonic speeds. Thus, its average cost, even by FAA estimates, would exceed those of present jets. However, in the eight to ten years before the SST was in extensive service, there will be improvements in the new wide-bodied subsonic jets that will reduce their operating costs. Further, clearing up the remaining technical problems and imposing any additional restrictions on its use, such as restricting airport operations at night, would probably raise its operating costs further. The SST is expected to cost one-quarter to one-third more per seat-mile than the then-existing fleet of subsonic jets.

This would pose a serious problem of both domestic and international fare policy for the government. A policy that would be both efficient and equitable would require a fare premium reflecting the cost differential between the supersonic and the subsonic vehicles. If the fares were set at 25% to 30% above the corresponding fares of the subsonics, SST passengers would have to pay for the speed advantage, and travelers at subsonic speeds would not have to subsidize SST operations through excessive fares. The advantages of each type of service would be available to passengers in accordance with their willingness to pay. However, aviation experts simply do not believe that to most travelers supersonic speed will be worth what it costs. Consequently a fare policy that made broad economic sense would visit financial disaster on the whole SST venture.

If the SST is eventually produced under federal support it is likely to be impossible for the U.S. government to insist on rational pricing of its services. Once the government has subsidized its creation and in various ways induced American and foreign carriers to buy it, letting the U.S. SST become a financial failure would be, to say the least, politically difficult. Obviously, to retain the appearance that the American taxpayers were recouping their investment in the SST, the government would be under great pressure to force many of them to subsidize the SST through excessive fares.

If, as is to be expected, there were little or no fare differential, travelers would presumably prefer the time-saving and would fly on the SST. Payloads on subsonics would tend to be depressed. Their early retirement from the affected routes would be forced on the industry. A larger and larger proportion of at least the trans-ocean fleets would become supersonic, and hence, to avoid losses, the fares on those services would have to approach the seat-mile costs of the SST. Thus, such a fare policy would almost certainly force fares on virtually all types of aircraft substantially above the level at which they would otherwise rest.

Given the effect of the SST on fares, the implications of "success" of the SST program are not hard to draw. First and most obvious, there would be less air travel than otherwise.

If air travel is constricted there will be less employment in the airlines, fewer aircraft will be needed and, hence, eventually perhaps less employment even in the aircraft industry.

DECREASE IN AIR TRAVEL

How much of a decrease in air travel could be expected is impossible to predict with precision, but in 1964, when the most recent sweeping reductions in trans-Atlantic rates went into effect, an average reduction of about 15% was followed by a 40% increase in travel. A major study of the sensitivity of the volume of travel to fares in the North Atlantic indicated that for each one-percent change in fares there had tended to be a two-percent change in travel. If this sensitiviy in the future is only half its estimated level in the past, a 20% increase in overall fares would cause a 20% drop in travel compared to what it would be with a more efficient, subsonic fleet.

Those are the obvious direct consequences for the aviation industry of a technically succesful SST program. They are at least among the reasons why many airline executives privately—and a few publicly—express reservations about the SST. There are other consequences. Since subsonics would be displaced at a faster rate than would otherwise be the case, the obsolescence of the recently acquired wide-bodied and other subsonics would be accelerated; consequently, depreciation and interest charges or equipment write-offs would be increased, reducing airline profits. The financial problems of the airlines would be aggravated. Their debt is now

at historic highs; major carriers are incurring unprecedented losses, such as American Airlines' $10 million loss in the month of February. To burden present operations and financing with the prospect of billions of dollars of additional investment for a basically inefficient vehicle seems hardly prudent.

There is another serious adverse potential. The U.S. international air network is based on a traditionally liberal structure of bilateral agreements, which impose relatively few limitations on traffic and operations. Opposition to this relatively free and expansive arrangement has been increasing in recent years and has accelerated frequently in response to American innovations and to financial difficulties of foreign airlines. The introduction of the SST might induce major restrictions by foreign governments, removing one of the foundations on which American efficiency and pre-eminence in world aviation are based.

But what of the "threat" of foreign supersonics, the British-French Concorde and the Russian TU-144? Will the airlines of the world be forced to replace their American-built fleets with them—as is often alleged? Both these foreign supersonics are ahead of the U.S. SST. Both will probably prove technically operational. But neither is certain. More important, some things about both are certain. Neither will be able to fly even New York-Rome non-stop, to say nothing of Los Los Angeles-London or San Francisco-Tokyo. Neither will be allowed to fly across the U.S. or across Europe at supersonic speeds. Both will be extremely costly to operate: Last November the British Aircraft Corporation announced that the Concorde's expected seat-mile cost would be 36% higher than that of the 747.

There is simply no way that such equipment can penetrate a large segment of the world's aviation market. Whether it penetrates any significant fraction of the U.S.-international market at all depends largely on the policy of the American government. Unless the U.S. government permits fares in international travel (over which it can exert considerable influence) to force travelers on the American-built subsonics to subsidize the Concorde or the TU-144, they will have virtually no markets of significance—even if their remaining technical and operational problems are all solved.

This brings us to the question of American "aviation leadership." Aviation leadership consists of the leadership of our manufacturers and of our airlines.

It is clear that within the aviation community both at home and abroad the U.S. would certainly gain some "prestige" from producing a superior and ultimately dominant SST. Throughout the world there are many aviation authorities afflicted with that form of myopia which prevents their seeing beyond technological elegance to social and economic utility. But many aviation officials also do understand and would resent the economic and financial strains that would be imposed upon their own carriers by artificially premature obsolescence of their American-built subsonic jets, in the interest of U.S. prestige.

The consequences for U.S. leadership in aircraft production go much further. Now, the U.S. has an indisputable lead: the world flies American equipment. The British failed to capture any significant fraction of the market with the technically premature Comet or the luxurious but costly VC-10. The U.S. leadership is soundly based on economic reality, not technological novelty. To jeopardize it with a speculative program whose economics are so unpromising that the private sector eschews its opportunities to participate fully would be, at least, a most questionable choice.

Similarly, the U.S. airlines enjoy a highly prestigious, traditionally profitable and socially functional position in international aviation. This, too, is based more on superior economic efficiency than on any other single factor. To try to shift the basis of this leadership to some intangible and rather esoteric advantages associated with the employment of an elaborately inefficient vehicle is, at best, risky.

What would be appropriate policy, in the real interests of U.S. aviation? First, the aerospace industry is facing its present serious problems, not because of any developments in the civil air market but because of shifts and reductions in the nature and level of defense expenditures, particularly the secular decline in the procurement of strategic weaponry (and space equipment). No policy concerning civil aviation can solve its problem. It is clearly not appropriate to undertake half measures to try to help some aircraft companies at the expense of the taxpayers or American aviation interests in general. The problems of unemployment in the aerospace industry can only be addressed effectively through a national policy of maintaining generally high levels of employment and through suitable manpower programs.

SUBSIDIES AND UNCERTAINTIES

Second, appropriate policy on the SST for most U.S. aviation interests would involve opposing the present program to subsidize the SST. The SST should be allowed to develop in due course as technological advances in various areas and changes in air transport markets reduce the costs and uncertainties now associated with it—or produce other developments that obviate the "need" for the SST.

Third, aviation interests should press for an early statement that American policy on fares will not permit discrimination either against foreign-built vehicles or, more particularly, against travelers using subsonic equipment—a policy in the interest of air travelers of all nationalities and in the interest of most foreign as well as U.S. airlines.

Fourth, once the U.S. SST is stopped, the U.S. should pursue an international agreement to discontinue subsidization of SST development.

In general the self-interest of U.S. airlines and most manufacturers is served by policies that play to their established economic superiority, rather than to the unstructured game of competitive governmental subsidization.

NEW YORK STATE OSTEOPATHIC SOCIETY ANNUAL CONVENTION

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MURPHY of New York. Mr. Speaker, there is no doubt that modern technology has contributed to great advances in every field, and through these advances has made life easier, more enjoyable, and more fulfilling.

Nowhere has progress in technology been felt more strongly than in the field of health care. The American people are living longer, healthier lives than ever before.

Because of the dynamic technology strides, physicians must work tirelessly to stay abreast of new developments.

To the physician, this means a constant education process. This includes attendance at seminars and scientific meetings where the latest strides in health care are discussed.

I believe that in this regard, it is important to note the dedication and resourcefulness of the New York State Osteopathic Society, which soon will celebrate its 73d anniversary. Since its inception the society has carried on a constant campaign to place the latest advances and technological developments in health care before its membership.

I believe the New York State Osteopathic Society should be commended for its educational endeavors on behalf of its membership as reflected in the theme of its forthcoming annual convention to run from April 29 to May 2. The theme will be "The Impact of New Technological Advances and the Government on Medicine and the Doctor."

This is indeed a praiseworthy topic, since many physicians are concerned over prospects for "pushbutton medicine" in the future.

Physicians are aware of these dynamic changes in technology that are already affecting the practice of medicine.

In view of physicians' concern about the future of health care and how modern technology will affect their practice and the well-being of their patients, and to explore the latest advances, the New York State Osteopathic Society will bring together an outstanding group of guests at its annual meeting to give their views on the theme of the event.

The guests include: Ralph Nader, attorney and well-known advocate of consumer protection; Senator ABRAHAM RIBICOFF, former Secretary of Health, Education, and Welfare; Scientist-Astronaut Dr. F. Story Musgrave; W. E. Kerr, manager of the Medical Industries Department of IBM; Dr. Martynas Ycas, professor of microbiology, Syracuse Medical School; Dr. John L. S. Holloman, leading advocate of national health insurance; and Richard K. Eamer, chairman of the Board of National Medical Enterprises.

I believe that this distinguished guest list, as well as the forward thinking theme of the New York State Osteopathic Society convention could very well serve as model for other organizations, both in the health disciplines and outside of them, who wish to prepare their members for technological advances that will make startling changes in their professional lives and in the lives of the public at large.

FREEDOM—OUR HERITAGE

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MATHIAS of California. Mr. Speaker, the California winner of the Veterans of Foreign War's Voice of Democracy contest is a young lady from my district, Miss Joy Huff of Tehachapi. She is a 16-year-old high school sophomore and the daughter of Mr. and Mrs. David M. Huff.

Joy's winning speech, "Freedom—Our Heritage," shows imagination and a clear understanding of the principles on which America was founded and has prospered for nearly 200 years. She acknowledges

the fact that freedom is a cherished privilege and that it requires a devotion to duty if it is to be maintained and enhanced.

This is an excellent speech which I insert in the RECORD for the attention of my colleagues:

FREEDOM—OUR HERITAGE

While on a trip to the east coast where I had explored Valley Forge, visited Independence Square, stood in Constitution Hall, trod the streets of Washington, D.C. and New York, and climbed the stairs of the Statue of Liberty, I suddenly found myself in the emergency ward of a large city hospital. Under the deliriums of high fevers, I dreamed that I was Liberty—the American dream of democracy. As I lay there dreaming, I dreamed that the Statue of Liberty was suddenly there handing me her flaming torch.

"But, but why give it to me?" I asked.

"Because we need young people to carry this torch."

"But why not someone wiser, someone more talented?" I implored.

"You!" replied the Statue. "Freedom is your heritage, your responsibility."

As I reluctantly accepted the torch it became like a magic wand in my hands turning back the clock of time. I could see ships coming into the harbors carrying people from every nation of the world—people whose dream was the dream of democracy. As I moved the torch again, I saw a group of fiery patriots signing the Declaration of Independence. With one more sweep of the torch I heard Lincoln so eloquently proclaim that government of the people, by the people and for the people shall not perish from the earth. With that, the Statue of Liberty reclaimed her torch for a moment and then she handed it back to me.

"Now, look!" she exclaimed.

The time was the present, the setting was one of our large American cities. She directed my attention to a crowded newsstand overflowing with pornographic material.

"Is this what you have let happen to our freedom of the press?" she asked.

From another busy street corner came the angry cries of rioters and picketers.

"Have you, today's Americans, let the right of freedom of speech degenerate to this?" she asked.

"But what can I do?" I cried.

"Freedom is your heritage; all that is necessary for the triumph of evil is that good men do nothing," quoted the Statue.

And she vanished from my dream.

Later, as I was winging my way back across the United States, I found myself still pondering what the Statue had told me—looking for answers as to how I could help. Perhaps we can invent a Bill of Duties to protect our Bill of Rights. For example, I have the right to worship as I choose, but I have the duty to allow others the same privilege. I enjoy freedom of speech but it is my obligation to be fair and temperate in all that I say. In my own high school, I can help by participating in student government—not just by holding offices, but by helping those who do, by working with them and for them. On the problem of narcotics and moral issues, I can be encouraged to make my stand even stronger. To fulfill the challenge of freedom, we must first re-build the fiber of our national life so we can be a nation whose strength is in her obedience to the moral law of God.

As we flew over the brownish polluted waters of our Great Lakes, I resolved to continue to participate in my school ecology club helping to re-seed our mountains, recycling our school papers, becoming aware myself and helping others to become aware of the problems of our environment. We want to preserve this land of ours so we can enjoy it. But to be able to enjoy it, we must have freedom.

Now as I think back on my dream, I want to accept that torch the Statue has handed me and say, "Yes, our forefathers fought for democracy and I want to strive to keep it."

ART AND ACADEMICS: SUNY AT PURCHASE

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. REID of New York. Mr. Speaker, one of the newest units of the State University of New York is the College at Purchase, in my own home town. Scheduled to open next fall, the College at Purchase will be unique among institutions of higher learning in its combination of academics and the arts. Eighty percent of the college's students will be in liberal arts programs and the other 20 percent will be enrolled in autonomous professional schools of the visual and performing arts.

This unusual emphasis on the arts at the college level is a most welcome one and I am proud that this fine experiment will begin in Westchester County. A recent article in the Woodrow Wilson Fellowship Newsletter of February 1971 describes SUNY at Purchase in more detail, and I would like to share it with my colleagues:

ART AND ACADEMICS: SUNY AT PURCHASE

"A natural place for the arts to flourish," suggested State University of New York Chancellor Samuel Gould in 1966, "is on the university campus." When SUNY decided to establish a campus for the liberal and fine arts, Dr. Abbott Kaplan, an Associate Dean of Fine Arts and Professor of Theatre Arts at UCLA, was consulted and then chosen as President of the new college at Purchase, which is scheduled to open in the fall of 1971 and will be SUNY's center for the visual and performing arts.

So far the arts have not flourished on many college campuses. What would seem to be a natural mating process between art and academics has not occurred, much less led to marriage, because universities have insisted on dominating the relationship, imposing academic criteria on artists to whom such criteria are meaningless and useless. The arts, if they are accepted by a university at all, are relegated to the outskirts of academic life and treated as troublesome, scatterbrained females.

The College at Purchase will offer its students the best features of conservatory training alongside liberal arts programs in the humanities, natural sciences, and social sciences. Eighty per cent of the College's students will be in liberal arts programs. The other twenty per cent, in autonomous professional schools of the visual and performing arts, are to be chosen on the basis of talent rather than academic background. Placing art schools on campus should enable committed artists (and not necessarily rich ones: Purchase's low tuition—$400 for New York State residents, $600 for students from out of state—will make professional training possible for many who could not afford to attend expensive, private conservatories) to draw upon the various intellectual and academic resources of the university. Amateurs will be discriminated against in this arrangement: a liberal arts student may use the facilities of the art schools, and study the history of drama or the psychology of the creative process in painting, but drama and painting will be left to the professionals.

The Purchase campus is located on five hundred acres of what used to be a millionaire's cattle farm in Westchester County about twenty miles from Manhattan. What was the master bedroom in the estate's main house is now the office of the College's Vice President for Academic Affairs, Frank W. Wadsworth (WWF, 1946–47; Member Regional Selection Committee, 1954–63; at various times Chairman of Regional Committee, member National Selection Committee, National Representative; and now Chairman of the Friends of the Woodrow Wilson National Fellowship Foundation).

The liberal arts program has a lower profile than the fine arts but will, according to Dr. Wadsworth, be quite unusual. The faculty intends to break away from the four-year, credit-counting structure of education and let students move at their own paces through seminar work, independent study, and tutorials, using an honors/pass grading system without the dimension "fail." During the first two "general education" years, work will be problem-oriented and multidisciplinary, with no required courses. In the latter two years students will be encouraged to become involved in their own work and in faculty research.

Variety of experience and interest appears to be the chief criterion for Purchase's selection of faculty. Faculty members are being hired whose research will interest students, and all the school's administrators will be teachers. Dr. Kaplan, President of the College, whose Ph.D. is from Columbia in Industrial Relations and who has served as a labor arbitrator, brought the first professional theatre company to a university campus (UCLA). Michael Hammond, Dean of Music, was a Rhodes Scholar in Classics from Lawrence University in Wisconsin; at Oxford he became interested in neurophysiology, which he was teaching at Marquette University when he decided that his real love was music. He was Director of the Wisconsin Conservatory of Music and Conductor of the Milwaukee Symphony Orchestra before coming to Purchase. Dr. Rene Dubos, University Professor and Director of Environmental Studies, author, lecturer, microbiologist, and, experimental pathologist, won the Pulitzer Prize in 1969 for *So Human An Animal*, and has been at Rockefeller University in New York.

Art and academics are a sexy combination, and their liaison at Purchase is generating a good deal of interest and curiosity. Instead of the traditional subjugation of the arts to lordly reason, and instead, too, of a youthful affair in which both parties lose their identities trying to jump into an interdisciplinary bed, the directors of SUNY at Purchase propose a relationship of proximate separateness, in which the arts and the liberal arts may communicate and cross-fertilize but remain essentially distinct, rooted in their respective disciplines.

THE NIXON DOCTRINE IN ACTION

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. SKUBITZ. Mr. Speaker, the operations by the Armed Forces of South Vietnam against North Vietnam-occupied sanctuaries in Cambodia and Laos that border South Vietnam illustrate the Nixon doctrine in action. We are providing air support to the South Vietnamese as they fight on the ground for the security of their country. We do so—not only to help South Vietnam—but to save American lives in Vietnam, enhance the progress of Vietnamization, and to

make it possible to return home additional thousands of American men from that area of the world.

President Nixon through his Vietnamization policy has begun bringing our forces home and we are now within sight of the time when only one American serviceman will remain in Vietnam for every two who were there when President Nixon took office. As administration spokesmen have said, the number of Americans in Vietnam will continue to decline in the months that follow. Secretary Laird has pointed out how other measurements of U.S. involvement such as casualties and budget costs are also down.

Last May—to enhance the program of Vietnamization, to bring about further reduction of casualties, to speed the process of bringing our troops home—American and South Vietnamese forces disrupted North Vietnam-occupied sanctuary areas within Cambodia. Because of these operations in Cambodia, American lives were saved and more Americans are coming back home. The southern regions of South Vietnam, which up to that time were under constant threat from the sanctuaries in Cambodia have achieved a far greater measure of stability and tranquility than they had known in several years.

Now, another operation is in progress—this time to disrupt other occupied sanctuaries in Laos and in Cambodia. There is a difference, however, as we have been assured that no American ground combat forces are or will be involved.

The current South Vietnamese operation in areas of southern Laos occupied and used as sanctuary areas by the North Vietnamese invaders is called Lamson 719. It was undertaken by the Armed Forces of South Vietnam to disrupt the North Viet flow of supplies and personnel into South Vietnam. We are supporting Lamson 719 with air and artillery from South Vietnam to enhance Vietnamization so that more American troops can be brought home and so that those who remain will be subjected to less danger. In my opinion, such actions are not a reversal of our policy of winding down the war, of reducing American troop levels, and of phasing out of combat activities in Southeast Asia. Rather, they will shorten the war in the absence of a successful negotiated end to the conflict and allow us to continue to cut American troop strength and casualties. In a few months, we will have turned over the ground combat responsibility of American Forces in South Vietnam—and it is only inside South Vietnam that our ground combat forces are deployed—to the South Vietnamese.

Let me emphasize the action against the Vietcong-held territory in Laos is limited. It is limited in two ways.

First. The ground combat forces are limited to South Vietnamese forces.

Second. It is limited to certain areas in the southern part of Laos which have been plainly under enemy control for years and which have been used for the storage of supplies and movement of North Vietnamese troops and supplies into South Vietnam and Cambodia.

WHITE HOUSE PROUD OF ITS FIGHT FOR BLACKS

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. VEYSEY. Mr. Speaker, I would like to call attention to a well-documented column by Victor Riesel which might well cause carping critics of the administration to take a new look at its accomplishments. In this instance Mr. Riesel discusses, among other things, what the administration has done for blacks, and he concludes that the record is worth looking at.

Says Riesel:

There has been no Nixon alchemy for instant gold in every ghetto. But there is a record. There is a gold flow in the hundreds of millions of dollars; there are fewer hungry children; lots more housing; far more infighting to get black workers into high-paying skilled construction workers unions; more black banks, more black businessmen, more black building contractors, more black college students.

The text of the column follows under the title "White House Proud of Its Fight for Blacks."

I include the article as follows:

WHITE HOUSE PROUD OF ITS FIGHT FOR BLACKS

(By Victor Riesel)

WASHINGTON.—At Camp David last weekend President Nixon's thoughts were as much on the bleak tobacco roads and asphalt jungles of America as on the bloody trails of jagged Laos. The poverty war at home was as much with him as the conflict abroad.

And as every realist, every insider here knows, there is a war within a war in the war on poverty. There is a Black Caucus, led by such articulate militant congressmen as New York's Shirley Chisholm, Michigan's John Conyers, Jr., Missouri's William Clay and California's Ron Dellums. They're stalking the President, anxious to see him inside the White House, eager to rip him politically outside. There was a meeting set for the week of March 21. But the gathering has been postponed.

The President and his special aides, facing a possible overheated summer, take an Al Smith posture and say, look at the record. And, comes the summer, this could be a burning question. It's worth looking at the record.

There has been no Nixon alchemy for instant gold in every ghetto. But there is a record. There is a gold flow in the hundreds of millions of dollars; there are far fewer hungry children; lots more housing; far more infighting to get black workers into high-paying skilled construction workers unions; more black banks, more black businessmen, more black building contractors; more black college students.

Attempts at profundity can be counterproductive, especially among us amateurs. Look for a moment at the untold story of the special White House task forces which have hit this nation's tobacco roads.

These are small teams, organized by Robert Brown, special assistant to the President. For almost two years now they have gone into the backroad communities in the South, in Appalachia, in Illinois, and West Virginia—wherever there are small towns, heavily populated by the poor, almost out of the money economy, missed by all the programs and unnoted by the previous poverty fighters.

In these "communities" exist anywhere from 10,000 to 15,000 folk, often hungry, jobless and almost always hopeless. But some 20 of the towns have been visited by Bob Brown's teams—made up of specialists from the Agriculture Dept.'s food section, from Housing and Urban Development (HUD) from the Dept. of Health, Education and Welfare (HEW) and the Labor Dept.

"We went into Roosevelt City (sic)," says Mr. Brown, "and found 10,000 black people. They had no recreational facilities and let's not talk of the sewage. And we went into Hobson City, Ala. We found no clean drinking water. Well, in the first town we got them grants for their needs in less than 10 days. In Hobson we got them drinking water facilities, and a lot more, in 30 days.

"Just look at a town called Robbins, Ill. They had the same problems there—sewers, no jobs, hopelessness. We went in. We got them a grant for 200 jobs. We got them a $2 million loan back-up and they're now working on water and sewage installation."

Point is that $50 million can be put into some central city and there'll be nothing for five years. But now put $10,000 to $50,000 into some small community and you get results—in human values—as well as sewer sociology in a month.

There's still lots of rot out on those tobacco roads of Appalachia, says Mr. Brown. But at least there's less of it. And there will be less and less.

There are other fronts—jobs, for example. Virtually unnoticed on March 1, the Philadelphia Plan was revisited. James Hodgson's Labor Dept. ruled that any federal contractor having private construction work in the area—meaning Philadelphia or any one of the 100 cities in which a black job goal and timetable for absorption is set—must go out and find black workers for his private enterprise as well as for those which get federal dollars.

This means that in 100 cities—and more soon—a contractor constructing an aircraft carrier at one end of the dock, and a shiny pizza pie oven in a plant at the other end, must go out and affirmatively hire black workers for both projects. This concept is revolutionary though its impact hasn't yet been felt.

Furthermore, on another front—the work front—there are quotas, a word which pains the White House and the Labor Dept., or goals, which is more euphemistic. There are definite numbers of jobs and very definitive timetables set for putting blacks to work in private industry. Also the Labor Dept. is moving towards taking over full control of apprentice programs and on-the-job training—which means the government will not need permission of the unions to cut the length of the training or increase the number of blacks and other minorities in the pipeline.

Furthermore, the government has increased by 1300 per cent the placement of procurement contracts with black firms. The dollar value is up from $7.6 million to $37.4 million. There now is $100 million flowing into black banks. More blacks are in high-level positions inside the government than ever before despite the resignation of the eloquent Jim Farmer.

And to pick at random from the White House record—in May 1969, food for the needy reached 6.9 million of our hungry and wretched. Today relief does get to 12.3 million. Early in 1969, there were more than 400 counties without food stamps or commodity programs. Now there are only 10 such counties in America.

Certainly there's a fight to be made. But let it be fought for the hungry, the ill-housed and ill-clothed.

Let there be reason. Ban the political bomb.

OPERATION LAMSON 719 HAS A DISRUPTIVE EFFECT IN SOUTHERN LAOS

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DEVINE. Mr. Speaker, for a number of reasons, we sometimes stand too close to the trees to see the forest. This was true for some of us when United States and South Vietnamese troops finally broke North Vietnam's stranglehold on Cambodia last May and June. As the months have passed, proving President Nixon's arguments to be correct, most of us now see the Cambodian operation in clearer perspective. Never again can the planners in Hanoi rely on Cambodian sanctuaries. The North Vietnamese can never be sure the stockpiles they build up on territory seized from a sovereign government will be available for their efforts to seize control of South Vietnam.

Operation Lamson 719 has now had this same disruptive effect ir southern Laos, and I am pleased to say there are far fewer of us who are missing the forest for concentrating on the trees. North Vietnam's lifelines to its forces in South Vietnam and Cambodia have been cut. Not permanently, for there was never any intent to occupy and control southern Laos as the North Vietnamese have done for years. Instead, as President Thieu made clear when Lamson 719 began, the intent was to disrupt. In an operation limited both in time and in scope, the aim of the South Vietnamese was to upset Hanoi's timetable for aggression in the south, and to introduce a factor of uncertainty with which North Vietnamese planners have never had to cope. Just as in Cambodia since last June, the leaders in Hanoi can never again be sure their stockpiles—in fact, their entire supply system developed with such painstaking care outside North Vietnam—will be available to support aggression against their neighbors in Southeast Asia.

True enough, South Vietnam's success in Laos has not been cheaply bought. These were in fact lifelines that were being cut, and the North Vietnamese reacted strongly. On occasion, and especially at first, South Vietnamese casualties were numerous and our own losses—mainly in aircraft crews and their aircraft—reflected the bitter fighting. But the toll exacted from the North Vietnamese was far, far higher, even though that fact has not been always so well publicized. I have no doubt that the final results of Lamson 719 will be reflected only in part in the widely disparate losses for each side. Just as in Tet 1968, when North Vietnamese losses among their combat leaders were so staggering but the crippling effect took time to become evident, and in Cambodia last year, when the disruption of enemy supply lines to South Vietnam took time for us to be sure of our success, the real impact of Operation Lamson 719 will only become clear as we approach next year's dry season. It will be then that we confirm what shows every sign of being true today—that the disruption caused by Operation Lamson 719 has seriously upset Hanoi's plans for aggression in the South.

As the operation moves now into its final stages, we can only imagine the frustration of the North Vietnamese as they face the oncoming wet season with their logistic system shredded in key locations, knowing that the lid has been ripped off the last of their crucially important sanctuaries in the territory of their neighbors.

Once again, the South Vietnamese, with our help, but this time only in a supporting role, have gained time in their fight to determine their own future without interference from outside. I applaud their bold stroke, and hope the success of Operation Lamson 719 moves us closer to the day when a negotiated settlement brings peace to Indochina.

"IT'S TIME TO REORGANIZE"

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. CONTE. Mr. Speaker, I would like to call the attention of my colleagues to an editorial on March 8, 1971, in the Boston Herald Traveler which notes that the President's recent proposals to reorganize the Federal Government have met a rather cool response on Capitol Hill.

The editorial calls Mr. Nixon's program long overdue, says it makes sense and concludes that it should be getting more serious attention and support from Congress than it has received to date.

I insert in the RECORD the full text of the editorial.

IT'S TIME TO REORGANIZE

President Nixon's recent proposals to *reorganize* the federal government, including a reduction in the number of Cabinet departments from 12 to eight, have met a rather cool response on Capitol Hill, and sharp opposition from several special interest groups.

The proposed reorganization, however, not only makes sense; it is long overdue. Despite the fact that the federal government's responsibilities have changed and expanded rapidly in recent years, there has been no major overhaul of its organizational structure in decades, and there has never really been a good shake-up from top to bottom.

In less than 20 years, three new departments have been added to the Cabinet, the number of major independent agencies has increased from 27 to 41, domestic programs have multiplied from barely more than 100 to approximately 1,400 (no one seems to know the exact number any more), 600,000 employes have been added to the civilian payroll and the federal budget has gone from $42 billion to over $200 billion.

Any private business which had experienced such phenomenal growth without examining and reorganizing its executive structure from time to time would probably have gone bankrupt long before now.

It is simply asking too much to expect departments and agencies—many of which were created over half a century ago to deal with the problems and administer the programs of a simpler era—to cope efficiently with problems and programs that exist today.

Under the existing set-up, for example, one Cabinet department is in charge of federal parklands and another department handles federal forest lands, though there is often no real distinction between the two. One department is in charge of wilderness areas, but another handles recreational areas, though the two functions might easily be combined. Programs involving health and nutrition are administered by separate agencies, and so are educational and job training projects, to cite a few of the many additional examples which prove the same point.

If there were ever good reasons for Washington to operate in this fashion, we can't think of a single one to justify continuing the practice any longer.

Nor can we think of any good reason why the President's proposed reorganization should be opposed on an ideological partisan basis.

The President's proposals were wholeheartedly endorsed recently by *Joseph A. Califano Jr.*, a Democrat who served as a special assistant to President Johnson in the last administration. Writing in the New York Times, Mr. Califano said that the Nixon reorganization plan "should make abundant good sense to conservatives and liberals alike." Conservatives should applaud it, he noted, because it offers "opportunities to eliminate overlapping programs and for more efficient operation and cost reduction." For liberals, he said, the reorganization could mean "a long step forward in our ability to convince the American taxpayer that we are providing government machinery capable of giving them something for the taxes they are paying."

Surely a plan proposed by a Republican president, endorsed by Mr. Califano and other prominent Democrats which is appealing to both conservatives and liberals should be getting more serious attention and support from Congress than it has received to date.

TOWARD A MORE RESPONSIVE REGULATORY STRUCTURE

HON. TOM S. GETTYS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. GETTYS. Mr. Speaker, recently the Conference of State Bank Supervisors—CSBS—published the results of a year-long study conducted by a special committee of that organization. The study is entitled "Toward a More Responsive Regulatory Structure."

As the title suggests, this resource document has as its objective a critical examination of our present decentralized banking and bank regulatory structure and the presentation of recommendations designed to improve the efficacy of the Federal and State bank supervisory agencies as well as to provide better banking in the public's interest. It is a thought-provoking presentation and deserving of our careful consideration.

The sponsor of this study, the Conference of State Bank Supervisors, has as its regular members the public officials in each State who are charged with the responsibility for overseeing the more than 9,000 State-chartered banks that make up the State banking segment of our dual banking system.

There were three general principles followed by the CSBS special committee in its recommendations concerning Federal regulation and law that affect State banks and State banking departments. These basic principles can be summarized as follows:

First. All supervisory authority over banks presently vested in the Federal Reserve Board and unrelated to monetary policy should be, to the extent that this authority is continued at all, transferred to the Federal Deposit Insurance Corporation. The Federal Reserve Board should concentrate its attention on monetary policy, and whatever additional authority it needs should be granted the Board in order that it might most effectively implement monetary policy.

Second. The Federal Deposit Insurance Corporation is the only Federal agency which properly should have any supervisory authority over State banks, and that authority should be limited to the management of its insurance risk. Additionally, the FDIC should be authorized to make a finding that a particular State banking department has adequate supervisory and examining capacities and to exempt its State-chartered banks from the supervision of the FDIC other than reporting rquirements which would permit the Corporation to assess its insurance risk. Of course the FDIC would be able to resume active supervisory authority over any insured bank in the event continued exemption raised serious problems in connection with the management of its insurance risk.

Third. Regulatory powers and activities of the Federal Reserve Board and the Federal Deposit Insurance Corporation that are not related to monetary control or insurance risk, respectively, should, in most instances, be reassigned to other agencies at the Federal and State levels.

There are other recommendations proposed in the CSBS study, which document I understand has been transmitted to the Federal Reserve Board, the Federal Deposit Insurance Corporation, other pertinent governmental agencies, and also to the Presidential Commission on Financial Structure and Regulation.

Naturally, some of the proposals are controversial and will meet with opposition from various sources but this should not deter careful consideration of changes which could produce a banking and bank regulatory system better able to serve us. This study is the product of much research and consideration by officials who are daily confronted with the problems of providing an innovative and efficient regulatory climate that will permit the banks under their supervision to provide in a sound manner for the increasing credit needs of our country. It is unique in that it contains not only recommended changes in the present regulatory structure but the procedures to accomplish these changes.

Mr. Speaker, I would like to include in the RECORD the introductory chapter of the study to which I have referred, inasmuch as this chapter summarizes in a clear manner the objectives and recommendations of the special committee appointed by the CSBS to report on our bank regulatory structure. I commend all chapters in this informative study to your attention. A copy of the study may be obtained at a nominal cost by writing to the Conference of State Bank Supervisors, 1015 18th Street NW., Washington, D.C., 20036.

The material follows:

TOWARD A MORE RESPONSIVE REGULATORY STRUCTURE

BACKGROUND

Banking, to meet public needs and convenience most effectively, must not only have skilled, ambitious and creative management, but must also have meaningful, efficient, and flexible regulation. This is especially important in the period ahead when it seems likely that the nation faces a chronic shortage of capital and the banking industry will face demands requiring significant change. An improved bank regulatory structure can appreciably benefit the public during this forthcoming period.

The Conference of State Bank Supervisors' (CSBS) Special Committee on Restructuring the Bank Regulatory System was formed in December 1969, but its genesis goes back much further. In 1965, the Conference (then NASSB) decided to delay further recommendations regarding the federal bank regulatory structure until research had been carried out to determine what constituted adequate bank supervision at both the state and federal level and a program launched to assist state banking departments which currently might not be meeting such standards of adequacy. Initial research carried out in 1968 and 1969 resulted in the publication of a major resource document, *The Supervision of State Banks: Purposes, Standards, and Responsibilities* in June 1969. Immediately thereafter the Conference began a self-evaluation program in state banking departments designed to identify weaknesses and to obtain data needed for developing meaningful standards of supervisory performance.

Progress with the above-mentioned prerequisites as well as recurring talk of a Federal Banking Commission, the trend toward increasing federal control over all banks with a concomitant decreasing reliance upon state law as the standard for both state and national banks (e.g. Truth-in-Lending Act, Bank Protection Act), and the prospect that a Presidential Study Commission might be appointed, led the Conference in December 1969 to appoint the Special Committee. The Committee was charged with thoroughly examining the existing bank regulatory structure, assessing its strengths and weaknesses, and recommending changes that would benefit the public, produce supervisory parity, and reduce unnecessary supervisory duplication.

A. NATURE AND SCOPE OF THE STUDY

The Committee's concern was with the ability of state-chartered banks and state banking departments to serve the public. While the following analysis and recommendations are not without significance to banking as a whole, attention is focused on those features of federal banking agency regulation which apply to state-chartered banks. The problems and issues of importance in banking today are many—bank powers, nonbank competitors, bank structure, credit flows, the regulatory framework—but this study deals only with the last of these: problems and issues related to the bank regulatory structure.

While such a study should not (and this one does not) ignore state regulation, the focus is on the federal regulatory structure. This is perhaps necessary because state regulation must in part be a reflection of the role played at the federal level. In addition, this study builds not only upon a close familiarity with the nation's state banking departments but also upon careful attention to the comprehensive program currently being conducted by CSBS to produce a standardized self-evaluation by each state banking department and to develop model guidelines or standards for adequate supervision.

This study examines in detail the existing regulatory structure and its evolution, and discusses the principal functions of the Federal Reserve Board and the Federal Deposit Insurance Corporation (FDIC) and the circumstances that brought them into bank supervision. It then looks at the need for restructuring with emphasis on an evaluation of the decentralized nature of the present system. Prior to examining specific powers of federal agencies, the study recommends a framework for an improved working relationship between state banking departments and the FDIC and suggests changes in the administrative structure of the FDIC. Specific recommendations are then made regarding needed changes in the allocation of monetary, insurance, and other powers now carried out by the Federal Reserve Board and the FDIC.

B. OBJECTIVES AND PRINCIPLES

The objectives of this study were twofold:

1. to explore the development and assess the benefits of a decentralized banking and bank regulatory system; and

2. to recommend changes in the regulatory framework which would increase regulatory efficiency, preserve the advantages of decentralization, increase the efficacy of monetary policy, provide greater consistency in regulatory decisions. They would enable banking in the public interest.

The changes recommended would reduce duplication and resulting conflicts and delays in regulatory decisions, and provide better the Federal Reserve System to more effectively concentrate on maintaining a generally healthy economy and give the Federal Reserve Board additional powers to carry out that function. These changes would reduce the inconsistencies which now attend some merger decisions and make more uniform the application of laws that apply to other business firms as well as banks. Finally, they would increase the flexibility and adaptability or the banking system by providing for regulation more responsive to changing public needs by being more market or community oriented.

There were three principles followed by the Committee in recommending changes in federal law and regulation applicable to state banks which can be summarized as follows:

1. The Federal Reserve Board should concentrate its attention on monetary policy, and federal functions relating to the supervision of state banks should be concentrated in a single agency if more responsibility is to be assigned to the states. Accordingly:

a. all supervisory authority presently vested in the Federal Reserve Board that is unrelated to monetary policy should be, to the extent it is continued at all, transferred to the FDIC;

b. additional authority should be granted the Federal Reserve Board to the extent needed to effectively implement monetary policy.

2. The FDIC is the only federal agency which should have any supervisory authority over state banks and that authority should be limited to the management of its insurance risk. Recognizing, however, that it exercises supervisory authority over state banks in some states which could not currently carry out that responsibility alone were supervisory authority of the FDIC drastically curtailed, a first step should be to institute a system of exemption to permit those states able to "go it alone" to move immediately into a more independent position, with other states achieving exempt status upon meeting corresponding standards. Accordingly:

a. supervisory authority of the FDIC over state-chartered banks should be limited to those activities which directly relate to insurance risk;

b. an agency or body should be authorized to make a finding that a particular state banking department has adequate supervisory and examining capacities and to exempt its state-chartered banks from supervision of the FDIC other than reporting requirements which would permit the FDIC to assess its insurance risk;

c. this agency or body would be authorized to recommend "reentry" into active supervision by the FDIC in the event continued exemption raised serious problems of management of insurance risk.

3. Regulatory powers and activities of the Federal Reserve Board and the FDIC not related to monetary control and insurance risk should, in most instances, be reassigned to other agencies at the federal and state levels. Included are such regulatory activities as merger approvals, truth-in-lending, securities regulations, etc. Specific recommendations are summarized in Table 1.

C. SUMMARY OF RECOMMENDATIONS

The Committee made recommendations of three general types: (1) those transferring or eliminating a federal regulatory activity; (2) those clarifying or providing additional regulatory authority to the Federal Reserve to carry out monetary policy; and (3) those affecting the administrative relationship between the FDIC and state banking departments.

1. Recommended transfer of regulatory authority

Table 1 below summarizes the recommendations for transfer of regulatory authority. In some cases, these transfers would give the recipient totally new responsibility, in others they merely consolidate already existing authority in a single agency which previously shared responsibility. Items 10 and 11 in the Table deserve some comment regarding the role of the FDIC. The Committee's recommendation is that the FDIC accept condition and examination reports in lieu of their own from "certified" state banking departments. In other states and in cases of special data needs or bank difficulties, regular and special examinations would continue to be conducted as needed by the Corporation.

TABLE 1.—RECOMMENDED TRANSFER OF REGULATORY AUTHORITY

Authority over	From	To
1. Consolidation, merger and purchase of assets	FRB and FDIC	States[1]
2. Holding companies	FRB	FRB
3. Consumer credit protection	FRB	FTC
4. Deposit interest advertising	FRB and FDIC	FTC
5. Lottery participation	FRB and FDIC	Justice
6. Stock certificate representations	FRB	SEC
7. Securities Exchange Act	FRB and FDIC	SEC
8. Branch authorization (domestic)	FRB and FDIC	States
9. Capital requirements	FRB and FDIC	States and FDIC
10 Reports of condition	FRB and FDIC	States (FDIC)
11. Examination	FRB and FDIC	States (FDIC)
12. Affiliate transactions	FRB	FDIC
13. Real estate loan sales; trust powers	FRB	States
14. Dealing in securities, etc	FRB	FDIC
15. Investment in bank premises	FRB	States
16. Bank service arrangements	FRB	FDIC
17. Interlocking directorates	FRB	FDIC
18. Protective devices	FRB	FDIC
19. False check certification	FRB	FDIC
20. Interest on deposits	FRB and FDIC	FRB

[1] The Department of Justice would retain existing control under the antitrust laws.

If the recommended transfers took place, the most significant initial impact would, of course, be on the Federal Reserve Board. Coupled with other recommendations discussed below, the Board, with no diminution in data or access to reports and records, would be able to concentrate to a far greater extent than at present on monetary policy and general economic conditions. State member banks would find themselves subject in terms of supervision, to more nearly the same rules and conditions as their non-member counterparts, and all state-chartered banks would come far closer to supervisory parity with federally chartered banks. State banking departments would have authority consistent with their responsibility and the opportunity and incentive to achieve full parity with the federal chartering agency. In addition, duplication of effort and conflicting decisions or opinions between state banking departments and the Federal Reserve Board or state banking departments and the FDIC would be largely eliminated.

A regulatory matter which applied to all business, not merely commercial banks, would be administered by a single agency thus increasing the consistency of decisions. The FDIC would have, where the management of insurance risk was involved, the necessary authority over all insured banks, but would no longer be involved in management decisions divorced from insurance (e.g. branches) or related to monetary policy (e.g. interest on deposits). All the above mentioned would benefit the public by increasing the efficacy of public policy in general economic and banking matters and providing greater scope for flexibility in bank regulation.

2. Recommendations for new regulatory authority

The Committee had no intention of restricting Federal Reserve Board access to data. Accordingly, it strongly recommends that the Board be given clear and unquestioned access to the condition, dividend, and examination reports of the states, the Controller of the Currency, and the FDIC. In addition, the Board should have the authority, upon a finding that such is necessary for monetary policy and not available from other sources, to conduct such research, studies, and inquiries as needed involving any insured bank. Such authority would serve further to assure for the Board a continued voice in helping to determine the questions to be included in the report forms used by the other agencies.

To assure uniformity of treatment and to strengthen monetary policy, control over foreign branches and the acquisition of stock in foreign banks should be retained exclusively in the Federal Reserve Board and extended to all insured banks.

Provisions relating to the control over the speculative use of credit should be strengthened by making them applicable to all insured banks.

To assure that the authority of the Federal Reserve Board in the pursuit of monetary policy is neither implicit nor indirect, references to "state member banks" in the Federal Reserve Act should be amended to read "all member banks."

Without making specific recommendations, the Committee also strongly urges careful study of the necessity for control over reserve requirements and interest payments on deposits. It also believes that equity and efficacy suggest the need to examine the desirability of extending Federal Reserve authority to insured financial institutions other than member banks.

3. Recommendations affecting the administrative relationship between the FDIC and State banking departments

The Committee recommends a revision in the administrative structure of the FDIC to provide for a president who would serve as the chief executive officer of the Corporation and as chairman of a reconstituted board of directors. The president would have essentially those powers of the present board (except those transferred as per Table 1), but capital adequacy, cease and desist, and insurance termination would be powers transferred to the reconstituted board of directors.

The Committee recommends that the reconstituted board be given power to promulgate and issue regulations and have a discretionary appeals capacity regarding decisions by the chief executive officer of the Corporation.

Finally, the reconstituted board would have the responsibility for "certification" of fully qualified state banking departments, such certification resulting in FDIC acceptance of condition and examination reports from those states in lieu of their own and in automatic insurance of new banks chartered by those states. Certification would be based upon a recommendation of a "visiting evaluation team" which would appraise state banking departments upon request. The Committee recommends that the FDIC work with CSBS in their present Self-Evaluation Project to determine standards of acceptable supervision and to develop a satisfactory procedure for appraisal and certification.

A certification process would allow the FDIC to devote more time to problem banks, would provide incentives to states to improve their state banking departments, would eliminate duplication and conflicting decisions, and would speed up the regulatory process especially in the matters of new charters and branch approval.

CAPITOL HILL POLICE FORCE

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. JACOBS. Mr. Speaker, since the recent bombing of our Capitol, I have heard several references made to the alleged incompetence of the Capitol Hill Police Force. I feel that it is time that this false impression be corrected. The Capitol Police are performing a difficult but necessary function here, and they do it professionally and well. In a time when cries for law and order are common, we have the Capitol Police to thank for the degree of law and order that exists on Capitol Hill.

Recently I have learned that our thanks to these men are inadequate. These past few weeks, when working double time was not uncommon, the Capitol Police Force has not received any overtime pay. These men are professionals and they deserve our full gratitude for the fine job they are doing. Yet they are one of the few police forces in the country that does not receive any extra pay for working overtime.

There is no way that we can be completely insulated from the danger of irrational violence. Nothing can prevent acts such as the recent bombing, unless we institute such security measures as personal searches or visits by authorized personnel only.

These measures would be unfortunate. We are approaching the peak tourist season in Washington, when many people come to see their Government in action. The Capitol has always been open to its visitors and we have the excellent work of the Capitol Police and the good will of

the American people to thank for the extraordinary record of safety here.

I suggest that we show our gratitude in a tangible way, rather than with pleasant words alone. Reforms should be made, allowing the Capitol Hill Police to receive wages in accord with the laws applying to others that we have passed on minimum wages and maximum hours. Since these men are doing such an excellent job, let us return their service by correcting their unjust pay system.

THE GLOBAL SOVIET NAVAL CHALLENGE

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. HOGAN. Mr. Speaker, I must reiterate the necessity of building up our seapower. While the Soviet Union continues to develop an extremely powerful navy, we appear to be practically standing still in comparison.

In the December 7, 1971, Washington Report, appeared an article written by Dr. Anthony T. Bouscaren, a political science professor at LeMoyne College. Entitled, "The Global Soviet Naval Challenge," this article pointed out the tremendous strides being made by the Russian Navy. Dr. Bouscaren presented some very sobering statistics which I wish to insert for my colleagues' perusal:

THE GLOBAL SOVIET NAVAL CHALLENGE

Despite the tremendous technological progress made in air transportation and strategic weapons systems in this century, free use of the seas—which cover three-fourths of the earth's surface—continues to be essential to the security of this country, whether to defend ourselves or our allies. Ninety-seven percent of all the material sent to Vietnam has gone by sea.

Fully cognizant of our dependence on seaborne transportation, the Soviet Union has developed a naval strategy aimed at interdicting our sea lanes. Since World War II they have placed increasing priority on submarines, aware of the fact that the last two world wars were almost lost because of the Allied problem in keeping the sea lanes open.

EXPANDED ROLE OF THE SUBMARINE

With the rapid advancement of technology since the end of World War II, the role of the submarine in naval warfare has expanded. Nuclear power, long range missiles, sophisticated electronics, computers—all combine to make the submarine many times more potent and versatile than before. The nuclear-powered ballistic missile submarine has become our most viable deterrent strategic weapon. The Soviets are presently engaged in a massive construction program to build a fleet of similar submarines, and a part of this fleet is now on station off our coasts. Present projections indicate that by mid-1974 their ballistic missile submarine fleet will equal ours. The Soviets are also building large numbers of high-speed, torpedo-firing nuclear-powered submarines which can fire long-range cruise missiles, capable of being armed with conventional or nuclear warheads. Ships of the Soviet Navy are systematically present in all oceans, challenging the Allied control of the seas.

SOVIET CONSTRUCTION PROGRAM EXCEEDS OURS

Starting with 200 diesel-powered submarines at the end of World War II, the Soviets embarked on the largest "peace-time" submarine construction program in history, producing over 570 modern submarines in 25 years—most designed for long-range operations. During the same period we built 105 submarines. In two years alone—1955 and 1956, the Soviets completed 150 submarines, one and one-half times the total number of submarines produced in this country during the past 25 years. The Soviets now possess the largest and most modern submarine building yards in the world, giving them several times the nuclear submarine construction capacity possessed by the United States. In addition, ten times as many naval architects and marine engineers are graduating in the U.S.S.R. than in the U.S. According to the latest unclassified data the Soviets now have between 355 and 363 submarines, all built since 1945, with at least 75 being nuclear-powered. The total U.S. force is 147, of which 88 are nuclear-powered. Based on current force levels and estimated Soviet nuclear submarine building rates, they will be ahead of us numerically by the end of this year.

One of the new Soviet sub designs is the YANKEE class nuclear-powered ballistic missile boat, introduced in 1968. These submarines are very similar to our ETHAN ALLEN Polaris submarine, and are capable of launching 16 ballistic missiles submerged. The Soviets now have 13 of the YANKEE class operational and they are building 12 a year. It is estimated that they will surpass our Polaris fleet by mid 1973.

SOVIET NAVY A WORLD-WIDE FORCE

The Soviet submarine force, like the entire Soviet Navy, has become capable of sustained open-ocean operations and is being used in support of foreign policy in many areas of the world. During the recent large-scale naval maneuvers that included over 200 ships in both Atlantic and Pacific Oceans and nine adjoining seas, the Soviets deployed a large number of nuclear submarines away from their home bases, supplied by large sea-going tenders capable of remaining at sea for six months, servicing and repairing submarines while underway. Commenting on these maneuvers, Soviet Admiral Gorshkov, Commander-in-Chief of the Soviet Navy declared: "Whereas until quite recently some areas of the world's oceans were considered restricted areas in which the navies of the imperialist powers ruled supreme and where our ships seldom ventured, now there are no such areas."

The Soviets are pulling ahead both in the speed of their submarines and in submarine weaponry. They possess a torpedo capability comparable to our own, and they have also successfully developed and put to sea some 65 submarines capable of firing long-range cruise missiles. These boats represent a threat to our world-wide surface shipping, our naval surface forces, and our free use of the seas. We do not possess a comparable weapons capability.

By the end of 1975, when we put into operation the last submarine currently authorized, the United States will have a total of 109 nuclear submarines. During the same period the Soviets will probably add at least 70 nuclear subs for a total of between 145 and 153—giving them a numerical superiority of fifty percent in nuclear submarines. We are building only three submarines a year, while the Soviets are building ten to twelve.

Admiral Hyman Rickover, among others, have recommended that the current high speed attack submarine (SSN 688 Class) building program be increased from three to at least five per year. He also recommends commencing on a new design high-speed submarine capable of firing long-range submarine-to-surface cruise missiles. To increase the invulnerability of the Polaris submarine, Admiral Rickover advocates increasing the range of the missile—thus providing greater ocean areas to hide in. This means pushing ahead with the development of the Underseas Long Range Missile System (ULMS).

There is some evidence that the Soviets have developed a base in Cienfuegos, Cuba, which can service its submarine fleet in this part of the world. One of the many advantages of the base would be a facility for the repair and adjustment of ballistic missiles carried by the YANKEE class sub. The development of this base provides the Soviets with an additional option for offensive strategy.

With the achievement of superiority in ICBM's, the development of space weapons, the rapid build-up on the seas and the elaborate and sophisticated support given to subversive movements in this hemisphere, the Soviets would appear to be on the threshold of a major break-through, far exceeding the temptation of 1962 which led to the Cuban missile crisis.

SEA-BASED ESPIONAGE

For some time now, the Soviets have been conducting an elaborate program of espionage against our military and space installations all along the Atlantic coast. The port of Charleston is one of the bases for our Polaris nuclear submarines. Soviet spy ships have been repeatedly sighted near the harbor waters at Charleston, sometimes anchoring right by the harbor buoy at the entrance to the port, to record the "sonic signatures" of the Polaris submarines and other U.S. naval vessels entering or leaving the port. A notorious case concerns the activities of the Soviet trawler *Laptev*, in its efforts last July and August to monitor the test firings of the Posiedon missile from the U.S.S. *Madison*, based at Charleston. The harassment by the *Laptev* actually caused the postponement of the Poseidon test launch, and almost involved a serious accident at sea.

The *Laptev* is a Soviet intelligence collection ship—AGI—and only nominally a trawler. Designated as the *Khariton Laptev*, this vessel is listed by Jane's[1] as an oceanographic survey ship of the *Nikolai Zubov* class. The Soviet Union has deployed intelligence collection ships in electronic surveillance operations against U.S. naval and land targets since the end of the Korean war. Soviet AGI's have operated along the east coast of the United States with patrols lasting about two months. Their main area of interest has been the Virginia Capes, amphibious training areas off the North Carolina littoral, naval operating areas off Charleston, and Cape Kennedy. Such patrols also cover the Puerto Rico naval operating areas and U.S. space vehicle recovery areas. Soviet AGI's which have operated off the east coast during the past year are as follows: *Teodolit* (12 Aug. 1969 to 1 Nov. 1969), *Krenometr* (28 Oct. 1969 to 3 Jan. 1970), *Lotlin* (20 Jan. 1970 to 2 April, 1970), *Teodolit* (31 March, 1970 to 13 June, 1970), and *Laptev* (2 June, 1970 to present).

THE CARIBBEAN

With respect to the Cienfuegos submarine base, when it becomes fully operational, the Soviets will have the capability not only of reaching our south, southwest and midwest, but also the Panama Canal and much of central and South America. Nuclear missiles fired against the United States from a Caribbean launching area would, of course, outflank our IBM defenses in Montana and the Dakotas. Thus all the more urgency to place part of our IBM defenses at sea in the Navy's mobile SABMIS[2] system.

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[1] Jane's Fighting Ships, 1970.

[2] SABMIS—Seaborne Anti-Ballistic Missile Intercept System.

The threat of Soviet subs in Cienfuegos is not limited to that posed by YANKEE class missile boats. The Caribbean is our principal highway for transportation of South American strategic raw materials to this country; it is also the Atlantic approach to the Panama Canal, as well as the route that tankers must traverse to move Venezuelan oil to the United States and Europe.

Those who forever argue against any strengthening of our armed forces to meet Soviet escalation have said: "How can we blame the Russians for the Cienfuegos base if we have Polaris bases in Scotland and Spain?" One answer is that Holy Loch (Scotland) and Rota (Spain) are a thousand miles from the U.S.S.R. while Cienfuegos is but 150 miles from the United States. In 1962 the doves equated our belated response to the Soviet build-up in Cuba to the initial placement of IRBM's[3] in that country. They fail to distinguish between the use of force for offensive and defensive purposes.

THE MEDITERRANEAN

Of almost equal concern is the Soviet naval build-up in the Mediterranean the Soviet fleet has port facilities at its disposal in Port Said, Alexandria and Latakia (Syria). It has also made use of facilities in Algeria. Thus far Soviet fleet activities appear to have primarily political and intelligence objectives. But there are situations where the Soviet fleet could threaten vital communications routes of the three southern flank countries—Greece, Italy and Turkey—which depend on sea routes to carry the great bulk of their imports and exports. The Soviet fleet is in a position to hinder British, French and American submarines and the Sixth Fleet. The presence of landing vessels in the Soviet fleet gives it the capability of carrying out operations which could adversely affect Albania, Yugoslavia, Israel and Lebanon. Finally, increased Soviet activity in the Persian Gulf and in the Middle East oil-producing states and the presence of the Soviet fleet in the Mediterrean could be viewed as part of a long-term strategy aimed at establishing a major influence in the oil-producing states.

Soviet activity in the Mediterranean has not been confined to the build-up of a permanent fleet. Soviet technicians and military advisers have been placed in Egypt, Syria, Algeria, and perhaps Libya as well. The post-1967 build-up in Egypt has led to the present crisis, including the Egyptian violations of the cease-fire. The strategic naval base of Mers-el-Kebir could be used by Soviet submarines and naval vessels to track the passage of western submarines and naval vessels between the western Mediterranean and the Atlantic.

Soviet naval expansions in the Mediterranean is part of a new Soviet global naval strategy, which encompasses the North Atlantic, Caribbean and Indian oceans and the Persian Gulf. Soviet naval strength has changed in recent years from being primarily a defensive fleet to being a more aggressive one, particularly in view of the greater emphasis on long-range submarines, landing craft and the introduction of Helicopter carriers.

Soviet Fleet Admiral Gorshkov said recently: "The pride of our navy is atomic submarines, which are fitted out with missiles of various purposes which can be launched from under water. The submarines, together with naval missile-carrying and anti-submarine aviation having high-speed, long-range airplanes, are the basis of the striking might of the Navy."

The Soviet challenge is there for all to see. What will our response be?

[3] IRBM's—Inter-mediate Range Ballistic Missiles.

JIM WIEGHART OF NEW YORK DAILY NEWS REPORTS ON INDOCHINA WAR—I

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1971

Mr. REUSS. Mr. Speaker, Jim Wieghart, formerly a reporter for the Milwaukee Sentinel, and now military affairs reporter for the New York Daily News, recently spent several weeks in Vietnam and wrote a series of perceptive articles on U.S. involvement in the war which continues to rage in Indochina. I commend the first of his articles to my colleagues:

BUNKER EYES THE FUTURE OF VIETNAM

(By James Wieghart)

Saigon, Jan. 27—American Ambassador Ellsworth Bunker said today that the fact that the South Vietnamese lunar new year turned out to be just another quiet work day for him is evidence of the "real progress" that allied forces have made in the long, bitter war against the Communists.

He recalled that on this holiday three years ago, the Viet Cong and North Vietnamese were able to launch a nationwide series of attacks on major South Vietnamese cities, including an intense seven-hour assault on the United States embassy in the heart of this city.

Today, in an hour-long interview, Bunker outlined the military, political and economic progress made by the allies.

He spoke with cautious optimism of the future—a future in which the last of the U.S. forces would be withdrawn and the war's full burden would be carried by Saigon under the Vietnamization program.

"I think there is good reason to believe they (the South Vietnamese) will come through in great shape after the American redeployment," Bunker said. "Then, of course, the war will be over for us, but not for the South Vietnamese. Given continued economic assistance, they will be able to handle it.

A POWERFUL MILITARY ORGANIZATION

"The South Vietnamese now have the most powerful military organization in this part of the world. As we redeploy, our costs will go down by the billions of dollars per year, and the South Vietnamese costs will go up by the millions, so continued economic assistance will be relatively cheaper."

Bunker believes that the toughest test facing Saigon this year will be a political, not a military one. Elections for the lower house and the presidency this fall make 1971 a critical year for the government headed by President Nguyen Van Thieu.

"The constitutional process will be tested," Bunker said, "and I think there is good reason to believe the South Vietnamese will meet the test, as they did during the 1967 elections."

He pointed out that in 1967, when the Viet Cong controlled a much larger chunk of the country than they do today, they failed to discourage widespread participation in elections through a campaign of terror.

Because this tactic has failed, and voter turnouts of up to 80 and 90% have been registered in that and subsequent local and provisional elections, Bunker expects the Communists to take a different approach this fall.

PEACE CANDIDATE

"I think they will try to create disorder," he said. "They will try to use dissidents and student activists to stir up trouble, and they may try to support a 'peace candidate' or someone they feel they can deal with."

With the presidential elections more than nine months away, the campaign has not yet gotten underway. But it appears certain that Thieu will be opposed by Big Minh—former Maj. Gen. Duong Van Minh—and possibly one or two other candidates.

Bunker will give President Nixon a report on the Vietnamization program when he visits Washington for routine consultations next week. He plans to stop off in Paris for meetings with the U.S. peace negotiations team headed by Ambassador David K. E. Bruce on his way back to Saigon.

A MAJOR FACTOR

Bunker's report will be a major factor in Nixon's decision on further U.S. troop withdrawal after the pullback of 150,000 by May 1 is completed. By May 1, the U.S. troop level will be about 285,000, which is about 265,000 below the peak level of 549,000 when Nixon took office.

On the intensifying war in Cambodia, where North Vietnamese regular forces appear to be striking at will around Phnom Penh, Bunker was cautious.

Considering the fact that the Cambodians had only a token force of about 35,000 relatively untrained men when the Communist onslaught began last year, he said, "they (the Cambodians) have done better than we had any right to expect." If the Lon Nol government can get through the dry season of February, March and April, it will have a "good chance" for survival, he said.

Looking fit and tanned from a recent sailing trip aboard a Navy sloop in the South China Sea and appearing much younger than his 74 years, Bunker concluded the interview by brushing away the rumor that he plans to retire soon.

WAR IS NOW A SCATTERED THING

Camp Edwards South Vietnam, Jan. 29—"Bravo Company reports its forward platoon under small arms fire from an unknown number of enemy, sir."

The radio operator's urgent call brought Col. David E. Grange back into the operations center just as he was leaving to conduct a visiting reporter on a tour of the underground bunker used as his headquarters for the 3d Brigade, 101st Army Airborne Division.

"They report the enemy has withdrawn, contact broken off and ask for urgent medivac for six casualties," the operator added, "and medivac says its choppers are standing by ready to go."

"You tell those choppers to stand fast until I find out how serious those wounds are," Grange replied. "I'm not going to risk four lives trying to get a chopper into those mountains with zero visibility for simple gunshot wounds that can be treated there by the corpsmen."

EAGER-BEAVER CHOPPER HOPPERS

Then, to the reporter, Grange explained: "Those chopper pilots are fearless. They'll fly anywhere. Lost a four-man crew last week trying to bring out a boy with a flesh wound.

When after a few minutes he learned that none of the wounds was serious, Grange ordered the medivac held up until the rain and fog lifted.

Camp Edwards is 20 miles northwest of Hue and 40 miles south of the North Vietnamese border. Most of the brigade's troops work out of remote mountain fire-bases, muddy clearings hacked out of the towering forest. In several months, when the monsoon rains lift, the firebases will be moved westward, deeper into the mountains along the Laotian border used by the North Vietnamese as a supply and infiltration route.

Flying over the brigade's sector in his helicopter, Grange, 45, of Lake Ronkonkoma, L.I., said: "We take most of our casualties now

from small, hit-and-run attacks and booby traps. The Viet Cong main force units and North Vietnamese have pulled back into the mountains, and into Laos."

BATTLES NOW ARE HUNT AND SEEK

This wasn't the case during Grange's first two tours in Vietnam, when pitched battles involving battalion and even regiment-size units were fought in heavily populated areas along the coastal plain. Now, the populated areas have been cleared, and the U.S. and Vietnamese forces hunt an increasingly elusive enemy who has melted away into the mountains and valleys to the west.

Like most American officers, Grange has overcome an initial skepticism about the withdrawal of U.S. forces under the Vietnamization program and now supports it enthusiastically.

"The South Vietnamese army has come a long way," he said. "Some of their units, like the 1st Division, are every bit as good as ours. In a little bit of time, I think they will be able to handle the war alone."

A PROBLEM IN THE FAMILY

The war became much more personal to Grange several weeks ago when his only son, Lt. David L. Grange, 23, was seriously wounded in a booby-trap explosion that killed two other men in the 3rd Brigade and wounded a battalion commander, Lt. Col. Joseph Bellochi, of the Bronx.

"He is coming along fine, though," the colonel said of his. "He's recovering in a Navy hospital in Guam from a broken left arm and shrapnel wounds in the legs, chest and face.

"I hate those damned booby traps. It's the kind of thing that makes you itch to catch up with those guys."

MIDNIGHT AND MIDDAY COWBOYS THRIVE IN SAIGON

Saigon, Jan. 30—It's just a few minutes before the 1 a.m. curfew and a slightly tipsy middle-aged American construction worker hurries down Nguyen Hue, a main downtown thoroughfare, to get to his hotel.

Suddenly, he is jumped by a gang of club-wielding Vietnamese youths who beat him, tear off his watch and grab his camera and billfold.

Their mission completed, the 10 or more cowboys as they are referred to scornfully by GIs here—continue to whale away at the bewildered, futilely struggling U.S. civilian, apparently for pure sadistic pleasure. Hearing the scuffle, this reporter and another American run to the scene and the cowboys run off into the night, laughing.

WRITER'S GLASSES STOLEN

On still another day, a young Vietnamese boy stole the bifocals off the face of a startled American correspondent. Practically blind without his glasses, the correspondent asked for help from a Vietnamese policeman. The policeman offered to obtain return of the glasses for 1,000 piasters (about $3.60), and the correspondent readily agreed. In a few minutes the policeman returned with four pairs of glasses. One of them belonged to the relieved correspondent.

Ten days ago, my first full day in Vietnam, my pocket was picked by two smiling Vietnamese boys and a girl while I was sightseeing in broad daylight on a busy downtown street.

Luckily, I was able to catch the girl who, unfortunately did not have my billfold. I turned her over to the Vietnamese police and after a two-hour delay and after I agreed that the girl could be released if my billfold was returned, it mysteriously appeared at the USO office, minus $123 and about 10,000 piasters. Asked about the missing money, the police professed ignorance of the entire matter.

SAIGON HAS DEEPEST SCARS

These incidents are significant only because they illustrate one of the many ironies of this seemingly endless and paradoxical war which has raged up and down South Vietnam for more than 25 years.

Saigon has become basically a parasitic city and much of its teeming population of 2.5 million is made up of refugees, orphans and crippled war victims—displaced homeless and occupationless people.

They—the young and the old, male and female—must live by their wits. The honest and physically incapacitated ones beg on street corners or try to eke out a living shining shoes or performing menial services for Americans or the more affluent Vietnamese. The pretty young girls sell themselves, operating from streets, downtown taverns or the string of second-rate hotels that cater to GIs in town on leave.

The wily, the healthy and the strong find more lucrative pursuits—they rob, peddle dope or sell black market merchandise, usually stolen from the American PX or military supply depots.

Whichever means these thousands of displaced war victims settle on to make their living, they are everywhere visible in downtown Saigon.

It is impossible for an American to walk for several blocks without being besieged by beggars, propositioned by black marketeers seeking to trade piasters for dollars at almost double the official 275-to-$1 rate, or solicited by prostitutes.

A SYMBOL OF THE WAR

What is more, they have become increasingly anti-American and their hostility seems almost electric. To them, the overwhelming American presence of the last few years has become a symbol of the war and their own plight. And Americans, both civilians and servicemen, are increasingly reacting in kind, frequently regarding all Vietnamese with a suspicion, sullenness, belligerence and cynicism, which only worsens the problem.

American and South Vietnamese authorities are aware of the problem and admit privately that they are seriously concerned. To help relieve the growing tension, the U.S. Military Command has removed all major American units from the Saigon area, leaving behind only the logistics, communication and headquarters personnel needed to keep the command functioning.

In a recent interview, U.S. Ambassador Ellsworth Bunker said the Saigon government was taking steps to crack down on crime, black marketeering and corruption and to dispel anti-American sentiments.

CALLS IT NATURAL DEVELOPMENT

To Bunker, the situation here is similar to the wave of "Yankee-go-home" sentiment that swept Britain and much of Europe after World War II. He believes it is a natural development that will dissipate as the U.S. withdrawal continues.

But many of the GIs, most of whom were not yet born in 1946, are not so philosophical about the situation. One young Army infantry sergeant made this observation as he was returning to the field after a weekend in Saigon:

"This is a crummy place and they are crummy people. We come over to help them, risk getting shot and they show their appreciation by robbing us blind. We should just get the hell out of here and let them fight their own lousy war."

MONTAGNARDS A VIET HEADACHE

PLEIKU, January 31.—Three times South Vietnamese provincial and American advisory teams moved an isolated community of about 200 Montagnards from their ancestral hamlet in Viet Cong-controlled territory into a more secure area nearby, with good water and well constructed shelters.

Each time most of the young men slipped off, electing to stay behind. And each time, after a month or so in their new quarters, the resettled Montagnards drifted back to their old lands and into the hands of the Viet Cong, who promised to provide security in exchange for a rice tax and recruitment of the community's men of fighting age.

AREA A KEY POINT

Now the community has been resettled by the American-South Vietnamese provincial advisory team for a fourth time left unanswered is the question of whether this resettlement will be successful.

The resettlement of this community and dozens of similar ones with populations total about 20,000 will be a key factor in determining the success or failure of the pacification program in this highland province lying along the Cambodian border at the foot of the Ho Chi Minh infiltration trail from North Vietnam.

The Saigon government has pinned its hopes for eventual victory in the 25-year-old struggle with the Communists on the program aimed at winning the allegiance of the people, providing them with assistance for their security and development and enlisting them in the struggle to destroy the Viet Cong.

For the Americans, who changed the name from pacification to Civil Operations and Rural Development, support after early progress of the program was virtually wiped out during the 1968 Communist Tet offensive. The program is a vital element in the phased withdrawal of U.S. forces under the Vietnamization program.

The director of the program, William E. Colby, refuses to make extravagant claims for success in the program, despite the fact that the Saigon government last week reported that it now exercises control over 95.1% of the approximately 18 million people living in the nation's 44 provinces, a 7.2% increase over last year and a whomping 35% increase since the pacification program was revamped after the 1968 Tet offensive.

"I like to get away from statistics." Colby said explaining his weekend visit to Pleiku. "Once a week I spend the night in one of the provinces to look around and talk to the people working in the field—that's the best way to get a real feel for how we're doing and what the problems are."

In Pleiku, which ranks last or 44th among the provinces in terms of security and government control, he found the problems many and difficult.

Basic is the fact that Pleiku, the scene of some of the biggest battles of the war and still a Viet Cong stronghold, abuts on Cambodian border areas which serve as a sanctuary for enemy forces. In addition, the Montagnards, which make up a vast majority of the province's population, have been victimized by discrimination from the more advanced and aggressive Vietnamese for decades and consequently are hostile to both sides in the conflict.

What is more, CORDS' chief goal—involvement of the local people in organizing their own political structure, development and security programs—is greatly complicated in Pleiku by the cultural backwardness of the primitive Montagnards. Their deep attachment to ancestoral lands, for instance, poses a serious problem to resettlement.

On this point, Colby's instructions to the American province team were explicit: "Look, some of the resettlements have been successful and some have not. Find out why the ones that worked were successful and follow that pattern. We're not going to give up on this."

A HERO HAS HAD HIS FILL OF WAR

CA MAU, SOUTH VIETNAM, February 5.—"I'm trying to resign my commission so I can go home and be a pacifist and raise my children to be pacifists. I don't understand what I'm doing here any more."

The tall young man who uttered that

statement with obvious sincerity is Capt. Alexander L. Posluszny, who just several months ago was awarded the Silver Star for heroism and a Purple Heart for wounds suffered during a Nov. 8 action in An Xuyen province, at the southern tip of South Vietnam.

Posluszny, 27, of Philadelphia, now well into his second "tour" in South Vietnam, serves as an American military adviser on tactics to the crack 21st South Vietnamese Infantry Division.

His disenchantment is significant. Many other talented young officers have decided to leave the military services for the same or similar reasons. Military commanders across Vietnam have conceded privately that the anti-Vietnam war backlash has created a morale problem in the officer corps every bit as serious as the more publicized problems of narcotics and racial friction.

THEY DID THEIR JOB WELL

During his first "tour" in 1967–68, when the bulk of the fighting was being done by Americans, Posluszny commanded a U.S. Army infantry company that fought in the highlands farther north. During that period, 18 of the captain's 126-man company were killed and many more were wounded.

"They were great men," he recalled. "They were highly motivated and they did their job well. We killed a lot of the enemy for the casualties we took."

"But," he added, "I came here to win a victory, not to kill a bunch of people."

And this is the crux of Posluszny's problem—he is unable to justify the deaths of 44,000 Americans in a conflict that will remain unresolved after the United States withdraws and to rationalize the killing of many more thousands of the enemy in a war that some of his countrymen call immoral.

When Posluszny was graduated from Alfred University in upstate New York seven years ago and was given a regular army appointment as a second lieutenant—an honor reserved only for the upper third of the ROTC graduates—he fully expected to make the Army a career.

"It seemed like an opportunity for public service," he said quietly. "It was a job that could be challenging and there was a certain prestige attached to being a career officer."

Posluszny won prompt promotions. On his return from his first Vietnam tour, his outstanding Army record won him assignment to a leadership training course to prepare junior officers for field grade rank. But his return also coincided with the growing wave of antiwar feeling which was sweeping the country.

THERE SEEMED TO BE A STIGMA

"I was shocked to find out that I was no longer welcome at the homes of some of my old friends," the captain recalled bitterly. "There seemed to be a stigma attached to my uniform and I found I had to be on the defensive about my war service."

At first, Posluszny was angered by the antiwar sentiments, but later, particularly after it was clear that the U.S. would withdraw while the war was still on, he began to have doubts of his own.

"I was miserable," he said. "I knew I would have to come back here and I did everything I could think of to stall it off. I was afraid of getting killed for nothing—not afraid for myself, but afraid for my family, a wife and two small boys."

But when his name came up for a second tour last June, Posluszny returned to Vietnam. And on Nov. 8, as the citation for his Silver Star reads, "Capt. Posluszny fearlessly exposed himself to enemy fire" in order to direct air strikes on an enemy force which had the South Vietnamese battalion he worked with pinned down.

The enlisted men and officers who serve with Posluszny rate him an "outstanding" officer and many of them, particularly his superiors, have tried to change his mind about resigning.

A seasoned major who works closely with Posluszny observed wryly: "It's a real tragedy to see so many outstanding young officers like him leaving the Army. Sure, many of them are staying on, but some of the best are getting out."

Although he is moved by these appeals, Posluszny is adamant about getting out. He hopes only to continue doing his job well and staying alive until his resignation can be acted upon in the Pentagon.

Asked what he will do then, the captain shook his head and replied sadly, "I don't know—I don't know. I'm not prepared for anything. I've been graduated from college and served in the Army for seven years. What do you think I can do?"

FIND MORALE GOOD AT BORDER

On the Laotian Border, Feb. 10—Morale problems among United States troops waiting for withdrawal from Vietnam seem to disappear in the northwest combat zone along strategic Highway 9 from Quang Tri through Khe Sanh and Lang Vei and right up to the Laos border.

The 9,000 Americans, many of them volunteers, have been drawn from nearly every U.S. unit in South Vietnam to protecting the invasion route used by the 20,000 South Vietnames and to provide air cover. The GIs have a sense of purpose that is lacking in some of the garrison units in more secure areas in the country.

During the last 10 days, these GIs have worked 24 hours a day to reopen the narrow, winding dirt road that snakes through the rugged mountains of this long-time Communist stronghold. And they labored mightily to establish supply points, refueling depots and gun positions along the way in preparation for Monday's push into Laos.

HIS ROLE AT THE BORDER

For Capt. John C. Garlinger, 24 of East Meadow, L.I., the Dewey Canyon 2 operation was over at 7 a.m. Feb. 8, when the first South Vietnamese unit to cross into Laos dropped him short of the border river crossing, at a sign marked, "Warning! No U.S. personnel beyond this point."

Garlinger, who has served as a U.S. adviser to the South Vietnamese assault troops, was prohibited by law from accompanying his allies into Laos, so he will return to his American unit at Dong Ha.

"I think they will do okay in there," Garlinger said. "I wish I could have gone in with them. It will be a big help if we can destroy their (the North Vietnamese) supply and infiltration routes in Laos."

But for the other GIs—the tank crews, artillerymen, helicopter crews and supply and logistics personnel—Dewey Canyon 2 will last from 60 to 90 days longer, probably until the monsoon rains begin to turn the Ho Chi Minh infiltration route in the Laotian mountains into a quagmire this spring.

Enemy activity on the Vietnamese side of the line indicates that it will not be a quiet three months. Within several hours of the border crossing, U.S. tank and gun crews who ate cold C rations and waved at the invading South Vietnamese troops, were firing salvo after salvo of artillery fire at enemy bunkers in Laos.

And they began to dig their own bunkers deeper as the North Vietnamese began launching rocket, mortar and small-arms fire attacks on U.S. positions along the Highway 9 supply link.

Most of the U.S. units, particularly those close to the border, are living on C rations with only hot soup and coffee to ward off the night chill. But field kitchens are springing up and in the rear areas there will be hot showers shortly.

FOXHOLE LIFE IN HOSTILE COUNTRY

The prospect, however, of living in foxholes and bunkers in hostile country seven days a week for the next few months without movies, beer halls or other diversion does not appear to dampen the morale of the troops.

Army Capt Raymond Smith, 23, of Orlando, Fla., offered this explanation while at the same time giving fire orders to his artillery company.

"Our people feel like they are doing something here. When they are firing those big guns, they know they are helping out some poor grunt (infantryman) who is under enemy fire. That's your answer. When we're not using those guns, then there is no reason for us to be over here and we might as well go home."

MORALE PROBLEM GETS STUDY

SAIGON, Feb. 12.—Concerned over reports that American troops morale has slipped badly in recent months, the U.S. command has ordered an in-depth study of the morale problem, it was learned today.

The study, begun quietly about two months ago and still several months from completion, is designed to find the extent of any morale slippage and the underlying causes.

It will also seek to determine if there are any key indicators a commander can look to for signs of a morale turndown among his troops before the problem becomes too severe.

SOME OBVIOUS INDICATORS

Although attacks on officers, racial friction and excessive drug use—the three areas most often spotlighted in press accounts of morale problems here—may not be listed specifically among the study's key indicators, they are certain to be taken into account under such broad headlings as "breaches in discipline" or "military offenses," along with other obvious indicators like the rate of accidents, Awols, and venereal diseases.

A military official, who was willing to discuss the study on a background basis, insisted that the fact that such a study is under way should not be interpreted as an admission by the military command that a serious morale problem does indeed exist here.

"Any military unit anywhere has to work hard to keep peak morale," he said. "The problem of lagging morale always comes up in a withdrawal. It happened after World War II and after the Korean War—everyone wanted to be first on the list to go home."

The official said the same kind of problem exists here now, complicated by the fact that the withdrawal is going on while the war is still under way. His point was clearly this—no one wants to be the last American killed in Vietnam.

On the several recent widely publicized instances of enlisted men trying to kill superiors whom they felt were too enthusiastic about entering combat, a practice called "fragging" because fragmentation grenades have been used in some cases, the official pointed out that such things also happened with probably similar frequently toward the end of the Korean War, World War II and perhaps all wars.

He conceded that in two areas—racial friction and excessive drug use—the Vietnam experience differed from the past. "But keep in mind," he added, "that we didn't develop these problems in the services. They came to us from our society and home, and we're doing our best to cope with them."

The value of the current morale study, the official said, is not in seeking to measure the morale level as such, but to try to find if there are any statistical indicators that bear a relationship to morale.

"We don't know whether there is any validity to this approach or not," he said. "But we are trying to find out."

LAOS: LADY LUCK'S REJECT

VIENTIANE, February 19.—Everything depends on you Americans," the high Laotian

official said. "If you let us die, then we will die. But if you send allies and tell us to fight, then we will fight."

The statement, made by a former general who is now a member of neutralist Prime Minister Souvanna Phouma's cabinet, was uttered sadly, but without rancor.

The official added without the slightest trace of animosity that he understood that the United States policy in Southeast Asia must be based on its own interests, even if it meant helping the South Vietnamese carry their war against the North Vietnamese into Laos.

The official's appraisal sums up accurately the cruel position this sparsely populated land-locked kingdom finds itself in after suffering nearly 20 years as a pawn in the relentless struggle between North and South Vietnam.

Throughout that period, despite international agreement that Laos should remain neutral in the conflict, the country has been wracked by warfare between North Vietnamese-backed Pathet Lao Communists and French and U.S.-supported rightist and conservative forces.

Now, as the bitter war between North and South Vietnam appears to be reaching some sort of climax, it has become increasingly likely that Laos could be the battleground for what may be the decisive engagement.

In the southern panhandle of Laos, about 15,000 South Vietnamese troops, backed by heavy U.S. air support continue their thrust to sever the Ho Chi Minh Trail, the last North Vietnamese supply route for the 200,000 Communist troops in Cambodia and South Vietnam.

There is a growing fear here that the up to 70,000 North Vietnamese troops guarding the trail will seek to avoid a major battle with the Saigon invasion force by moving south and west, deeper into Loas, overrunning Laotian forces around the Boloven Plateau area and seizing rich rice lands along the Mekong River by Pakxe.

Meanwhile, in the north of Laos, roads have been clogged with tens of thousands of Meos and other hill people fleeing in long refugee columns from the Sam Thong-Long Cheng area, where up to a division of North Vietnamese appears to be girding for a full-scale attack aimed at wiping out Gen. Vang Pao's CIA-trained army of 8,000 Meo tribesmen.

If successful, the attack would cut off the royal capital of Vientiane, thereby rendering both vulnerable to a Commmunist takeover.

Thus, while both sides profess to prefer a neutral Laos, both are pursuing policies that appear destined to make the country the focal point of the struggle.

U.S. Ambassador to Laos, G. McMurtrie Godley conceded in an interview that American policy of supporting the South Vietnamese incursion into Laos runs counter to Laotian interests.

But he defended the action as a vital step in carrying on the war against the Communist troops in Cambodia and South Vietnam. Unfortunately, the war in Laos cannot be separated from the wars in Vietnam and Cambodia, he added.

"One of the great tragedies of the debate over the war has been that some people have viewed them as separate conflicts," Godley said. "They are not separate. We are fighting one enemy—Hanoi. The Pathet Lao doesn't amount to anything; he is a tool for the North Vietnamese."

However, Godley said Laos should not join in any united anti-Communist alliance with South Vietnam and Cambodia. "The statement here," he said, "has to be negotiated on a neutralized basis," since neither Communist China, which borders on Laos to the north, nor North Vietnam, which shares its eastern border, would tolerate a militant anti-Communist state as a neighbor.

But Godley could not say how sweeping Laos into the midst of the Indochina war as a virtual client of the United States would succeed in winning the kingdom a peaceful settlement as a neutral state.

THE MAYORS VIEW THE BUDGET

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. GREEN of Pennsylvania. Mr. Speaker, on February 11, 1971, the Conference of Mayors published a study, "The Mayors View the Budget," on the budgetary proposals of the Nixon administration. This study examined the budget from the perspective of what does this budget do for urban areas?

President Nixon has expressed on numerous occasions his commitment to the cities; but the test of any commitment is not the rhetoric but the dollar expenditures. Is more money available? Has support for programs increased?

At the time of the study, the proposals of the Nixon administration fell about $5.7 billion short of the needs of urban areas. Since the publication of the study, the administration has changed some of its directions and increased its program support for the cities. To a certain extent, it has released already appropriated funds, it has changed the methods in the calculations of special revenue-sharing funds, it has reinstituted the model cities program, it has proposed a 2-year authorization for the Office of Economic Opportunity.

The Conference of Mayors, as a followup to these changes, will publish selected analysis of the various special revenue-sharing measures. Beginning today, I plan to place both the followup publications and the original analysis in the RECORD. I believe that these statements will show exactly where the Nixon administration has stood in the past on aid to urban areas and exactly what they plan for the future. The original report provides a benchmark against which changes this administration will make in programs and rhetoric can be measured.

I am placing the original study in the RECORD in two parts. Part 1 covers analysis up to and including Housing and Urban Development. Part 2 begins with manpower and ends with the Office of Economic Opportunity. The followup reports will be placed in the RECORD as I receive them. I recommend these reports to my colleagues:

"THE MAYORS VIEW THE BUDGET"

PART I. SUMMARY

The President's 1972 $229.2 billion unbalanced Budget acknowledges urban and municipal needs but falls far short of meeting them.

On the plus side, the Budget makes the case for revenue sharing with state and local governments, accepts a full-employment approach to the economy, and joins the chorus for environmental protection.

On the minus side, the Budget falls at least $5.7 billion short of meeting the State and municipal revenue gap, is misleading about the actual amount of new money the President is asking for, raises more questions than it answers about how the special revenue sharing process will be reconciled with the present management of programs it will embrace, and reveals the Administration's intention to persist in holding back spending already appropriated funds in the *current* fiscal year for critical urban programs—$200 million each for Urban Renewal and Water and Sewer grants, $192 million in unobligated public housing contract authority, and a staggering $732 million in cumulative unobliated balance for Model Cities.

The President's revenue sharing proposals boil down to this:

General Revenue Sharing (Federal funds to be made available to State and local units of general government to spend as they see fit): $5 billion in the first full year, starting October 1, 1971. This translates into a budget request for $3.75 billion in FY 72.

Special Revenue Sharing (*Grant Consolidation*) (Federal funds to be made available to State and local governments for community development, elementary and secondary education, manpower training, law enforcement, and transportation): $10.2 billion in outlays the first full year, starting January 1, 1972, but only $269 million in new outlays for FY 72 in the second six months.

The Administration's special revenue sharing—i.e., block grants to cities and grant consolidation—proposes to reduce the number of categorical programs to give city governments more control, more discretion, and more resources—a goal long advocated by the National League of Cities and U.S. Conference of Mayors. The issue is not "whether?" but "how?" and "how much".

With that as background, here are the other highlights of the attached analyses of various parts of the 72 Budget:

Housing and Urban Development—Next year's budget is inflated by carryovers from current and prior fiscal years.

The Urban Renewal carryover is $200 million, the FY 72 appropriation request is $600 million, the FY 72 estimated obligations are $800 million—and the backlog of urban renewal applications at HUD totals $3 billion.

The Model Cities carryover is $575 million in unobligated balances plus $157 million which lapses 6/30/71. The Administration is requesting no new appropriations for Model Cities in FY 72 and will allow $505 million more to lapse on 6/30/72. Instead, this valuable program is to be "folded into" special revenue sharing without any evident proposal for compensating for the loss of human resources funds, which have constituted 80% of Model Cities money in the past.

The public Housing carryover is $192 million in contract authority from FY 71 to FY 72, and $210 million from FY 72 to FY 73.

Congressional authorizations available for FY 72 for Community Development, Urban Renewal, Model Cities, and Water and Sewer grants total $3.75 billion. Yet the Administration's total appropriation request for these four programs, plus the new block grant program, in FY 72 is only $1.64 billion. The total unobligated HUD appropriations for FY 71 is $1.3 billion; for FY 72, that figure will be $815 million.

The Administration is breaking new ground with the grant consolidation Community Development Program as a feature of special revenue sharing. Despite its obvious importance to cities, the Administration's plans for this program, which involves many of the tools needed to rebuild America's cities, are not yet clear.

As for the 235, 236, and Rent Supplement Programs, the FY 72 budget proposes increases over FY 71 levels, but falls short of Congressional authorizations.

Manpower—The major increases for manpower training in FY 72 would go to State-managed, rather than locally-sponsored, programs.

Despite widespread and rising unemployment, Manpower programs slated to be "folded into" special revenue sharing show a decrease of $21.5 million from FY 71 to FY 72.

In an exercise in "reverse" revenue sharing, the Administration proposes to raise the local share for summer youth programs from 10 percent to 20 percent.

Environment—The picture is brighter here. The new Environmental Protection Agency seeks $2 billion in FY 72—twice its FY 71 appropriation—for waste water treatment facilities.

Budget requests for other water quality programs, air pollution control, and Outdoor Recreation are up, too. But the Administration seeks only one-eighth of the funds Congress authorized for resource recovery from solid wastes.

Law Enforcement Assistance—The Administration is asking nearly $700 million in FY 72 for this fast-growing program—up $170 million from FY 71.

Transportation—FY 72 budget requests for urban mass transit are the same—$600 million—as the level of obligation authorized by Congress in FY 71. Projected FY 71 obligations are about half the authority granted by Congress. Commitments for urban highways will increase from $362 million in FY 71 to $525 million in FY 72, while the Interstate System continues at $3 billion a year.

Education—The Administration is asking $300 million more for education in FY 72 than in FY 71, with most of the increase for higher education. Requests to fund existing elementary and secondary education programs are down $50 million from this year.

Welfare—The Administration seeks $11.4 billion in FY 72, up almost one-third over funds already appropriated for FY 71, to meet rising welfare caseloads and payments.

Health—Maternal and child health programs will go up by $71 million over FY 71, but medical facilities construction will go down by $77 million. Other urban health programs will be boosted.

Office of Economic Opportunity—The Administration proposes to strip OEO of most programs, leaving it as the government's poverty program research, development and evaluation agency. For the time being, the Community Action Program (CAP) will remain under OEO's roof, although ultimately it is to be housed with Community Development. The FY 72 request for CAP is down $22 million from FY 71 obligations, and localities are to be asked to make up the difference by raising their share from 20% to 25%—another instance of "reverse" revenue sharing.

SELECTED BUDGET ITEMS AFFECTING URBAN AREAS

[Dollars in millions for fiscal years indicated]

Program	Fiscal year 1971		Fiscal year 1972	
	Appropriation	Obligation	Budget request	Estimated obligation
Community development—HUD:				
Urban renewal	1,200	1,000	600	[1] 800
Model cities	575	[2] 375	0	[3] 70
Water and sewer grants	350	150	0	[4] 100
Rehabilitation loans	35	35	40	40
Community development grants			[5] 1,000	[6] 1,000
	Authorization	Appropriation	Authorization	Appropriation
Open space	75	75	[5] 109	200
Neighborhood facilities	66	40	76	40
Comprehensive planning	105	50	[5] 85	100
Housing—HUD:				
Homeownership (235)	130	130	225	175
Rental assistance (236)	135	135	225	175
Rent supplements	168	55	153	[7] 60
	Contract authorizations available	Obligations	Contract authorizations available	Obligations
Public housing	394	201	417	207
Manpower—Department of Labor:				
OJT private sector	261	----------	60	----------
OJT public sector	136	----------	126	----------
MDTA—Institutional	335	----------	325	----------
Job Corps	156	----------	196	----------
NYC—In school	64	----------	70	----------
NYC—Postschool	166	----------	166	----------
Summer youth program	198	----------	166	----------
Concentrated employment (CEP)	178	----------	173	----------
Computer job placement	22	----------	22	----------
Program support	71	----------	62	----------
Environmental protection:				
Water quality:				
Operations, facilities research	117	----------	138	----------
Construction grants	1,000	[8] 1,185	2,000	[8] 1,905
Solid waste: Operations, facilities research	17	----------	19	----------
Air pollution: Operations, facilities research	103	----------	119	----------
Land and water conservation fund:				
Aid to State and local governments	185	[8] 85	280	[8] 125
Clean Air Act and Environmental Protection Agency	13	----------	85	----------
Law enforcement assistance	[8] 532	----------	698	----------

Program	Fiscal year 1971		Fiscal year 1972	
	Appropriation	Obligation	Budget request	Estimated obligation
Education—HEW:				
Elementary and secondary:				
(ESEA I) Educationally deprived	1,500	----------	1,500	----------
(ESEA II) Library resources	80	----------	80	----------
(ESEA III) Supplementary services	143	----------	143	----------
(NDEA III) Equipment and remodeling	50	----------	0	----------
(ESEA VII) Bilingual education	25	----------	25	----------
(ESEA VIII) Dropout prevention	10	----------	10	----------
Federally affected areas	551	----------	440	----------
Planning and evaluation	9	----------	4	----------
Other:				
Handicapped	105	----------	110	----------
Vocational and adult	505	----------	476	----------
Libraries and educational communications	85	----------	29	----------
Research and development	98	----------	105	----------
Transportation—DOT:				
Urban mass transit	----------	179	----------	464
Highways:				
Interstate system	----------	3,145	----------	3,000
Extensions of primary and secondary	----------	266	----------	275
TOPICS program	----------	96	----------	200
Urban highways	----------	----------	----------	50
Airports:				
Planning grants	----------	10	----------	15
Construction grants	----------	170	----------	205
SST (outlay)	----------	----------	----------	----------
Welfare—HEW:				
Public assistance grants to States	8,652	----------	11,412	----------
Social Security Administration	2,600	----------	2,465	----------
Food stamp program	1,416	----------	1,996	----------
Juvenile delinquency	15	----------	10	----------
Health—HEW:				
Medical facilities construction	185	----------	109	----------
Comprehensive health planning	247	----------	252	----------
Maternal-child health	256	----------	326	----------
Rehabilitation services-facilities	570	----------	605	----------
Family planning services	34	----------	91	----------
Office of Economic Opportunity:				
Programs to remain:				
Research, development evaluation	115	----------	74	----------
Community action	389	----------	346	----------
Health and nutrition	195	----------	159	----------
Legal services	61	----------	61	----------
VISTA	36	----------	33	----------
Programs transferred:				
Headstart (HEW)	360	----------	376	----------
Followthrough (HEW)	69	----------	60	----------

[1] For 1st half fiscal year 1972 includes $400,000,000 for amendments to conventional projects, $300,000,000 for existing NDP's, and $100,000,000 for new NDP's. No new conventional projects will be approved.
[2] $157,000,000 of model cities authority lapses June 30, 1971.
[3] $505,000,000 of model cities authority lapses June 30, 1972.
[4] $100,000,000 of water and sewer grant authorization remains unused.
[5] Requires additional legislative authorization.
[6] This program is to absorb the 4 listed above it; funds to be obligated during 2d half of fiscal year 1972.
[7] $210,000,000 of public housing authorization remains unused
[8] Includes $525 supplemental appropriation requested.

OUTLAYS VS. NEW OBLIGATIONAL AUTHORITY

In discussing the Budget, there is an underlying political and semantic tension between the Federal and the local governments because of a different point of view on what dimension of the Budget is most important.

From the Administration's point of view, *outlays* are the thing. The budget is outlay oriented because the Administration is concerned, above all, with inflation.

From the point of view of Mayors and other local officials, new obligational authority is the thing, because it sets the limits on new projects that can be undertaken in any given time period.

New obligational authority does not necessarily involve expenditures next year. Therefore, it does not necessarily have an inflationary impact.

New obligational authority however, does relate to priorities on two levels: the Federal level, because it reveals the importance the Administration attaches to a given program; and the local level, because it establishes for a community a sense of emphasis and direction on matters it considers to be important.

These distinctions and considerations should be borne in mind in reading the analyses of key program components of the Budget on the following pages. Where there is a significant difference between them, outlays and new obligational authority both are presented.

NATIONAL PRIORITIES AND URBAN NEEDS

The President's Budget Message opens with this statement: "In the 1971 budget, America's priorities were quietly but dramatically reordered: For the first time in 20 years, we spent more to meet human needs than we spent on defense." The Budget Message goes on to say that next year, the defense portion of the budget will continue to go down . . . to 34 percent of the budget, and the human resources share of the budget will continue to go up . . . to 42 percent of the budget.

We genuinely welcome this reordering of

priorities. But we feel it is most important for the American people to understand that the relative changes in defense and human resource spending do not necessarily mean that the Federal government is responding to all of the actual needs of the cities and other urban areas.

In the first place, half of the 42 percent of the budget described as human resources outlays is actually for Social Security, Medicare, and other forms of social insurance, which are being financed, in the main, from special taxes on American workers.

In the second place, the re-allocation of other slices of the budget pie from defense and space and rural programs works to the advantage of programs for natural resources, health, public assistance, veterans, general government, and debt service. But other programs that also concern city officials are not growing fast enough, or are actually falling behind in allocations of the Federal budget dollar. These programs include education, manpower, community development, and housing.

REVENUE SHARING AND REVENUE GAPS

The President's State of the Union Message and his 1972 budget make a forceful case for revenue sharing. The reasoning is that state and local governments need more control, more discretion and more resources to meet their pressing needs.

The budget goes so far as to say: "In 1971, states and localities face a revenue gap of $10 billion."

On the face of it, the public might conclude that the President proposes to more than close that gap because he talks in terms of sharing $16.4 billion with state and local governments. This is a misleading figure, for two reasons:

1. The $16.4 billion figure is for the first *full year* of revenue sharing. General revenue sharing is not scheduled to begin until October 1, 1971, and special revenue sharing will not start until January 1, 1972. For next *fiscal year*, therefore, the amount of *new* outlays for revenue sharing will be only $4 billion (3.75 for general revenue sharing, the rest for special revenue sharing).

2. All but a small portion of the money promised for special revenue sharing is merely a re-labeling of funds already being transferred to state and local governments for categorical programs. For those programs that are to be folded into special revenue sharing, the President proposes an overall increase of only $839.5 million over this fiscal year.

Thus, for FY 72, the budget offers $3.75 billion in general revenue sharing, $839.5 million in new money for ongoing programs within special revenue sharing, and an additional $269 million to "sweeten" the special revenue sharing pot. The total of all new revenue to be shared, then, in FY 72 will be $4.876 billion.

Applying the annual inflationary increment of 5.6 per cent identified in the President's latest Economic Message to the 1971 $10 billion state and local revenue gap described in his Budget, we can project a state and local revenue gap for 1972 of at least $10.56 billion.

So, it turns out that in FY 72 the Administration is prepared to reduce a projected $10.6 billion state and local revenue gap by only $4.9 billion in revenue sharing. *That leaves an actual gap of at least $5.7 billion.*

The President's Budget section on revenue sharing concludes with "the hope that in some states and localities taxes may be reduced, or that the rising cost of government can be met without raising taxes."

The Administration's own figures reveal that to be a vain hope for 1972.

Now, let's take a closer look at the fiscal aspects of special revenue sharing:

If one compares the 1970 and 1971 *outlays* for the programs that will be folded into special revenue sharing packages with the requested 1972 outlays, one finds that next year's increase will be less than half of the 1971 gain over 1970.

Specifically, outlays for all programs under special revenue sharing increased 23.6 per cent in 1971 over 1970. The proposed 1972 increase over 1971 outlays is only 9.8 per cent.

Leaving aside rural community development programs, the other programs under special revenue sharing—which have urban impacts—increased 24.3 percent in 1971 over 1970. The proposed increase in 1972 over 1971 is 10.7 percent.

The accompanying table show the breakout by type of program in the revenue sharing package that will have some impact on cities.

HOUSING AND URBAN DEVELOPMENT

In analyzing the HUD Budget it is important to resist the temptation, so clearly offered by the Administration, to use *outlay* figures as a measure of the Federal government's commitment to deal with the problems of our urban areas. For many of the major HUD programs, such as Urban Renewal, Model Cities, Public Housing, and Sections 235 and 236, outlays are best described as the payment of bills on commitments that were made during some previous fiscal year.

Instead, in viewing this budget, there are two primary figures to look for. For the rest of the current FY 71, one must study the Administration's statement of *estimated obligations* for each program and compare them to the total amounts appropriated by Congress. As will be suggested in a moment, the Administration's total planned obligation for FY 71 is over 15 percent less than the total Congressional appropriation for HUD.

In viewing the FY 72 figures, a different approach must be taken. The key amounts are the total budget requests (or *appropriation requests*). While the actual obligation levels may be (and in several cases, are) higher, the true measure of the Administration's commitment to the adequate funding of critical urban oriented programs is the quantity of new appropriations sought from Congress. As will be seen below, the total FY 72 appropriation *requests* fall substantially below the *actual* FY 71 appropriations.

Because of the introduction of a "special revenue sharing" or grant consolidation package and because of the difficulty in comparing the budget figures of all major HUD programs due to important differences in financing mechanisms, the following analysis of the HUD budget has been broken into three major sections: the first deals with the Community Development Grant/Special Revenue Sharing proposals; the second, with the Public Housing Program; and the third, with the balance of the major HUD programs, including assisted housing, open space, and comprehensive planning.

The Administration's proposals for grant consolidation are extremely unclear as to specifics at this point, but it is at least obvious that, if approved by Congress, they would have important short-range and long-range effects upon existing programs. Since the details have not been spelled out, we are not able to take a position on the precise merits of the new program. We have long supported the general concept of grant consolidation in-so-far as it will serve to streamline the process of getting needed money to the cities and to increase local participation in determining priorities. However, more important than the concept of block grants or grant consolidation is the question of whether these vital HUD programs will be adequately funded—and whether the level of funding will grow to keep pace with the rising demand.

Table A details the proposed budget levels for the four programs that are to be "folded into" the new Community Development Grant Program by January 1, 1972. The projected levels of program obligations for the balance of the current fiscal year are wholly inadequate. Of the $1.2 billion appropriated by Congress for the Urban Renewal Program, the Administration intends to obligate only $1 billion this year and to carry the remaining $200 million over to next year. This contrasts with a backlog at HUD of urban renewal applications from local governments totaling $3 billion.

TABLE A

[In millions of dollars]

	Fiscal year 1971			Fiscal year 1972		
	Appropriation (actual)	Estimated obligations	Estimated carryover appropriation	Appropriation requests	Estimated obligations	Estimated carryover appropriation
Urban renewal	$1,200	$1,000	$200	$600	[1] $800	0
Model cities	575	375	[2] 732	0	70	[3] $505
Water and sewer grants	350	150	200	0	100	100
Rehabilitation loans	35	35	0	40	40	0
Community development grants				[4] 1,000	[5] 1,000	0
Subtotals	2,160	1,560	([6])	1,640	[7] 2,010	([6])

[1] Includes $400,000,000 for amendments to conventional projects, $300,000,000 for existing NDP's and $100,000,000 for new NDP's. No new conventional projects will be approved.
[2] $157,000,000 lapses June 30, 1971.
[3] $505,000,000 lapses June 30, 1972.
[4] New authorization required.
[5] Amount for the community development grant program—which is to be absorb the above 4 programs—is to be obligated during the 2d half of fiscal year 1972.
[6] Not available.
[7] Amounts indicated for urban renewal, model cities, water, and sewer grants, and rehabilitation loans are to be obligated during the 1st half of fiscal year 1972

The Water and Sewer Grant Program is facing the same crisis. Where the Congress has appropriated $350 million for FY 71, the Administration plans to obligate only $150 million and to carry the balance of $200 million over to next year.

The budget demonstrates the Administration's lack of commitment to the Model Cities Program. Congress appropriated $575 million for the current year. The Administration intends to obligate only $375 million. Of the unspent funds, $157 million will lapse on June 30, 1971. Meanwhile, of the 147 cities participating in the program, 19 have yet to receive *any* first year action money. During FY 72, the Administration proposes to phase out Model Cities and allow an additional $505 million to lapse on June 30, 1972.

Thus, there are at least two facts that are clear from Table A.

First, there is $1.1 billion currently available in Community Development funds ($200 million each for Urban Renewal, and Water and Sewer programs and $732 million for Model Cities) that will not be obligated during this fiscal year.

Second, the Administration's proposed appropriation request for FY 72 for the four existing programs, plus the new Community Development grant program, is $500 million *less* than the total moneys appropriated by Congress for this fiscal year for the four existing programs alone. To illustrate this disparity further, the total *authorization available* for FY 72 for these four programs is $3.75 billion. The Administration's total appropriation request for FY 72 for these four programs plus the new block grant program is $1.64 billion.

The Community Development Grant Program (grant consolidation, alias "special revenue sharing") is the primary substantive proposal in the HUD budget. As Table A indicates, the four categorical programs listed would be funded separately during the first six months of FY 72. By January 1, 1972, assuming Congressional approval, the new program would begin. The Administration projects an annual obligation level of $2 billion with the following functions being "folded into" the new, single grant program: Urban Renewal, Model Cities supplementary grants, basic Water and Sewer facilities grants, Certified Areas, Code Enforcement, Demolition grants, Housing Rehabilitation loans and grants, and Interim Assistance for Blighted Areas. The details about this new program have not been made public, nor has the Administration discussed any of its plans for this new approach to community development with representatives of the city officials' organizations.

A great many questions need to be answered. Why must the new program begin in the middle of the fiscal year? What will be the mechanism for distributing funds? Will there be a formula, similar to the one planned for general revenue sharing, which will serve to dilute the already meager pot of funds among a larger number of communities? How will the Urban Renewal program be "phased" into the new program?

In presenting arguments for consolidating grants in this fashion, the Administration has stated that it is motivated, in part, by a desire to extend the benefits of the Model Cities process to all HUD community development programs. However, the Budget and HUD Secretary Romney in his recent comments to the press specify that only those aspects of Model Cities that constitute physical community development activities would be preserved under this new block grant. Planning functions would be absorbed under the new Office of Community Planning, and all other nonphysical development activities would have to be funded through other departments, such as Labor and HEW.

Thus the Administration demonstrates it does not understand what Model Cities is all about. The Model Cities process involves the creation of a comprehensive plan by a locality for the total social, economic and physical development of a specified section of the community. Because the original Model Cities area within each community frequently overlapped existing urban renewal projects and because there has been a startling lack of cooperation by other Federal agencies with the Model Cities process, over 80 percent of the total amount of Model Cities money has gone into human resource (that is, *non*-physical) development. Fifty percent has gone specifically into areas of health and education. Therefore, to separate the comprehensive planning component from program implementation and to eliminate nonphysical development as an eligible activity under the supplemental grant mechanism is to abolish all major elements of Model Cities as we know it today. It should also be pointed out that this action constitutes a net loss to the cities in terms of their ability to get Federal dollars to support human resource development, for there is no evidence elsewhere in the Budget that there has been any increase in funds to pick up this effort.

Table B depicts the budgetary plans for the Public Housing Program.

TABLE B

[In millions of dollars]

	Contract authority available	Fiscal year 1971 estimated obligations	Estimated carryover authorization	Contract authority available	Fiscal year 1972 estimated obligations	Estimated carryover authorization
Public housing	394	201	192	[1] 417	207	210

[1] Includes $192,000,000 carryover plus $225,000,000 in new contract authority.

For the Public Housing Program, there are three important figures to be compared—the total amount of contract authority available each year; the total amount of obligations the Administration intends to commit from the available contract authority; and the resulting unused contract authority (if any) that is carried over to the next year for possible use. Table B demonstrates that out of a total of $394 million in contract authority available for FY 71, the Administration plans to obligate only $201 million, leaving a carryover of $92 million in contract authority. Next year, out of the total $417 million in available contract authority, only $207 million will be obliged in FY 72, leaving a $210 million carry-over authorization for FY 73.

The Administration's decision to obligate only about 50 percent of the total contract authority available in each year comes at a particularly difficult time for the Public Housing Program across the country. Total new starts for FY 71 will thus remain at 90,000 units already approved—more than 100,000 units short of even the most conservative estimates of the annual number of low rent units we should be building nationally. Meanwhile, dozens of public housing authorities are facing literal bankruptcy as a result of rising operating deficits spurred on by mounting inflation. In fact, the decision not to utilize the $192 million currently available for this program brings to over $1.3 billion (including the unobligated monies for Urban Renewal, Model Cities, and Water and Sewer grants) the total amount of funds in the community development and housing fields that this Administration plans to withhold from urban areas.

Table C sets forth the budget for the six remaining HUD programs of importance.

TABLE C

[In millions of dollars]

	Fiscal year 1971		Fiscal year 1972	
	Authorization	Appropriation	Authorization	Appropriation
Sec. 235	130	130	[1] 225	175
Sec. 236	135	135	[1] 225	175
Rent supplements	168	55	153	60
Open space	75	75	[2] 109	200
Neighborhood facilities	66	40	76	40
Comprehensive planning (S. 701)	105	50	[3] 85	100

[1] Includes $200,000,000 in new fiscal year 1972 authorization plus $25,000,000 carryover authorization from fiscal year 1971. Such was approved in the HUD Act of 1970 (Public Law 91-609, signed Dec. 12, 1970).

[2] Requires additional authorization of $91,000,000.

[3] Requires additional authorization of $15,000,000.

The first three times—Section 235 (Home Ownership), Section 236 (Rental), and Rent Supplements—constitute the balance (along with public housing) of the housing assistance programs. Though the FY 72 appropriation requests for Sections 235 and 236 are higher than those for FY 71, they remain $50 million below the authorized ceiling for each program. The Administration also seeks an inadequate level of funding for Rent Supplements: For the appropriation requests for both fiscal years run well behind the total authorizations available.

The only apparent positive signs evident from the entire HUD budget are found in the Open Space and Comprehensive Planning programs. The Administration is calling for increases of $125 million and $50 million respectively in FY 72 appropriations.

The Administration's special revenue sharing proposal hopes to provide additional outlays for these programs in FY 72. Yet, even if the proposed amount of $153 million is appropriated by Congress, the total increase in outlays for FY 72 would still fall far short of the increases achieved for this fiscal year.

Since special revenue sharing is, in reality, just another name for block grant distribution, the Administration must first consolidate existing categorical manpower programs into a single funding authority. Indeed, the Administration has indicated that it will submit legislation for this purpose and to achieve these essential manpower reforms:

(1) Decentralization of the planning and operation of programs to State and local governments; and

(2) Achievement of broad program flexibility to allow local sponsors to respond to individual and community needs.

Even more than reform, however, most commnuities urgently need some form of job creation program like Public Service Employment (PSE). In recognition of this, several members of Congress already have introduced PSE legislation. Each measure includes authorizations for substantial increases in the current budget request.

EDWARD H. HOLMES SOON TO RETIRE AFTER 43 YEARS OF SERVICE IN FEDERAL-AID HIGHWAY PROGRAM ENGINEERING, RESEARCH AND PLANNING

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, March 24, 1971

Mr. RANDOLPH. Mr. President, after 43 years of Federal Government service—the entirety of it performed with the U.S. Department of Transportation's Federal Highway Administration and its predecessor agencies—Edward H. Holmes will retire April 2, 1971.

The Committee on Public Works, and particularly those of us with lengthy service on its Subcommittee on Roads, are well aware of the capabilities and the exemplary performance of Mr. Holmes, who has served in numerous capacities in the agencies which have had direct responsibility for the Federal-aid highway program. Currently, he is associate administrator for Planning in the Federal Highway Administration.

We who know Mr. Holmes and the nature and quality of his performance are ambivalent as we contemplate his departure from active duty. I sense a feeling of sadness that the Nation will lose the expertise of this man who has made invaluable contributions to the advancement of traffic engineering, highway research, and transportation planning. We recognize, however, that his years of dedicated service have earned for him the rights and entitlements of retirement.

Mr. Holmes joined the U. S. Bureau of Public Roads in 1928 after graduating from Massachusetts Institute of Technology with a bachelor's degree in civil engineering. He was awarded a fellowship for study in traffic research at Harvard University and received his master's degree from that institution in 1930. From 1956 to 1962, he was the Bureau's Director of Research and from 1962 to 1967, he was Director of Planning. In 1967 he was appointed Director of Policy Planning for the Federal Highway Administration, and last August was named to his present position.

Mr. Holmes was responsible in large measure for the planning, adaption, and design of equipment and scientific techniques for the measurement of traffic characteristics. He performed a major role in establishing statewide highway planning surveys which linked land use to highway planning.

He gave direction and counsel to the series of studies and reports which led to the enactment in 1956 of the Federal-aid program for construction of the Interstate Highway System. In the 1960's, he guided the development in urban areas of transportation planning processes designed to relate highways to total urban requirements.

Many honors came to Mr. Holmes during his years of Federal service. They included the Theodore M. Matson Memorial Award for outstanding contributions to the advancement of the science and profession of traffic engineering; the Highway Research Board's Roy W. Crum Award for distinguished service; and the Thomas W. MacDonald Award for outstanding service presented by the American Association of State Highway Officials.

When the Bureau of Public Roads was an agency of the Department of Commerce, Mr. Holmes received the Department's Meritorious Service Award in 1950, and the Department's Gold Medal Award for exceptional service in 1962.

Mr. Holmes is a man of extraordinary ability who exemplifes the finest in Federal service. He performed a major role in improving the lot of his fellow man by helping to provide the highway facilities a mobile society demands. He has left an indelible mark on the Nation's highway program.

BYELORUSSIAN INDEPENDENCE

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BROOMFIELD. Mr. Speaker, March 25, 1971, marks the 53d anniversary of Byelorussian independence. On this same day in 1918, the Byelorussian people for a brief period enjoyed freedom and the right to govern themselves in a free and democratic manner.

Prior to World War I, the Byelorussian people had been ruled by the Russians, but through their own initiative began to develop a culture and a language of their own.

It was during World War I that the non-Russian peoples in the czar's empire began to establish their own national cultures and identities. The Byelorussians, along with the Estonians, Latvians, Lithuanians, and Ukrainians continued during the German occupation of Russia to make plans for political independence.

A democratic constitution was developed in 1918 and on March 25 of that year, the Byelorussians declared their independence and established a seat of government at Minsk. With the end of the war and the retreat of the German armies, the Red army seized Minsk and the rest of Byelorussia on December 10, 1918.

Today, there are more than 8 million Byelorussians behind the Iron Curtain, denied of all rights of freedom and expression.

It is my fervent hope that the Byelorussian people now subjugated by the Communist regime will regain their freedom and once again enjoy the blessings of a democratic government.

THE QUIET VOICES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. DINGELL. Mr. Speaker, I insert into the CONGRESSIONAL RECORD at this point the text of an editorial appearing in the March 18, 1971, issue of the Journal of Commerce entitled "The Quiet Voices":

THE QUIET VOICES

When issues are complex, the desire for an overly simple solution becomes almost irresistible. Transportation policy issues have become tightly knotted. Times are difficult; the simple-sounding solutions seem attractive. "Off with his head," must often have given the absolute ruler of ancient times great personal satisfaction. At least the irritant was temporarily removed.

And so today we have strident voices speaking to us about transportation policy. Abolish the ICC and remove rate regulation, nationalize the railroads, create a super-regulatory agency, put transportation under the antitrust laws. We do not suggest that these proposals are all without merit. For many years, we have advocated more use of basic antitrust principles in the regulation of transportation.

But these are all very radical changes. There is formidable opposition from shippers and from the transportation industry to the abolition of the ICC. Nationalizing the railroads, in our view, is a counsel of despair. The super-regulatory agency may have merit, but it would require the complete rewriting of transport regulatory law—a herculean task and not one likely to be accomplished in this session. Applying antitrust laws inevitably means both the abolition of rate bureaus, which are popular with many shippers, and amending the Robinson-Patman Act so that it applies to services as well as goods—an arduous procedure.

Many of these long range suggestions may, in part or in whole, come true in time, but the urgent need is for prompt relief today. Because quick answers are needed, the simple-sounding drastic solution to complex problems are counter-productive. Many of these suggestions are diverting attention from practical goals more easily attainable and more productive.

We hear most of all about poor management in transportation; there is some of that undeniably, but also a lot of superior management. On the whole freight rates have risen much less than prices in the unregulated segment of the economy, a tribute both to cost-saving innovations by transport management and vigilant regulation. Nationalization would not produce half as good management. There is regulatory inequity.

Undeniable. There are regulatory lags, no question about it, but often brought on more by the litigants than the regulatory agency. There is local tax discrimination. Many carriers are forced to operate services which the public does not patronize; there is too much of that. The carriers have no adequate defense against the inroads of inflation; the goods they buy and the labor they pay for goes up in price much faster than the rates. That is undeniable and perhaps the single most important problem.

There has, up to now, been lack of unity of approach to common problems among the various modes of transportation. Railroads, motor carriers and water carriers have seemed intent, not on improving the position of the industry generally, but on cutting down each other.

Last year that seemed to be changing. One observed the totally unprecedented sight of water carriers and railroads working to-

gether to solve a water carrier problem, the legalization of mixing of regulated and unregulated commodities in a single river tow. At the same time both sponsored amendments designed to achieve more equity in regulation between the modes. The truckers approved. The DOT now has two years to make recommendations in this area of equitable regulation.

Truckers, railroads and farm cooperatives also worked together to close a legal loophole which would have created a great many phony farm cooperative transport companies. Water carriers and truckers have both taken a "hands off" approach to railroad mergers, and new tax incentives and government loans for railroads.

Now the time appears to have come for more detailed common action. John A. Creedy, president of the Water Transport Association, representing the ICC-certificated water carriers, in a speech in Louisville last week suggested that the issues before the transportation industry be divided into three categories. The first would embrace issues which, if resolved, would benefit all forms of transportation. The second would benefit one, but not hurt any other. The third are the frankly controversial issues on which one mode believes its economic interests are adverse to another. Mr. Creedy said let's get going in a united effort to solve the first two types of issues, and the very act of working together may produce progress on the controversial issues. He urged that particular attention be given to modernizing the ICC's approach to cost justification so that the inroads of inflation may be properly taken into account.

Speaking in Chicago, William A. Bresnahan, president of the American Trucking Associations, also called for all modes to get together on the solutions of transport problems for the common good. He urged better ground rules for the abandonment of service, and argued that the carriers should not have to provide services at less than cost. He also suggested that the government, the largest shipper of them all, should pay the same tariff rates as any other shipper, not "Section 22" rates, which are much lower.

These are quiet voices calling attention to major issues all carriers have in common which could be settled promptly if the transport industry would unite in common action.

We hope such common sense suggestions of the water carriers and the truckers in the interest of all transport modes and of the public, will not be ignored by the railroads. If transportation does not suggest its own cures, other cures will be thrust upon them which may not meet the problems. If their reasonable requirements are not met, expansion of capacity will be insufficient to meet the needs of the economy and the public interest will suffer severely. The alternative is chaos leading to government-ownership and far less efficient transport service than now exists.

DEMOLAY'S 52D ANNIVERSARY

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. KEMP. Mr. Speaker, in my 39th Congressional District of New York and throughout the Nation, last week marked the completion of the observance of International DeMolay Week.

Allow me to make the observation that this character-building organization of young men from 14 to 21 years of age, now in its 52d year, contributes week in and week out to the welfare and character of other young men in Erie County, N.Y., and in other commmunities throughout the Nation.

By so doing, they are developing the traits of leadership and other fine qualities of responsible citizenship for themselves and their fellows.

It is fitting that all of us salute this worthwhile organization for its deeds, past, present, and future.

A NEW LIFE FOR THE COUNTRY

HON. JAMES B. PEARSON

OF KANSAS

IN THE SENATE OF THE UNITED STATES

Wednesday, March 24, 1971

Mr. PEARSON. Mr. President, I recently had the opportunity to read a statement delivered by Mr. Claude W. Gifford, of Farm Journal magazine, which was given before the annual meeting of the Farmers Cooperative Council of North Carolina earlier this year. I thought this to be a very perceptive speech. Mr. Gifford's knowledge of farm and small town America is extensive, and he has effectively outlined a program for rural development and countryside growth.

Because of the significance of this statement, I invite the attention of the Senate to it and insert it in the Extensions of Remarks:

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

A NEW LIFE FOR THE COUNTRY

(By Claude W. Gifford)

36TH ANNUAL MEETING, FARMERS COOPERATIVE COUNCIL, RALEIGH, N.C., JANUARY 27, 1971

If there is a theme to this concern that I would like to share with you briefly, it is that life as we have known it—family life, economic life, societal living and physical living conditions themselves—are in the grip of circumstances both in rural areas, and in the cities, that threaten to strangle the kind of living that you and I hold dear. And the time is upon you and me to respond to this threat and build "A New Life for the Country" while we can still do it within reason and with dignity.

If you want to visualize the shape that the rural countryside is in, just let your mind conjure up these dimensions of Miss Rural America in Playboy fashion if you will: She is a 33–50–60. Miss Rural America has 33% of the nation's people; 50% of the nation's poverty; and 60% of the nation's poor housing. Now you and I cannot contemplate a shape like that without feeling real compassion. And well we should.

But let's save some of our feelings for Miss Urban America. She is a distressing 66–3–85. Miss Urban America has 66% of the nation's people; only 3% of the nation's land; and 85% of the nation's crime.

FOUR MODERN PLAGUES

These dimensions of urban America, with the resulting compaction of human beings into a seething, noisy mass on only 3% of the land, has led to four plagues of modern cities. These plagues are just as debilitating to the people and the society of our times as were the medieval plagues of an earlier era. These modern plagues are the plagues of pollution, blighted housing, crime and transportation paralysis.

Pollution, as you and I know, is simply the inability of nature's cleansing processes, and of our manmade systems, to stay ahead of the outflow of wastes of human activity.

We heat our water, put gook in it, mix chemicals in it, flush it with raw sewage, then we treat it to drink. We pour smoke into the air out of our smokestacks and belch fumes into the faces of people from the exhausts of our vehicles. We produce and toss aside almost indestructible boxes, bottles, metal cans and plastic containers. We seed chemicals in our atmosphere. And, as you know, all sorts of dire consequences are predicted for us if we don't alter our ways with some haste and urgency.

The second plague of modern cities is blighted housing. We find deteriorating housing in our cities in great concentrations, row on row, back to back, elbow to elbow—with the blighted housing pouring its inhabitants onto narrow asphalt streets leaving some of them to vent their frustrations and lack of home and community pride upon each other, and upon surrounding areas, in sometimes violent outbursts.

Crime is the third plague of modern cities. Crime and gangs come creeping into the fractured society where too many people have lost their pride in self, home and community—leaving people, families and communities to erode physically, socially and morally. Pride, as we know, is the chief glue that holds together and drives the individual, families, societies and nations. And without pride—and cause for pride—they each come unstuck.

If there should be any doubt, the reality strikes when you find you can't walk on the streets of the nation's capital tonight unless you want to invite these frustrations of compacted living to be vented upon you in a violent manner. The daily listings of the previous day's crime in the Washington, D.C. newspapers is a shameful indictment of our society in the showcase city of our nation. Obviously, the glue of behavior is coming unstuck to a distressing—yes, an alarming—degree.

The fourth modern plague of compacted cities is transportation paralysis. A city, as you know, is a unique social and economic organism which is alive and lives and breathes just like the people in it. You can see and sense this life in a city. The transportation arteries pulse with the flow of its life's blood: People going to work. Deliveries being made. Food and goods flowing into and out of stores. People moving about shopping—and performing and receiving services.

Without this flow of social and economic activity through the transportation arteries of our cities, life in the city stagnates. The cities become uneconomic; costly; ungainly; unmanageable. And can't you see that happening right before your eyes in today's cities?

You and I can witness that the transportation avenues of our compacted big cities are developing a bad case of hardening of the arteries: Slow flow of economic and social blood. Huge bottlenecks. In city after city, the hearts of these living social organisms are suffering angina pains from coronary conditions that leave whole areas atrophying in the central cities.

This picture that we see in our cities is very disturbing. And it is not just something that is happening afar in New York City, or Chicago, or Philadelphia, or Washington, D.C. It is happening in Raleigh, Greensboro, Winston-Salem and in Charlotte.

The great threat that now faces us is that the social and economic ills of the nation's inner cities may worsen and spread over entire urban areas, infecting even the entire national structure unless we act together to prevent it. Even the present cost to us in terms of lost human resources and in tax loads is staggering.

As we look ahead at what we can do about this, there is both good news and bad news.

You'll recall the story about the embattled cavalry forces on the early prairie that had been hemmed in their fort by the Indians. It was winter time and the food in the fort was running out, and it appeared that it may be another 30 days before the spring thaws would enable other cavalry to come to their aid. The Captain called the men together one day and said, "Well, I have both good and bad news for you."

They said, "Give us the bad news first."

The Captain said, "Well, I'm sorry to tell you this, but in three days the only food that we will have left is buffalo chips."

They said, "Now give us the good news."

The Captain said, "The good news is that we have 15 tons of it."

POPULATION PROSPECTS

As we look at what lies ahead for our cities and our way of life, let's look at the bad news first: Our population experts tell us that unless our habits change we are very likely to have 100 million more people to add to our compaction in just 30 years when we reach the magic year 2000. I'll leave it to you to contemplate whether such a habit so ingrained is likely to change materially in that period of time.

The mathematics of it is that this increase in population in 30 years is one additional person for every two that we have now to be accommodated in the same space. Or look at it this way: The increase in population will be as many people as now live in 41 of our 50 states. It means adding each year for 30 years the equivalent of two-thirds of the state of North Carolina to our population and to our productive economic activity. Or visualize it this way:

In order to accommodate the coming growth in population we will have to erect a new city the size of Asheville each week. Imagine the frenetic activity of building an Asheville every seven days for the next 30 years. And if we want a day of rest in our week, we will have to do the building in six days.

That is the bad news. Now what is the good news?

The good news is that unless we also change this historic pattern of the past that these people will try to crowd into metropolitan areas that are already overcrowded, uneconomic, unmanageable and afflicted with the four modern plagues: pollution, blighted housing, crime and transportation paralysis.

Facing that prospect, we inevitably cast about for what we can do. We are almost as distraught as the hard-scrabble farmer in Western Dakota who lived 30 miles from town. His wife was soon to give birth and he stopped off one day when he was in town to see what the doctor would charge for delivering the baby. The doctor told him that it was a long drive out to his farm and with the cost of everything going up that he'd have to charge him $100. The farmer, who had been thinking more in terms of $50, let the doctor know that things were plenty tough on the farm, too, and that he couldn't pass his farm costs on, and that he'd just deliver the baby himself and save $100.

In due time, the doctor got a phone call from the farmer who said, "Hello, Doc. I've just delivered one fine boy; saved $100. Ha." And he hung up.

An hour later, the doctor got another phone call from the farmer: "Hello, Doc. I've just delivered two fine boys; saved $200. Ha, ha." And he hung up.

A half hour later, the phone rang again. It was the farmer: "Hello, Doc. I've just delivered two fine boys and a girl. Say Doc? How do you shut this dang thing off?"

HOW TO BE HAPPIER AND HEALTHIER

Well, there is something that we can do to shut off the flow of people into compacted cities. We have the ability to help Miss Rural America do something about her 33–50–60 and simultaneously help Miss Urban America with her 66–3–85.

If this is to be a happier and healthier nation in the years ahead, our growing industry and our increasing population must spread out—across the countryside—instead of continuing to pile people and industrial plants into compacted areas. And our rural countryside—your countryside—must have a greater share of the economic activity of the nation if it is to deal with its problems of housing, education, health care and jobs in the countryside. This is the challenge of Rural Development and Countryside Growth.

We easily arrive at the conclusion, I believe, that the potential of this nation does lie in its countryside. It is there that we have the clean air, clear water, living space, outdoor recreation, scenic beauty, transportation potential, tranquility, inspiration and the opportunity for man to live more in harmony with nature. And we can make this a more livable country—for countryside and city together—if we have the good sense to plan, and zone and build sensibly in countryside areas so that man can live more in harmony with himself and with nature. This means that rural people will want to stir themselves and have a hand in modern planning and zoning to create the proper conditions for enlightened economic growth. Otherwise, we may merely create more slums, and more compaction, and more pollution out in the Countryside from the same lack of planning that has led to so many of our problems in the cities.

Unless we change, and use more foresight, the sheer cost of correcting our mistakes may lock us into an economic morass similar to some of the unfortunate emerging countries of the world. Already, it is estimated that it would cost $100 billion annually for 10 years of corrective surgery to rebuild and remodel our big cities. And ask yourself whether we can bear such a burden even now, let alone if the circumstances should worsen.

FARM AND RURAL ADJUSTMENT

The most logical solution to this dilemma will also help our countryside rural areas, which have been undergoing a revolutionary adjustment. Our farmers have become so superbly efficient that they have worked themselves right out of their jobs. Instead of one man, 40 acres and a mule, it has become one man, 300 acres and a tractor.

In the last 10 years, more than one-fourth of our farms have disappeared—they have been consolidated into larger farms, and these larger units even then can hardly carry the capital costs of today's kind of scientific farming. Farmers' productivity and labor efficiency have been increasing three times faster than in industry. This farm productivity has helped counteract inflationary high prices more than is commonly understood or appreciated. Even though it is costing more and more to move food from the farm to your table, agricultural efficiency is such that farmers are producing food so cheaply that we spend only 14% of our national before-tax personal income for food. This is the lowest in history, and the lowest for any civilization ever known—and we are doing it with fewer than 5% of our population on farms.

This amazing agricultural efficiency is a chief reason for our national affluence. The fact that we can spend 86¢ out of each dollar of personal income for things other than food allows us to support a wide range of consumer goods and services and releases 95% of our people for other economic activity. We can pour money and people resources into education, the arts, household appliances, automobiles, sports, housing, highways, airplanes, electric power and the like. Should anyone not think that this is a vital key to our affluence, let him look at economic conditions in any country where agricultural productivity is such that it employs most of the people and most of the national income goes for food.

But the irony in this country is that farmers have not shared equally in this national affluence. Farmers have been too busy painfully adjusting to their own phenomenal productivity.

Two things about this should not escape our attention this evening: First, rural areas have sent 25 million people to metropolitan areas since World War II. Think of that, in the short while since the signing on the battleship Missouri, we have witnessed the greatest migration of people in all history—and often have thought too much about it.

Many of the rural people that we have sent to the cities have been well-trained and ready to step into positions in business, education and government. Many of them have been rural young people who are the flower of the countryside—vibrant, trained, resourceful, filled with a dream of achievement, and fired with an ambition to succeed. They have stoked the fires of industry; managed the board rooms of commerce; stood with you in the legislative halls; and have risen to prominence in the arts, education, law and government.

But realistically, some of the rural migrants—too many, we must confess—have been poorly trained, inadequately prepared, have added to the welfare rolls of the cities, and have compounded to compaction and the metropolitan plagues.

The second point is that while this change on farms was galloping along at break-neck speed, rural towns that serve farm communities were also undergoing a painful adjustment. As the farm population shrinks, there are fewer people for rural towns to serve. Small town businesses suffer and towns shrink in opportunity and vitality.

And this is why we have 50% of the poverty and 60% of the poor housing in rural areas.

What we must do in order to meet the needs of our increasing population; and to solve our pressing problems of the cities; and to reverse the four plagues; and to build the new life we want; is to revitalize our rural countryside.

How do we do that and achieve desirable countryside growth?

HOW TO GET COUNTRYSIDE GROWTH

First, we should decide what we want to do—have a goal, if you will. Then we can set up the machinery for getting to that goal. Next, we can develop the specific projects for that machinery to achieve that goal. Let's touch those lightly since this is the heart of what we are saying, and above all else I hope that we can agree on these simple, but vital points:

1. The goal of Rural Development, or Countryside Growth, I think we would agree, is to create job opportunities, community services, a better quality of living, and an improved social and physical environment in the small cities, towns, villages and farm communities in rural America. We should have a national policy that encourages new industries and new population growth to spread out. And we should start by locating more of our government office buildings and installations in or near smaller cities.

As we encourage expansion in rural areas, we should keep in mind our future needs for cropland and not merely cover our best cropland with roads, streets, shopping centers, factories, houses and airports. Would it surprise you to know that of the four major uses of land, our nation's cropland is the smallest of the four? If the nation's land were shrunk to a model only 100 acres in size, 34.6 acres would be in pasture and grazing; 26 acres would be forest and woodlots; 19.8 acres would be roads, railroads, wasteland, farmsteads and cities; and 19.6 acres would be cropland.

2. The *aim*, I think we would agree, is to create job opportunities through private enterprise, accompanied with education and

job training to better fit rural people for these jobs—plus one more ingredient: bringing the jobs and the job-seekers together. We are not talking about merely transplanting existing established industries. After all, if we are going to duplicate two-thirds of the economy of North Carolina each year, that's considerable new industry in itself—not even accounting for the inevitable increased pace of the future.

At the same time, this will help farmers. It will create larger markets near-by. It will offer part-time work. It will create job opportunities for farm young people so that they won't have to move to some far-off city. And it will create better schools, better services, better recreation and a wider selection of better goods in their communities.

3. The plan is to build self-sustaining, expanding economic bases in rural areas that can provide these rural community services without resorting to perpetual government subsidies or welfare. We should remind everyone that jobs are created by the ingenuity and ambition of private enterprise. No one should feel that we can pull jobs out of the air or that the government can manufacture jobs. We should be agreed that wealth is created by job-holding citizens and self-employed persons producing goods and services; that wealth is what you and I produce for others to use and enjoy. It follows then, that the most effective Rural Development Countryside Growth program is job development through private industry.

4. And last we should do this locally where we can use local energy, local interest and local good judgment. If not, it will fail. The proper role of State and Federal Government in this venture is to help local areas with their planning—to share ideas, to offer credit, to establish national growth policies, train people, and use tax incentives to stimulate countryside growth. I don't know how you feel about it, but I hope that you agreed with me as I silently applauded last Friday night when the President said in the State of the Union address that he rejected the idea that government in Washington is more wise and more efficient than government at the local or state level. I reject entirely the idea that government in Washington is half as wise and efficient as local government.

And I believe that we should adhere to that philosophy in our Rural Development Countryside Growth efforts. The President's Task Force on Rural Development puts it about right, I think, in its report entitled "A New Life for the Country." It says: "Rural Development as a community-wide action program cannot start unless the local people want it, and it cannot succeed unless local leaders aggressively promote it." It says, "Vibrant, progressive communities don't just happen, nor are they beyond the reach of any of us." It says further: "If a community lacks leadership, if it lacks local concern, if it isn't convinced that it should become a better place to live—then perhaps it shouldn't."

But with you, I believe that many of our rural communities are ready and that they do have that spark—and we should join them in spirit and with our support.

THE SPARK OF GREATNESS

Now we have arrived at that point we have all been waiting for. I take leave of you with this simple thought:

The answer to whether we will have that better life for ourselves and our children will be in our response. That sounds so simple. Yet Arnold Toynbee, who has spent a lifetime studying the history of nations and of mankind, has not come up with an answer any more complicated than that. Nations rise and fall in direct relation to their response to challenges.

Some nations fail to see the challenge; others fail to respond adequately. In either case, their star falls from the firmament of world greatness.

Nation's as we know, are the sum of their people. The national response to challenge is the sum of the many responses within the nation—the response of citizens, the response of industry, the response of our schools, the response of our political parties, the response of our government, the response of legislators, if you will.

So what we do together—what you do as legislators, what you do as cooperative leaders, and what I do as an editor—will add, or subtract from the national response to this enormously important challenge, and it will help decide—affirmatively or negatively—whether we can really have "A New Life for the Country."

THE NATIONAL WEEK OF CONCERN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. ANDERSON of California. Mr. Speaker, I was proud to cosponsor the joint resolution authorizing the President to designate the period beginning March 21, 1971, as "National Week of Concern for Prisoners of War—Missing in Action."

The observance of this "National Week of Concern" provides an opportunity for the expression of national feeling at every level. I am privileged to add my voice to those who share the concern on all our people for the plight of over 1,600 Americans now listed as prisoners of war or as missing in action in Southeast Asia.

To be meaningful and effective, we must channel our concern into constructive activities which will arouse public opinion in this Nation and throughout the world.

Within the civilized community of nations, certain rules and procedures have developed over the centuries to mitigate the brutality of war and to introduce some humane element into conflict. Many of these rules center around the rights of prisoners and captives. Today we see these basic principles flagrantly violated in Southeast Asia. We are determined to do all in our power to end mistreatment of our captive servicemen and, ultimately, to effect their release.

Here is a concern which transcends all partisan prejudice or ideological passion, a concern which cries out for the wholehearted support of every American. It is a concern which should be shared by all men of good will in every nation throughout the world. At stake are the lives of helpless prisoners as well as certain basic principles of humanity honored at all times and in all places.

Let this week of concern mark a renewal of dedicated effort by all the men of this land in behalf of our men captured or missing in Southeast Asia. Above all, let us unite in prayer for a just and enduring peace founded on unshakable principles of right. The humanitarian provisions of the Geneva Convention embody the humane sentiments of man, refined through long centuries of struggle. May this week of concern inspire in us all a deeper sense of unity, not only with our fellow Americans held captive in a foreign land, but with all who, under God, care for the cause of human decency.

PRISONERS OF WAR

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DEL CLAWSON. Mr. Speaker, perhaps the most stirring aspect of the observance of this week of concern for U.S. prisoners of war is the unity of purpose displayed by Americans of all shades of political thought, of all points of view regarding U.S. foreign policy in Southeast Asia and elsewhere. The issue is so clearcut—whether the minimum requirements of international law will be recognized by the government of Hanoi, that there can be no misunderstanding of our position.

Meeting with the brave families of our prisoners of war who have been living in a twilight world of worry, despair, and occasional faint hope, some with no tangible knowledge of missing members of their families for many long years, you can only respect and admire the tenacity of purpose and the quiet courage these families display. It is as though they seek to match the record of stoic endurance by their missing members held in Hanoi's prisons.

If the leaders of North Vietnam had supposed that as the years drag by there would be a lessening of national concern, a gradual withering away of national resolve to free our prisoners, or obliteration of their memories among friends and relatives, let it be noted that our concern has increased and strengthened. I have mentioned previously the personal friends of the Clawson family who have been in the forefront of the effort to secure humane treatment and release of U.S. prisoners. From these friends I have received insight into the heartbreaking problems which face a family deprived of a husband, son, father, held interminable years in a foreign prison. The ordinary decisions of daily living are complicated by uncertainty regarding the fate of the head of the family. What possible military advantage can accrue to the government of Hanoi in holding these men prisoner for so many years contrary to the requirements of the Geneva convention? The President, in his proclamation setting aside this week of national concern, has made it perfectly clear that we do not intend to forget our prisoners of war and that our efforts to secure their freedom will continue. The subsequent national outpouring of concern must surely make itself felt. A grim anniversary is celebrated this week. On March 27, it will be 7 years since the first U.S. serviceman was imprisoned in Southeast Asia. Our efforts must increase to focus the attention of the civilized world on this outrage so that, God willing, it will not be necessary to observe another sombre anniversary next year.

PRISONERS OF WAR: A MORAL OBLIGATION

HON. EDWIN B. FORSYTHE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. FORSYTHE. Mr. Speaker, this week we are expressing concern for some 460 American soldiers who are known to be held prisoners of war in Southeast Asia. We are expressing concern for some 1,143 men missing in action there.

It is right that our Nation should join in a unified expression of horror and protest against the atrocities committed against American fighting men.

But it is absolutely essential that we continue pressing as a Nation for the fair and humane treatment of our prisoners of war and soldiers missing in action.

It is not enough that we rest with recognizing the plight of these brave men for a week, with speeches and ceremonies. For this will not result in freedom. This will not result in fair treatment. This will not result in the North Vietnamese Government changing its tactics and abiding by provisions of the Geneva Convention.

I was pleased to join in sponsoring the bill designating this week as "National Week of Concern for Prisoners of War/Missing in Action."

I am convinced that a joint effort on the part of all Americans; a unified show of support for our men is required. But, I also assert that President Nixon must take heed of this grassroots concern and press his efforts toward obtaining fair treatment and freedom for these Americans who have so visibly demonstrated their devotion to their country.

The President, I am certain, realizes the need for a revitalized effort in this area. Earlier this month he pledged his own firm commitment to win the release of all prisoners.

This country has tried political exchanges of prisoners. It has tried to win the release of information concerning prisoners. It has tried to counter North Vietnam's approach with public protest of unfair treatment.

Recently, American soldiers raided prisoner of war camps, only to find them evacuated.

Despite these efforts, American men languish in Communist prison cells. Some who have been released have reported isolation, inadequate food and medical care, denial of mail from home, and outright torture.

The resolution, cosponsored by many of my colleagues in this House, protesting treatment of POW's and MIA's, should be passed by Congress.

But we must not expect that this one act will win fair treatment. The administration must continue and intensify its efforts—both diplomatically and any other possible means—to win the release of these brave Americans.

For we must not allow our men to ever doubt that their Nation is behind them and working for their release.

PIONEER SPIRIT IN AMERICAN FARMERS

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. FINDLEY. Mr. Speaker, one of the great downstate Illinois newspapers, the Illinois State Journal, last week editorially saluted the American farmer calling him a person who has "the spirit of the pioneer."

Many of my colleagues in the House will agree, I am certain, that farmers truly are people who must have a pioneer spirit of bravery and confidence in their ability to produce food for which there will be a profitable market.

The Illinois State Journal editorial details well the problems farmers face and the debt all peoples of the world owe them. I am pleased to include it as part of my remarks:

AMERICA'S PIONEER SPIRIT LIVES IN FARMERS

Farming has traditionally been regarded as one of the most hazardous occupations of man.

But it would seem that in this uncertain spring of 1971 the Midwest farmer who sows a crop is battling the longest set of odds in agricultural history.

Just about every conceivable factor—the weather, world conditions, the economy, politics—seems to be against him. One need not even mention the corn blight which almost ruined him last year and could finish the job in 1971.

To plant his corn crop is going to cost him more than a year ago. If he needs to replace a tractor or other farm equipment he will find himself paying a considerably higher price than he did a year or so ago.

If he escapes the corn blight and the weather turns favorable, especially in terms of rainfall, he may have a crop to sell. Then he needs only hope that the bottom has not fallen out of the market.

With the corn outlook as risky as it is, it is no wonder that some surveys indicate that farmers will be planting more land in soybeans than is generally the case.

The only drawback is that the more farmers who plant more acres in soybeans the more soybeans will be harvested and this could depress the price. The situation could be even worse if those warnings about a possible transocean trade war came true and foreign nations retaliate against U.S. exports. Illinois, the leader of all the states in soybean exports, would feel this in a hurry.

It is enough to make any man lose faith in the soil and his country. But fortunately for all of us the American farmer is a hardy breed. The spirit of the pioneer lives in him. His life is still an uncertain, hard and demanding one and he faces his array of problems without a whine.

He may complain now and then, and indeed, who has more right. But his plea is not for a handout, a comfortable life supplied by government largess. All he asks is some fair share in the immense contribution he makes to the nation's economy through the sweat of his brow and through knowledge and skill won through long hours at work and at war with nature.

There are fewer farmers today than in the past. It is the farmer's own proficiency as much as anything that has reduced his numbers. Fewer farmers produce much more.

But farming remains a vital segment of the nation's economy and, even more important, of American life itself. It must remain so if this country is to prosper and retain a meaning for existence.

Soon now all across Illinois the tractors will be chugging across the fields late into the twilight, reaffirming a faith in a way of life and a country whose lasting values are, perhaps, more clearly recognized by those close to the soil than anywhere else in society. It will be a welcome sound.

RURAL ELECTRIFICATION ADMINISTRATION AND RURAL TELEPHONE SERVICE

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. BEGICH. Mr. Speaker, Rural Electrification Administration loans to telephone cooperatives in rural areas have for 35 years helped such cooperatives to bring better telephone service to their subscribers. This federally subsidized 2-percent loan program has made rural service improvements possible and is the main reason that 83 percent of the farmers in the United States now have telephone service of some type. REA loans to the Matanuska Telephone Association of Palmer, Alaska, and the Copper Valley Telephone Association of Glenallen, Alaska since 1954 total $5.25 million. Over 5,000 subscribers enjoy the REA backed telephone service in Alaska, and REA financing made it possible for Valdez to use the first jointly buried electric/telephone lines in the United States, installed after the 1964 earthquake forced the town's relocation.

There are 878 REA telephone borrowers; 642 commercial companies and 236 cooperatives. Their needs for low interest loans are growing, as REA noted when they reported that they had to meet $551 million in new and pending loan applications with only $125 million in lending authority in 1970. Existing borrowers aren't the only ones who need the loan program, though. Some Alaskans do not have access to a phone system of any kind, while others rely on a restricted radio-phone hook-up made available to them at certain hours of the day by the armed service bases. To insure that these citizens will not be denied the telephone service they deserve, the amount of capital available for loans must be increased. At the same time, the Federal Government should not, and cannot afford to, completely subsidize this loan program with public money forever.

The proposed rural telephone bank of House Resolution 7 offers a way that private money market funds can supplement Federal capital for these low interest loans. It also offers the rural telephone cooperatives increased available capital for loans, and the chance to eventually own and control the institution handling those loans. Federal money investments will prime the pump, and will be repaid out of loan repayments to the bank. Private investors and borrowers themselves purchase stock in the bank, taking full private control of the

bank when investments equal two-thirds of the total outstanding stock. Like the Federal Land Bank system on which it is based, the rural telephone bank will free the lending program from reliance on Federal financing, thereby freeing that money for other uses. The excellent repayment history of past loans insures that the Federal money will be repaid.

The proposed loan schedules mean that those cooperatives that can afford to pay interest will do so, and those who cannot will be eligible for low interest loans that have been in use under section 201 of the Rural Electrification Act of 1936. Intermediate loans made to June 1985 will carry an interest rate reflecting the current market rate, or 4 percent whichever is lower. By 1985 those companies whose assets allow it will pay the going market rate for loans, while those new companies will be eligible for the low interest loans. The 2 percent loan program of section 201 is a vital part of the development of rural telephone service, and must not be removed from the bill.

In the interest of developing the rural telephone system to its fullest extent, so that all citizens have telephone communication service, I will vote for House Resolution 7, and urge my colleagues to do likewise.

GEN. OMAR BRADLEY—MILITARY MAN WHO LOATHES MILITARISM

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. EVINS of Tennessee. Mr. Speaker, Gen. Omar Bradley, one of the great generals in American military history, is also a great humanitarian.

In an article in the Sunday Star, Associated Press writer Jules Loh provides an interesting insight into the character and life of General Bradley.

It was my great honor and privilege to serve under General Bradley in the European theater of operations in World War II. My immediate commanding general, Gen. E. C. McNeil, once described to me General Bradley as "the greatest general in World War II."

General McNeil described Gen. George Patton as "dashing, daring, and colorful," but said in his opinion General Bradley was a "brilliant strategist" whom in a tight situation, was the greatest general of the war, assuring victory.

General Bradley later became Administrator of the Veterans' Administration where he served with great ability and distinction—an able administrator.

Because of the interest of my colleagues and the American people in General Bradley, I place the article from the Star in the RECORD herewith.

The article follows:

BRADLEY: MILITARY MAN WHO LOATHES MILITARISM

(By Jules Loh)

LOS ANGELES—Ten miles north of Bastogne on a green hillside in the Belgian Ardennes lies the village of Houffalize, two rows of tidy stone cottages, a sawmill, a church, a few shops.

For years, centuries perhaps, the village was of little concern to any except the families who lived there, or to the occasional travelers who stopped to refresh.

In the bloody winter of 1944, though, quiet Houffalize took on an importance it never sought and would forever regret.

It was the misfortune of the village that it sat astride the intersection of two roads, running north-south and east-west. The desperate armies warring across Belgium that winter found it strategically critical to control those roads. For that reason Houffalize was destroyed.

A generation later an old soldier who fought in that war, General of the Army Omar N. Bradley, returned to the scenes of its great battles to attend ceremonies marking the 25th anniversary of the invasion of Normandy. While there, he made room on a crowded schedule for a private trip to Houffalize.

"I had always wanted to go back," Gen. Bradley said.

"When I ordered Houffalize bombed the Germans held the village." He took a long, slow drink of ice water and set the glass down empty. "You see, there was no way I could warn the citizens."

Telling about his visit to Houffalize one got the impression that something more compelling than curiosity sent Omar Bradley back. He seems to have felt it was a journey he had to make, a personal matter, and that, having made it, he had tied up a last loose end and was free of an old burden.

"There were no visible scars," he said. "In fact, they were prospering. And," he added, brightening, "they were genuinely glad to see me. Gave me a grand welcome."

AN ARMY OF MEN

Those who served under Gen. Bradley back then remember him as one who regarded his armies as men, not digits. It was characteristic of him, that, at a time when other Americans are fretting over loss of identity in an increasingly computerized society, he should still be concerned 25 years later with the fortunes of an insignificant Belgian village and its people.

"There is no reason people should worry about losing their individuality," he said, "Machines haven't made us surrender anything as humans that we are unwilling to surrender.

"I see it the other way around: Machines have expanded human opportunities. One obvious example is that now we have the opportunity, because of technology, to go to the moon if we want to. That's a gain for the individual, not a loss."

Omar Bradley, America's last living five-star military officer—there have been only nine—is by a nature a private man, yet he dedicated his life to public service.

He led in the field the largest armed force history has made record of, led it to victory over a clear and present tyranny that might have engulfed the world. That done, "the GI's general," as he became known because of his compassion for his men, took over the Veterans Administration—a job he did not want but did not refuse—at a time when 14 million men were returning to pick up threads of sundered lives. Then he served as chief of staff and later as chairman of the Joint Chiefs of Staff during a new and vague sort of war in which Americans fought under a United Nations banner and there was, perforce, a "substitute for victory."

Today, at 78—his birthday was Feb. 12—the old soldier still stands straight as a cadet, still walks with a light, athletic gait, still socks a golf ball far and true, still outfigures the horse handicappers and still outlasts hunting companions in long walks over rough country. Age has lined his face it remains the familiar Bradley countenance—a gaze of mellow benevolence squeezed between a great hairless brow and heavy jaw.

Though waging a minor battle with a waistline bulge he is remarkably fit, and busy, at his desk and out of doors. And he is the first to say he thoroughly enjoys his present life. At long last he is heeding nobody's trumpet except his own.

But there is no doubt Omar Bradley would put aside his own pleasures and pursuits if asked to shoulder again the responsibility that he says belongs to every American.

Just last year the White House notified him one morning that the President wished to speak to him by phone at 4:30 p.m. All morning and into the afternoon the general paced his home stewing over what the President could possibly want. By 4:30 he had prepared himself, as he had so many times in the past, for another abrupt change in his life.

TIME TO THINK

He needn't have worried. Richard Nixon wanted anticlimactically, only to thank him for a message—one the general had forgotten he had sent—saying he regarded America's incursion into Cambodia as a sound military move. But had the President's call been yet another summons to service, it did not occur to Omar Bradley that he might decline.

"I don't think anyone can ever say "I've done enough,'" Gen. Bradley said.

"In fact somebody ought to make more use of retired people. A retired man has the time to put his feet up on the radiator and think. When I was chief of staff I never seemed to have the time to think. I should have asked some retired officers to sit back and think and let me know their thoughts."

Omar Bradley is not, strangely enough, a retired officer. Other tribes may have once put aside the old warriors when they could no longer throw a spear, but Americans reward their five-star generals with "active duty" status for life, while at the same time permitting them to pursue their own interests.

When Gen. Bradley left his Pentagon post in 1953 he went with the Bulova Watch Co., and today is its board chairman. Once a month he flies to New York for a board meeting. He also periodically visits his Pentagon office where a full-time secretary keeps busy with a surprisingly large load of daily correspondence.

Between trips, he enjoys the serenity of a home stop at a 1,232-foot crag in Beverly Hills, with a view of the blue Pacific from the veranda, a place where he can wear old clothes and put his feet up on the radiator.

Omar Bradley is not the deep, philosophical sort, however. His wisdom represents rather the advantage of simple, absolute honesty; his success the triumph of men of good will. He was born in an era of national innocence and never lost faith in the verities asserted in America's seminal documents or in the sermons of his Campbellite Sunday school teacher in Moberly, Mo.

Moreover, he has an uncanny instinct for separating the trivial from the significant, the transitory from the lasting.

CURIOUS WORDS

It is a sense of balance which did not desert him even in the heady postwar years, an era when movies and pulp magazines were tirelessly hailing conquering heroes and the two-finger V signs, as popular then as now, had an entirely different meaning. America was invincible!

America was also in need of perspective. Gen. Bradley, one of the most decorated and confettied heroes of them all, provided it.

The occasion could not have been more appropriate for the usual ringing rhetoric of the day: a Memorial Day speech at the grave of a Medal of Honor winner. Instead, Gen. Bradley's theme was sobering:

"For every man in whom war has inspired sacrifice, courage and love," he told his audience, "there are many more whom it has degraded with brutality, callousness and greed."

Curious words for a professional warrior.

War, not peace, brought Omar Bradley fame and propelled him to the topmost echelon of his trade. Had he, as had certain of history's other generals, welcomed the chance to perform that which he had rehearsed so long?

"I certainly did not welcome war," he said. "That goes without saying. I would have much preferred to have served out my years in a peacetime army and retire quietly as a colonel. Once war came, I did welcome the opportunity to do what I was trained to do and paid to do."

Gen. Bradley draws a careful distinction between military men and militarists—"those who serve their country professionally, under civilian control, as opposed to those who put themselves in a separate caste above their government with a code of their own"—and is himself decidedly antimilitarist.

Chatting with him in his living room, his twin miniature poodles romping on the rug, leaping into his lap ("Their names are Omaha and Utah; the tough one is Omaha,") the Army's highest ranking officer seems as "civilian" as anyone could get. There is none of the stiff protocol peculiar to the military, none of the pomp of a MacArthur or the swagger of a Montgomery. With Bradley, a visitor feels more inclined to drape a leg over the chair arm than to jump up and salute.

Omar Bradley always has taken his job more seriously than himself, a virtue often attributed to great men but rarely seen in practice. In his foyer is a glass cabinet, containing row upon row of foreign decorations.

"Did you ever wear all those medals, general?"

"Lord, no. You never wear those things." He laughed. "Unless you're a Patton."

Inspecting the display closet, one notices with amusement that between the ornate Order of Suvorov, the award from a grateful Russia, and the elaborate Grand Cross of Ouissam Alaouite, from a grateful Morocco, rests the key to Atlantic City, U.S.A.

During the war Gen. Bradley never made a formal speech to his men, never issued a personal order of the day. In attire, he was probably the least affected general since Zachary Taylor, who wore a straw hat. Generals were allowed to design their own uniforms, as witness the Eisenhower jacket, the Patton jodphurs, the MacArthur hat; Bradley was satisfied with stock GI issue. When he was head of the VA he forbade use of military titles on office doors or in letters to discharged soldiers.

The fact is, Gen. Bradley's own choice of the military as a career came about quite by accident.

His father, a farmer and rural Missouri school teacher, died when Omar Bradley was 14. His mother moved from the country to Moberly, a town of 10,000, so that her son could go to high school and she could take in sewing. After high school Omar—named for a family friend—got a job at the Wabash Railroad repair shops to help make ends meet at home and to save money for college.

"The family was pretty hard pressed," Gen. Bradley recalled. "But I don't remember ever being unhappy. At least my boyhood experience gave me a sense of responsibility. If I didn't cut the firewood, we didn't have firewood. If I didn't clean the lamps, we didn't have clean lamps.

"One trouble with modern living is that children don't have that opportunity. The furnace goes on automatically and you flip a switch to get light. If a child doesn't learn responsibility by having responsibility, first of all to his own family, how will he ever develop a sense of responsibility to his community and his country?

"In any event, I knew I would go to college but I didn't know when. I had in mind going to the University of Missouri and studying law."

Instead, his Sunday school teacher, John Crewson, who knew the Bradley financial situation, suggested that Omar apply for an appointment to West Point, explaining that it was a chance for a free education. To young Omar's surprise, he was notified of his selection as an alternate candidate.

He had been out of school a year and thought little of his chances in the competitive examination—so little that he wouldn't have bothered to go to St. Louis to take it had he not been given an employe's free railroad pass.

TROUBLE WITH MATH

The exam was as difficult as he had expected. Especially the math, his best subject.

"I puzzled over it for two hours," he said. "Then I just gave up. I took my paper to the front of the room where the proctor was sitting at a desk, reading. When I got closer I discovered the fellow was asleep. I thought it would be a shame to wake him, so I took my paper back—and worked out all the problems."

He graduated in the West Point class of 1915. Following custom, Cadet Omar Nelson Bradley's personality sketch for the yearbook was written by a classmate.

"His most prominent characteristic is 'getting there,'" wrote Cadet Dwight David Eisenhower, "and if he keeps up the clip he's started, some of us will some day be bragging to our grandchildren that 'sure, General Bradley was a classmate of mine.'" Eisenhower also included an anonymous quotation: "True merit is like a river. The deeper it is the less noise it makes."

Bradley's career was one of steady, noiseless excellence.

"I never thought about promotions," he said, but "schemed" is what he meant. "I tried to do my job a little better than was expected of me, to study a little harder than was expected of me. I have never regretted making a career of the military. I have found it to be an honorable profession, and an essential one."

And, he feels, one that must never be regarded as an end in itself; he regards civilian control of the military under an elected government as one of the more critical safeguards of the American Constitution.

So as not to threaten that relationship, he believes strongly that military men should stay out of politics, even after they retire. For his part, he turned down an offer from Democratic leaders to run for the Senate in California in 1954.

"If a tradition started in this country of generals moving on into politics," he said, "their usefulness as generals would be hurt."

WHY SHOUT?

"For example, top military men have to testify frequently before congressional committees. Now, if the congressmen have to wonder whether the testimony might be colored by the man's future political ambitions, the testimony loses its value. The military's objectivity should never be put in jeopardy."

Omar Bradley was never one to equivocate. When he was chief of staff he received a long, sad "Dear Brad" letter from a classmate who had failed to be promoted. An aide drafted a long, soothing reply. Bradley tore it up.

He wrote: "A board of seven votes on promotions to lieutenant general. Five votes are necessary. You didn't get five votes. Sincerely, Brad."

Those close to Gen. Bradley over the years say they have never known him to raise his voice. "When your position is such that no one can answer back," he shrugged, "why shout?"

His normal voice is so low a listener must strain to hear; when angry, it drops even lower. Moreover, he has such consummate inner cultivation that politeness is instinctive. During the war an aide accidentally fired off a pistol as he was handing it to Gen. Bradley.

"For God's sake, Chet," the general said, almost in a whisper, "would you put that damn thing down. Please."

This characteristic of Bradley's has led some to equate geniality for softness. What folly. As veterans administrator, the general once denounced the national commander of the sacrosanct American Legion and did it at a Legion convention with the commander present. Another time he ordered a hospital to be built many miles from the site a certain Illinois congressman had publicly selected but where the general's own research showed it ought to be.

"What will I tell my constituents?" the congressman wailed.

"Tell 'em Bradley said no soap."

No mincing of words there. "When I first went to work in the Veterans' Administration," Gen. Bradley recalled, "I was puzzled for a long time why my letters to people in foreign governments took so long to arrive. I came to find out they were being sent over to the State Department for rephrasing."

Omar Bradley delights in a well told story, especially one on himself. Indeed he is planning a book of anecdotes collected during his military career. "Ike called his book 'At Ease.' I guess I'll have to call mine 'Parade Rest.'"

TIME PRECIOUS

Finding the time to put the book together is the problem. "At my age," Gen Bradley said, "time becomes precious." His daily schedule reflects a conviction that life is not all beer and skittles but that beer and skittles must form a good part of any full life. He spends long hours of correspondence and corporate duties but takes time, precious time, to read several books at once and to golf and hunt and go to the races and swim in his pool with his vivacious wife, Kitty, whom he married in 1966 after his first wife died.

"Right now I'm reading Irving Stone's book on John and Abigail Adams, 'Those Who Love.' I'm also rereading Creasy's 'Fifteen Decisive Battles of the World,' a book my father gave me when I was a boy. I just finished Donald Brownlow's 'The Accused' and I have a stack of books waiting to be read. Dean Acheson's, for one! I can't wait to get into it."

Gen. Bradley's own book, "A Soldier's Story," was a best seller when it came out in 1951 and was easily the most readable of all the World War II Memoirs.

"Well, I tried to make it readable," Gen. Bradley said. "I remembered falling asleep reading Gen. Pershing and I didn't want some young officer inflicted with Bradley to be bored. I cut the manuscript from 500,000 words to about 100,000."

If Omar Bradley's personal heroes do not include John J. Pershing they do, understandably, tend toward military figures: "Washington, Lee, Grant, Marshall—I think George C. Marshall was the greatest man this country has produced in the past century. He could walk into a room of strangers and everybody would notice there was somebody else in the room.

"Gen. Marshall had the qualities of greatness: character, human understanding, a thorough knowledge of his job, a certain stubbornness.

"President Truman has those qualities. So had President Lincoln. So had my father . . . just a country school teacher. A man doesn't have to hold high rank or office to be a great man."

Looking back on his life from the high hill of age, Omar Bradley can see nothing in his own performance to regret.

"I did my best," he said. "I don't believe I could do it any better or would do it any differently if I had it to do again. Yet, I believe I would approve. I believe I would."

PRESERVATION OF ICC AS INDEPENDENT AGENCY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a letter to Members of the 92d Congress regarding preservation of the Interstate Commerce Commission as an independent regulatory agency signed by Paul Rodgers, general counsel of the National Association of Regulatory Utility Commissioners and that organization's Resolution No. 8 regarding preservation of the Interstate Commerce Commission as an independent regulatory agency.

As one who from time to time in the past, and I suspect in the future, has found real reason to be critical of the ICC, I feel this communication merits careful consideration by the Congress and by persons interested in good government everywhere.

The solution to the problems of the ICC lies in part in the hands of that agency. On its own the ICC could do much to convert its sometimes lax, lackadaisical and inadequate performance of times past. The solution to ICC problems lies also in the hands of the Congress of the United States which has permitted a takeover of the ICC and other administrative agencies by the Office of Management and Budget.

Vigorous action by the Congress of the United States to restore independence to that agency by eliminating the dead hand of the OMB is urgently needed. The OMB flagrantly restricts the ICC in the proper carrying out of its function not only from a budgetary standpoint but also from a policy standpoint. Legislation to emancipate the regulatory agencies from the improper, unjust, unwise, unnecessary and counterproductive hand of the Bureau of the Budget now pends in the Congress under sponsorship of myself and other Members of this body.

One must come to the conclusion that those who seek to abolish the ICC as an independent agency do so either to eliminate free and independent adjudication of important questions of national policy, or because they are frustrated with the inadequacy of the performance of that agency and other regulatory agencies and so would throw out the baby with the bath water.

The letter and the enclosed resolution merit careful consideration:

NATIONAL ASSOCIATION OF
REGULATORY UTILITY COMMISSIONERS,
Washington, D.C., March 16, 1971.

To the Members of the
Ninety-Second Congress

Re: Preservation of the Interstate Commerce Commission as an Independent Regulatory Agency

GENTLEMEN: The National Association of Regulatory Utility Commissioners (NARUC), which includes the agencies of the fifty States engaged in the regulation of carriers and utilities, adopted on November 19, 1970, at its Eighty-second Annual Convention the enclosed resolution supporting the preservation of the Interstate Commerce Commission as an independent regulatory agency.

The NARUC Executive Committee on February 24, 1971, reaffirmed this resolution and directed that a copy of it be furnished to each member of the Congress.

Your consideration of this resolution is deeply appreciated.

With warm regards and best wishes, I am

Sincerely yours,

PAUL RODGERS,
General Counsel.

Enclosure.

RESOLUTION RE PRESERVATION OF THE INTERSTATE COMMERCE COMMISSION AS AN INDEPENDENT REGULATORY AGENCY

Whereas, The National Association of Regulatory Utility Commissioners was established in 1889 and is dedicated to serving the public by engaging in the study and discussion of subjects concerning the regulation of public utilities and carriers, promoting the uniformity of their regulation among jurisdictions, encouraging cooperation among the Federal and State governmental members of the Association, and advocating causes to improve the quality and effectiveness of public regulation in America; and

Whereas, Certain members of the Congress of the United States are now giving consideration to the abolishment of the Interstate Commerce Commission through the transfer of its regulatory functions to the Department of Transportation or to a single Federal transport regulatory agency to exercise jurisdiction over air, surface and maritime transportation; and

Whereas, The Interstate Commerce Commission was established by the Interstate Commerce Act in 1887 and is the oldest of the several independent Federal regulatory agencies; and

Whereas, The Interstate Commerce Commission, as an arm of the Congress of the United States, is insulated from political influence to the maximum extent practicable; and

Whereas, The basic concept of the regulation of surface transportation in the public interest, as defined by the National Transportation Policy and the Interstate Commerce Act and as administered by the Commission, has proven to be sufficiently flexible to meet the needs of both consumers and regulated industry; and

Whereas, the Interstate Commerce Commission has advanced the welfare of people in all parts of the Nation and has strengthened and unified the economy of the various regions of the Nation by preventing or eliminating unreasonable preferences and advantages to any persons, points, regions or commodities; and

Whereas, the preservation of this regulatory function is vital to the future growth of the Nation and to the continued promotion of economic opportunity to people in all parts of the Nation; and

Whereas, the users of surface transportation in particular have benefited from the Commission's ability to maintain transport rate levels significantly below the general indexes measuring the inflationary spiral of our expanding economy, with some rates today being below comparable levels of the 1950's; and

Whereas, the transfer of the regulatory functions of the Interstate Commerce Commission to a massive bureaucratic organization would adversely affect the public interest because the welfare of the users of surface modes of transportation and the modes themselves would receive less consideration and promotion in the government process; now, therefore, be it

Resolved, That the National Association of Regulatory Utility Commissioners, assembled in its Eighty-second Annual Convention in the vicinity of Las Vegas, Nevada, hereby supports the continuation of the Interstate Commerce Commission as an independent regulatory agency exercising jurisdiction over surface transportation, and hereby opposes legislation or other proposals to transfer its regulatory functions to another Federal agency, or to significantly diminish the Commission's regulatory authority over surface transportation; and be it further

Resolved, That copies of this resolution be furnished by the General Counsel of the Association to the President of the United States, to the Leadership of the Congress of the United States, to the members of the Committee on Commerce of the Senate and of the Committee on Interstate and Foreign Commerce of the House of Representatives of the Congress, and to the members of the Interstate Commerce Commission.

Adopted November 19, 1970.

IN SUPPORT OF REVENUE SHARING

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. ANDERSON of California. Mr. Speaker, I rise today to express my support for the concept of revenue sharing. As I have said many times, I believe that this program is a possible means of easing the tremendous economic problems in our cities, counties, and States, and I feel that we have the obligation to aid them by adopting some form of revenue sharing.

We all know the problem is that the costs of providing public services—police and fire protection, public transportation, schools, welfare, pollution control, et cetera—are climbing more rapidly than the State and local governments can raise the revenue to pay for them. Property taxes, especially, have reached the limit of public toleration.

In addition to the great need for additional sources of revenue, I feel the local problems can best be solved by those most familiar with the situation. Federal dictates, bureaucratic ineptness and waste, and redtape must be replaced with local control, supervision, and participation. For too long, Washington has dictated specific allocations of Federal funds. I feel that we must reduce Federal controls in the distribution of Federal dollars at the local level.

I know that there is opposition to revenue sharing from segments of both parties, and I know that the Democratic-controlled Congress needs Republican support if the dream of revenue sharing is going to become a reality. But, I feel that those opposing revenue sharing have an obligation to come up with an alternative to solve the problem of the ever-rising costs of providing local services.

While I favor the concept of revenue sharing, I feel that the administration's proposal needs much improvement.

For example, the formula by which the moneys are allocated needs revision. Torrance, Calif., a city with over 136,000 residents paying $9.5 million in local taxes, would receiv $1,015,296 under the administration's proposal, while Montgomery, Ala., a city with approximately

129,000 residents paying $9.5 million in local taxes, would receive $1,269,389 under revenue sharing. It seems to me that cities with the same population and the same tax effort should receive the same amount of Federal funds.

A larger inequity exists when one compares the revenue to be received by the rich communities with the revenue to be received by the poorer communities. In Los Angeles County, Beverly Hills, a prosperous community with a rich tax base, would receive $811,871, in revenue sharing funds, while Compton, with a poor tax base, would receive only $398,012—less than half of what Beverly Hills receives—yet, Compton has well over twice the population to serve than Beverly Hills. In effect, Compton would receive $5.10 per person and Beverly Hills would receive $24.40 per person.

Examples of this type abound. Lomita, with 19,784 residents, would receive $1.60 per person, while El Segundo, serving 15,620 residents, would receive $19.20 per person. Homewood, Ala., with 20,958 residents, would receive $5.90 per person, and Lawndale, Calif., population 24,825, would receive $1.90 per person.

I would suggest that the formula for allocating funds be revised to include other factors. We should encourage efficiency in government. We should insure that the moneys go to areas where the need is greatest. We should aid in the tax relief of the local property owner.

The administration's suggestion rewards those cities that are fortunate enough to have a wealthy tax base, while the cities with a poor tax base are not rewarded. Obviously, a community with a low tax rate on a wealthy enterprise or a valuable home can collect more taxes than a community with a high tax rate on the individual homeowner—yet the needs of both communities are the same or, in many cases, the poorer community has greater needs. For example, the city of Commerce, an industrial community in Los Angeles County, with a population of 10,418 would receive $503,444—$48 per person—to spend as they like, whereas Gardena—with seven times the population of Commerce, and I assume, seven times the number of students, and seven times the need for police and fire protection—would receive less funds—$279,634—than Commerce.

Therefore, I would suggest that the revenue-sharing formula be revised to take into consideration the property tax rate of a community. I feel that an efficiently governed community, that is taxing at the maximum rate where the burden on the property owner is greater should receive priority over a community that is taxing at a lower rate.

A final comment, Mr. Speaker, deals with the individual communities within a large metropolitan city such as Los Angeles City. I feel that an automatic passthrough provision should be incorporated to insure that the funds allocated to large cities reach the local communities. The district that I am proud to represent contains several communities such as Harbor City, San Pedro, and Wilmington, that are parts of Los Angeles City. I would like to insure that the funds allocated for Los Angeles City filter down to these local communities in an amount equal to other comparable portions of the city.

Mr. Speaker, a number of alternatives have been suggested, and I look forward to committee hearings on these proposals. I feel that we vitally need a program such as revenue sharing, which would ease the painful financial squeeze that is now pressuring our States and localities.

CABLE TV: TUNE IN ON NEW WORLDS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MILLER of California. Mr. Speaker, I recently assisted in judging the "New Worlds" poster contest for schoolchildren, which was sponsored during February by the National Cable Television Association and its members CATV systems throughout the country.

The theme of the week-long observation this year was "Cable TV: Tune in on New Worlds." The industry is bringing new horizons in television services and holds much promise for the future, in much the same fashion as has space exploration in vastly improving our technological know-how and capabilities.

As chairman of the Science and Astronautics Committee of the House, I was particularly interested in the NCTA's poster contest, which asked school-age children to depict their image of the "New Worlds" to be found in space. Hundreds of children offered their ideas in local competition, and the best of these were forwarded for judging at the national level.

Our choice was not a easy one. My fellow judges, Gib Crockett, Pulitzer prize-winning editorial cartoonist for the Evening Star, Jack Hammond, executive secretary for the National Art Education Association, Sculptor Rockne Krebs, and I had a difficult time in selecting three finalists. The posters submitted by children from elementary, secondary, and high school levels, showed a great deal of imagination and talent.

After considerable deliberation we selected as grand-prize winner, the poster submitted by David Millman, 15, of Carson City, Nev., which depicted the lunar golf shot of Astronaut Alan Shepard. Runners-up were Steven Risley, 10, and Timothy Kiesling, 14, both of Dixon, Ill. Steven drew scampering "Moon Mice," and Timothy painted an imaginary planet scene. Other children, who participated in the contest and were awarded honorable mention certificates were:

Roger McKean, Northport, Ala.
Haven Burton, Kenneth Washington, Tuscaloosa, Ala.
Timothy Gibson, Johnny McConnell, Sheffield, Ala.
David Meiner, Diane S. Tranter, Prescott, Ariz.
Eddie Bustamante, Percy Glover, Bakersfield, Calif.
Mike Rocha, Santa Susana, Calif.
Niall Kelly, Don Stalker, Simi, Calif.
Henry Neil Laydol, Libby Mize, Snow (?), Lakeland, Fla.
Mark Tecco, Lewiston, Idaho.
Tom Anderson, Dixon, Ill.
Thomas Chuller, Jr., Sheila Conzeit, Douglas J. Kruse, Dubuque, Iowa.
Gary Jacobson, Spencer, Iowa.
David Gallagher, Pascal Jokinen, Limestone, Maine.
Michael Duplessis, Presque Isle, Maine.
Theresa Bonato, Mike Sodervick, Ironwood, Mich.
Charlotte Conte, Iron Mountain, Mich.
Glenn Lilley, Tom Morgensen, Brainerd, Minn.
Beth Brooks, Tim Desley, Ricky McGrath, Rochester, Minn.
Paul Eric Miller, Winona, Minn.
Autumn Tysko, Great Falls, Mont.
Eileen Gueths, Laviston, Mont.
Lisa Larlee, Hudson, N.H.
Earl Weeks, Merrimack, N.H.
Joani George, Absecon, N.J.
Rocco Disciascio, Ocean City, N.J.
John Harrold, Ventnor, N.J.
Paul Scully, Wildwood, N.J.
Harold Browning, Denny O'Latne, Lovington, N. Mex.
Gary Smith, Tucumcari, N. Mex.
Leslie Teeter, Dryden, N.Y.
Carol Dashner, Elmira, N.Y.
Trent Coombs, Horseheads, N.Y.
David E. Bernhardt, Steve Spraque, Jamestown, N.Y.
Michael Grady, McGraw, N.Y.
Steve Ross, Oswego, N.Y.
Dennis Richards, Rick Tanner, Reno, Nev.
Mike O'Del, McDermott, Ohio.
Howard Barber, Jr., Stephanie Newman, Portsmouth, Ohio.
Jerry Farber, Sherry Shaner, Altoona, Pa.
Chris Gorzelsky, Beth Hammond, Becky Plummer, Johnstown, Pa.
Mark De Pumpo, South Waverly, Pa.
Mickey Rabb, Michael Rice, Erwin, Tenn.
Randy Creasman, Greenville, Tenn.
Karen Toeve, Moshum, Tenn.
Vivian Elizabeth Smyrl, Commerce, Tex.
Randy Meade, Honey Grove, Tex.
Carla Callowan, Amy Douglas, Becky Morris, Palestine, Tex.
Wendy Stewart, Reston, Va.
John Guide, Mark Martin, Fairmont, W.Va.
Davey Barnes, Benton City, Wash.
Debby Floyd, Bill Petrak, David Wright, Jeff Wright, Julie Wright, Kennewick, Wash.
Terry Dronen, Pasco, Wash.
Jeff Threes, Kim Winegardner, Richland, Wash.
Carol Jonn, Jean Zacher, Wenatchee, Wash.
Helen D. Grivas, Sandy Messer, Beloit, Wis.
Julie Mickschl, Kris Pelan, Kelly Wurzel, La Crosse, Wis.
Dan McIntyre, Mercer, Wis.
Melva Davy, Marcia Sanchez, Al Smyder, Casper, Wyo.

COATINGS SERVICE DEPARTMENT OF UNION CARBIDE IN INDIANAPOLIS HONORED FOR OUTSTANDING PERFORMANCE

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BRAY. Mr. Speaker, industrial excellence in many fields has long been a hallmark of the American industrial machine overall. I was pleased to note that the Coatings Service Department of Union Carbide, in Indianapolis, was named an "Outstanding Quality Contributor" by the General Electric Co.'s

Aircraft Engine Business Group for the month of December 1970. They had received a previous such honor in November of that year.

General Electric informs me they are considered a dependable and valued supplier to GE's jet engine operation, and their record of service and performance is certainly commendable and worthy of note.

TRIBUTE TO BLUECOATS, INC., OF CUYAHOGA COUNTY, OHIO

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MINSHALL. Mr. Speaker, when a law enforcement officer or fireman in Greater Cleveland gives his life in line of duty, a magnificent organization, Bluecoats, Inc., moves in swiftly to ease the burdens of the bereaved family.

Founded 15 years ago in Cuyahoga County, Bluecoats has spent more than half a million dollars assisting survivors of these courageous public servants, helping pay mortgages on homes, educating children, and easing other financial hardships.

The Herald Sun, which ably serves the Chagrin Falls area which I have the honor to represent, pays beautiful tribute to Bluecoats, Inc., in its March 18 edition. I wish to commend Ruth Wirtz on her excellent article summarizing the work being done by this outstanding organization:

BLUECOATS, INC., TERMED "MOST REWARDING" CHARITY

(By Ruth Wirtz)

The men in blue in Cuyahoga County can feel secure knowing that, come what may, their families will be financially secure—thanks to an organization known as Bluecoats, Inc.

Since Bluecoats was founded in 1956—the deathbed dream-come-true of the late Gordon Stouffer—41 policemen and firemen have died in the line of duty.

And 41 times, Bluecoats has stepped in to ease the burden in every way possible for a stricken widow and children—providing immediate financial help and continuing with long-range care and concern to "be" a father and carry out his dreams for his family.

Bluecoats has spent more than $500,000 to aid the families of these men. At the present time, Bluecoats is "father" to 72 children, including seven in college with the financial backing of Bluecoats.

The youngest Bluecoats "son" is Joseph P. Tracz Jr., who was born Oct. 29, a month after the death of his Cleveland policeman father. He won't be ready for college until 1988, but the opportunity will be there waiting for him.

Bluecoats has never had a fund campaign, public or private. It has no office or paid staff and no headquarters, but it does have an address—5750 Harper Rd., Solon—headquarters of the Stouffer Frozen Foods Division of Litton Industries.

The work of Bluecoats is financed by $250 annual membership fees paid by 250 leading Cuyahoga County business, industrial and banking executives.

Such is the fame of Bluecoats that hardly a week goes by that unsolicited donations—from crumpled dollar bills to hundreds of dollars worth of blue chip stocks—don't pass across the desk of Bluecoats' energetic executive secretary, Wayman H. Thomasson, 31880 Woodsdale Lane, Solon. Thomasson also serves as Stouffer's vice president of public affairs.

Bluecoats was the dream of the late Gordon Stouffer, who had been a member of the Hundred Club in Detroit, the first organization in the country to come to the aid of widows and policemen and firemen killed in the line of duty.

Stouffer took preliminary steps in the spring of 1956 to establish a similar organization in Cuyahoga County and asked Thomasson to go with him to a meeting of the Detroit club.

A few days before the meeting, Stouffer suffered a heart attack and on his deathbed asked his brother Vernon and his friend Frederick C. Crawford, retired chairman of TRW Inc., to make his dream a reality.

Thomasson went to the Detroit meeting and Bluecoats was on its way. Gordon Stouffer died two days later.

"We sent letters to 112 persons asking them for $250 each to get Bluecoats started," Thomasson recalled. "And 97 of them responded with $250 checks.

"During the interval before we got our charter, two policemen were killed," he continued. "At our first meeting at the Pepper Pike Country Club, we voted to make the benefits retroactive to include those two families."

Death in the line of duty has come to 15 Cleveland policemen, 20 Cleveland firemen, four suburban policemen and two suburban firemen since 1956.

What does Bluecoats do when death strikes a man-in-blue in the line of duty?

First, a Bluecoats' official goes immediately to the widow with a check for $1000 for immediate expenses—plus some cash in the pocket to buy groceries.

"We learned that from experience," said Thomasson. "A check for $1000 doesn't do much good if it's a weekend and there's no money in the house for food. We know that many of these young policemen and firemen live from pay check to pay check."

The first $1000 check visit is standard procedure and most readers are familiar with it. But there's a great deal more.

Bluecoats pay special attention to the three cornerstones of family life—freedom from debt, home ownership and education of the children.

If there's a mortgage on the home, all or a major part of it is paid off by Bluecoats, depending on the financial condition of the family.

Funeral expenses and all outstanding bills are paid and then Bluecoats goes to work on things such as medical and dental care, home repairs and children's clothing.

"We don't wait for the widow to ask us for something, although she's welcome to ask for our help at any time. We investigate what needs doing—and we do it," Thomasson said.

Special educational needs of all kinds are provided. Bluecoats even takes over the paper work faced by the widow the go-here, go-there details that bewilder a woman in the lonely anguish of bereavement.

"Each family's case is different," Thomasson said. "But in all cases, we try to do for the family what the father would have done had he lived.

"We have a boy in college studying for the Lutheran ministry—that was his father's dream for him. One of our girls has needed psychiatric care for five years—she's getting it."

And the families are under no obligation whatsoever to Bluecoats.

"We've had two or three cases where the widow has remarried and not needed our help for the children any more," said Thomasson. "One widow married a well-to-do man and left the city. When they sold their house, they turned the money over to Bluecoats. But this isn't a typical case and we don't expect that."

In many cases, Bluecoats has provided not only the necessities, but the dreams as well.

In 1958, a Cleveland Policeman was slain by a prowler the day after he and his wife had decided to buy a "dream home" in Parma. Bluecoats carried out the dream and provided the $8000 for the down payment.

Bluecoats has a three-man advisory committee which provides the liaison between the family and the organization. The committee checks back with the family yearly to go over the financial situation.

Recently the committee noted that the driveway at one of the widow's home needed repaving, the well wasn't working and the children's teeth needed straightening. All are now being taken care of by Bluecoats.

Bluecoats has $660,000 in its fund for the college educations of the 72 children on its rolls at the present time. It's now a million-dollar organization whose value to the men-in-blue in Cuyahoga County can't be measured in dollars and cents.

Thomasson calls Bluecoats "the most rewarding, satisfying charitable endeavor you can possibly imagine."

"The second man killed after we started Bluecoats was Patrolman Garner Robertson of Valley View," said Thomasson. "We helped his widow and then a few years later we discovered she was going blind from cataracts.

"We arranged the operation that saved her sight. As soon as she could see well enough, she sent for a Bluecoats letterhead, got a pattern made of our shield and wove a rug for me," Thomasson continued.

"That rug has been hanging on my office wall ever since—and I told her no feet would ever walk on it," Thomasson concluded.

SENATOR NELSON ON THE ENVIRONMENT

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. OBEY. Mr. Speaker, the events of the past year have made it evident that the environmental issue has become a national concern. The tremendous outpouring of support for the first Earth Day last April as has burgeoned into a full-scale national effort to save the environment. In both State legislatures and this Congress a myriad of environmental protection legislation has been introduced.

The House vote this past week discontinuing funds for the development of the SST is evidence that the environmental issue has become a national political force. The problem now before us is to direct our efforts toward establishing a national program to protect the natural environment while providing the necessities of life to all our citizens.

Many may consider the vote on the SST the beginning of the national fight to save the environment, but actually some individuals have been fighting to save the environment for years. One of these persons is my eminent colleague, Senator GAYLORD NELSON of Wisconsin. He has been an active environmentalist for over 20 years.

Recently, the Chippewa Herald-Tribune of Chippewa Falls, Wis., ran a special environmental edition which included an excellent article about the activities of Senator NELSON. As the writer pointed out, Senator NELSON sponsored many successful pieces of environmental legislation, such as the Apostle Islands

National Lakeshore Act and the National Wild and Scenic Rivers Act, long before the ecology issue became a national concern.

Early in this session of Congress, Senator NELSON introduced 24 bills and resolutions concerning the environment. Presently, he is sponsoring a resolution to expand the Earth Day idea, which he proposed in 1969, into a week of activity designated Earth Week, to take place nationally in the third week of April.

In recognition of the Senator's many contributions to the protection and enhancement of the environment, I include the article in the RECORD:

EARTH DAY LAUNCHED ENVIRONMENT ISSUE

(By Ronnie Jill Kweller)

WASHINGTON.—Sen. Gaylord Nelson (D.-Wis.) thinks that the environment is an issue whose time has come.

Nelson introduced 24 bills and resolutions about the environment shortly after Congress convened last month. He sees passage of this kind of legislation as a growing trend for the next several years.

Some of his bills, like that controlling strip mining, have been introduced before. Although the strip mining bill "never got a hearing before," he anticipates that this year "a strip mining bill will come out of committee and be passed."

He added that "it has taken four or five years of putting that bill in to finally get some attention to the problem."

Nelson first introduced a bill setting detergent pollution standards seven years ago. But the issue "didn't get visibility and interest, nationwide and publicly, until the last two or three years," he said. "I anticipate this year or next year we'll pass a detergent control bill."

"Of the 24 bills and resolutions on the environment that I introduced, all of them, for all practical purposes, will pass in the next four or five years," he said.

Earth Day, April 22, 1970, heralded the coming of age of the environment as an issue in American politics, Nelson said. And this was necessary before any concrete achievements could be made.

On Earth Day, when 2,500 colleges and universities, 10,000 high schools and grade schools and about 2,500 community groups participated in a national environmental teach-in, the environment "became part of the political dialogue of the country," Nelson said.

"The great demonstration of interest" in the environment shown on Earth Day "thrust the issue strongly into the political arena where an issue has to be if it is going to be settled," he said.

Suddenly all political types—"candidates for office, the whole Congress, most of the Governors, city council members—began to include the environmental question as an issue to which they addressed themselves in their campaigns," he said. They recognized that "the issue is important on its merits and that it has political interests" as well.

Vietnam teach-ins inspired the idea of a similar activity directed at the ecology issue, Nelson said. He was on an environmental speaking tour, traveling from Santa Barbara, Calif., following the oil spill there, to Berkeley in the summer of 1969. En route, he read a news story about the Vietnam teach-ins on college campuses, and "it occurred to me" that a nationwide environmental teach-in could bring the issue to public attention and mobilize support.

"So I proposed the idea in a speech in Seattle," he said, "and it got a rather spectacular response."

An aide to Nelson said that the idea "struck a responsive cord." Once Nelson had proposed Earth Day, he said, news articles appeared, followed by letters of support from all parts of the country and from people of all ages. The great response prompted more news stories, which again brought a deluge of letters.

Nelson who now supports the idea of a National Earth Week, said that those who said Earth Day was the zenith of the environmental issue, not the beginning, "don't know anything about the issue and aren't familiar with what's going on around the country.

"The environment can't be a passing fancy," he said, "because it is with us and is deteriorating every day. It's going to get worse and as it gets worse, it's going to become more of an issue.

"The real test," he said, "was the Vote on the SST." Last December, the Senate for the first time voted down government funding of the supersonic transport plane, 51 to 42. "The important point," Nelson said, "is that it was defeated on environmental grounds."

A number of environmental measures that Nelson worked for in the Senate have gone through the Interior Committee, of which he was a member until this year. With his appointment to the Finance Committee, he gave up his seat on Interior. But this switch should not hinder his work in the environmental field, he said, because "most of the environmental legislation I've introduced doesn't go to the Interior Committee anyway."

He said that legislation creating parkland has to originate either from the President or from a representative of the state in which the park will be located.

"So from this standpoint, there is nothing of any major consequence that I can do for Wisconsin for years to come. More parks legislation has been passed for our state in the past two or three years, I think, than for any other state in the nation," he said.

Furthermore, he predicted that the Finance Committee "will have an increasingly important role" in environmental issues. Bills concerning tax deductions for pollution control measures, or the financial aspects of municipal assistance for pollution control or rapid acceleration write-offs for the cost of pollution control devices would all be under Finance jurisdiction, he said.

Nelson said he would soon be introducing a bill dealing with automobile exhaust control for older cars, already on the highway, which will be under Finance jurisdiction. "There is substantial responsibility on Finance for just about any of these environmental issues which involve federal financing," he said, "and there will be quite a bit of that."

A Nelson aide said that Finance will hopefully take a role in "making pollution control a part of doing business" with its taxation responsibility. He said that the Finance Committee may well find itself "in the midst of the environmental controversy.

"Nelson has always been at the forefront of this issue," he said, and so he must think that the Finance Committee is the right place to be.

While Earth Day might have been the beginning of a national interest in ecology, Nelson has been interested in the subject "from the time I started planting trees in my home town when I was in grade school."

From the legislative and political standpoint, he said, he has been an environmentalist for about 20 years, since his political career began in 1948 when he was elected a Wisconsin State Senator. In 1958 he became Governor of Wisconsin, and in 1962, he was elected to the U.S. Senate where he is now in his second term.

He said that "the most important single environmental measure" for whose passage he worked while Governor was a "$50 million program for parks, wetlands and wildlife habitat acquisition" called the ORAP program. This was passed in 1961.

As for important environmental legislation for Wisconsin passed during his Senate career, he named the Apostle Islands National Lakeshore Act, which has finally been signed by the President after its passage in the 91st Congress. This act creates a national lakeshore in northern Wisconsin.

Another important environmental measure on which Nelson worked was the National Wild and Scenic Rivers Act, passed in 1968. This act, which designated little-developed rivers around the country for permanent protection of their wild or scenic and recreational values, includes the Upper St. Croix, Namakegan and Wolf Rivers in Wisconsin.

A FATHER'S CONCERN

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SCHWENGEL. Mr. Speaker, recently I received a letter from a constituent. It was not an ordinary letter. It was from a father, concerned about his country and about his sons.

He raises difficult questions, not easily answered. His views, I believe, are shared by many Americans. This is why I feel it would be helpful to bring this letter to the attention of the House:

HON. FRED SCHWENGEL,
Arlington, Va.

DEAR SIR: To get right to the point, this letter is being written to get something off my mind that has been "bugging" me for some time. Some of the things I am going to say, you have undoubtedly heard many times over. You see, Mr. Schwengel, I'm very much afraid that I'm beginning to do a thing I've always preached against, namely, lose faith in my country due to the direction I feel it may be heading.

I am the father of three sons and one daughter, a responsible business man, Vice Pres. of my small corporation located in this city and Des Moines, and active in the youth program of St. John's United Methodist Church here in Davenport. One lone taxpaying citizen with no nest to feather. It is because of my deep love and concern for the young people I work with that I am writing this.

Many of us are deeply concerned with our government's action with regard to the Southeast Asian war of late. The part we are taking can surely lead to further involvement in this war. To stand up and say otherwise is to imply in the like, that the driver of a get-away car in a bank robbery is not an actual participant since his feet were not inside the bank and, therefore, should not be considered guilty.

We are, if I follow the news and my interpretation is correct, piloting helicopters into the country of Laos with South Viet Nam combat troops aboard. This is as close as we can come, short of sending our own foot soldiers. Now we are also sending Marines BACK into the area of the DMZ. My older son served with the combat Sea-Bees in this very area for a total of two tours at Khe Sahn and Con Thein. He was given a weapon and told not to shoot unless fired upon. Two of his closest friends were killed right next to him. One shot by a woman civilian and the other grenaded by a young boy on a bicycle.

We have "marked time" in a war which seems to me to be meaningless. Were my son killed, we feel that he no more would have died for our country than the "man in the moon". He would have died for premier Ky.

At the outset, I sincerely felt, as my son did when he enlisted, that we were stopping the spread of Communism. Then it was discovered first hand that we are not allowed to win or lose but only to remain at a very

costly stalemate. Why can't we admit a mistake and get out?

The greatest things our young people have going for them are what we older men could use. Honesty, sincerity, and to "be ourselves" before the world and not try to maintain an image.

The Senator from South Dakota was correct when he made the statement that "wars are instigated by old men for young men to fight and die".

Can you justify to me, please try, why we are on our present course? Is it, as some say, to maintain our inflationary economy? Is it to save the world from Communism? Is it because North Viet Nam constitutes a menace to the United States? Why? You see, Mr. Schwengel, I must justify the picture to my next son who is a senior in high school and may soon face a possible plunge into this cauldron.

Goodness know, we have enough problems here in our own country that demand the attention of freedom-loving men. The latest cloak-and-dagger spying on civilians by the military, the wire-tap, and the no-knock law are some examples. If Washington's army would have spied on the civilian population, Congress would have demanded his resignation. When you consider that if I, an upper-middle-class member of the establishment decide to publicly declare my opposition to our "antics" in S. E. Asia by participating in a *peaceful* demonstration, I run the risk of having my picture taken by a member of our Iowa B.C.I. and a folder started on me for future surveillance. It all smacks of a police state in the making. Yet in my sincere criticism of my country, I do so out of love as a father fears for the well-being of his son.

With it's many troubles, America is still the best place for me! I don't want to have the ways of other nations imposed on me, and I think that my country should stop trying to re-make the world in our image by imposing our ways on others.

Seems as though I've taken up enough of your valuable time by rambling on as I have, Mr. Schwengel. If some of my adult friends and business associates could see this letter they might be prone to do what many of us older people have a tendency to do, namely, put a "label" on me such as protester, trouble-maker, hippie (I have long side-burns). I am at the stage where this doesn't really matter.

I love *people!* Even the "bad guys" in the world who may be that way because they feel they aren't needed and loved by others or haven't had the breaks that I've had. As I see it, *everyone* matters and is important.

Sir; this is in no way meant to imply that you alone are responsible for the problems mentioned above, I guess we all are. Your presence as my representative has caused this letter to be sent to you. Any attention you may give to it will be greatfully appreciated. Your reply will receive my earnest attention. I have respect for the fine job you do for all of us here in this area.

DISABLED VETERANS

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mrs. CHISHOLM. Mr. Speaker, on Wednesday, March 3, 1971, time was set aside in the House to commemorate the 50 years of service of the Disabled American Veterans.

The Disabled American Veterans was organized for the very worthy purpose of providing for the welfare of the service-connected disabled veteran and his dependents. To this end, the DAV has traditionally been a front-runner in promoting programs that benefit all disabled veterans. Special attention has been given to stimulating legislative measures for the protection of disabled veterans.

All of us are well aware of the increased numbers of Vietnam casualties. One reason given for the increase is that battlefield medical technology has improved immensely; however, the problem seems to be that once the serviceman is evacuated from the battlefield, efficiency begins to break down by degrees. The DAV is perhaps more attuned to this than any other service organization. They have, to a great extent, emphasized representing disabled servicemen in all military hospitals where physical evaluation boards are held to insure that all wounded, or otherwise disabled, servicemen receive all benefits to which they are legally entitled. Special attention has been given to disability retirement, disability severance monetary benefits, plus hospitalization and outpatient medical treatment and commissary and post exchange privileges.

Disabled veterans fall into many categories, based on the nature of the disability. Each group has special interests and needs. Because of salary and personnel restrictions placed upon the Veterans' Administration and the continued use of the GS ratings for paramedical personnel, the Veterans' Administration cannot compete with the private sector hospitals. Doctors' and nurses' salary levels must be reviewed and upgraded if the staffing problems are to be corrected.

To continue its effectiveness, the DAV must encourage the participation of the younger veteran. Vietnam war veterans have registered the complaint that many service organizations are not relevant to their needs in today's vastly changed and continuously changing society. This change is particularly pertinent when it applies to many of our returning minority veterans. Part of the problem has been the lack of visibility of some service-oriented programs in minority neighborhoods. It is not enough to say, programs like these are open to everyone; there must be serious follow-up to guarantee that all citizens have an opportunity to participate and take advantage of the organization's benefits.

I am pleased to see younger disabled veterans being considered for official positions in the DAV. The organization's academic and on-the-job training program for serious disabled veterans of the Vietnam conflict is aimed at bringing qualified younger veterans in as National Service Officers.

Mr. Speaker, it is with great satisfaction that I have the opportunity to pay tribute to the Disabled American Veterans on their 50th anniversary. The job they are doing is worthy of recognition by all Members of the Congress. My most sincere hope is that the DAV can continue to be relevant to all disabled veterans. From my vantage point it is not possible to do too much for our disabled veterans.

AS I SEE IT

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MILLER of Ohio. Mr. Speaker, today there is much discussion throughout our Nation about our environmental problems and how we should solve them. However, often these discussions begin by placing our technological and environmental interests at opposite poles and assuming the gulf between is irreconcible. Somehow modern science is portrayed to be the villain of society and its future application is no longer compatible with our ecological concerns. It seems to me that if there is any hope of cleaning up our world and preserving it for generations to come we must allow for a more rational approach to these problems and attempt to wield a workable partnership between our great technological potential and our environmental needs.

Dr. Roy M. Kottman, dean of the College of Agriculture and Home Economics at Ohio State University, director of the Ohio Agricultural Research and Development Center, and director of the Ohio Cooperative Extension Service, participated in a recent landmark seminar on agriculture and the environment. As always, Dr. Kottman's presentation is of great interest to those of us interested in the future of American agriculture and its role in our environmental programs. I would like to share Dr. Kottman's challenging remarks with my colleagues of the House:

AS I SEE IT

(By Roy M. Kottman)

I am pleased to have this opportunity to participate on this short course program. You folks in Landmark have done, and are doing, a most commendable job in utilizing the best information available relative to sales and service for the whole range of agricultural chemicals.

All of us in the Ohio Cooperative Extension Service, the Ohio Agricultural Research and Development Center and the College of Agriculture and Home Economics have appreciated the opportunity of working with you in years past, and look forward to the privilege and pleasure of continuing the fine relationships which we have always enjoyed. We hope that you will always feel free to call on us whenever you believe that we can be of assistance.

I don't need to tell you folks that there is a good deal of public interest in and concern about agriculture's role in maintaining the quality of our environment. I am sure that much of the present concern, and certainly all of the hysteria about our environment, seem just a little far fetched to those of you in this room who have given countless hours and tremendous amounts of your energy to make sure that the agricultural chemicals which you sell here in Ohio are being used in accordance with all of the regulations of both federal and state government and in keeping with the recommendations of the manufacturer.

As I look at the new legislation which applies to pesticide application here in Ohio, I do not see any serious deterrence to the wise use of agricultural chemicals. We will, necessarily, have to work closely together as

we interpret the new laws and comply with them. We must always keep in mind that we are dealing with chemicals which if misused can be harmful and we should be prepared to handle them accordingly.

I, for one, do not see any threat to our future use of agricultural chemicals. The facts of world food needs dictate that we will be using ever-larger quantities of agricultural chemicals. Likewise, the facts of environmental concern on the part of the American public dictate that we will be using agricultural chemicals with ever-greater care and with reasonable restrictions which will have to be arrived at on the basis of facts as we now know them or as they may be revealed to us through scientific research. The point to remember is that our modern world cannot live without pesticides. The challenge, then, is to learn how to live with them. We must do so if we are to avoid world-wide famine. Having said that, I want to assure you that I am not one who believes that the human race is in imminent danger of world-wide famine on either a transitory or long-term basis. Having had the good fortune of traveling twice around the world and observing first-hand the agricultural potential of many countries, I am optimistic about mankind's ability to feed not only the six billion people who it is estimated will be living on this planet by the year 2000, but several times that number, and being able to provide abundant food for all of them.

My optimism on this point is clouded by my concern that a well-meaning but inadequately informed public may become so exorcised about the problems of pollution, either real or imagined, that public policy will force us into irrational action that will neither enhance our environment nor make it possible for us to develop our resources for producing the abundant food and fiber which a considerably larger population will require. Our world may, indeed, endure hunger pangs by the year 2000, but if it does it will not be because the resources of our planet are inadequate to feed twice the current population of the world, but because our attention and energies will have been misdirected toward the attainment of a balance of nature, as nature now exists, or toward some hypothetical balance of nature which supposedly existed at an earlier date. Such endeavors would drain our energies and lead only to disappointment because the biosphere upon which life depends is, in itself, a dynamic and constantly changing entity. The forces acting upon the earth and its biosphere are both external and internal. The external forces exerted by the solar system are so much greater than the internal forces exerted by man that it is certainly open to conjecture as to whether the efforts of man himself really count for very much in terms of determining the direction of the gross environmental regime within the biosphere. But even so, man does have a rather substantial capability to influence his immediate environment and as conscientious "world citizens," we must strive to understand the consequences of our actions and respond with rational action to prevent deterioration of the environment insofar as we have the capability to affect what happens on our planet.

Whatever the long range effects of our concern about the environment and our concern about population control, it is quite clear that all of us in agriculture are faced with the opportunity and challenge of feeding more and more people with the limited amount of arable land that is available. We can meet these challenges and opportunities of the future in one of three ways: (1) increase per acre yields of crops and per unit yields of livestock and livestock products; (2) find new sources of food from the oceans or from fossil fuels; (3) reduce the rate of population growth as quickly as we can and hope that population will stabilize at some future date at which time we are able to balance the demand for food and fiber with our capabilities to produce.

While I am hopeful about bringing the level of education, on a world-wide basis, to a point that population can be stabilized at some multiple of our present world population, I do not see possibilities of population control becoming markedly effective short of a world population at least four times as large as the present world population of slightly more than 3.2 billion people. If one accepts that premise, then the future of agriculture is filled with opportunity. Our task in agriculture will be to make each acre tremendously more productive than it has ever been in the past and to do this within the context of avoiding environmental deterioration. Hopefully, we should be able to improve our environment as we increase our capability to produce food and fiber. That won't be easy but I believe it can be done. Most of the soil and water conserving practices which we have put into effect here in the United States over the past 40 years have, indeed proved to be helpful in boosting production.

I am convinced that we are on the threshold of seeing agriculture in Ohio and throughout our nation and the world become very much more sophisticated than it has been in the past. This means that all of us are going to have to become better students and better scholars. It means, also, that investments in all segments of agriculture from the soil to the ultimate consumer are going to be higher—much higher! Opportunities for success in agriculture are going to be greater, and so are the opportunities for failure! These things mean that we must do a better job of marshalling facts and utilizing those facts in exposing and refuting the misinformation which continues to be circulated relative to agriculture's role in improving the quality of our environment. We must work harder to overcome the accusations that agriculture is careless or negligent in its use of modern production inputs.

For those of you who did not have an opportunity to see it, I would recommend that you obtain a copy of the Ohio Farmer magazine for September 5, 1970, and read Earl McMunn's editorial entitled "Let's Reason Together" from which I have taken the following quotation:

"Some people call for a ban of all pesticides as the way to cut down on pollution. They don't know how much farm chemicals have contributed to our high-quality, low-cost food supply. Or even that a host of safeguards already surround the use of chemicals in food production.

"But we have reached a time when people are making a great many demands all in the name of improving the environment. They want instant answers. They aren't even much concerned about facts.

"But facts we must have, and must use, if the welfare of all the people is to be protected. This is not the time to let emotion replace reason. You can't support many people in a sterile environment. It might be clean, but it wouldn't feed people."

Dr. Philip Handler,[1] President of the National Academy of Sciences said much the same thing in his talk at the dedication of the Loeb Building at the Marine Biological Laboratory at Woods Hole, Massachusetts, last June, and I quote:

"The growing wave of public concern for the quality of the environment has been aroused, in large measure, by scientists who exaggerate the all-too-genuine deterioration of the environment: who, seemingly, seek to have national policy made by reiteration of horror stories—when what is required is quantitative, scientific evaluation of the real, but as yet unknown, dimensions of these problems. Through their efforts, science is thought (in the minds of others) to have contributed to the deterioration of the quality of life; science is equated with technology and both are judged to be immoral. What *should* be made clear instead is that we have embarked upon the painful transition from a society where almost all judgments were made in a market economy to a society which is learning to make its major decisions in the public sector, where the government must learn to weigh hazard against benefit, usually not to the same groups, to weigh the costs of public improvements against the price of inaction. In a democracy, such decisions come hard and we are not yet competent in this art. Witness the plethora of national problems with which neither Congress nor the Administration has learned to cope. Meanwhile, the *manner* of directing attention to these problems has turned both our decision-makers and our youth against science. This nation may yet pay a dreadful price for the public behavior of scientists who depart from fact and reason to indulge themselves in hyperbole.

"Alarmed voices advocate retreat from our technological civilization, as if life had been better in some bygone age when our ancestors lived closer to nature than do we, desiring a return to 'good old days' that never were. For my part, I much prefer that we attempt to manage our technological civilization yet more successfully, remedying the errors of the past, building the glorious world that only science-based technology can make possible."

In all of the furor about DDT people seem to forget, if they ever knew, that in 1950 there were 200 million people in the world suffering from malaria and two million of them died each year. Now, twenty years later, 40 percent of the world's population live in malaria free areas. Another 40 percent live in areas protected by currently active DDT control programs. In India alone there were 75 million cases of malaria reported in 1953. In 1967 there were fewer than 100,000 cases of malaria in India. That's one case in 1967 for every 750 cases that there were 14 years earlier. And even that number has been going down every year. The pitiful part of all this is that we do not yet have on record a single human death caused by intake of DDT in normal food consumption.

Without pesticides our agricultural exports of $7.4 billion (which was the value of agricultural exports for 1967) and which amounts to 24 percent of our total export income would be entirely eliminated simply because pesticides have accounted for at least 20 to 30 percent of our increased crop yields during the past three decades and without that increased production there would be no agricultural products available for export. When something like Maize-Dwarf-Mosaic comes along, as it did in 1961, or when we are hit with a devastating disease like Southern Corn Leaf Blight, as we have been this year, we find out rather quickly that our agricultural surpluses, which represent only four percent of our agricultural output, are none too great. It is how we isolate our surpluses from the market, or what we do about them in terms of our farm programs, that is the important matter. Unless we have a sizeable surplus at all times, somebody will inevitably go hungry when disaster strikes. Our concern, if it is to be realistic, should involve the maintenance of a reasonable surplus at all times and assurance on the part of our government that the farmers' interest will be considered in both the stockpiling and the subsequent sale of vitally needed surpluses.

It would seem to me that our fellow citizens should be comforted in knowing that no pesticide can be used in the United States of America until that pesticide has received approval of the several federal agencies whose duty it is to work with state governments in

[1] Handler, Philip, 1970. Science's Continuing Role. BioScience. October 15, 1970, vol. 20, No. 20: 1101–1106.

protecting our food supply. Concerns of the Food and Drug Administration as well as those of the Department of the Interior and the United States Department of Agriculture are all represented in the recently established Environmental Protection Agency. As in the past, our citizens will continue to have assurance that not only is their food supply protected but so also is their interest in fish and wildlife and in the total quality of the environment.

As you folks know so well, our State Agricultural Experiment Stations and the United States Department of Agriculture are heavily committed to a continuing program of research relative to pesticide effectiveness, to pesticide safety, and to a concern for elimination of deleterious effects on the environment.

Pesticides are extremely important to agricultural production in the United States. They rank second only to fertilizer in terms of their dollar return per dollar invested. A 1968 study [2] indicated that, on the average, fertilizer returns $4.50 for every dollar invested in it. Pesticides return $4.16. Machinery returns $2.43 for every dollar invested in it.

At least some of the current hysteria about pesticides would be ludicrous were not the consequences of unwise action growing out of that hysteria so deeply involved with the well-being of literally millions upon millions of our fellow human beings all around the globe. We take it for granted that modern drugs save millions of lives. We know, also, that some people have died through careless use or overdose of commonly-used medicinal drugs. It is paradoxical, therefore, that nobody wants to ban penicillin because penicillin (the allergic reaction to it) kills a great many more people each year than pesticides. Automobiles kill 55–60,000 people a year and they remain thousands more than that. Yet we seem to accept the fact that because the automobile has led to a better way of life for all of us, we will tolerate this rather high rate of mayhem on the highways. The point I would like to make is that *we must learn to balance benefits against risks*, whether we are dealing with pesticides, automobiles, penicillin or any other element of our environment. The fact of the matter is that aspirin annually kills several times as many people as the most dangerous of our pesticides. Aspirin killed ten times more people in 1961 than did parathion, and parathion is a dangerous pesticide in terms of human health for those who handle the product. Most of our insecticides, herbicides and fungicides are quite safe to handle and the dosage required for injury to human health is not only very high but the incidence of human death from those pesticides is very, very low.

A sizeable part of our present-day pollution problem stems from individual irresponsibility. This is documented by the fact that our Federal Government expects to spend $21.6 million during the current fiscal year just to clean up litter left by U.S. citizens on federal lands, notably the national parks. The deterioration of our environment will not be checked until all of our people realize that quality of the environment starts and stops with the actions of the individual citizen. It may make headlines to castigate automobile manufacturers or chemical companies, but pollution control and environmental quality are largely the outgrowth of what you and I and our fellow citizens do in our day-to-day living patterns. The automobile manufacturers and chemical companies are providing goods and services because society demands them. What each one of us must do is to recognize that there are problems of environmental quality in our land. Having recognized the problem, we must all share responsibility for it rather than seek scapegoats. The only approach that makes sense is for all of us to join hands, and as men of good will, to alleviate and correct the problems of pollution which beset us. The recent efforts spent in creating awareness and in sensitizing our citizens can now best be devoted to the sincere and serious seeking of solutions to our problems in a spirit which to paraphrase Abraham Lincoln will hold malice toward none and be charitable to all.

While I would certainly be the last to advocate a lack of concern about the need to make pesticides ever-safer, or to advocate leniency in enforcement of pesticide regulations, I would nonetheless wish to make it abundantly clear that man has been upsetting the balance of nature since he first set foot upon this earth. Most of that upset must have been in the right direction or we would not have increased life expectancy by one percent per year over each one of the past fifty years. The point I would emphasize is that we *are* moving in the right direction! Conscientious people *are* working diligently at making life on our planet more pleasant and more healthful. We *have* accomplished miracles and near miracles in improving the lot of human beings in these United States of America and throughout the world! We must not—we dare not—let the detractors of our system of government—those who would destroy us—convince us of anything else.

You and I have seen, time and time again, what intelligent, well-intentioned men can do through close cooperation and hard work. I happen to believe that we can develop and utilize science and technology in ways which will give us clean air, pure water, abundant wildlife and an attractive countryside capable of producing the food, fiber and forest products that we want and need. For example, here in Ohio, we have been accused of using too much nitrogen for our crops. As a matter of fact, if we used the nitrogen fertilizer that we ought to be using, we could in many cases *decrease* pollution arising from phosphorus and potassium in that the improved crop production would actually assist in decreasing soil erosion and thereby retain the phosphorus and potassium in its original field location. If we were to follow all of the presently recommended practices of soil and water conservation our losses from erosion would be substantially reduced. The admonition to "follow recommended practices" applies to almost anything and everything we do! Anything done to excess, whether driving an automobile too fast, or taking an overdose of aspirin—or whatever the excess may be—tends to sow the seeds of trouble. We know that nitrogen fertilizers, when properly used, will actually decrease pollution from other fertilizer elements, be they natural or commercial in origin. It makes no difference whether the nitrogen, or the potassium, or the phosphorus be derived from so-called natural sources or whether they come in a bag. They are chemically the same. They change from one form to another, and they react the same in the soil substrait regardless of source. We don't need to apologize for using commercial fertilizers any more than we need to apologize for using pesticides! We should be thankful that we have them to use.

The point I would stress is that all of us must work diligently to be sure that we exercise utmost care in our use of fertilizers, pesticides, or whatever, regardless of whether we obtain our recommendations from the Ohio Agricultural Research and Development Center, the Ohio Cooperative Extension Service, from industry representatives or any other reliable source. All of us who are proud to be a part of our nation's largest and most vital industry must deal with precise information and we must "go the second mile" in making just as sure as it is humanly possible to be sure that the "instructions on the label" are understood and followed by those whom we serve.

[2] Headley, J. C., 1968. Estimating the Productivity of Agricultural Pesticides. Am. J. Agri. Econ. 50(1): 13–23.

WOMEN'S EQUALITY ACT OF 1971

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. PEPPER. Mr. Speaker, it was my privilege to submit a statement today to the House Judiciary Committee's Subcommittee No. 4 on behalf of equal rights for women. I feel that we should move swiftly to eliminate sex-based discrimination in our law and in our society.

I insert my statement in the RECORD at this point:

STATEMENT OF HON. CLAUDE PEPPER

Mr. Chairman, I am proud to submit a statement to this distinguished Subcommittee on behalf of equal opportunities for the women of America.

I have joined the gentlewoman from Michigan, Mrs. Griffiths, in sponsoring a constitutional amendment to provide equal rights for men and women. This is a cause in which I have long been enlisted and my resolution in this Congress, House Joint Resolution 497, expressed the commitment which I have set forth in other resolutions in previous Congresses.

I feel strongly that this legislation, adopted by the House last year, should be speedily reported to the Floor for action again this year. Amendments to assure women equal rights under the law have been introduced in each Congress since 1923. Its passage by the Congress and ratification by the States is now long overdue.

I do not believe, however, that passage of this amendment is enough. I am pleased, therefore, to be a cosponsor of H.R. 916, the Women's Equality Act of 1917, to provide specifically for the elimination of sex discrimination in many areas of American life.

This legislation would (1) prohibit sex discrimination in public accommodations, (2) elminate sex discrimination in public facilities and public education, (3) extend the jurisdiction of the Civil Rights Commission to include sex discrimination in federally assisted programs, (5) insure equal employment opportunity in the hiring of State and local government employees, (6) remove the exemption of educational institutions from equal employment opportunity laws, (7) provide the Equal Employment Opportunity Commission with cease and desist powers, (8) prohibit sex discrimination in the sale, rental, or financing of housing or in the provision of brokerage services, (9) apply equal pay provisions of the Fair Labor Standards Act to women in executive, administrative and professional positions, (10) authorize the Secretary of Health, Education, and Welfare to make matching grants to States for the establishment of commissions on the status of women, (11) require the Secretary of Health, Education, and Welfare to make recommendations to equalize the treatment of the sexes under the Social Security Act, the Internal Revenue Code, and the Family Assistance Act, and (12) require the Commissioner of Education to conduct a survey and report to Congress on the denial of equal educational opportunity because of sex and make recommendations to eliminate such denial.

Mr. Chairman, we need both the equal rights amendment and the women's equality act. As Professor Leo Kanowitz said before the Senate Committee on the Judiciary last May, the passing of the equal rights amendment would "demonstrate an unshakable intention to eliminate every last vestige of sex-based discrimination in American law." The women's equality act, implementing the recommendations of the President's Task Force on Women's Rights and Responsibilities, would move positively to erase many

existing inequities in some of the most vital areas of life.

Much of this discriminatory legislation and practice dates from an era when women were in a highly dependent status in need of special protection. Today, nearly 40 percent of our work force consists of women and one-eighth of these working women serve as the sole heads of households. I believe the only true protection for them and all women in our time is full, legal, enforced equality for women, and the best way to insure the establishment of that equality under law is for us to adopt the equal rights amendment and the Women's Equality Act of 1971 at the earliest possible date.

NATIONAL WEEK OF CONCERN FOR PRISONERS/MISSING IN ACTION

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mrs. HANSEN of Washington. Mr. Speaker, no American has ever been imprisoned by an enemy power for a longer period than many of our citizens now suffering in Southeast Asia. It will be 7 years this Friday that one American captain will have spent in the hands of the Vietcong. Can you remember what you were doing 7 years ago? What your children looked like then? What the political situation was? That was the America this particular POW remembers. He knew little of how far our involvement in Vietnam would go, or what was in store for him, or realized that his captors were capable of containing him for 7 years.

Far too long, the American public was not aware of prisoners of war. Now that the people of the United States do know something about the situation, there is more attention being paid and the week of concern was passed in both Houses of Congress without a dissenting vote.

Now that the problem is out in the open, however, we find that there are untruths or half-truths to fight. especially the belief that the end of U.S. involvement automatically will bring all our families together again. The facts are that the North Vietnamese promised in 1968 to discuss the prisoners of war if we halted bombing raids over the north. The raids stopped and 1,600 men are still incarcerated.

They are imprisoned in solitary confinement in French concrete prisons, seldom, if ever, catching sight of another American. They are imprisoned in bamboo cages in South Vietnam jungles—yes, South Vietnam—suffering from filth and diseases beyond our imagination. They are forced to survive—if, indeed, they have—in 20-feet deep pits in Laos and Cambodia.

Now comes an even more diabolical disclosure.

Mrs. Joan Vinson, national coordinator of the National League of Families of American Prisoners and Missing, and whose husband, Col. Bobby Vinson, has been missing since 1968 in Southeast Asia, reports that North Vietnam has cut off the mail—as sparse, censored and full of propaganda as it was.

Of course, that Army captain we mentioned at first, who was captured by the Vietcong on March 26, 1964, has never been heard from. In fact, only one family has ever received mail—one letter—from a husband or son held prisoner by the Vietcong, the Pathet Lao or by Communists in Cambodia. And the 828 men missing in these areas have never been identified by their captors. Only 339 of the 780 men missing or held captive in North Vietnam have been identified. And Hanoi, with great fanfare, announced a year ago that they would be allowed to write their families at least once a month. During 1970, mail from some of these men did come through. But not one letter arrived in January or February, and none have reached their families so far this month.

CAREY CRONEIS—DISTINGUISHED SCIENTIST, EDUCATOR, AND HUMANITARIAN

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. CASEY of Texas. Mr. Speaker, in Texas and in Houston, we point with sincere and justifiable pride to the many great men who are leading our State to greatness in their respective fields of endeavor.

None, however, surpasses the many contributions made by my longtime friend, Dr. Carey Croneis, chancellor of Rice University.

A distinguished scientist, educator, and humanitarian, the respect and admiration with which he is regarded in our city and our State is equally reflected in national and international educational and scientific communities. A few days ago, on March 14, this great American educator celebrated his 70th birthday. Because so many of my colleagues know Carey Croneis personally, and many have children attending the great Rice University in my district in Houston, I am pleased to bring to their attention, and to his many friends in our land, an excellent article on this distinguished American authored by an outstanding writer, Nathan Broch, for the Rice University Review:

THE CHANCELLOR

(By Nathan Broch)

One notable facet of the many lives of Carey Croneis is that of them, with almost inexorable logic, seemed to lead to the Rice campus, to Houston, to Texas.

The Rice Community, the City of Houston, and the State of Texas—almost taking turns—have honored Croneis for projects he helped to completion for services he willingly and selflessly rendered.

When confronted with the weighty list of honors that have come to him since his arrival at Rice in 1954, he waves them all aside, "I have had more recognition than I deserve. The point is that Houston is a city which is not meager with plaudits for people who come here from other towns, other parts of the country." And with a smile, "A less typical Texan than I am you couldn't possibly conjur up. Yet, the fine people here have made my wife and me feel like authentic Texans and thus we both have been very much at home with them."

So speaks the man from the Great Lakes area of America, looking back to his small hometown of Bucyrus, Ohio, where he was born March 14, 1901. On his father's side, the family (originally Kroneisen) came from near Wiesbaden, Germany, not far from the banks of the Rhine. From there, his paternal grandfather, a lad of some 17 at the time, sailed aboard a schooner to America during the upheavals of the 1840's. He joined an uncle who operated one of the earlier flour mills in Ohio, now an historical site.

Grandfather Croneis died in 1927, aged 96. A man of modest means he nevertheless remembered his grandson Carey in his will with $250. This was a completely unexpected windfall which promptly went into partial payment of a $400 bill for the typing of the latter's all too bulky Ph.D thesis at Harvard.

On his mother's side we encounter the Rice Chancellor's Irish antecedent, Grandfather Will Garner, who had come from Ireland to Ohio via Pennsylvania to marry one of the state's earliest female merchants, a rather unusual woman who insisted on driving her own car well into her eighties when life behind the wheel was quite an adventure even for the males of the species. She was Carolyn Bergdorf whose forebears hailed from the Swiss village of Bergdorf. It was Grandmother Croneis, however, who was the superb cook in the family. Young Carey was a frequent and appreciative visitor to her kitchen.

The Garner set of grandparents provided some of the boy's earliest contacts with books and meaningful conversation. This atmosphere was enriched considerably when Frederick William Croneis, father of the future Chancellor, found the sale's pitch of traveling purveyors of books irresistible and invested beyond his means in multi-volume editions of Poe, Milton, Shakespeare, and Jules Verne, to name just a few. There was also a set of the ninth edition of the Encyclopedia Britannica. All of this added up to a small but well-stocked private library for the times. It is also fair to say that Croneis' ever-deepening love for the English language is at least partly rooted in this library so judiciously acquired by his father. Before he even entered high school, Croneis had run through most of these books, including goodly portions of the Britannica.

Writing inevitably followed reading. Some of the earliest Croneis efforts in poetry were published in local sheets. His feel for the language would sharpen and ripen with the years. Ultimately, this mastery of the most basic communication tool would play a significant role in making Croneis into an outstanding scientist-humanist.

Of near-equal importance in shaping the scientist-humanist was the boy's home environment. In 1913, at the age of 12, he started driving the primitive Ford truck of the Cronies Brothers grocery and pop "bottling works." He also developed an impressive clientele among homeowners whose lawns needed the attention of a manually-operated mower. His customers included Bucyrus Mayor Valentine, a Croneis neighbor and owner of an imposing carriage house and stables. The Valentine's driveway was covered with glacial gravel that aroused the curiosity of the future geologist Croneis. In the gravel, as the young boy found to his fascination, were fragments of many kinds of rocks and minerals. In addition, Father Croneis had collected fossils from some of the quarries in the Bucyrus area. Many of these were exquisite specimens. The elder Croneis, who did not fully understand their geological significance, did know, and pointed out, that they were remains of ancient organisms, and not "sports of nature." Probably also of considerable influence was the fact that Mother Nell Croneis was greatly interested in "geography" and maps.

The boy's day would start with a first delivery round at the wheel of the truck at 6 a.m. He would finish up in time to make

it to school. After school more chores awaited him. At the time, he felt he was working too hard. Yet, the boy's work was not a very important contribution to the family's economic life. "I did not work in order to survive, but because my father said, 'Everyone must learn to work'," the Chancellor recalls.

Still, mowing lawns and driving the delivery truck of the family business were decidedly non-glamorous activities. True adventure was lived only by those boys privileged to join railroad gangs during vacations. Finally Croneis persuaded his father to let him work on the railroad during some school holidays. He also spent one summer working for an Ohio utility company. While doing that he devised a simple method of quickly stenciling the utility poles instead of employing a freehand lettering system then in use. For some reason nobody had thought of that before—at least in that particular part of the country. Young Croneis ended up perhaps the key figure in a crew of appreciative older men who could leisurely make their daily quota of numbered poles for the company.

His teachers at Bucyrus considered him a bright boy but thought his interests too widespread. He was fortunate in having surprisingly good science instructors in the Bucyrus public schools of that day. But best remembered is Miss Ursula Mills, a brilliant young woman who taught Latin and advanced English composition. Miss Mills was a disciplinarian and the frequent target of student as well as parental criticism that usually turned into awe and admiration with the progress of time and the acquisition of knowledge by the overly-protected offspring.

"Miss Mills was truly a 'master teacher.' She was an intellectual, out of her time, out of her place," Croneis remembers. "She remained in Bucyrus the rest of her life."

On June 7, 1918, Miss Mills sent Croneis a congratulatory note on the occasion of his graduation from high school. She wrote in a stately, steady hand that Croneis had done his work well and predicted, quietly, that he would continue to do well.

And he did.

From Bucyrus he moved to Denison University at Granville, Ohio, less than 100 miles from his hometown. There he joined Phi Delta Theta. That fraternity had several members in Bucyrus who had influenced him to attend Denison, where he majored in physics and chemistry. (In 1968 the fraternity would honor Croneis by naming him Phi Delta Theta's national "Phi of the Year.") He did not take a "real course" in geology until the second semester of his junior year. That was the time Kirtley Mather returned to Denison from a geological expedition to South America.

"I had scarcely known of him before," says Croneis. "But when I did meet Mather for the first time, I was instantly charmed. He was a tremendous teacher. I suppose I'd have to rate him right close to the unsung Ursula Mills in effectiveness as an educator. I was not the only one to recognize the quality of his work. Shortly after I was graduated from Denison, Mather was called from that small liberal arts college in Ohio to a professorship at Harvard."

In that relatively short time at Denison Croneis had become one of Mather's proteges. Because of this, Mather recommended Croneis to Raymond C. Moore, also a fellow Denisonian, and another of America's great geologists, who was then head of the geology department at the University of Kansas at Lawrence. On obtaining his B.S. at Denison in 1922, Croneis joined Moore to work toward his M.S. which he received in 1923. Moore was already a nationally-known figure. He had been impressed with friend Mather's recommendation of the young Denison graduate and wanted to help him beyond the $500 scholarship that had made Croneis' enrollment at Kansas possible. Such help, however, required the solution of a rather complex problem: Moore only had available $1,400 a year for one instructor. But he needed two. Moore therefore suggested that Croneis split the $1,400 stipend with Harold Hoots. This gave each a salary of $700 for that academic year—plus the unorthodox and newfangled academic designation of "assistant instructor." Hoots went on to become a principal officer of what is now the Atlantic-Richfield Oil Company, as well as an important factotum in the development of Stanford's earth science activities.

That year at Kansas marked the start of Croneis' teaching career and the genesis of a university experience that would span all known academic titles—except Dean!—and at least one that possibly had never been heard of before—"assistant instructor." The $700 salary that went with the "assistant instructorship" helped Croneis survive his work on, and completion of, his master's thesis. Even at that things would have been even more lean had it not been for the culinary skill of Mrs. Hoots. Every so often the Hootses would manage to have their fellow "assistant instructor" over to their small attic apartment for king-sized helpings of "a big slumgullion stew that nourished my spirits while helping me keep alive." (Kansas and Moore would remember Croneis in 1962 with that university's Distinguished Alumni Award—the Kansas equivalent of an honorary doctorate.)

In the summer of 1923 Croneis began work with the State Survey of Kansas, generally acknowledged to be one of the best in the nation at that time. While Croneis was working on this assignment, Mather, from his vantage point at Harvard, heard of an opening on the faculty at the University of Arkansas at Fayetteville where he himself had taught in his younger days and where he was rather well remembered. Mather also enlisted the support of Moore and between the two of them they made a strong case for the hiring of Croneis, at the tender age of 22, as a full-fledged instructor of geology at the University of Arkansas starting September 15, 1923.

This turned out to be a rather momentous date on the calendar of the young man from Bucyrus—and his childhood sweetheart from the same town. It was the day Grace Williams became Mrs. Carey Croneis. They had grown up together in Bucyrus, had shared the incisive teaching talents of Miss Mills and the by no means minimal academic and cultural offerings of Denison University. Now, as she started on her life as Mrs. Croneis, the young lady from Bucyrus decided to complete her education by enrolling as a senior at the University of Arkansas where her husband, with the official title of instructor, was actually carrying a work load normally assigned to associate professors, including lectures to large classes.

At Arkansas Croneis established a rapport with two men who would loom large on the American political horizon in years to come: He informally coached J. William Fulbright for his Rhodes scholarship examinations while the future senator was on the verge of entering the university's then embryonic law school. (Croneis also coached the University of Arkansas tennis team!) Additionally he was a faculty colleague of Claude Pepper, a future senator from Florida who had just left Harvard to teach law at Arkansas. Croneis effectively organized popular tours of certain Arkansas caves and lectured and wrote on their geological significance. Pepper participated in some of these excursions, and the picnics of younger faculty members, and on occasion would candidly outline his future political plans.

Croneis remained at Arkansas for two years. All this time, Mather had kept his eye on him from Harvard and finally was able to offer him financial aid. Croneis accepted gladly and became one of Mather's assistants at Harvard.

Mather was not only one of the best-known geologists of his day but he was also a world leader in cultural and church affairs. Additionally he was one of the most accomplished and polished lecturers at Harvard. It was said of him that he had an entrancing way of "performing" his geology course rather than merely teaching it. Students usually applauded Mather's presentations by stamping their feet and whistling. On some occasions Croneis had to take over Mather's large lecture course. His, to put it mildly, was a hard act to follow. Still, Croneis, too, rated the applause of Harvard men on not a few occasions. On a more regular basis his students included the girls from Radcliffe who would move into a lecture room the moment the boys had vacated the place. During his last year at Harvard Croneis also lectured to a class of some 20 Wellesley girls. Economically all of this amounted to three different sources of income—from Harvard, Radcliffe and Wellesley. Therefore, when Croneis with his Ph.D. from Harvard accepted an offer to join the faculty of the University of Chicago in 1928, he took quite a financial loss. He went to Chicago as an assistant professor at an annual salary of $2,700, mindful of the fact that his two major mentors—Mather and Moore—held their Ph.D.'s from Chicago which at that time had one of the most distinguished geology departments in the world.

His move to Chicago brought Croneis into the charmed circle of the famed Round Table of the university's Quadrangle Club. In time he became president of the Club. As vice president he had authored one or two of that organization's more notable Christmas Revels. Croneis' Chicago period also marked the beginnings of the fine art collection he and Mrs. Croneis—an artist in her own right—were able to assemble.

Chicago also marked Croneis' final and decisive commitment to geology, as teacher, researcher and academic administrator. It also firmed up his lifelong association with American higher education, resisting the temptation to enter the corporate and potentially highly profitable arena of the oil business. In time, he would find that geology had become an ideal intellectual vehicle "in the Lyellian and Darwinian sense" because it allowed him to retrace their footsteps, enter the places they had known and probe their thoughts.

The man who in all probability could have become a novelist or playwright—or both—has never tired of the ceaseless drama the earth sciences present. When he made the curtain rise over his own concept of what geology is or should be, he never failed to be awed by the revelation of "the enormity of time and the inevitability of change." This dual concept he came to consider as his guiding light in geology's relentless probing toward the dawn of the earth and the beginnings of man. "This," says Croneis, "is what it is all about."

In this spirit he created the Geology Section of the Chicago Museum of Science and Industry, founded by Julius Rosenwald. Inscribed around the base of the museum's center dome are some of its most frequently quoted words: "Science Discerns the Laws of Nature; Industry Applies Them to the Needs of Man." Used without crediting their author, these words were written by Croneis in a brochure for the 1933–34 Chicago World Fair for which, in 1934, he also served as director of the Hall of Science.

Croneis remained in Chicago until 1944, his tenure spanning the Great Depression and the entry of the U.S. into World War II. Early in the war he was called upon to join the National Defense Research Council. He was occupied with certain aspects of chemical warfare—and the exploration of possibilities of throwing a smoke camouflage curtain over the coastlines of the United States. In the course of this project, Croneis actually walked a goodly portion of the country's Pacific coast—and directed experiments on Padre Island, Texas.

His wartime service also took him to Ecuador and its Galapagos Islands where he landed aboard one of the first airplanes ever to put down on a newly constructed landing field. In the course of this expedition, Croneis also took the first Kodachrome aerial photographs of the Galapagos group. He did so in a primitive jerry-rigged harness after removing the cabin door from the DC–2 in which he was flying. Perhaps the most important contribution Croneis made during the war was his selection, in cooperation with Colonel Robert D. McLeod, of the San Jose proving grounds in the Republic of Panama for use by the U.S. Chemical Warfare Service. These extensive Panamanian proving grounds remained in use until about a decade ago.

Despite his youth, Croneis had been considered for the presidency of a number of universities during his tenure at Chicago. He was not seriously interested—until he was approached by Beloit College in Wisconsin. Founded in 1846, the college was heavy on tradition and substance— particularly in the earth sciences. Two of the world's most noted geologists had taught there, T. C. Chamberlin and Rollin D. Salisbury. Chamberlin had moved from Beloit to become President of the University of Wisconsin and later to be the organizing head of the Department of Geology at Chicago; and Salisbury later became Dean of the famed Ogden Graduate School at that university.

The Beloit origins of these two men helped induce Croneis in 1944 to become the school's fifth president in almost 100 years. Although long by today's standards, the 10-year Croneis tenure at Beloit was one of the shortest in the school's history. Yet, the ties he and his family established with the Beloit community proved to be most enduring. Both Croneis daughters, the future Mrs. (William C.) Christine Sayres and Mrs. (Theodore) Catherine Alfred, graduated from Beloit with Phi Beta Kappa honors during their father's presidency. Mrs. Sayres, an artist in whose honor the Christine Croneis Sayres Fund has been established at Rice, died several months ago. The Croneises have four grandchildren. In February, 1971, the Chancellor and members of his family were among the guests of honor at Beloit's 125th anniversary celebration. The honor was well deserved. Beloit had suffered considerably during World War II. The college's structure as on outstanding academic institution needed rebuilding and Croneis accepted the assignment. He lived up to the Beloit challenge and only with some reluctance resigned from the college's presidency to accept another challenge, that is, to become Rice's Provost and Harry Carothers Weiss Professor of Geology in 1954.

He had already been quite aware of Rice during his Chicago tenure. He had occasionally visited Houston for geological conferences and reunions with his very good friend, the noted Houston geologist and oil and gas expert John S. Ivy, a Rice Trustee who now a Trustee Emeritus. Ivy once even showed Croneis the Rice campus from the air aboard a private plane.

The first time Croneis actually set foot on the Rice campus was during the 1930's as Ivy's guest at a football game. Some 20 years later—in 1953—the Rice leadership officially approached the President of the American Geological Institute to design a plan for the creation of a Geology Department at Rice. The President of the American Geological Institute at the time was Carey Croneis. In an attempt to be helpful to his science, Corneis reduced to writing his concept of how a Rice Geology Department might best be organized, aware that adequate funds from the Wiess family probably would be made available for that purpose. A nationwide search for a man to put the Corneis design into operation was undertaken with the help of such famed geological greats as Wallace Pratt, Everette Lee DeGolyer, William Wrather (then director of the U.S. Geological Survey) and others. The search continued until someone thought of asking the author of the plan to come to Rice and make his concept a working reality.

That's how Croneis came to the campus. His motivation was quite simple. He believed that Houston, as the center of the oil industry, would encourage the development of a distinguished Geology Department at Rice, a department animated by searching for, and possibly even creating, new ideas, backed by a faculty of high quality. In addition to the Wiess Professorship, Croneis was given the title of Provost "by way of acknowledgement that I had held an administrative post." His duties on campus, however, were at first not primarily in administration but centered rather on the creation of the Geology Department. That was exactly what he had proposed to do.

Following his own blueprint for the department, Croneis cast about for young men to work with him on this new and exciting enterprise. The men he had in mind would be strong in the basic sciences and "real geologists" to boot. The two men first to meet these requirements were John A. S. Adams whom he had known at Chicago and John J. W. Rogers of the California Institute of Technology. With Adams and Rogers to start with, Croneis proceeded to build the department's faculty, assembling a staff of Ph.D's from the nation's prestige universities—Chicago, Caltech, Harvard, Yale, Princeton and California. The people he attracted to Rice were young, modern in their training. His concentration on the prestigious schools was an exercise in simple logic since he was committed to the building of an outstanding department at Rice and the so-called prestige schools happened to have the finest departments of geology at the time.

After starting to assemble the faculty Croneis was confronted with the problem of funding a building for his creation. He was about to launch a major drive to raise a building fund when his valued friend, the ever-generous Mrs. Harry C. Wiess announced that she and her daughters would finance the structure for the new Geology Department. Croneis worked closely with George Pierce, the architect, in developing the plans for the geology building which was completed in 1958. The design of the building—highly flexible and serviceable—won an architectual award.

Had Croneis only founded the Geology Department at Rice, that contribution alone would have secured for him a notable place in the University's history. However, his services went far beyond the campus hedge.

There are those in Houston who say that Croneis was largely responsible for the establishment of the Manned Spacecraft Center in this area. However, Croneis himself insists that the germ of the idea for the MSC location originated with his friend John Ivy around 1956. It is a matter of history, however, that both Ivy and Croneis broached the Clear Lake land idea to the board of the Houston-based Humble Oil and Refining Company. As a result mainly of these efforts, the Humble board, then headed by Morgan Davis (a close friend not only of Croneis but also of Ivy and Rice Board Chairman George R. Brown), gave a portion of the West Estate to Rice—the very acreage on which the MSC was to rise. In 1961 Croneis saw the time ripe to sharpen his own efforts to bring MSC to this area.

In near-whodunit fashion, Croneis "accidentally on purpose" ran into NASA Director James Webb in Washington in 1961 at the office of Hugh Odishaw, then head of the International Geophysical Year observances. Competition for the MSC site was fierce. Among strong competitors were St. Louis and Boston. After St. Louis was practically eliminated from the contest, Boston continued to press its cause, strengthened by the presence of Harvard and M.I.T. And behind all this academic prestige there loomed the not inconsiderable punch of finely-honed political power—ancient, practiced and shining with the glamor of gilded tradition.

On Houston's side were the persuasive powers of Albert Thomas, George Brown, Carey Croneis and many others—plus the warm Gulf Coast climate. The NASA people whisperingly hoped for a milder-than-Boston climate to test equipment on a year-round basis. Just as Croneis had practically but quietly "guaranteed" year-round serenity and warmth, Hurricane Carla roared its destruction onto the Gulf Coast.

The Bostonians were sure that Carla had done irreparable damage to Houston's chance of ever housing the MSC. Did Carla not prove beyond doubt that any space-age facility along the moody Gulf could be drowned in torrential hurricane waters?

Not so, Croneis and others argued. And to back up this rejoinder the top NASA brass was flooded with photographic evidence assembled by Rice Vice President James R. Sims, then Professor of Civil Engineering, demonstrating clearly that the Rice acreage had remained high and dry while Carla was doing its worst.

Significantly, on Tuesday, September 19, 1961, the *Houston Press* devoted most of its front page to what it headlined as a "$60 Million Man-to-Moon Lab Center for Houston." That same front page, above the masthead, also invited readers to subscribe to the paper's own pictorial record of Hurricane Carla. In addition, the front page carried the pictures of four men the *Houston Press* considered most responsible for the location of the MSC: Croneis, then Rice Chancellor; Kenneth S. Pitzer, then President of Rice; the late U.S. Representative Albert Thomas '20 and Humble's Davis. Characteristically Croneis says, "There are many others who should have received credit." Of course, some of Croneis' most rewarding activity in the MSC matter occurred during his tenure as Rice's Acting President in 1960. After the appointment of Dr. Pitzer to the Rice Presidency Croneis was named Chancellor and continued in that capacity to press for the Houston location of the MSC.

Locating the MSC here led to the creation of the nation's first university Space Science Department on the Rice campus—again influenced by Croneis who suggested the appointment of A. J. Dessler as the new department's founding chairman.

As he looks back over the years since the creation of the Space Science Department and the MSC, Croneis readily concedes that "things have progressed much more rapidly than I anticipated. I had hoped we would eventually get some material from the moon to be analyzed here; but I am frankly surprised that we got our samples of lunar rock and dust in such a short period of time and that Rice ended up playing as large a role in the space program as we finally did—and still are playing. After all, there are right now three separate operating scientific packages on the moon, designed and developed on this campus through the talents of scholars such as John W. Freeman, Jr., David Reasoner, F. Curtis Michel and their associates. Not only did they design the equipment, but Rice also has the people of the high-level competence to analyze in a most fruitful way the material brought back from the moon. One of these men is Principal Investigator Dr. Dieter Heymann who holds a joint appointment in Geology and Space Science."

Croneis is particularly pleased that Houston's National Space Hall of Fame "memorializes in perpetuity something vital and important that links this community to man's very first venture into outer space."

Croneis' quiet "summitry" in Washington that helped bring the MSC to these parts accented his true dimension as a civic asset.

This brought, in due course, his appointment to the chairmanship of the Houston City Charter Committee. His deep involvement with civic enterprises led in 1969 to his designation as "Key Houstonian of the Year." His contributions to the region were recognized when he was appointed a member of the Texas State Charter Revision Commission, a blue-ribbon body that tackled the complex task of making recommendations for needed changes in the Texas Constitution. Texas honored him further by making him a charter member of the Academy of Texas.

In Houston, he made major contributions to the city's standing on the international scene by accepting the founding presidency of the Houston Council on World Affairs and of the Gulf Universities Research Corporation. He also served as Chairman of the Board of Directors of the Contemporary Art Association and as a board member of the Houston Chamber of Commerce, the Houston Museum of Natural Science, the Kinkaid School, the Southwest Center for Advanced Studies and the American Society for Oceanography.

His past presidency of the American Geological Institute has already been noted. He is also a past president of the National Association of Geology Teachers and of the Society of Economic Paleontologists and Mineralogists. He has served with distinction on the Scientific Manpower Panel of the President's Scientific Advisory Committee, the Academic Board of the U.S. Naval Academy and the National Advisory Committee on Graduate Education. He is now a member of the Science Information Council of the National Science Foundation, and is currently President of the Philosophical Society of Texas.

In 1936 Croneis published his popular book *Down to Earth* (with William C. Krumbein), a lucid introduction to geology, typically "dedicated with affection to those who tried to teach us and to those who teach us without trying." The book had gone through 18 American editions by Spring, 1971. It has been translated into several foreign languages, with Hindi the most recent translation. In addition to this highly successful work—cited as one of the 50 most significant books of 1936—Croneis has authored and coauthored a large number of scientific articles and reviews. He has served as Chairman of the Board of the United Educators in Chicago He is also editor of the many volumes in Harper & Row's Geoscience Series. In addition to his significant output as a writer, Croneis pioneered in the production of educational films in the sciences during his Chicago tenure.

By Spring, 1971, Croneis had received a total of nine honorary doctorates—including two from Beloit!

Significantly, the "real world" of geology also kept a constant eye on Croneis' contribution to its own ranks and to its own development. In April 1967 at the Golden Anniversary Meeting of the American Association of Petroleum Geologists in Los Angeles, he was awarded the coveted Sidney Powers Gold Memorial Medal: *"In recognition of unparalleled success in welding geology, education and administration; major contributions to Mid-Continent geology; service to the Association as Editor and otherwise; building the Rice Geology Department to eminence in a decade; inspirational influence on many eminent geologists; and popularizing petroleum geology through civic and professional activities."*

Columbia University also recognized Croneis' "distinguished service in geology" by awarding him its Kemp Gold Medal in 1969. Another national honor came to him in 1970 when he was appointed a member of the American Museum of Natural History Centennial Committee of 100.

In 1967 the Association of Rice Alumni awarded Croneis its Gold Medal for distinguished service to the University. The award moved him deeply. It came from a place and from people he had come to cherish as his very own. Croneis also has been awarded the Founder's Medal of Austin College.

In March 1970 Croneis was voted the year's Scholarship Foundation Award by the American Federation of Mineralogical Societies. As the 1970 awardee Croneis selected the colleges and universities that received grants in his name to assist five graduate students for two years in pursuing work toward master's or Ph.D. degrees in one of the earth sciences. Among the many congratulatory messages Croneis received on announcement of this honor was a letter from Bob Parks, President of the Rice Student Association. He wrote: "I can think of no more fitting way to recognize a lifetime of productive dedication to both research and teaching in the earth sciences than by the establishment of graduate scholarships for those who will hopefully follow in some of the paths you have helped to lay . . . I feel that they have a very fine model in the life of the honoree of the AFMS Scholarships."

Since 1954 the Rice campus, the Rice community have become deeply woven into all phases of Croneis' life. Much-traveled long before he ever came here, the campus became the base from which Croneis covered numerous areas of a troubled world. He and Mrs. Croneis had shared their first overseas journey to Europe in 1928 and have tried since then to "go somewhere almost every year." In the course of their journeys they were received by prominent leaders, including some heads of state, among the latter the Presidents of Guatemala and India and Emperor Haile Selassie. In 1959, Croneis was in Ethiopia where he presented the key to the City of Houston to Crown Prince Assefa Wassen. During the Croneises' visits to Nepal and to the headwaters of the Amazon, native customs and the untamed environment provided most of the drama. In August 1968 the Chancellor and Mrs. Croneis occupied perilous ringside seats in Prague with their old friends, Morgan and Veta Davis. They were present as Russian troops invaded Czechoslovakia. From a hotel window, Croneis calmly photographed some plucky Czechs setting fire to Soviet tanks.

Croneis has had significant encounters with a number of U.S. Presidents, beginning with Herbert Hoover. Most memorable of these are his meetings in Houston with the late Presidents Eisenhower and Kennedy in 1960 and 1963 respectively. The Chancellor served as toastmaster for President Kennedy's last dinner speech in the Sam Houston Coliseum here, November 21, 1963, the evening before his assassination.

Earlier that year, in the Spring of 1963, there had been some casting about to establish a second endowed chair in geology at Rice. On this matter, a prophetic suggestion came from Wallace Pratt, one of the great geologists of our times: "When a second chair of geology is established at Rice it should be distinguished, in my judgment, with the name of the remarkable geologist and scholar who, starting from scratch, established and developed at incredible speed, the present outstanding Department of Geology around the Harry Carothers Wiess Chair endowed by Olga Wiess. His service to Rice deserves to be commemorated. . . ."

Eight years later, in the Spring of 1971, the suggestion of Wallace Pratt was finding tangible resonance in efforts to create a Carey Croneis Chair in Geology at Rice.

Throughout his career Croneis has been in heavy demand as a writer and speaker. Scattered through countless journals and reports are his highly-quotable observations on the human condition, on the future of the world and on the men capable of running or ruining it.

Immediately after the end of World War II Croneis delivered a major address before the Beloit Rotary Club. He and the rest of the world were trying to assess the effect of the atomic bombs that had just been dropped on Hiroshima and Nagasaki. Said Croneis: "Atomic energy is no more a potential cause of war than steam, gasoline, or electric power; nor, as some have claimed, is research in the subject equivalent to tampering with the prerogatives of the Almighty any more than were earlier investigations with steam and electricity. The real cause of war lies not in scientific discoveries, but in men's hearts. Scientists won this war—they did not plan it. Their most spectacular discovery, which terminated the conflict, may now be used to perpetuate the peace."

In the succeeding quarter of a century few men have put the challenge of the ages in more cogent terms.

Teaching Without Lectures

(By A. J. Dessler)

Lecturing is an uncertain art. The successful lecturer is able to present the course material to the class in a way that is interesting, even entertaining. At the same time he conveys information at a satisfying level and rate. Lecturing may be as much a theatrical performance as it is an intellectual exercise. If we look at lecturing in these terms we at once can understand the paradox of the brilliant scholar who is regarded as a mediocre lecturer and the indifferent scholar who is extremely popular with the students because of his lectures. The stage presence that is so important to the successful lecturer is not a valid measure of scholarly ability. In my opinion, all the faculty at Rice have good command of the material they teach, and most of them work hard preparing their lectures. Yet, outstanding lecturers are rare on this (or any other) campus.

As seen from the students' point of view, the transfer of information during a lecture is a risky thing at best. The lectures are presented at a time and place dictated by a relentless schedule. The lecturers are of uneven quality, and even a good lecturer has bad days. No account is taken of special pressures or distractions from other quarters. The pace through the course is an unyielding lock-step established to fit the mythical "average student." But the average student, too, has his good and bad days, days in which his attention span is shortened by, say, the last-minute effort to prepare for an examination in another course, or even by illness. And, what of the student who has latent ability but who comes into a course with some minor deficiencies in background material? Without special tutoring of some sort, he falls even further behind as the lecturer alludes to and builds on knowledge common to the majority of the class. The student is not apt to know why he is not learning the material. His plight is not usually apparent to the lecturer until the student is in trouble, and that is sometimes too late.

The students, at times, react to the ineffectiveness of the transfer of knowledge by the lecture method in a rather direct manner. A professor, after giving what he thinks is an especially lucid and significant lecture, his eyes sparkling with excitement generated by the beauty of his subject, will be approached by a contingent of students, the spokesman asking something like, "Are we really going to be held responsible for all that stuff?

I had often felt, more from a sense of frustration than rational thought, that there must be a better way.

Almost two years ago, while spending a year in Washington, D. C., I learned of a better way while attending a symposium on communications. One of the speakers (Professor Charles Ferster of American University in Washington, D. C.) described a new teaching method, generally called the Keller method, that had been developed by Professor Fred S. Keller and a team of psychologists

working to apply what they had learned from laboratory studies of "reinforcement theory" to teaching. It all seemed so obvious. I could hardly wait to get back to Rice to try out the new teaching method Ferster had described.

There is no unique description of the Keller method; there seems to be an infinite number of variations in its application. The principal features of the Keller method are (1) self-paced study, (2) personalized or programmed instruction, and (3) concentration on student motivation.

During one brief visit here during my year in Washington, I discussed the Keller method with the late Professor Zevi Salsburg, truly one of the finest teachers on the Rice faculty. He too was intrigued by the teaching technique, and he introduced it during the spring semester of 1970 in his junior-level class in quantum chemistry. In later conversations, he told me he was satisfied that the Keller method was a definite improvement in teaching, but he had encountered some difficulties. He was planning to use the Keller method again this academic year, but with modifications to obviate the problems of last year. Since we had kept in touch, I was aware of Professor Salsburg's plans and have thus been able, to a large extent, to avoid similar problems.

I am presently using the Keller method to teach an introductory astronomy course that is directed primarily toward providing a science elective at the sophomore level for humanities majors. The course is taught at a descriptive, non-mathematical level, which makes it a relatively easy science elective. It should be one of the most interesting subjects a student could study in college. Astronomy, held by some to be the Queen of the Sciences, opens for the student a view of the awesome grandeur and spectacle of the universe, of which our solar system is but a miniscule part.

If one walks into my astronomy class, he will see what on first glance appears to be a state of disorder. There is a general conversational hum in the room, as at a cocktail party. A few students are reading; a few are moving around. There is some traffic in and out of the room. This appearance is quite deceiving, however. As we shall see, the course is highly structured.

The class operates as follows: Each student receives a written study guide that details his reading, problem, and laboratory assignments. The study guide also presents both helpful clarifications of the text material and supplementary material that is not in the assigned text. If I were to lecture, my lectures would cover much of what was in the text and supplement or highlight certain parts. Now, instead of giving a lecture, I endeavor to write the material into the study guides to add to or comment on important points and to note interesting features.

The subject matter for this course is divided into units, each unit having a separate study guide that covers one chapter of the basic text. There is supplementary reading assigned from a second book. A third, highly-mathematical text is available for those students who have an adequate background in mathematics and physics and who wish more than the descriptive treatment.

The student, following the study guide, reads the text material and works the assigned problems, usually outside of class hours. The student then lectures (or explains) to one other student on what he learned and how he worked the problems. Thus, the student "lectures," not the professor. These "lectures" (or oral exercises as they are called) may be performed only in the classroom.

The purpose of the oral exercise is to reinforce the reading and to expose weaknesses in understanding. Haven't we all had the experience of starting to explain something to someone, and suddenly we realize that there is a serious flaw in our understanding? Or the converse, we go to someone for help with a problem, and in the very process of explaining what it is that we can't understand, the light dawns. We usually depart thanking the bewildered listener who never did quite understand even what our question was.

Professors are quite aware of this process. Most of them talk glowingly of the intellectual stimulation that comes from teaching. It is often said that if you want to understand a subject, teach it. It has also been argued that it is our use of words, either written or spoken, that unlocks our ability to reason.

The duties of the student who listens to the oral exercise are simply to sit and listen attentively. He is encouraged not to interrupt the "lecturer". The listener may, however, comment after the presentation. His primary function is to provide an "audience" for the lecturer. Few people can talk to themselves with enthusiasm; a listener is usually necessary for us to speak our thoughts. Thus, the student learns by reading, working, and explaining—he learns by doing. The passive role he plays when he is the listener is a useful part of the learning process, but commonly it is a relatively minor one.

The class is divided into sections. Each section contains 10 students and has one tutor assigned to it. The tutor is ideally an undergraduate who completed the course satisfactorily the year before. The tutor administers the written exercises, keeps progress records for each student in his section, finds a listener when a student is ready to present an oral exercise, and answers questions that arise from students in his section. Often a student will discover during his lecture that he doesn't quite understand some of the material. Help is immediately available from his tutor. If the tutor has trouble answering the student's questions, either the tutor or the student can come to me for help. I make it a point to be present at nearly all the class meetings, primarily to help the tutors, but also to make personal contact with the students.

After the required oral and laboratory exercises are completed, the student takes a closed-book written exercise with which he can demonstrate his mastery of the unit material. These written exercises differ from the usual tests in several significant ways. Only two scores are possible—Perfect or Incomplete. A score of Perfect is required before the student is allowed to go on to the next unit. An Incomplete means only that more study is required. There is no penalty associated with an Incomplete. Since mastery at a specified level is required, a score of Incomplete serves simply to reveal some weakness. After an analysis of the weakness, the student is sent back to some specific material for more study, after which he may try again on a new written exercise. (There are usually four different written exercises available for each unit.) The written exercises, which are an additional reinforcement of the reading, problem solving, laboratory exercises, and oral exercises, may be administered outside of class hours if arrangements are made with the tutor. They are usually taken during class hours, however.

Each student proceeds at his own pace through the course. His mastery of the material is checked constantly. The average student is tested for mastery of the material approximately twenty times each semester. Some work diligently to finish early. Other students work at a slow steady pace, finishing the last unit on the last day of class. Others work sporadically, getting ahead or falling behind according to the demands on their time from other activities.

An award was presented to the first student to complete the first semester syllabus, and another award to the student who maintained the most steady pace through the units to finish on the last day of classes. Henceforth, these awards will bear the names of their respective first winners: The Stephen G. Dvorak Award and The William R. Coley Award.

Grades are determined by how many units a student completes. The standards of performance are set by the instructor and announced the first time the class meets. Each student's progress is shown graphically on a chart that he sees each time he completes a unit. The individual student knows, therefore, at all times where he stands. The responsibility for learning thus rests with the student. The instructor is responsible for overall course direction, maintenance of standards, and (with his tutors) teaching.

A student who does not earn a semester grade of 1 (or A) will not have read all the material. For example, to earn a 3— (or C—), the student must master slightly more than half the syllabus. In the conventional teaching technique, the student with a grade of 3—might have been exposed to all the material but only learned part of it. In a terminal course such as introductory astronomy I believe it is a moot point whether there is any advantage to learning some of all the material or all of some of the material. In any case, with this application of the Keller method, it is clear that a 3— student learns all of some of the material.

To avoid the problem of the student who procrastinates unduly, an early deadline is set for completion of Unit 1 to assure that everyone at least gets off to a good start. The only other prod is a one-hour, open-book mid-term examination covering the first few units. The mid-term exam does not count toward the student's final grade but rather serves as a recheck of his mastery of these units. A grade of less than 70% requires that he retake the mid-term after more study and redoing certain of the units. There is no final examination.

The Keller method is probably best applied to the more elementary courses in which some definite knowledge or specific skill is to be taught. Science and mathematics courses are ideal since each element of the subject is often prerequisite for the next step. The complete mastery of each step leads to greater student motivation and interest. It eliminates the possibility of losing a student at some critical point and leaving a gap in his knowledge that will hound him through the discussion of the related material. With the Keller method, he must demonstrate mastery of each step before being allowed to proceed. If he is having trouble, he receives personalized instructions from his tutor. He is programmed back for more study in just the areas where he has shown the need for greater strength.

The able students go through the course using little help. The available manpower is automatically concentrated on the student who is trying but is having some difficulty. Special treatment can be afforded students with exceptionally weak or exceptionally strong backgrounds. The fast student is not held back, nor is the slow student left behind. Yet, standards are easily maintained. The lines of responsibility between student and teacher are clearly drawn. Lecturing skill and stage presence are no longer factors in the teaching process.

The Keller method is becoming a relatively popular educational experiment; it is being applied to a variety of courses at several universities throughout the nation. At Rice, Professor G. K. Walters has produced a novel variation of the Keller method for use in his junior-level quantum-physics course. Professors F. R. Brotzen and R. L. Sass are considering use of the Keller method in their physical science course. And, the Keller

method is being evaluated for possible use in both freshman physics and freshman chemistry courses. Within a few years, there may well be a significant mix of standard and Keller-method courses offered at Rice.

The Keller method changes the principal role of the teacher from that of the classroom expositor to that of one who makes it possible for students to learn how to teach themselves. This may well be the ultimate goal of the educator. A student who emerges from a Keller method course should feel that he has mastered at least some aspect of a subject. He further should eventually feel confident that he is able to learn any subject that someone else has written down in a book.

With the Keller method, the teacher does not serve as an intermediary in the transmission of knowledge. He becomes more of a scholar-administrator who decides what aspects of a subject the students are to learn, what written material they need to properly employ the text, and what standards of excellence are to be maintained. The teacher who utilizes the Keller method must be prepared to spend additional time on his course. He must organize the course, recruit and supervise his tutors, write both the study guides and written exercises, and evaluate student progress on a student-by-student basis. In addition, he should be in the classroom during the regularly assigned class hours even though he does not lecture. The tutors need assistance or guidance, the students expect to see the instructor and to interact with him occasionally, and the instructor needs the feedback that can come only from firsthand observation.

One might expect that after the first year, when the study guides and written exercises are available from the previous year, the instructor's job would be minimal. Such is not the case. For example, I have learned much from the experiences of this year that will enable me to improve the study guides. Most will be rewritten or modified. New written exercises will have to be prepared regularly to keep the course work current and vital.

The Keller-method instructor can no more be replaced by written material than a lecturer can be replaced by a movie projector and tape recorder. The job of education remains; it is only the emphasis that is changed.

The conventional lecture method, which has reached its present state of refinement after centuries of evolution, is certainly not in any danger of losing its prime position. The Keller method will, for many years to come, be a useful adjunct to the lecture method. The degree of acceptance achieved by the Keller method will, of course, ultimately be determined by its utility and by its effectiveness.

A RESPECTED CONSTITUENT

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. WOLFF. Mr. Speaker, it is with pride that I point out to the Members that the Chairman-designate of the Securities and Exchange Commission, William J. Casey, is a constituent and personal friend of mine.

I am certain that my colleagues noticed that the Banking and Currency Committee in the other body has reaffirmed its support of Mr. Casey's nomination after a complete inquiry and thorough open hearing. This is consistent with my own personal knowledge of Mr. Casey who has always in my dealings with him adhered to the highest standards of integrity. I have similar reports of Mr. Casey's honesty, frankness, and community spirit from many of our mutual friends and neighbors in the Third Congressional District of New York.

Moreover, I would call to the Members' attention that Mr. Casey has a long record of public service at the local, State, and Federal levels—he is no newcomer to public office.

I trust that the full membership of the other body will follow the recommendations of its own Banking and Currency Committee and confirm my own high regard for Mr. Casey.

PRECIOUS NATURAL RESOURCES

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. BROOMFIELD. Mr. Speaker, our lakes are surely among our most precious natural resources. Not only are they primary sources of water, but recreational outlets and wildlife preserves as well. They are basic to the life balances on which our existence depends.

Yet, we find all over this Nation an increasing number of lakes destroyed or deteriorating as a result of our own carelessness. Where once they were sparkling and clear, now they are green and murky. Where once children swam and splashed, now only garbage, algae and silt remain. Nowhere in this Nation is the crisis more evident than in Michigan—in the Great Lakes and in the hundreds of fresh water lakes that dot our countryside. Oakland County, my own area, has suffered as much from pollution as any county in the Union.

I am pleased at the strong steps taken by the State to counter the destruction of our lakes. They are as stringent and effective as any State pollution laws in the country. I am pleased, too, with the growth of Federal action in the environmental area.

But more can and must be done. I am cosponsoring today two bills which would greatly improve the weapons we are using to fight the deterioration of our lakes. I am confident, Mr. Speaker, that they will receive the most thorough consideration by this body.

The problem which confronts us has arisen from a complex and interlocking set of abuses.

Municipal sewage, filled with human wastes and phosphorus materials from detergents, is often dumped untreated into nearby lakes. There is evidence that it may take up to 35 years for an urban lake to return to natural equilibrium after the influx of sewage is ended.

Moreover, industries usually find it convenient to locate adjacent to lakes where they can pump their chemical discharges.

But by far the most serious harm to our lakes results from soil erosion. Overflows contaminated with pesticides, herbicides, and fertilizer residues wash into their waters. Construction projects on lake shore areas cause increased runoff of soil and vegetation.

Since lakes, unlike moving rivers, have very slow flushing systems, these elements remain for years, causing the water to be enriched past its capacity. These elements—with their nutrients—serve as fertilizer for algae, which, in turn, creates an increasing demand on the oxygen in the water. Without oxygen the lake's natural cleansing process is seriously impaired—sludge and debris are allowed to build up uncontrolled.

Clearly, our attack on this problem must be two-pronged: First we must restore the lake to its proper condition and, second, we must insure against its future deterioration.

While the Federal Government and the State of Michigan have begun the first part of this operation for the Great Lakes, there has been very little action to prevent future deterioration. The first of my two bills would correct this situation.

It would establish a regional program of soil conservation in the Great Lakes Basin; the program would encourage agricultural practices designed to keep nutrients out of the lakes and on the land, where, of course, they support vital crop growth. It would be patterned after the Great Plains conservation plan, which has operated successfully for 15 years.

Under my bill the Secretary of Agriculture would enter into voluntary contracts with farmers, ranchers, and other landowners to pay for whatever changes in cropping systems or land uses they make to prevent erosion. The program would run for 10 years with an authorization of $150 million.

But while we insure the health of the Great Lakes, we cannot ignore our smaller, fresh water lakes. These have not received as much attention as they deserve, though their condition is as bad, if not worse, than that of the Great Lakes. As yet, no steps have been taken to recover the hundred thousand smaller lakes all over the country. That would be the purpose of my second bill.

The measure would provide technical and financial assistance to the States and municipalities in carrying out a comprehensive program of pollution control for smaller lakes. This would include the use of harmless chemicals to destroy unwanted algae, the dredging of lake bottoms to remove decayed sludge, the recovery of algae and trash from the surface and the improvement of lake shores. The bill authorizes $900 million over 4 years for this program and another $600 million to improve waste treatment facilities. Finally, the bill provides measures to enforce water quality standards for lakes subject to the entire program.

Both of these bills are essential, Mr. Speaker, if we are ever to recover our sadly deteriorating lakes. To delay action is to risk losing one of our most precious natural resources. I urge that these bills be approved.

DIVERGENT VIEWPOINT

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. PETTIS. Mr. Speaker, as an ardent believer in the principle of free speech as the cornerstone of our democracy, I have long deemed it vitally necessary that opinions of all types be granted access to the public forum. Too often recently have I heard the words, "The system doesn't work", and "I can't get a hearing for my views". This must not become a familiar cry if we are going to preserve our free society.

In order to stimulate debate, and provide access to divergent viewpoints, I commend the following letter to my colleagues. I do not necessarily espouse all the opinions included therein, but I champion his right to express them to as wide an audience as possible.

The letter follows:

SAN BERNARDINO, CALIF.,
March 4, 1970.

U.T.U. News,
Cleveland, Ohio

DEAR SIR: I am writing this letter in regards to your request asking members to write to help in the AFL–CIO campaign to enact National Health Security, the compressive national health insurance program.

After some 24 years, Engineer Santa Fe Railroad Company, because of an accident I lost my left leg, I haven't worked since October 1964 I am only 62 years old, born October 17, 1908 I have had no help financially from the so called Santa Fe Railroad Company.

Here are the true facts, after months in the hospital, loss of wages, hospital, nurses, drugs many other expenses, we were forced to sell our home, thank God we had it almost paid for, after paying all our expenses, using up all the cash equity, we still owed money we had to pay.

We are, and have been since 1965 completely broke, I had to lose my insurance, and hospitalization, as I could not pay the premiums, result no medical or hospital care, because of my age, I could not qualify for Medi-care, or Medi-cade, I still can't qualify because of my age, Oh yes I applied for Welfare, but was turned down, so wife and I do without many things in order to survive. I receive $199.35 a month on Railroad Retirement disability, Starting last October 1970 I started receiving $66.80 a month under Social Security Benefits, a total of $266.15 a month, you try and live on this amount. It took me 6 years to save up $650.00 to buy a prosthesis, (Leg) which I am just now trying to learn to walk.

There have been many times, I seriously needed medical care, and drugs, but with no money, or insurance, a person could die, and no one would care, In fact I need medical care now, but can't get it.

If this very worth while legislation is passed, I doubt very much if it will help me, as I wont be around long enough waiting for our Congress with lead in their pants, to take action. But it will I am sure help some one or other poor soul, like me who can't get help because not being 65 years old.

(Special note) What? happened to the .10% increase in benefits we were supposed to get. What? is the matter with Congress, and the various committees. I am well aware of the get their ——— in the chairs, until they voted, and immediately received a very handsome raise.

This raise wasn't .05% or .10% or even .15% but was many thousands of dollars. Their bellies are full so the hell with people really in need.

From the tone of this letter, you can see I am a very disappointed man, and feel I am justified in my opinion.

Congress did nothing last year, but draw a big fat salary, with a out of this world pension. and it appears this Congress after two months will also do nothing constructive, except bicker with one another.

I hope this letter will get through to some one who cares, and that the time spent by me will do a little good, and bring a little results.

Sincerely,

HERMAN W. ROWE.

CONGRESS AND THE DRAFT

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MANN. Mr. Speaker, this House will soon confront the issue of the extension of the draft. Accordingly, we welcome expressions of opinion from all areas of our country and all segments of our society. In that connection, I believe the House will be interested in the following editorial from the Greenville, S.C., News, of March 19, 1971:

SOME FORM OF DRAFT NECESSARY

Congress is going to have a tough problem on its hands when it gets down to considering the draft question within the next few weeks. A decision will be made because the draft law expires this year.

Congressmen face a host of questions, including whether to abolish Selective Service entirely and rely on all-volunteer military forces. A concerted effort is under way to repeal the 1967 Selective Service Act as of December 31, 1971.

Although the goal of an eventual all-volunteer service is desirable, from some standpoints, world conditions require at least a stand-by draft for the foreseeable future. The fact is that it would be next to impossible to maintain troop levels at required minimums without some form of compulsory military service.

In addition there is the question of whether a free nation can afford with safety to maintain an all-professional military establishment of the size required by the United States. The danger of a non-civilian-oriented military to democratic institutions cannot be discounted. There is much to be said for a military force many of whose members expect to be civilians after relatively-short tours of duty.

Another question is whether an all-volunteer military would be composed chiefly of members of economically and culturally deprived sectors of the population, to the exclusion of the middle and upper American sectors. This has all sorts of social, political and economic implications.

Considerable study is required to determine the effect of draft repeal upon the vital military reserve and National Guard forces. These units must be maintained and strengthened as the size of the standing forces is reduced in the years ahead.

In addition to these broad questions Congress must consider numerous other issues involved in the draft. The Supreme Court posed a new one recently with its ruling that the present law prohibits a person from claiming conscientious objector status on grounds that a particular war is unjust—in this case the Vietnam War.

The court specifically pointed out in the ruling that Congress could write a law permitting a person to avoid military service in any war to which he objects, while not objecting to war in general. That could lead to chaos in which national policy could not be made effective.

But Congress probably will be subjected to pressure to permit selective conscientious objection because of implications involved in the Nuremberg and My Lai trials that the individual soldier must answer to his own conscience, instead of to higher military authority, as to what is morally acceptable in warfare.

That is a question in which the separate concerns of national interest and individual responsibility are almost incompatible. It's the old philosophical argument of the welfare and rights of the group versus those of the individual.

All sorts of details involving exemptions, deferments and priorities are tied up in the draft question and may cause considerable debate before the matter is resolved.

At the moment the safest and most nearly equitable course for Congress would be to extend the Selective Service law, with whatever improvements can be worked out, in hopes that fairly soon the military establishment can be maintained with a zero or near-zero draft.

Some form of stand-by draft is essential. The only other safe alternative would be a universal national service law, which appears to be politically impossible now.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. CLEVELAND. Mr. Speaker, This week has been proclaimed "National Week of Concern for Prisoners of War/Missing in Action," in accordance with House Resolution 16, of which I was a cosponsor. Now is an appropriate time to focus attention on one of the most disheartening aspects of the war in Southeast Asia.

Nearly 1,600 Americans are either missing in action, or being held prisoner in North Vietnamese or Vietcong prisons. In the 7 years since the first American became a prisoner of war in North Vietnam, the world has witnessed a display of contempt for civilized opinion which has been seldom matched in recent years. The North Vietnamese have acted without regard for either the men being held prisoner or for their families. Mail has been kept from the prisoners, and the families have been denied mail and usually even knowledge that their husband or father is alive or dead, or in good health or bad.

In recent months, as attention has become focused on these unfortunate men, we have learned from such sources as the Christian Science Monitor of the barbaric conditions in which they exist. We have seen the callous refusal to disclose all of their names. We have witnessed so-called antiwar groups use these men as pawns in their efforts to discredit the United States. We have learned of the deaths of a number of these prisoners,

long after they died, in cold disclosures which ignore the feelings of their families, and without any offer to repatriate their bodies to their home country.

Mr. Speaker, we have witnessed all of this at the same time when the United States is withdrawing troops from Vietnam pursuant to an announced plan to end U.S. involvement in the war there. The time has long since come for the North Vietnamese to honor the Geneva Convention regarding treatment of prisoners of war.

Mr. Speaker, it is now apparent that North Vietnam will not begin to give humane treatment to those men held prisoner until the world demands it. Only when public opinion is aroused will they react positively. Indeed, with many of their actions directed primarily to public opinion, it is in this area that they are vulnerable.

Hanoi must be told in clear terms that the time has come for humane treatment of all American prisoners of war.

FOOD STAMP SHORTCOMINGS

HON. RICHARD H. FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. FULTON of Tennessee. Mr. Speaker, recently the Nashville Tennessean carried a rather comprehensive series of articles on the food stamp program. Such an indepth study would be, by nature, controversial and draw varied comment.

One of those who wrote the Tennessean concerning the series was Mr. Horace M. Woodruff who's letter appeared in the Letters to the Editor column of the Tennessean.

I include the letter by Mr. Woodruff in the RECORD at this point:

FOOD STAMP SHORTCOMINGS

TO THE EDITOR: Under the by-line of Sherry Carter, a series of articles were published recently in the Nashville Tennessean highlighting the short-comings in the local Food Stamp Program. To an exaggerated degree, the reporter, by repeated statements, sought to place much of the blame on the increasing number of food stamp recipients and an overworked, under-staffed operating personnel.

Being a food stamp recipient myself, and in all respect to Miss Carter, whose writing ability is unquestioned, I feel I must take issue with her on certain facts in this matter. She made one point however that deserves attention: "Lack of space." Why not solve this problem by using schools and churches—plus all the free, competent help needed? The cramped food stamp branch in East Nashville (So. 7th St.) is a 20-by-15-foot room. Imagine what it's like when seventy-five or a hundred or more people are jammed in such a small place! (Most of these people are old and sick and disabled).

As for the paid employees who handle this phase of the welfare program (food stamps) they are neither overworked nor understaffed. In fact, if the same people were employed by any private business organization—everyone would be fired for laziness and incompetence! A good example of their incompetence is found in a complete lack of crowd-control or discipline at these food stamp stations. Being conscious of this weakness results in frustration, which is manifested in veiled threats and deliberate, malicious stalling.

But more important than any of these things is the negative attitude shown by the general public towards the whole welfare system. Admittedly, there are pros and cons in every phase of the welfare picture. Unbridled abuses tend to alienate the helped from the helper, the tax-paying public.

Continually ignoring the whole program, however, is no excuse whatever for wanting to abandon the food stamp program, as many are now advocating. The only practical alternative, it seems to me, is to administer these various welfare programs on solid business principles. Defending the present system and all its shortcomings under the false pretense of a humane philosophy is neither fair to the overburdened taxpayers of this country nor practical from the standpoint of administration.

HORACE M. WOODRUFF.

REMEDIES NEEDED FOR NLRA

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. THOMPSON of New Jersey. Mr. Speaker, an excellent discussion of some of the shortcomings of the Labor Act recently appeared in the AFL–CIO American Federationist. The article was written by Thomas E. Harris, the associate general counsel of the AFL–CIO, and I would like to include it in the RECORD for the information of my colleagues.

Mr. Harris' analysis is especially timely because of the growing concern in many quarters, including the National Labor Relations Board itself, that the remedies available under the Labor Act are in many cases neither adequate nor timely.

Although the basic Labor Act was first passed in 1935, NLRB Chairman Miller only recently commented that the number of unfair labor practice discharge cases still coming before the Board was astonishingly high. The lengthy delays within the Board and at the judicial review level have been widely criticized, and the caseload crunch facing the Board threatens to produce, in the words of Chairman Miller, "a jamming of our machinery".

Mr. Harris's article analyzes these problems and offers some interesting solutions. The article follows:

[From the AFL–CIO American Federalist, February, 1971]

SOME REMEDIES FOR AN AGING NLRA

(By Thomas E. Harris)

(NOTE.—*Thomas E. Harris is the associate general counsel of the AFL–CIO. This article is based on a presentation he made to the Southwestern Legal Foundation's annual institute on labor law.*)

More and more informed, if not dispassionate, observers seem to be concluding that the principal federal labor relations laws—the National Labor Relations Act and the Railway Labor Act—are not working and that something dire needs to be done.

As long as conservatives don't score an election sweep such as that in 1946 we can disregard the fulminations of employers who are adamantly, though never openly, opposed to unionization and of their ilk at the bar and in the Congress. Proposals for a labor court such as that by Sen. John Tower (R-Texas) are meant not to improve the administration of the NLRA but to keep it from working at all.

Recently, however, Charles J. Morris and Florian Bartosic, two distinguished attorneys who have long represented unions, have called for revisions of NLRA procedures and there is growing doubt among union officials and among congressmen who support the NLRA's objectives that its supposed protections of the rights to organize and bargain collectively are being effectively implemented by the National Labor Relations Board.

While the diagnosticians agree that the patient is ill, there is divergence as to what the disease is. Professor Morris, who represented unions for many years and now teaches at Southern Methodist University, seems to believe that the basic, or at least original, purpose of the NLRA has been achieved, in that most employers recognize and accept that their employes have the right to join a union and bargain collectively.

In a 1969 article in the Journal of Air Law and Commerce, Morris states: "Cooperation (between labor and management) might be attained if it were widely recognized and accepted that the basic structure of collective bargaining in American labor law is already firmly established—a conclusion I believe to be valid." While Morris details numerous shortcomings in the administration of the act, he apparently regards these as relatively minor matters calling for non-controversial procedural reform, rather than as an indication of a major breakdown in NLRA enforcement.

If I understand Morris correctly, I disagree with him. I think the act is chiefly important in recognition disputes; that collective bargaining is not accepted in some major industries or some major geographic areas; that the act is woefully ineffectual in those industries and areas; and that that is why the act needs to be overhauled.

Morris is, of course, correct that unions and collective bargaining are now accepted in some basic industries where unionization was bitterly fought a generation ago. The point is, however, that for those industries the NLRA and the NLRB no longer have major importance.

In the late 1930s and early 1940s, when the basic steel companies were still fighting unionization, the steel companies were much involved in labor board proceedings and they were violent in their attacks upon the act and the board. These days, however, virtually no NLRB cases arise in the steel industry. The same thing is true of other industries that were once bitterly embroiled with the NLRA and the NLRB, such as automobile manufacturing. As former NLRB Chairman, Frank McCulloch has stated: "The bulk of (the NLRB's) unfair labor practice caseload arises out of organizing and election situations." Once a union is recognized and accepted, NLRB cases are rare and of peripheral significance.

There do, however, remain important industries and areas where collective bargaining has never been accepted; and it is here that the NLRA should be operative, but has become virtually a dead letter. A House subcommittee concluded in 1968, on the basis of extensive hearings, that not only are the law's supposed protections of the right to join unions and to bargain collectively being flouted on a broad scale, but that this situation is getting worse.

NLRB statistics likewise support this pessimistic conclusion. In 1958, there were 4,649 charges filed against employers for discharging or otherwise discriminating against employes for union activity and 1,039 charges against employers for refusing to bargain collectively. Ten years later, the totals were 8,129 and 4,097 in those two categories—a decisive increase in each. Moreover, the indications are that a larger percentage of the

charges were meritorious in 1968 than in 1958.

Many union officials have concluded that the act's supposed protections of the right to organize are worthless, at least in certain milieus. The Textile Workers union has been seeking to organize the textile mills in the southeastern states for more than 30 years. It has, of necessity, looked to the procedures and protections of the NLRA. At this point, it does not have under contract a single mill in the southeastern states belonging to any of the big three textile chains—Burlington, J. P. Stevens and Deering-Milliken—even though the union has sometimes won NLRB elections at such plants. It is the experience of this union that the act's supposed protection of the right to organize is illusory, at least in the southeastern states.

NLRB and court cases involving J. P. Stevens & Co. serve as a good case history for anyone who is interested in learning just how an unscrupulous employer, who has the support of the local establishment, can make a mockery of the labor act. Since 1953, when TWUA initiated an organizing campaign in its plants, complaints have been issued against the company on 10 successive rounds of unfair labor practices. The company has lost many a case, including one which cost it $654,573 in back pay; but it hasn't yet signed a contract with the union and shows no sign of abandoning its illegal anti-union campaign. The support the local establishment gives such firms as J. P. Stevens prompted Harry Golden to say of Charlotte, N.C., that "They elect Cassius Clay mayor if he would promise no unions and no collective bargaining."

The leaders of the United Farm Workers Organizing Committee have likewise concluded that the protections of the labor act are more than outweighed by the restrictions it imposes on unions. Although the union previously had supported proposals to extend NLRA coverage to farm workers. President Cesar Chavez said in April 1969 that while the union would welcome coverage under the provisions of the original Wagner Act, it would forego that pleasure if it meant coverage also by the Taft-Hartley and Landrum-Griffin amendments. Chavez' judgment may well have been right: his union has recently made significant breakthroughs without benefit of the NLRA.

In assaying the value of NLRA's protections of the right to organize, it is surely significant too that the fastest growing AFL-CIO affiliates are unions of government employes, who are not covered at all by the NLRA. And while federal employes have a right by executive order to form unions, many states and localities accord no such legal protection and some even undertake to bar public employes from joining unions. Nevertheless, such unions as the State, County and Municipal Employes and the Teachers have grown much more rapidly in recent years than those under the supposedly protective umbrella of the NLRA.

Morris' enumeration of the deficiencies of the National Labor Relations Act and board likewise seems to me only partially on target.

The top items on his list are that NLRB doctrines tend to change with national administrations because of the five-year terms of board members, so that the resulting "uncertainty in the law . . . makes voluntary acceptance of the board's decisions harder to achieve," and that the board has been repeatedly criticized over the years for overruling prior decisions. Morris' cure for this deficiency (and others) is a labor court whose members would have life tenure.

Obviously, however, discriminatory discharges for union activity, which comprise much of the largest category of unfair labor practice cases, do not stem from "uncertainty in the law." If, as the Textile Workers union believes, the three big chains have an understanding that none of them will ever sign a contract with a union in the southeastern states, that unlawful conspiracy does not stem from "uncertainty in the law." The deliberate corporate policy of J. P. Stevens & Co. to engage in any violations of the act necessary to block unionization does not stem from "uncertainty in the law." Nor has J. P. Stevens shown any greater respect for the decisions and orders of courts than it has for those of the NLRB.

Indeed the more vitriolic critics of the NLRB are no less frenetic about Supreme Court decisions on labor law. The Supreme Court opinion that a corporation which takes over a plant must continue to deal with the union there was written for a unanimous court by scholarly and conservative Justice John M. Harlan, yet it still evoked abundant employer froth, as have Supreme Court holdings in numerous other cases. It is thus, in my view, naive to suppose that voluntary acceptance and compliance with the act could be achieved in any important degree if NLRB or labor court members had life tenure, with consequent fewer changes in doctrine.

Oddly enough, when Morris gets to his exposition of the supposed advantages of his labor court, he declares that the present low level of voluntary compliance with the act is principally due to the ineffectiveness of the remedies available to the board. He states:

". . . The NLRB is not a court; it cannot issue temporary restraining orders, temporary injunctions or any orders, including final decisions on the merits, that are automatically enforceable. This lack of instant process—and process enforceable by its own contempt power—appears to be the principal cause of the low incidence of voluntary compliance with the act."

Morris is of course absolutely right that the board's process is too slow and that apart from cases in which the board can seek a temporary restraining order from a district court, the act provides no quick and sure relief. These two deficiencies are closely interrelated: Because employers know that any decree eventually issued against them is unlikely to hurt them or help the union much, they feel free to violate the act and to stall unfair labor practice proceedings; and these deliberate violations and delays add to the board's case load, cause additional delay, and render proceedings under the act even more ineffectual. It is this vicious circle that must be broken.

The most important step that can and should be taken is to provide for equal and effectual remedies against employer unfair labor practices. It has long been evident that Congress is not going to eliminate temporary injunctions, issuable in advance of a board decision, against some types of unfair labor practices by unions. That being so, equal protection for unions and employes can be achieved only by providing for temporary injunctions against comparable unfair labor practices by employers. Yet the labor movement has been notably inhibited about seeking any such revisions of the act.

In 1947, at the hearings on what became the Taft-Hartley Act, William Green, president of the AFL, denounced the one-sidedness of the injunction proposals: ". . . One set of sanctions is to be invoked against employers for their violations of federal labor laws and another and greatly more drastic set of sanctions invoked against labor organizations and employes."

But Green did not ask for injunctions against employers; rather he denounced this restoration of the labor injunction as "viciously arbitrary retrogression" and as violating the constitutional guarantee against involuntary servitude. Philip Murray, for the CIO, was much less excited about the restoration of labor injunctions, probably because the secondary boycott was less useful to industrial than to craft unions. When asked about secondary boycotts, Murray flatly told the committee, "My union is not concerned in that."

The result was that the Taft-Hartley Act provided for extensive and summary use of injunctions to stop union unfair labor practices pending board hearing and decision, but with no correlative use of injunctions against employers. The act provided, and still provides, for two kinds of injunctions. First, the NLRB is required to secure injunctions, in advance of hearing and decision, whenever it has reasonable cause to believe that a union has engaged in a specified type of unfair labor practice, such as a secondary boycott. These injunctions, known as mandatory injunctions, are issued only against unions, never against employers, and are very common. The second type of injunction, known as a discretionary injunction, may be sought by the board against either a union or employer in any case after issuance of a complaint. However there is no requirement that the board invoke this provision, and discretionary injunctions are relatively rare.

In 1949, following Harry Truman's upset victory in 1948, the AFL and CIO made a mayor joint effort to repeal and revise Taft-Hartley. They united behind the Thomas-Lesinski bill, which confined the boycott ban to jurisdictional controversies and abolished both mandatory and discretionary injunctions.

This bill was rejected by the Senate in favor of a substitute by Sen. Robert A. Taft (R-Ohio) which somewhat relaxed the restrictions against boycotts and provided for discretionary but not mandatory injunctions. This bill passed the Senate and undoubtedly could have been enacted if the federations had supported it, but instead they dropped their drive for Taft-Hartley revision. Additional factors were of course involved in the labor opposition to the Taft bill, such as its retention of section 14(b).

In 1954, the labor movement had another opportunity to equalize NLRA enforcement, but again ended with a stalemate. President Eisenhower's 1954 labor message proposed and the committee bill provided for the repeal of the mandatory injunction provisions. However, the committee Democrats, reflecting the union position, declared in their minority report: "We welcome the repeal of (the mandatory injunction section). . . . However, we are opposed to any use of temporary restraining orders and preliminary injunctions in labor disputes . . . We think the Congress should restore the Norris-La Guardia Act."

In the Senate, the Administration bill was sent back to committee on a straight party line vote. In 1959, the Landrum-Griffin Act actually exacerbated the inequality of remedies, by adding to the provisions enforceable by mandatory injunctions. There was considerable union opposition to some of these changes but no specific separate opposition to the expansion of the mandatory injunction provisions and no union proposal to apply injunctions to employers.

Such a proposal was made at about the same time, however, by an advisory panel to the Senate Labor Committee, which included Arthur Goldberg and two other union lawyers. This panel, after summarizing the act's provisions on injunctions, declared:

"Two changes should be made in these statutory provisions. First, it is unfair to discriminate against employes and labor unions by giving priority to charges filed against unions, thereby delaying the investigation of charges filed against employers. The injury caused by an employer's unfair labor practice may be as irreparable as any damage caused by unlawful picketing.

"Second, the worse consequences of the present delay in reaching a final decision in unfair labor practice cases should be mitigated by making interlocutory relief available in appropriate cases against unfair labor

practices interfering with the rights of employes guaranteed by Section 7. . . ."

Thus the panel did not recommend any reduced use of injunctions against unions, but rather sought their equal use against employers.

During the 10 years since the panel report, the provisions on injunctions have been unchallenged. The time has come for the labor movement to recognize that it is not able to abolish injunctions and that equality of remedy can be obtained only by providing interim injunctive relief against employers in appropriate cases.

It is true that that would represent some further restoration of "government by injunction," in that the role of the district courts would be enlarged. That is one reason unions have always been so reluctant to press for such a change. However, assuming that, as I advocate, this change is made within the framework of the present act, and not as part of a district court or labor court package, this enlarged district court role would continue to be subject to the partial safeguard that interim injunctions could be sought only by a supposedly impartial government official and not by private litigants. And it benefits unions not at all to protect employers from government by injunction when unions are subject to it.

Surprisingly, Sen. Tower's labor court bill would improve the present situation in regard to equality and effectiveness of remedy. It would, in part, preserve the present imbalance in remedies by requiring that the United States attorneys (who would supplant the NLRB Office of General Counsel) give priority to secondary boycott charges over all other charges. However, the bill would at least abolish mandatory injunctions and instead provide for discretionary injunctions against both employers and unions. The Tower bill, however, would permit private litigants to seek such relief. The latter proposal would open the door wide for a return of ancient abuses.

There are two other statutory changes that surely should be made to speed the NLRB's disposition of unfair labor practice cases. Teamsters counsel Florian Bartosic, in a 1970 article in the Georgia Law Review, advocated these changes:

One: Trial examiner decisions should be made final, subject to discretionary review by the NLRB. The Landrum-Griffin Act sanctioned somewhat comparable delegation of authority to the regional directors with respect to representation proceedings, and this delegation has greatly speeded up the disposition of these proceedings and has occasioned virtually no criticism. However, a reorganization plan (No. 5), which authorized the board to give finality to decisions of trial examiners, subject to discretionary review by the board, was rejected by the House of Representatives in 1961. Under any such amendment the decisions of trial examiners would, if final, be subject to judicial review in the same fashion as board decisions.

Two: Board decisions should automatically become legally effective after a short period, unless a respondent files a petition for review. (And the same would be true of trial examiner decisions if proposal No. 1 were accepted.) At present, the board must petition for review if a respondent does not and this requirement certainly produces additional delay and almost certainly additional litigation. This suggested change is in line with the Federal Trade Commission Act, under which commission orders become final unless a respondent files for review within 60 days.

All of these proposals I advocate to reduce delay and aid enforcement could be accomplished within the framework of the present law. Are there, however, other valid arguments for a labor court? I think not.

As explained, Professor Morris' claim that a labor court would have wider acceptance and thus greater voluntary compliance does not persuade me. Moreover, while I agree that the board has been overready to rewrite doctrine, and the short five-year term for board members is of course not sacrosanct, I believe that life tenure would produce a rigidity of doctrine not desirable in so changing a field as labor relations. Bartosic, on the other hand, argues for a seven-year board term, and points out, curiously, that the ICC FTC and FCC all have seven-year terms. The real purpose of these examples must be to remind his readers that the NLRB is, at least compartively, a pretty effective agency.

Moreover, Morris' labor court would probably accentuate rather than reduce delay. As he says, the organization of his court would resemble that of the Court of Claims. That anyone would model anything after that tortoise of tribunals is indeed startling. The Court of Claims, for good reason, publishes no figures, but court officials say that from filing of complaint to decision usually takes about four years. Under Morris' proposal, commissioners would replace hearing examiners—surely not a change of significance—with review of their decisions by a labor court of 11 judges. Presumably these judges would sit in panels, which would result either in conflicting decisions or in numerous rehearings en banc, which would be more productive of delay than the present system.

Also, both the Tower bill and Morris would retain an NLRB to handle representation proceedings, while transferring unfair labor practice cases to the district courts or a labor court. However, the two types of proceedings are sometimes so interrelated that they are consolidated for hearing and decision. Even when that is not the case, doctrines developed in unfair labor practice cases are often relevant in the determination of representation proceedings, and vice versa, so that it is highly desirable that a uniform and coordinated body of doctrine be developed and applied to the two types of proceedings.

Perhaps the most appealing aspect of Morris' proposal to lawyers is that he would centralize in one tribunal a mass of labor litigation now scattered hither and thither. His labor court would not only handle unfair labor practices under the NLRA, but also would take over enforcement of the Railway Labor Act from the federal district courts. It would also handle injunctions in national emergency disputes and suits under Taft-Hartley. Under Morris' proposal, an emasculated NLRB would handle representation proceedings under both the NLRA and the RLA. Bartosic would prefer simply to repeal the Railway Labor Act in toto. He doesn't say whether he would bring railroads and airlines under the NLRA.

Morris is correct as to the parallelism of the substantive provisions of the NLRA and the RLA. But that resemblance should not becloud the fact that the purposes of the two acts, the roles of the two boards and the principal failures of the two acts are all different.

The main role of the NLRA, aside from its basic guarantees of the right to organize and bargain collectively, is to regulate the tactics which employers and unions may employ in organizing campaigns. The board's main job is to see that these rules are observed. That is also where it has failed.

The RLA, on the other hand, does not have the same focus on controversies between employees and unions over organizing. According to one version the RLA was the product of a consensus already reached between the carriers and the unions. At all events, the rail carriers, with, of course, the exception of the Florida East Coast Railway Co., have not in recent years shown any great zeal for union busting. Hence, the substantive provisions of the RLA, and their administration, have been of relatively little importance. That is why it has been possible to leave their enforcement to the district courts and any need for change in that stems more from disputes involving the airlines than the rail carriers.

The substantive provisions of the RLA are of relatively little importance, not only as compared with those of the NLRA but as compared with other provisions of the RLA. For the RLA establishes elaborate machinery—involving notices, bargaining by the parties, mediation by the National Mediation Board, awards by emergency boards, etc.—which is supposed to eventuate in the peaceful negotiations of collective bargaining agreements. It is the asserted failure of these dispute settlement mechanisms, and not controversy over the substantive terms of the RLA, or their administration, which has led the Nixon administration to propose extensive revision of the RLA.

If the RLA has failed in this respect (which the rail unions do not concede) it is because, as President Nixon put it in his Feb. 27, 1970, message to Congress, "The disputants . . . know that the nation will not tolerate a damaging railroad strike. . . ." While I will not be so eccentric as to defend the NMB, it is unlikely that any agency will have total success at mediating disputes when the employers are confident that the unions will not be allowed to strike. At all events, neither Morris' nor Bartosic's proposal is relevant to the main focus of controversy under the RLA.

If suggestions for a labor court are unpersuasive, proposals to transfer unfair labor practice cases to the federal district courts are blatantly foolish. Any such proposal is subject to at least the following objections:

The district courts are, as a whole, even slower than the NLRB and are getting worse, with the worst delays in the very districts in which the largest numbers of unfair labor practice cases arise. In 1969, the median time from issue to trial in the Southern District of New York, in non-jury cases, was 35 months, while in the Eastern District of Pennsylvania it was 44 months. The addition of unfair labor practice cases to the present work load of these district courts would of course somewhat worsen the present situation.

The transfer of unfair labor practice cases to the district courts would restore many of the evils of government by injunction. It will be recalled that during the years between the Debs case (1895) and the Norris-LaGuardia Act (1932), the issuance of injunctions in labor disputes led to a series of bitter confrontations between working men and the federal courts, which completely undermined the confidence of workers in the administration of justice. Indeed the instinctive opposition of unions to anything called a labor court and the deep aversion of unions to injunctions, even against employers, stem from this period when the federal judges intervened in labor disputes in strike after strike at the behest of employers. It should not be forgotten that the criticism leveled at the federal courts in those days was as bitter as any ever leveled at the National Labor Relations Board. To put the federal courts back into the business of government by injunction would be a disservice not only to workers and unions, but also to the federal courts.

The NLRB should and does have an expertise which several hundred district judges in 86 different districts could never be expected to match. Many of those judges would never have enough cases under the NLRA to develop any familiarity with it.

The NLRB, of course, applies its doctrines uniformly throughout the country, whereas decisions by hundreds of different district

judges would produce conflicting rulings to the point of chaos. My observation over the years is that trial judges, both federal and state, tend in general to be more sympathetic to unionism in the major industrial areas where unions are strongest, and less sympathetic to unionism in the areas where employers have blocked their employes from organizing and where unions are weakest. To oversimplify, unions get the worst treatment from the trial courts where they need the best. This situation would be greatly accentuated if district courts handled unfair labor practice cases. District court decisions would be subject to appellate review, but appellate review is confined to issues of law and never reaches a wide area of trial court discretion.

As already explained, it is undesirable to separate the handling of unfair labor practice cases and representation proceedings by assigning the former to the district courts and leaving the latter with a board. It would be equally unsatisfactory to assign representation proceedings to the district courts or a labor court. As Bartosic has pointed out: "The NLRB has established an efficient administrative apparatus for handling representation cases and elections quickly and fairly. That a court could, or should, become involved in a function which is almost exclusively administrative in nature borders on the absurd."

In sum, there are several steps that can and should be taken to improve the administration of the NLRA. None of these steps requires or would even be facilitated by transferring jurisdiction under the act to a labor court or the district courts. Those who advocate such a step are, in my judgment, simply playing into the hands of employers and employer lawyers who reject unions and collective bargaining.

POW'S

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. PETTIS. Mr. Speaker, during this week designated as a "National Week of Concern for Prisoners of War/Missing in Action" it is imperative that all the American people be reminded of the status of these valiant men. So we must overtly exhibit our concern for their well-being and our determination that we will not cease our efforts to bring about their release.

I accompanied Dick Capen, the assistant to the Secretary of Defense, on a recent trip to Sacramento where he addressed a joint session of the California State Legislature. I wish my colleagues to know that the people of California and their representatives are fully behind all endeavors to secure proper treatment of these men, and will support whatever steps that are necessary to insure their freedom. If Americans continually express their concern for these unfortunate individuals, and if we appeal to the conscience of the world, world opinion may force the North Vietnamese to cease their inhumane treatment and negotiate their release. Support for these men by our Congress and all our people will demonstrate to them that they are not forgotten.

NATIONAL WEEK OF CONCERN FOR POW'S/MIA'S

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DELANEY. Mr. Speaker, as one of the sponsors of the resolution designating this week as "National Week of Concern for Prisoners of War/Missing in Action" I pay tribute to these men and to their families.

Today there are some 1,600 Americans missing in action or being held prisoner in North Vietnam, Laos, Cambodia, or South Vietnam. For each of these men there are wives, children, brothers and sisters, friends, and parents, who are deeply concerned with his fate and well-being.

Both the American government and private individuals have tried to get an accurate list of prisoners, to get the sick and wounded released, to make contact with the prisoners, to devise a prisoner of war exchange, to secure simple humane treatment for these men—but all to no avail.

Our Ambassadors in Paris have repeatedly raised the prisoner of war question. We have tried to discuss this issue through the United Nations, through direct appeals by the President to the North Vietnamese, by visits of Congressmen to foreign capitals, by petitions, letters, telegrams, and demonstrations—but all of these attempts and overtures have been ignored. We have not even been able to obtain the simple humanitarian information of who is held captive and their condition.

In 1957 North Vietnam acceded to the Geneva Convention relative to the treatment of prisoners of war. Since that time the North Vietnamese have ignored both the letter and spirit of even the most basic humanitarian principles contained in the Geneva Convention.

North Vietnam claims that the prisoners of war are merely brigands and war criminals, hence, not subject to the international laws pertaining to prisoners of war. But the International Committee of the Red Cross has repeatedly refused to accept this position and has declared that American servicemen are POW's and entitled to the treatment provided for by the Geneva Convention. Further, the 21st international convention of the Red Cross in September, 1969, adopted without dissent a resolution calling upon the combatants to respect the Geneva Convention. Both the governments and the Red Cross societies of the Soviet Union, Poland, Czechoslovakia, Yugoslavia, from among Hanoi's sympathizers, voted for it.

North Vietnam claims that the POW's are receiving humane treatment, but they refuse to allow verification by impartial inspections of the POW camps. The few released prisoners and escapees have described the prison conditions—inadequate food, torture and beatings, solitary confinement, attempted brainwashing, and executions.

Upon his release from North Vietnam in August, 1969, Navy Lt. Robert F. Frishman stated:

My intentions are not to scare the wives and families, but Hanoi has given the false impression that all is wine and roses, and it isn't so.

I don't think solitary confinement, forced statements, living in cages for three years, being put in straps, not being allowed to sleep or eat, removal of fingernails, being hung from a ceiling, having an infected arm which was almost lost, not receiving medical care, being dragged along the ground with a broken leg, or not allowing the exchange of mail to prisoners of war are humane.

This is the real face of Hanoi, and it is the face which should be exposed for all the world to see.

The simple truth of the situation is that Hanoi has never been guided in its treatment of our POW's by humanitarian precepts or by the Geneva Convention to which it acceded. The North Vietnamese have constantly tried to portray themselves a small nation involved in a heroic struggle for freedom and justice against great odds. All the while North Vietnam has cynically and inhumanely attempted to use our POW's and the anguish of their families to reinforce antiwar opinion in this country and to blackmail this Government into military and diplomatic concessions.

The shameful treatment of U.S. POW's by North Vietnam should be made a political liability in the eyes of world opinion, and the capitals of the world should be made aware, even as we are aware in this capital, of the plight of these POW's and their families.

Mr. Speaker, the years of suffering by our POW's/MIA's and their families is an international disgrace. All freedom-loving nations should unite and demand humane treatment for these prisoners.

A CALL FOR PEACE AND RELEASE OF POW'S

HON. ARTHUR A. LINK

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. LINK. Mr. Speaker, of the 1,600 prisoners and missing in action in Southeast Asia, at least seven are from my State of North Dakota.

The North Dakota State Legislature expressed its concern about securing the safe release of all our prisoners of war by approving House Concurrent Resolution No. 3073, on March 8, 1971.

On February 15, Representative Arthur Raymond of Grand Forks, N. Dak., made an eloquent statement on behalf of the resolution in the North Dakota House of Representatives. That statement from the journal of the North Dakota House follows:

Mr. Speaker: When the bell of freedom peals across this land, our men held captive in Indo-China do not hear;

When you and I celebrated Thanksgiving, there was no Thanksgiving in the stark prison camps of North Vietnam;

When many in the world arose in joy on Christmas Day, joy was not a gift which these prisoners were able to cherish;

When the New Year dawned bright and clear with a new hope for us, hope was but a word without meaning to our men.

Hanoi, the Viet Cong and Pathet Lao have blatantly disregarded humane treatment of Americans held prisoner. The enemy has said there is no war and these men are criminals. They have refused to abide by International Red Cross rules and they have totally disregarded the Geneva Accords.

All men of the war rate their own contribution to war by their exposure to danger; by their degree of isolation; by their exposure to physical discomfort, and by the length of their separation from loved ones.

By any or all of these standards, the 1,500 American men missing in action or held prisoner have given beyond that measure which we call sacrifice.

This nation owes them a debt of gratitude of such magnitude that we shall never repay it. But we can try. When the world counts those who stood on behalf of our men, let them count us as standing with them. And standing with them, we owe them more than gratitude. Gratitude alone cannot repay their wives and their children or their widows and orphans, as the case may be. We must here dedicate ourselves to a unified effort to bring them back.

We ask that this body join in pending national legislation to set aside the week of March 21–26 as the "Week of Concern" for our fighting men missing or held prisoner in Southeast Asia war action. But more than that we ask the President of the United States and the Governor of the State of North Dakota to set aside Sunday, March 21, as a Day of Prayer when as a God-believing nation we shall gather each in his own way, to pray for the safety and release of these men.

The words of Air Force Capt. Cliff Cushman seem to be especially fitting at this time. Cushman, from Grand Forks, was shot down in Vietnam action in 1966. He is listed as missing in action and believed a prisoner of war. He was one of the greatest athletes to come out of Grand Forks. He won a silver medal in the 1960 Olympic hurdles. In try outs for the 1964 team, his foot hit the fifth hurdle and he sprawled ingloriously to the track. In the aftermath of that fall, he wrote a letter to the youth of Grand Forks. The words stand like sermons in stone:

"Do not feel sorry for me. I feel sorry for some of you. I would much rather fail knowing I had put forth an honest effort than never to have tried at all. Unless your reach exceeds your grasp, how can you be sure what you can attain? I know I may never make it. The odds are against me but I have something in my favor—desire and faith.

"I dare you to look up to the stars, not down at the mud, and set your sights on one that, up to now, you thought was unattainable. Who knows? You may be surprised at what you can achieve with sincere effort. I dare you." Cliff Cushman.

So: For Capt. Loren Torkelson and for Major Keith Hall, prisoners of war, we ask your support of this resolution. We ask your support for men listed as missing in action: Capt. Clifford Cushman, Major Martin Steen, Lt. J.G. Bill Christianson, Lt. Glen Belcher, Lt. William Potter and others whose names have not come to our attention.

The resolution explains our stand. We ask you to stand with us.

Mr. Speaker, during the past year, an organization of the wives and mothers of these men has worked ceaselessly at folding letters, inserting flyers in church bulletins, sharing their tragedies with audiences, and writing letters to leaders in Congress and throughout the world—all, with the driving motivation to one day see, hear, and touch their loved ones again.

These women are members of the National League of Families who daily confront the anguish of not knowing whether their loved ones are alive, where they might be, or what kind of treatment they are receiving. With these uncertainties in mind, they spend their energies to seek compliance with the rules of the Geneva Convention that guarantee the rudiments of human decency with respect to prisoners of war.

The National League of Families deserves much credit for focusing attention on this tragic situation at local, State, national, and international levels.

I believe innovative plans to insure North Vietnam's compliance with the rules of the Geneva Convention and the safe return of these men to their families should receive top priority. One such plan is "proportional repatriation," which calls for the return of prisoners in proportion to the percentage of our military troops withdrawn. I believe this accomplishes two things. No. 1, it would provide for the safe return of our prisoners of war. And, No. 2, it would provide a means to end our involvement in Southeast Asia.

I join the families and friends of our prisoners and missing in the hope that this will be the last year we will need a "National Week of Concern."

THE UNITED STATES AND THE SOVIET MYTH

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. DERWINSKI. Mr. Speaker, a new book on U.S.-U.S.S.R. relations has just been published with arguments, evidence and data that sharply contradict those who pose the illusion of détente with Moscow. The new work is titled "U.S.A. and the Soviet Myth," authored by Dr. Lev E. Dobriansky of Georgetown University. We will doubtlessly hear and read more of this work in the course of this year. Barry Farber interviewed the author on his show in New York on March 17, and others are in the offing. The New York Sunday News issue of March 14 referred to it in its editorial on "After the War—What?" And the book is being widely publicized in ethnic circles as indicated by the report in the Ukrainian Weekly Sovboda. These two items are indicative of the nature of the work, and I introduce them in the hope that our perspective concerning the U.S.S.R. will become a balanced one; namely, that our chief enemy resides there in an overextended empire.

[From the New York Sunday News, Mar. 14, 1971]

AFTER THE WAR—WHAT?

Secretary of Defense Melvin R. Laird rendered his annual report to Congress a few days ago, and we'd call it a realistic and statesmanlike document.

It blueprinted the course the Nixon administration hopes the nation will take in the next five years as regards national defense.

Our participation in the Vietnam war should end long before the five-year period is up. Where do we go from there?

Some well-meaning folks want us to pull in our horns from all around the civilized world (meaning the free world), cut the Defense Department and the armed forces to Thom Thumb size or thereabout, and spend the money thus saved on homefront goodies and giveaways.

Things aren't going to be that simple when this cruel war is over. Soviet Russia, barring unforeseen upsets, is going to be still determined on world conquest.

Georgetown University's noted Prof. Lev Dobriansky in his new book "U.S.A. and the Soviet Myth" (Devin-Adair Co., Old Greenwich, Conn.; 274 pages, $6.50), calls "Soviet Russian imperio-colonialism" our chief enemy.

Secretary Laird therefore outlines a program for keeping our powder dry indefinitely and ample powder on hand.

We are happy to note that he wants a mix of offensive and defensive weapons—the most up-to-date of both.

Put our trust and tens of billions of our dollars into devices meant solely for defense against surprise attacks, and we're all too likely to acquire what, since World War II, has been called the Maginot Line state of mind.

France thought its hugely expensive Maginot Line would keep out the Germans—who proceeded to snake around its Belgian end in 1940 in overwhelming numbers. By the same token, some scientific enemy breakthrough could make a shambles of a U.S. magic-defense setup.

We must have the will to defend ourselves, and the capacity—plus a full complement of offensive weaponry, on the principle that the best defense often is a good offense.

This is not a cheery prospect, true. But that is the way the world shapes up as of now, and we've got to adjust and stay adjusted to these facts of 20th century life. If we don't, it will be Farewell Freedom sooner or later.

[From the Ukrainian Weekly Svoboda, Mar. 6, 1971]

DR. DOBRIANSKY PUBLISHES "U.S.A. AND THE SOVIET MYTH"

NEW YORK, N.Y.—An incisive, 274-page study on the prevalence of what the author calls "myths" about the nature and political objectives of the USSR, was published last month by Dr. Lev E. Dobriansky, professor of economics at Georgetown University and President of the Ukrainian Congress Committee of America.

Titled "U.S.A. and the Soviet Myth," the book was published by the Devlin-Adair Company of Old Greenwich, Conn.

FALSE NOTIONS EXPOSED

The notion of what is commonly called in the U.S. the "Russian people," the false assumption that the USSR is a homogeneous nation, the rather misleading idea that it is communism which is the sole enemy of freedom and democracy—these are some of the "myths" analyzed and exposed by Dr. Dobriansky in his most recent book.

"The enemy is not a vague evil known as communism, but a very real threat . . . Soviet Russian imperio-colonialism," asserts the author in the book.

The introduction to this study was written by the Hon. William G. Bray, member of the U.S. Congress from the 6th District in Indiana, himself author of a book, titled "Russian Frontiers: From Muscovy to Khrushchev."

The 259 pages of text are subdivided into the following chapters: Is It A Lost Cause?; Seeing "Russia" in Toto; The Russian Prob-

lem; Nations, Peoples and Countries in the USSR; The ABC's on Russia and the USSR; Captive Nations Week: Ten Years and Beyond; U.S. Illusions on the Captive Nations; The Decade of Confetti Diplomacy; The Russian Trade Trap; An American Organization at Work.

BIBLIOGRAPHY

A selected list of recent works relating to the subjects discussed by Dr. Dobriansky is compiled in seven pages of print, and a six-page index is appended at the end.

The book, priced at $6.50, can be obtained at Ukrainian bookstores, at Svoboda, and at the UCCA headquarters in New York.

PUBLIC EMPLOYEES DESERVE TAX BREAK

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. STEELE. Mr. Speaker, it is my pleasure to introduce today a bill to provide equitable tax treatment to elderly Americans whose retirement income is derived from sources other than social security.

Under present law, social security cash benefits are paid to millions of Americans each year. For many of these citizens, these benefits are their only substantial and continuing income, and Congress has exempted such benefits from Federal income tax liability.

The bill I introduce is necessary because, while social security benefits are tax free, retirement income from other pension plans is taxable.

There are, however, thousands of teachers, policemen, firemen, and other public employees who are not covered in their employment by social security, and who belong instead to local or State retirement systems. These retirement systems are generally adequate to meet the needs of these citizens in their retirement years, but because benefit payments under these systems are taxable, these public employees are in a disadvantageous position. To alleviate this unfairness, the retirement income tax credit was introduced in 1954. Its purpose was to extend approximately the same tax treatment to retired public employees as is due regular social security beneficiaries.

Present law provides a retirement income credit of 15 percent of eligible retirement income up to a maximum of $1,524 for a single person and $2,286 for married couples where each is fully eligible in his or her own right. The credit is designed to provide comparable tax treatment for those who receive tax-exempt social security benefits and those who receive taxable pensions. Consequently, the maximum base for the credit is reduced by social security benefits received and by earnings in excess of $1,200—a reduction of 50 cents for each dollar of earning between $1,200 and $1,700 and dollar for dollar for earnings in excess of $1,700.

Because of increases in social security benefits since the present maximum base for the credit was established, my bill increases the base for the credit to more closely approximate the current levels of social security benefits. It increases the $1,524 to $1,872 and the $2,286 to $2,808. It raises the maximum credit from $228.60 to $228.80 for single persons and from $342.90 to $421.20 for married couples. In addition, the amount that can be earned without reducing the base for the credit is raised from $1,200 to $1,680 and the range within which the base is reduced 50 cents for each dollar of earnings is raised from $1,680 to $2,880.

Mr. Speaker, by updating the retirement income credit we will restore long-overdue equivalency of treatment for public employees with the over 20 million people who regularly draw social security benefits.

TRIBUTE TO THE LATE WHITNEY M. YOUNG

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. BOGGS. Mr. Speaker, last week, with the tragic passing of Whitney M. Young, our country lost a courageous and effective leader. Whitney Young was a voice of reason. He was a steadfast leader of his people in a time of social turmoil. He made his contribution to America, and we are the richer for his having done so. I am inserting editorial tributes paid to him by the Times Picayune and the New Orleans States Item and calling them to the attention of my colleagues:

[From the New Orleans Times-Picayune]

WHITNEY M. YOUNG

Whitney M. Young, executive director of the National Urban League who died last week, once talked about his feelings as he took a train to work in New York City.

"I think to myself: Should I get off this train this morning and stand on 125th St., cussing out Whitey to show I am tough? Or should I go downtown and talk to an executive of General Motors about 2,000 jobs for unemployed Negroes?"

The choice for him was obvious; his goal was to help blacks make economic gains while they were surmounting barriers of discrimination. And he dwelled heavily on responsibilities as well as rewards.

Counseling against rioting and violence, he explained his position this way: "It isn't a question of moderate versus militant, but of responsibility against irresponsibility, sanity versus insanity, effectiveness versus ineffectiveness."

Many New Orleanians had the opportunity to meet and know Mr. Young, for he was a frequent visitor, speaking on campuses, attending conferences, making plans for the Urban League which laid claim to his services for most of his adult years.

His voice was calm and respected in years when reason was at a premium; his achievements for his nation and his race were considerable.

[From the New Orleans States-Item]

DEATH OF WHITNEY YOUNG A TRAGIC LOSS FOR THE NATION

The death of Whitney M. Young, Jr. at 49 is a tragic loss for the nation.

Mr. Young, who died yesterday while swimming off the coast of Lagos, Nigeria, was executive director of the National Urban League. He was regarded by many as the most articulate spokesman for Negroes who continue to believe that racism can be overcome through traditional political methods.

He devoted his adult life to the elimination of racism, which he held to be imperative if the United States is to endure.

In his book, "Beyond Racism," Whitney Young asserted:

"Nothing will change until millions of white Americans, in the loneliness of their own consciences, face the truth about this country and begin to change their attitudes, from the inside out . . ."

Black militants often voiced contempt for Whitney Young. To them he was an Uncle Tom. Among national white leaders he was a "moderate," a term he disliked.

"It isn't a question of moderate versus militant," he once remarked, "but of responsibility versus irresponsibility, sanity versus insanity, effectiveness versus ineffectiveness."

Effectiveness to Whitney Young meant such tangible things as more and better jobs. He had no use for posturing or rhetoric. He believed in equality and he worked for it.

Mr. Young, well known in New Orleans, held an honorary degree from Xavier University.

Black and white Americans have lost a very good friend, a far better friend than many Americans may yet realize.

THE SHINING KNIGHT

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, March 22, 1971

Mr. SPRINGER. Mr. Speaker, as Dean Rusk once told me when he was Secretary of State:

Frances Knight has perfected the Passport Office.

He told me that he did not believe the Passport Office could be made more efficient. She had reached the zenith of effectiveness. Frances Knight has tried to keep the Passport Office in that condition and she has done a marvelous job.

I attach herewith an article by James J. Kilpatrick, from the Washington Star of Sunday, March 21, 1971, in which he explains not only what Frances Knight has done, but also what some of those who have selfish interests would like to destroy.

In the past, some so-called heavyweights have tried to take her on and have proved to be lightweights in getting the job. The worth of any public servant is the kind of service that is rendered. Frances Knight is rendering that kind of service which is so needed in this country in her direction of the Passport Office.

It has often been said that behind the work of every great man is a good woman. I might also add that Frances Knight has been supported in trying times by a husband who believes in her—Wayne Parrish. Wayne Parrish grew up in Decatur, Ill., in my district, and I am happy to acknowledge Frances and Wayne as my constituents. I wish I had many more like them.

The article follows:

THE FLAP OVER MISS KNIGHT'S "LOOKOUT" FILE

(By James J. Kilpatrick)

The best-known Knight in Washington, unlike the paragon of Chaucer's tale, may be "verray parfit" but she is not the least bit "gentil." Miss Frances Knight, director of the U.S. Passport Office for the past 16 years, is a hard-boiled egg, well seasoned with salt and pepper, and she is an absolute delight.

This weekend finds Miss Knight down in Florida with her millionaire husband, publisher Wayne Parrish, puttering around the retirement home they have in mind at Hobe Sound. The prospect that the lady may even be contemplating retirement will gladden a few hearts in the State Department and on the Hill, but it will depress the legions of Miss Knight's admirers. One is inclined to encourage an outpouring of letters to Frances: "Say it isn't so."

She was in a low when I lunched with her a few days ago, and this was sadly out of character. Ordinarily she flies as high as a flag on a windy day. An attack in The New York Times had her spirits drooping, but her foes should not be too encouraged. By the time she got back to her office, she was in full fighting form.

The Times was giving her a hard time for its belated discovery last month that "Passport Office Has Secret File." The gist of the story was that Miss Knight's office maintains what is known as a "lookout file," now comprising some 243,000 names. To the Times, this was "Raw Material for Snoopers."

In point of fact, the lookout file is not new. It has been maintained, in one form or another, for many years. Its existence never has been a secret; and until the Times began heaving and howling, about the only public criticism had come from the Warren Commission on the assassination of John Kennedy. In the matter of Lee Oswald, said the commission, the system was "obviously deficient."

In the maintenance of this common-sense lookout, the Passport Office functions in an administrative capacity only: It places a flag on names sent to it by the courts, the FBI, the CIA, and the Secret Service, and when one of the names turns up on a passport application, that fact is reported to the agency concerned. The Passport Office maintains no dossiers, undertakes no surveillance, and routinely issues passports unless it finds compelling reason not to.

Many of the names in the lookout file have been inserted by the FBI as "known or suspected Communists or subversives." This troubles the New York Times, which cherishes the breathless illusion that all men must be considered innocent until proved guilty in court, but it will not trouble persons who live in the real world. Of course law enforcement agencies must keep an eye on suspects; they would be derelict if they didn't.

The lookout file also contains names of persons whose U.S. citizenship is doubtful. The list embraces fugitives from justice, draft dodgers, and those sought by courts for desertion or failure to maintain child custody. Still another category takes in persons who have threatened the life of the President. Miss Knight sees nothing wrong in the service her office renders to law enforcement. I am as apprehensive as any man at computerized invasions of privacy, but I see nothing wrong in this either.

The Times and the lookout file are the least of Miss Knight's troubles. Her office is struggling to maintain its outstanding performance record against a formidable increase in foreign travel. Last year saw 2 million passports issued; the number will be much larger this year. Instead of increasing efficiency, a new system under which certain post offices handle passport applications has produced additional paperwork.

But it is the sheer obsidian nature of bureaucracy that is beginning to get to her. Miss Knight finds herself arrayed, much of the time, against her superiors in the State Department. She is pelted with memoranda from her boss. She has proposed some bold innovations in the whole business of issuing passports, but she is getting nowhere with them. A deserved raise in grade and pay, long overdue, still is denied her. But quit? Not yet. Over her desk is a familiar Latin motto. Loosely translated, it reads: "Don't let the bastards grind you down." It's great advice for a doughty Knight whose armor gets more battered all the time.

BOB CASEY EXPECTS SPACE PROGRAM TO BECOME WHIPPING BOY

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. TEAGUE of Texas. Mr. Speaker my good friend and colleague, the Honorable BOB CASEY has been interviewed recently by the staff of the Houston Chronicle with respect to the future of our Nation's space program. Mr. CASEY formerly served with me on the House Committee on Science and Astronautics and is eminently qualified to speak on this subject. I include the text of this interview which appeared in the Houston Chronicle for March 14:

"WHIPPING BOY": SPACE PROGRAM VIGILANCE URGED TO STAY IN ORBIT

(By Bill Lee)

WASHINGTON.—The nation's space program, its budget drastically cut from the glory years when everyone was interested in beating the Russians to the Moon, might think hard bottom has been hit.

But if its advocates aren't vigilant, the program might find the bottom has fallen out.

The assessment comes from Rep. Bob Casey of Houston, a Democrat whose credentials for judging are three-fold. He is a member of the House Apporpriations Committee, which originates the bills making money available for the federal programs. He is a former member of the House Science and Astronautics Committee, which oversees the space program. And, not least, he is vitally interested in the space program because the Manned Spacecraft Center is in his district.

As an immediate, and tentative, outlook, Casey sees President Nixon's $3.27 billion in new budget authority for fiscal year 1972 being slightly reduced by Congress.

Casey emphasizes this is a tentative assessment and, "If we don't watch out, the space program could be a whipping boy," for congressmen perturbed over the huge overall budget deficit contemplated by the Nixon administration in the new fiscal year.

Because it might backfire and create opposition to the program, he would be reluctant "to stir up a debate" in the House by making speeches urging more money for space, Casey said.

SHOWS ECONOMY

"If it appears you have a bill made, you don't want to stir up a debate on the floor and risk losing it," Casey said.

Casey said it would be unrealistic to expect Congress to appropriate more money for space this year than the President requested.

Congress almost never exceeds a President's budget request unless a program has broad "nationwide, man-in-the-street type support" such as is now enjoyed by education and health programs but not by the space program, Casey said.

"On other programs, Congress always tries to show its economy by appropriating a little less than the President asks," Casey added.

He said that basically the only strong support for increasing the space budget request would come from congressmen and senators representing areas with space facilities or space-related industries, such as Texas, California and Florida.

Because these men provide the nucleus of support for the space program, the budget faces less serious attack in the House than in the Senate, Casey said. Areas with such facilities and industries are mostly heavily populated and thus better represented in the House, whose membership is based on population, than in the 2-members-to-a-state Senate.

As a long-range outlook, the space program and its advocates must undertake a better job of explaining, convincing and selling to the public-at-large if it wants to recover some of its previous luster or even avoid further downgrading, Casey said.

In recent years, Casey has been a frequent critic of the National Aeronautics and Space Administration officialdom for what he regards as a failure to present the space program to the public in a manner to kindle enthusiasm.

PUBLIC ENTHUSIASM

Unlike some congressmen, Casey declined to directly blame NASA Public Affairs Chief Julian Scheer, who resigned last month under pressure. "I'll just say it hasn't been done," Casey said.

Casey said the general public must be convinced of the value of the space program because members of Congress, where the money is appropriated, tend to reflect the enthusiasm or lack of enthusiasm of their constituents.

Casey does not regard all the cuts in the space program as resulting from a communications gap with the general public.

Some reductions, he said, were inevitable, resulting from pressure to reorder priorities in the changing times that included the war in Vietnam, new welfare concerns and social and racial unrest.

The NASA budget at its height several years ago almost reached $6 billion.

What must be gotten across to the public, Casey said, is the practical benefits—in such fields as medicine, engineering, international politics and day-to-day—living that result from the multitude of activities involving the space program.

"Out of the space program has come technology that otherwise would have been years in developing," Casey said.

Casey said NASA must also stress the possibilities of future space exploration, possibilities so sweeping that they are now only dimly envisioned by the scientists themselves.

Another thing that should be done to gain public support, Casey said, is the adoption of clearcut, definite goals for future space exploration.

In manned space flight, the only definite objectives now are the construction of an orbiting space station and a space shuttle to travel between the station and the Earth, Casey said.

Casey said the space program needs goals to shoot at because "the man-in-the-street wants to know where you're going, in language he can understand."

In late 1969, a task force headed by Vice-President Spiro Agnew recommended three new options, including putting a man on Mars, to the President as post-Apollo space exploration goals. But the President never acted on the recommendations.

Casey said the space program must also receive more enthusiastic support from the President himself if it is to regain a position of preeminence.

Nixon did not even mention the space program in his State of the Union address, Casey said.

ADMINISTRATION FUND FREEZE: THREAT TO POWER SEPARATION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. EVINS of Tennessee. Mr. Speaker, as you know, we are all concerned over the arbitrary and unreasonable freezing, withholding, and impounding of funds appropriated by the Congress by the Office of Management and Budget.

In this connection the Oak Ridger, an excellent daily newspaper in Oak Ridge, Tenn., recently published an editorial concerning actions by the Bureau of the Budget which thwart the mandate of the Congress and the will of the people.

Because of the interest of my colleagues and the American people in this most important subject, I place this editorial in the RECORD herewith.

The editorial follows:

ADMINISTRATION FUND FREEZE: THREAT TO POWER SEPARATION?

Three days of hearings will open in Washington on Tuesday in which Oak Ridge will have quite a stake. And they are not before the Joint Committee on Atomic Energy, as most hearings of special local interest are. Senate Judiciary Subcommittee on Separation of Powers of which Sen. Sam J. Ervin, Jr., Democrat of North Carolina, is chairman.

The hearings will deal specifically with the Nixon administration's refusal to spend $8 billion which the Congress, in recent sessions, has appropriated. And included in the $8 billion are many millions that might have been spent here in Oak Ridge on the local nuclear establishment:

Like $3 million during fiscal year 1970 for the continuation of the Molten Salt Reactor Experiment at Oak Ridge National Laboratory, which instead was put into a much-reduced state of activity with the experimental reactor itself shutdown;

Like $16.5 million to begin the Cascade Improvement Program at Oak Ridge Gaseous Diffusion Plant which would markedly increase the capacity of this local plant to produce much-needed enriched uranium;

Like $600,000 to begin design of the new AEC technical information center and new building for the American Museum of Atomic Energy on the site designated at South Tulane and South Illinois Avenues;

Like who knows how many millions for what else for which Congress might have provided funds except for the clear indication that the Office of Budget and Management was not going to authorize spending.

Historically, it has been thought to be one of our national checks and balances that, although it is up to a President to administer the administrative offices, Congress holds considerable power over their operation by virtue of control of the purse strings. And usually this has meant that Congress could deny funds for projects of which it did not approve.

Since the assumption of the presidency by President Nixon, the reverse has been generally true. Congress has been providing money for projects and the Administration has been refusing to spend it, therefore frustrating the majority Congressional will that these projects move forward. The fact of a Democratic Congress and a Republican president is, of course, at the roots of it all—with the Administration justifying its refusal to spend or the ground of attempting to cool the inflationary trend and the Democratic majority of Congress accusing the Administration of adding to joblessness and a general depressed economy by holding such tight reigns on government spending.

Sen. John J. Sparkman, Democrat of Alabama, has joined with Sen. Ervin in calling for the hearings. He issued a blast at the Administration on March 3, calling its refusal to spend the $8 billion "a serious breach of faith" with Congress. He pointed out that municipal officials have said that withholding of funds for housing, public works and other urban programs is placing an added burden on already beleaguered cities.

U.S. Rep. Joe Evins, our local congressman and chairman of the powerful House Appropriations Subcommittee on Public Works, which includes authority over the AEC appropriation, followed up last week with a similar accusation against the Administration. He suggested outright violation of the spirit of the Constitution by the President.

And so the scene is set for hearings that will examine a really basic question. "What concerns me," said Sen. Ervin in scheduling the hearings, "is the use of the impounding practice to avoid or nullify Congressional intent."

The exercise of the power of the purse "constitutes the core legislative process—underpinning all other legislative decisions and regulating the balance of influence between the legislative and executive branches of government," writes Richard F. Fenno, Jr., in "The Power of the Purse." Congress wields this power under a constitutional provision which states: "No money shall be drawn from the Treasury but in consequence of appropriation by law."

Although generally in the past it has been a case of an administration wanting to spend and a Congress not willing to appropriate the money, the current reverse situation is not entirely without precedent.

In 1949 Congress approved a 58-group Air Force rather than the 48-group force sought by President Truman. He simply refused to spend the extra money appropriated. Two years later he ignored a rider to an appropriations bill providing for a loan to Spain. (President Truman, a Democrat, had a Republican Congress his last two years in office.) During the Kennedy and Johnson years, Congress provided funds for exotic new weapons systems opposed by Defense Secretary Robert S. McNamara and in some cases he refused to deploy them.

Constitutionally, the President does not have an item veto on appropriations. That is, he must sign or veto a whole appropriations bill—he can't pick and choose. Those who now oppose President Nixon's refusal to spend the $8 billion in projects now being withheld say that he has, by refusing to spend, simply made an item veto for himself. But supporters of the President, and there are some of them in Congress too, simply return to the argument that a Congressional appropriation does not carry with it a mandate that the money be spent.

Writing in the Stanford Law Review, Sen. Frank Church, Democrat of Idaho, calls the executive impounding of funds a threat to the separation of powers. "Once it is widely recognized that a project may be entombed by the executive branch," he wrote, "— the American people will sense the futility of appealing to their elected representatives."

Perhaps the hearings this week, in calling attention to the situation, can lead to some sort of understanding or compromise.

It would be unfortunate indeed if it turned into a situation where a congressman would threaten to block some appropriation vital to the national welfare until he got assurances that previously-appropriated but withheld funds for some dam or postoffice in his home district were released. The nation can ill afford this kind of power play political bargaining.

SAC: FIREPOWER AND PEACE POWER

HON. JOHN Y. McCOLLISTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. McCOLLISTER. Mr. Speaker, this week I attended the silver anniversary celebration of the Strategic Air Command in Omaha, Nebr. The occasion was a tribute to the men who envisioned SAC, those who fashioned it, and those who have maintained it.

A dinner at the celebration was hosted by members of Omaha's business community, both in honor of the job the Command has done and in appreciation of the good neighbor SAC has always been. Leo A. Daly was chairman of the dinner committee, and V. J. Skutt was master of ceremonies.

Others serving on the SAC Consultation Committee were Edd H. Bailey, John H. Becker, Robert B. Daugherty, John F. Davis, John D. Diesing, A. F. Jacobson, Peter Keiwit, Edward W. Lyman, Morris F. Miller, Jacob R. Riefschneider, Robert F. Runice, A. V. Sorenson, Arthur C. Storz, Sr., Willis A. Strauss, and Richard W. Walker.

The dinner in honor of SAC was a tribute that is fitting and well deserved. In the face of continuing Soviet arms buildup, the strength of America's strategic forces has never been more vital. Continually advancing technology and weapon systems are needed if we are to maintain our credible position among world powers. There must be no misunderstanding about our readiness and intent to use our fire power if it should ever be necessary.

The safeguarding we are provided with today through SAC got its start when an ambitious but obvious mandate became clear to military planners at the end of World War II: The future security and freedom of the United States could only be insured through the development of a force so powerful that potential aggressors could not possibly entertain thoughts of world domination.

Today, after 25 years of growth and development, SAC stands out clearly as the most powerful force for peace in man's history—a mixed force of bombers and missiles that comprise more than 70 percent of the free world's nuclear firepower.

From its beginning with 36,000 men and 250 World War II bombers, SAC has grown to a force of 161,000 men and women on 45 bases around the world. From headquarters at Offutt Air Force Base near Omaha, the combat-ready bombers and intercontinental ballistic missiles at all 45 bases would be instantly notified to launch against an enemy once an order to strike was given.

The webwork of detail SAC manages so efficiently is amazing. Through the most advanced and extensive communications system in existence, SAC's commander and battle staff have complete control over every aircraft and missile and combat crew. About 40 percent of the SAC bomber-tanker force is in constant readiness, poised to respond to the alert signal.

A steady stream of information gathered by the worldwide communications system flows into Offutt daily. Computers and people screen and analyze it and spew back such things as target lists, combat plan changes, budgets, weather forecasts, and a wide variety of other things. A person could not begin to scratch the surface in relating the many matters which are handled at the sophisticated center.

Now, after 25 years, SAC can look back at the years of hard work and dedication and be satisfied in accomplishing its mission. Though the men and machines have changed, its original purpose has remained the same: to deter all-out nuclear war and if that fails, then maintain a capability to destroy the enemy's will to fight.

Daniel Webster once said that God grants liberty only to those who love it and are always ready to grant and defend it. Herein should be our Nation's concern with preparedness and with the importance of strategic deterrence.

SAC is, in itself, a formidable weapon of war. And, in being that, is also a means of peace.

PRESIDENT'S PLAN TO BRING FEDERAL SERVICE AGENCIES UNDER ONE UMBRELLA

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. DEL CLAWSON. Mr. Speaker, I would like to add my support for the President's plan to bring existing Federal service agencies under one umbrella and provide the American people with expanded, challenging opportunities for contributing their talents toward building a better America and a better world.

We as a people have a proud tradition of freely and generously helping our neighbors at home and abroad. The new agency will have the machinery to reach right to the very heart of America, to enable our next door neighbors who are eager for either full-time or part-time volunteer work to do so right in their neighborhoods. They will be able to address themselves to community problems in a personal, intimate way with considerations for local sensitivities.

This is truly the way to progress. This is truly the way to address ourselves to our most critical problems. I am confident that as the movement for volunteer service gains momentum among our citizens, this will herald a new and richer life for us all.

VOLUNTEER ARMY

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mrs. CHISHOLM. Mr. Speaker, my statement to the House Armed Services Committee deals primarily with the allegation that a voluntary army would be an all-black and poor army. The real concern of many opponents is that there is a possibility of having an exceedingly large number of blacks trained in the art of killing. Attention must be given to the matter of bringing about a military service concept to replace the current draft system. In my opinion, the voluntary army is the answer. My statement follows:

STATEMENT OF REPRESENTATIVE SHIRLEY CHISHOLM

Gentlemen, as you know, I am a co-sponsor of the Voluntary Military Manpower Procurement Act. I joined with my colleagues on both sides of the aisle in introducing this legislation because I feel that the draft is an inherently undemocratic method of fulfilling our country's military manpower needs.

The glaring inequities of the draft system are especially evident today when young men are sent to fight and die in an unpopular and undeclared war.

There are those who argue that the very existence of the draft somehow democratizes the military. I say that the draft has produced just the opposite effect. It has legitimatized the Army's inclinations and actions. Members of Congress who have abdicated their constitutional responsibility to declare war whine that they are against the war but they just can't do anything. When one suggests that they register their opposition by voting against appropriations for the military, they look aghast and say "But these are our boys; we can't vote against our boys!"

I submit that if we had had a volunteer army rather than a draft system that we never would have gotten involved in Vietnam in the first place. In order to beef up a small professionalized volunteer army either through increased appropriations or a temporary draft, it would have been necessary for us to have a full and complete discussion of the situation and a declaration of war. If this had taken place in 1965, I do not believe we would be in Indo-China today. Instead, gradually, without realizing what was happening, we have been sucked into the Vietnam conflict.

There are also those who argue against the volunteer army because they hold that it would become an army of the poor and the Black. I for one am rather skeptical of this kind of concern for poor Blacks. A volunteer army would be just that a *volunteer* army. Young men and women, both black and white, would be able to make the choice. All of us are cognizant of the fact that black re-enlistments are decreasing, not increasing. The black re-enlistment rate in 1965 was 22.3%. In 1969 it was down to 11.8%. Black soldiers have found that racism is just as prevalent in this army as it is in civilian life. The same complaints about training opportunities, promotions, assignments, and police brutality exist in Da Nang and Fort Bragg as they do in Main Street, U.S.A. Indeed, if you talk to any of the military caseworkers in the Black offices here on the hill, you will find that many of the young brothers feel that the authoritative atmosphere of the military environment increases the probability of as they put it: "getting hassled".

In my mind, all this talk about a volunteer army being poor and black is not an indication of "concern" for the black and the poor, but rather of the deep fear of the possibility of a Black army. Very few people desire to verbalize the underlying fear and anxiety of a large number of Black men trained in the military sense in a nation where racism is rampant. Individuals who are upset over Black Power rhetoric really shudder at the idea of a whole army of black men trained as professional soldiers.

In point of fact, the whole draft system as it exists today is a beautiful example of how institutional racism functions. As Professor Paul T. Murray of Fisk University points out in an excellent paper, "Local Board Composition and Institutional Racism", the draft system provides escape hatches for middle class whites that simply don't exist for poor whites or blacks.

First, student deferments favor the white middle class. Poor whites and blacks, both because of inadequate preparation and lack of money, for the most part never make it to college. They can't cash in on that four year deferment.

Secondly, Blacks are far less likely to be able to secure a medical deferment. Indeed the medical rejection rate for whites runs about twice that for Blacks . . . the 1970 figures are 34.6% and 24.5% respectively.

This fact usually startles most people who assume that because medical services and medical care is less available to those who are poor and black, they would therefore have the higher rate of rejection. It is a cruel joke but the lack of adequate health care helps to contribute to the Black man's inability to get a medical deferment because he is less aware of physical ailments, and he does not have the medical records on which many medical deferments are based. He is also less sophisticated about the medical standards for deferment. Interestingly, there is a direct correlation between educational achievement and medical deferment. The rate of medical disqualification increases in direct proportion of the educational level of the men examined.

This lack of sophistication shows up in other ways. White middle class students are far more likely to be aware of their rights to appeal their induction on the grounds of hardships, dependency and conscientious objection and are more likely to be able to pay a lawyer to help them appeal their case. Although only a small portion of selective service registrants are C.O.'s, they are overwhelmingly white. First because most of the traditional pacifist churches are predominantly white and second, because there is an almost complete lack of draft counseling facilities on Black campuses and in Black communities. That student deferment also affords middle class students the opportunity to develop the philosophical and procedural sophistication needed to gain C.O. status.

The student deferment has another benefit. Because of his education and training, the college graduate has a far greater chance of being placed in a technical back up position behind the lines than the young man just out of high school. This is one of the principal reasons there has been a disproportionate number of Black and Spanish surnamed boys in combat zones.

As Professor Murray notes, under Project 100,000, which increased the military manpower pool by lowering educational and medical standards, over 37% of those recruited were assigned to combat zones. Among Negroes recruited under Project 100,000 the percentage assigned to combat zones reached 45%. In fact, Project 100,000 shows perhaps more clearly than any other factor, how our present system discriminates against the poor and blacks.

Project 100,000 was originally trumpeted as the Defense Department's contribution to the poverty program. Robert McNamara explained that this plan was an attempt to "salvage" young men who might otherwise

never have a chance in the outside society. "The poor of America", he said, can be given an opportunity to serve in their country's defense and they can be given an opportunity to return to civilian life with skills and attitudes which for them and their families will reverse the downward spiral of human decay." The program was supposed to provide these men with training which could be used when they returned to civilian life. But most of the training turned out to be in combat specialties which are not adaptable to civilian life. Now the typical Black veteran without a high school diploma is out on the street with an 18.7% unemployment rate staring at him. The main thing Project 100,000 seems to have done was to ease the pressure of the draft among the white middle class.

In summary I believe that the present draft system is far more unfair to the black and the poor than a volunteer army would be. This is obviously not the only reason I support the volunteer army concept, but I have dealt at length with the race issue today because I feel that it is very important to refute this criticism of the volunteer army.

CHURCH UNIT BARS AWARD TO BOB HOPE

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. GOLDWATER. Mr. Speaker, the recent decision by the New York Council of Churches to cancel its "Family of Man" award to Bob Hope is a sad commentary on the tactics employed by the antiwar groups in this country. The council had previously agreed and, in fact, made the arrangements for Bob Hope to receive this award but then changed its mind because a majority of the members felt that Mr. Hope was too identified with support for the President's policy in Indochina. Through some obscure reasoning, the New York Council of Churches feels that going ahead with the award to Bob Hope would have implied that they support the Government's policy.

In this life we all make contributions in different ways. Bob Hope has chosen to make his by bringing pleasure and entertainment to millions of Americans. For more than 20 years he has given up his Christmases to entertain our troops in the field. He has also worked tirelessly over the years to raise countless millions of dollars for charities, particularly hospitals and churches.

To slap this man in the face by announcing that you are going to give him an award and then announcing that you are rescinding the award because you do not agree with his political views, is a mean and petty thing to do. I do not quarrel with the right of the antiwar groups to oppose the Governmen"s policy. I do quarrel with the gutter tactic of setting a man up and then slapping him down. Perhaps the antiwar faction within the New York Council of Churches counts this as a victory. I can only hope there are enough other decent people on this council who realize that their action has degraded the organization and not Bob Hope.

I include an article on this sad affair, which appeared in the Washington Post on March 18, 1971, into the RECORD:

CHURCH UNIT BARS AWARD TO BOB HOPE

(By George W. Cornell)

NEW YORK.—An upheaval in New York City's Council of Churches has forced it to cancel plans to give its annual "Family of Man" award to comedian Bob Hope.

Objections to his selection were said today to have centered partly on claims that he was identified with the military establishment and the Vietnam war.

The conflict emerged Monday night at the council's assembly, its representative governing body.

"There was a long debate, and it finally was decided that even with all the embarrassment it might cause, the choice should be withdrawn," said the council's executive director, the Rev. Dan Potter.

The assembly directed that the award instead go posthumously to the late civil rights leader Whitney M. Young Jr., who died last Thursday in Africa.

Following reversal of the decision, Dr. Potter said: "We've been in touch with (Hope's) office again and he understands and has no hard feelings. That in itself marks him as a pretty great guy."

The award previously has gone to President Nixon, former Presidents Johnson, Kennedy and Eisenhower, and other world figures, mostly in the political field. It is made for major contributions to mankind at large.

This time, Dr. Potter said, Hope originally was chosen because "his life has been devoted to bringing laughter and good will on a world level, and among men in the armed forces, whatever the war and wherever they might be." Hope has made several trips to Vietnam to entertain troops. The conflict over the award plan, however came on a surge of and might imply support for the war effort.

NATIONALIZING OUR RAILROADS IS NO ANSWER

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MANN. Mr. Speaker, I would like to insert into the CONGRESSIONAL RECORD this insightful editorial from the Clinton, S.C. Chronicle of March 11, 1971. It accurately paints a picture of the pitfalls of nationalizing our country's railroads. Not only would such a move set a dangerous precedent for other industries, but it would be prohibitively costly. We know, too, from studying the tottering economies of other Western countries which have switched from a capitalist to a Socialist economy, that it would sound the deathknell for American prosperity. We must look for other alternative ways of propping our faltering railway industry if we are not to jump from the frying pan of a single industry's troubles into the fire of general economic instability and stagnation.

The editorial follows:

NATIONALIZATION NO PANACEA

As everyone knows by now, free-wheeling competition from other forms of transport, archaic regulation and improportionately high taxation in some areas have hamstrung the railroads to the point where their future as self-supporting, tax-paying private enterprises hinges upon prompt and far-reaching alterations in public policy and laws. The alternative is ultimate nationalization.

Anyone who thinks this would be the "easy" solution to solving the problems of this most basic element of the transportation system would do well to consider the findings of a study that reveal the cost of nationalism "as high as $60 billion merely to acquire privately-owned railroad facilities." In addition, taxpayers would be faced with the mounting capital needs of the industry, which the study places at $36 billion between now and 1980. Still, all of this would be just a beginning judging by experience both here and abroad. In World War I, the U.S. government took over the railroads. They lost about $2 million a day. In World War II, the railroads remained under private ownership, they handled 95 percent of all organized military traffic, met civilian freight and passenger needs and paid the government more than $3 million a day in taxes.

In foreign countries, the performance of railroads under government ownership is also unimpressive. They operate at heavy deficits, and taxpayers make up the loss. Even more significant is the fact that once the basic segment of the transportation industry is nationalized, others follow—such as airlines and motor carriers. Nationalization is no panacea. But, time is running out for the development of balanced treatment of the nation's transportation facilities in a realistic statutory and regulatory atmosphere.

FOOD STAMP REFORM AND MEAT INSPECTION ENFORCEMENT

HON. THOMAS S. FOLEY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. FOLEY. Mr. Speaker, The Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO, has been a principal supporter of progressive social legislation, including meat inspection and food stamp reform. The union's legislative representative, Arnold Mayer discussed these two pieces of legislation recently in a radio interview.

Mr. Mayer reported that 3 years after passage of the hard-won Federal meat inspection law, nearly one-third of the States still fail to measure up to Federal standards. He added that "experience will tell" how well the Wholesome Meat Act of 1967 is working and whether or not further strengthening is needed.

Mr. Mayer charged that the new food stamp legislation was a "disgrace." He was particularly critical of the new "must work provision" which requires an individual to take any job offered at pay below the minimum wage. He expressed the hope however, that with bipartisan congressional support and widespread public concern the present food-stamp program can be improved and reformed in the current Congress.

Mr. Mayer has given the closest attention to these issues in the past and his views on enforcement of the Federal meat inspection law and his hope for food stamp reform deserve the most careful consideration.

I would like at this time to place in the RECORD the transcript of Mr. Mayer's interview:

MUTUAL ANNOUNCER. The following time is presented as a public service by this station and the Mutual Broadcasting System.

HARDEN. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL–CIO. Labor News Conference brings together leading AFL–CIO representatives and ranking members of the press. Today's guest is Arnold Mayer, legislative representative for the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO.

Strong federal meat inspection legislation was a major consumer breakthrough in the 1967 congressional session. Yet, because implementation of the meat inspection law at the state and local level has lagged, much of the badly-needed protection for consumers is not yet a reality. Here to question Mr. Mayer about what can and should be done to fully implement the federal meat inspection law, and the expected renewal in the current Congress of the drive to expand and improve the federal food stamp program with the goal of wiping out hunger in America, are Marjorie Hunter of the New York Times' Washington bureau, and Robert Walters of the Washington Evening Star. Your moderator, Frank Harden.

And Now, Mr. Walters, I believe you have the first question?

WALTERS. Yes. Mr. Mayer, you were a leader in the legislative fight several years ago for a tough federal meat inspection program. The states had three years to bring themselves up to the federal level. Those three years have come and gone. A number of states aren't in compliance. There have been allegations that the Agriculture Department is dragging its feet in bringing those states into compliance by taking over their programs. Can you tell us what the status is?

MAYER. Well, Mr. Walters, it's more complicated than that.

The Wholesome Meat Act of 1967 provided two years for the states to have programs which were at least equal in protection to the federal program. Very few states—only three—met that provision in 1969. The others were given an additional year, under the Act.

When the Department finally acted—in December 1970—on the program, it allowed still another month. They then decided that 35 states had programs that were at least equal, that 15 did not, and those 15 were put under federal inspection.

Now, that is what the Act provides—that those states which did not meet the provisions of the Act, by being at least equal to the federal program, be put under the federal inspection program.

WALTERS. Is this sort of approach satisfactory to you and the other people who worked on the legislation?

MAYER. Well, our union has felt all along, frankly, that the federal program was probably the best program.

Also, it leads to having one set of standards.

We were part of passing the Act. We approved the Act as it was passed. It was a compromise between the groups—which we were a part of—the consumer groups—and the other side.

Yes, this is a satisfactory provision.

However, there have been some questions as to whether the states that have been declared at least equal—some question whether their programs are up to par. Only experience will tell whether they are really at least equal to the federal program.

HUNTER. I'd like to shift for a moment to the Food Stamp program which passed Congress last year. It was a three-year program, as I remember. And, I believe that your organization and others have been very disappointed with the way the bill went through Congress. What kind of amendments would you like to see Congress enact this year to remedy some of the defects of last year's bill?

MAYER. Miss Hunter, it's putting it midly that our union was disappointed.

It was actually a disgrace that passed Congress.

The Congress and the Administration not only did not improve the Food Stamp program, as the Senate bill had, but the bill which became law also has a vicious work povision that causes all sorts of problems to presently employed people.

HUNTER. What sort of problems?

MAYER. First of all, that work provision is vicious in that if any adult member of the household—be it an uncle, or an aunt, or what-have-you—refuses to take a job, then the whole family is wiped off food stamps.

In other words, the kids are taken off food stamps because some adult member refuses to work, no matter what the relationship of that adult member in the household is to the kids.

The second thing is, the jobs that they are required to take need not have any bearing whatsoever to their work experience. As long as that job pays $1.30 an hour, the person on food stamps has to take it. That means that if a trained, skilled butcher is laid off because of the recession and is forced to go on food stamps, and if he were assigned to a job as a dishwasher at $1.30 an hour, he could not refuse it. If he did, his whole family would be taken off food stamps.

Now the result is rather obvious.

In a labor market where there are so many unemployed—it would start another cheap labor group—another group that can be easily exploited—a group that is almost a captive labor force.

WALTERS. How would these jobs be offered? Are we talking about people who are on unemployment and go to the state employment service and ask for work of some sort?

MAYER. Many of these people, Mr. Walters, either don't have any unemployment insurance, or have used up their unemployment insurance.

What we're talking about here is this; a family applies for food stamps—or is getting food stamps under the present program—under the new law, the adult members—other than mothers of small children—would have to get a job. That job could be anything at all, as long as it paid $1.30 an hour—thirty cents below the minimum wage.

HUNTER. Has the Nixon Administration taken any stand on the bill that went through? I believe they did not want it to begin with—in the shape that it came out.

MAYER. Well, the Nixon Administration played a very funny game, Miss Hunter.

On the one hand, the Nixon Administration introduced a bill two years ago which had some improvements in the Food Stamp program. We wanted reforms that went further, but it was a move in the right direction.

The Senate passed a very good reform bill—a bill sponsored by Senator George McGovern (D.-S. Dak.)—passed it over the objections of his Agriculture Committee. The Administration opposed that bill—sharply opposed it. In the House, the Administration also opposed a watered-down version of that bill, even though it had bi-partisan sponsorship. The main sponsors, as you remember, were Congressmen Foley, a Democrat of Washington, and Congressman Quie, a Republican of Minnesota. The Administration opposed that bill.

When the House passed the monstrosity bill which it did, the Administration wrung its hands at press conferences and said, "isn't it awful, isn't it too bad," but it went along.

WALTERS. You're saying that the Administration didn't do very much lobbying on the Hill to do something about that House bill?

MAYER. It not only didn't do much lobbying against that House bill, Mr. Walters, it also lobbied against the reform bills that would have improved the present Food Stamp program.

The reason given was the usual one—it costs too much money.

Unfortunately, hunger has only a specified amount of money, and the Administration doesn't want to spend any more than that.

HUNTER. Mr. Mayer, because Senator McGovern is now an avowed presidential candidate, is there some chance that the fact that he is seeking the presidential nomination perhaps might jeopardize any food reform in this Congress—because the Nixon Administration certainly would not care to see Senator McGovern get credit for improving the Food Stamp program?

MAYER. Well, I don't know, Miss Hunter, that could be a problem.

But the fact is, Senator McGovern has pioneered this food legislation for quite a few years. You will remember that it was upon his suggestion that a resolution passed Congress setting up a Select Committee on Nutrition and Human Needs. He's the chairman of that committee.

So, there may be some political by-play, but he was involved in this legislation—strongly involved in it—long before he was a presidential candidate.

HUNTER. Well, not only Senator McGovern being so interested in the Food Stamp bill, but, what are the real chances of doing anything in the House, as long as you have the Agriculture Committee make-up you've got? As you know, the chairman of the committee, Mr. Poage of Texas, was the one who insisted on this "must work" provision in the bill. As long as he is chairman of that committee, is there any prospect that you can get anything more out of it?

MAYER. Well. Miss Hunter, obviously, it's going to be a very tough fight—obviously, the people who are responsible for the disgrace that the House passed are in positions of power today—specifically, the chairman of the Agriculture Committee, Mr. Poage.

However, Mr. Poage, and the others are not unmindful of political realities.

If we can put together the necessary bipartisan group again, and if we can show that there is widespread feeling in the House and in the nation that reform of this program is necessary. I think Mr. Poage and the committee will hold hearings and we can move.

Also, if we can't put together the necessary political strength, there are other ways of going about it in the House—very difficult ways, like a discharge petition or Calendar Wednesday. There are ways of doing it.

We have to do it in the Senate too, although it will probably be easier there.

I can't predict victory in this thing. But, we sure are going to try, and there are ways of doing it.

It does require strength—and it does require public concern and interest.

WALTERS. Mr. Mayer, on another feature of the Food Stamp bill, during the debate last year, Senator McGovern talked about a bare minimum of $1.65 billion needed in the legislation. Does this match up with your estimate? How much money are we going to have available this year for the program?

MAYER. Well, the Senate did not pass the $1.65 billion, but with a supplemental appropriation, it probably will put that together this year.

But, Mr. Walters, that's based on what the program allows today.

Only a fraction of the poor—only a fraction of the people eligible for food stamps—currently apply for them. There are all sorts of ways in which local people discourage poor people from applying for food stamps.

Also, there are aspects of the law which discourage many from applying.

This is one of the reasons why reform is necessary. Once that reform is enacted, unfortunately, the cost will go up. That is

why the Nixon Administration is afraid of having a really thorough-going reform.

WALTERS. Your reference to local governments in the administration of the program at the local level brings up another point. Agriculture Department officials talk in terms of this program and others, saying they'd like to do more, but can't. A good deal of local initiative is required—local governments have to make a lot of very important decisions. As we know, a lot of local governments are less than enthusiastic about food stamp legislation and get a number of other programs. How do you get around that particular problem?

MAYER. Well, the reform legislation would have gotten around that.

In the first place, the reform legislation would have required local governments to come under the program—to participate in the Food Stamp programs. There is currently no requirement of that kind. The Department and the Administration—on this, the Administration has done a very good job—they have tried very hard to persuade local governments to participate—counties and so on.

But, if the persuasion doesn't work, it is too bad. One of the points of the legislation that did not pass was that there had to be universal coverage—a requirement of universal coverage—and if the local governments wouldn't handle it, then the federal government or a non-profit agency would handle it in that county.

The second point is, one of the reasons some local governments are concerned about it is they're up against it financially. They haven't got the money to do the administrative work. The Foley-Quie bill—the reform bill in the House, which failed by only two votes—would have permitted the Secretary of Agriculture to subsidize the local governments in the administrative costs.

There were various ways in which there were both "carrots and sticks", so that the local government would participate, and more local governments would participate.

HUNTER. What was your union's stand on the free stamp provisions of the bill? As I recall, the Senate bill—as it passed the Senate—provided free food stamps for families with total income less than $60 a month. As it passed—as it cleared Congress—the income level was set at $30. What is your union's stand on it? And further, how many people would have anything as low as $30 a month total income?

MAYER. Well, Miss Hunter, we thought that $60 was a better figure.

Frankly, what is an income of $60 a month? How can a person live on that? We thought it ought to be higher.

People who have incomes as low as that really don't have incomes at all. It really doesn't permit for paying out even the 50¢ per person, which was required under the old law.

Apparently, there are quite a few people—I don't have the statistics with me—but apparently, there are quite a few people who do have incomes that low, or have no incomes at all.

HUNTER. As low as $30?

MAYER. As low as $30 a month.

One of the factors we have to remember is that there are many families in this country in which there are a lot of children and only a mother, no father. These are the families that have virtually no income. Those are the families in which there is hunger—where there is all the deprivation you can possibly think of.

WALTERS. While we are talking about food stamps, Mr. Mayer, there is a good deal of discussion in Washington about the Food Stamp program and a number of others being "stop-gaps." The White House is pushing for the Family Assistance Plan. Democrats are talking about some sort of guaranteed income. Is the Food Stamp program, in your mind, a "stop-gap" measure? Are there not inherent problems in this whole patchwork of federal welfare programs that can't be surmounted by some sort of broad, unified federal welfare program?

MAYER. Well, Mr. Walters, I think we're talking in definitional terms here—I think the problem is one of definition.

Yes, there is a patchwork of programs.

But on the other hand, when we talk about a new uniform welfare program, are we talking about a program that provides $1,600, or $1,600 plus the cashing out of food stamps? You know, you're still going to need other programs, because that hardly puts a person anywhere near even a marginal standard of living.

I think that as long as there is hunger—as long as we waste our resources on so many other areas that don't deal with our domestic problems—as long as we don't have any decent programs for welfare—and as long as we have unemployment like we have—continuing and increasing unemployment—I think we are going to need programs like that.

Don't forget, our problems of poverty and our problems of welfare have been made all the worse by the increasing unemployment which currently exists:

HUNTER. Does the minimum amount of food stamps allow, say, a family of four, adequate food for a decent diet? I believe it's something like what $105 a month, in that neighborhood.

MAYER. Somewhere around $106 to $108 a month—it goes up somewhat with the cost-of-living increases, Miss Hunter.

I don't know—I would be inclined to doubt it, judging from my own family's experience. Our family is not on food stamps. What we pay for our groceries is certainly a lot more than that.

Home economists say that it provides a decent diet.

Others say that it provides a very marginal diet.

Again, under the food stamp reform legislation, that amount would have been increased. Under the Senate bill it would have been increased to about $130 a month. Under the House bill—the House reform bill—which was a watered-down version of the Senate bill—it would have been increased to 120 and some dollars—I think, $121.50.

My own feeling is, that is not adequate—that you can't have a decent diet on that.

Obviously, it's better than nothing—it's better than hunger.

Unfortunately, we still have an awful lot of hunger. This is what we're talking about—we're talking about a program to end hunger in this country.

WALTERS. Let me ask you—while we're talking about Administration proposals—we were a minute ago—the Administration's revenue-sharing plan also, theoretically, assumes that more money would be available to state and local governments for programs like this. Would the revenue-sharing program help a county government, for example, provide more money for the Food Stamp program?

MAYER. Mr. Walters, the problem with that is, would the county use it for its food stamp programs? The thing I worry about with those "no-strings-attached-programs" like revenue-sharing is, what are they going to use it for? There was a story in the papers recently about how Alabama used its funds for the anti-crime bill. It was quite a hair-raising story.

The fact is that first of all, the state would not have to pay attention to many of the measures passed by Congress recently—on civil rights, on labor standards, and so on.

Secondly, the question is, how would the state and county governments use it? The federal bureaucracy is ultra-efficient, compared with those bureaucracies—and ultra-competent.

HUNTER. How about food stamps for strikers? Do you foresee any problems in the future on that issue?

MAYER. I think there will be a lot of problems in Congress on it, Miss Hunter, in this respect; we won on that in the House. As you remember, that was one of the few provisions we did win on—we defeated an effort to take strikers out of food stamps.

Legislation has again been introduced in the House and in the Senate.

Senator Thurmond (R-S.C.) has introduced a bill to take strikers out of food stamps.

Efforts will probably continue, on the part of various conservatives, to take strikers out.

It's rather ironic. These are the very same people who, when they attack welfare and poverty programs, talk about the people who work hard, and how they don't get any help out of this.

Yet, when it comes to a provision relating to workers who have helped pay for the food stamp program, they want to take them out.

HARDEN. Thank you, Miss Hunter, and thank you, gentlemen. Today's Labor News Conference guest was Arnold Mayer, legislative representative for the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO. Representing the press were Robert Walters of the Washington Evening Star, and Marjorie Hunter of the New York Times' Washington bureau. This is your moderator, Frank Harden, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Broadcasting System.

MUTUAL ANNOUNCER. The preceding program time was presented as a public service by this station and the Mutual Broadcasting System. The opinions expressed are solely those of the participants.

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NATIONAL WEEK OF CONCERN

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 23, 1971

Mr. THOMPSON of New Jersey. Mr. Speaker, I join with my colleagues and all men of good will to express my concern for those Americans missing in action in Vietnam and held prisoner by the North Vietnamese. I applaud the designation of this week as a National Week of Concern, and hope that Americans everywhere will pause with us to reflect on the plight of so many brave fighting men.

Surely there is no excuse for the continued refusal of the North Vietnamese to make available an official list of the names of those Americans who are being held captive in North Vietnam. Such a refusal, of no possible military or political benefit to the North Vietnamese themselves, only serves to exacerbate the mistrust which has made meaningful negotiations so difficult. The release of such a list would be a show of good faith that our Government could not ignore.

Yet clearly a list of names is no substitute for the men themselves. While such a list would ease the terrible uncertainty of those who wait at home, it will not ease the misery of the coura-

geous men who languish in prisoner-of-war camps, thousands of miles from their loved ones. Only an exchange of prisoners will accomplish that. In addition to the 1,600 American prisoners of war, unknown thousands of North and South Vietnamese have been held captive for years in the camps, compounds, and jails of their enemy. Neither side benefits from this; a one-for-one exchange would certainly be in the interests of our common humanity.

But ultimately, Mr. Speaker, the tragedy of the American prisoners of war cannot be separated from the greater tragedy of this war. It matters very little how we limit our involvement in Vietnam; as long as we allow American troops to remain there we shall see additions to that list of men missing in action. The only certain way to assure the safe return of our American prisoners of war, and of all the brave men who continue to fight in Vietnam, is for America to commit itself to an unequivocal withdrawal of all forces by a specified date. I urge the President to take the initiative for such a commitment, which will put an end to this war, and bring our men home.

"NATIONAL WEEK OF CONCERN FOR POW'S"

HON. MORGAN F. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. MURPHY of Illinois. Mr. Speaker, there are few issues today which engender unanimous approval by Congressmen, Senators, or constituents back home. The Indochina war is one example of an issue which divides the country as well as families and friends. There is presently a growing feeling among Members of Congress that our recent incursions into Laos and Cambodia are questionable, if not indefensible. On the other hand, some Members persist in calling these activities necessary and responsible.

There is one area, however, which is free of dissent and disapproval and it is related to this same war which divides us so. It is the plight of Americans held prisoner by North Vietnam. All recognize the hardships these men have been subjected to, all understand the anguish of their families, and, more importantly, all are aware of the need for North Vietnam to provide the names of all POW's in accordance with the Geneva Convention.

I am participating in Foreign Affairs subcommittee meetings this week to express my support for efforts to secure the release of our prisoners. Testimony today by Col. Frank Borman, special representative of the President for prisoner of war affairs, noted the sophistication of the North Vietnamese Government and its apparent "immunity" and "insulation" from mobilized world public opinion concerning POW's. These remarks were most disturbing but further indicate the need for decisive action on our part to guarantee results in our dealings with the enemy.

The wives and mothers of our prisoners are participating in this National Week of Concern for Prisoners of War/Missing in Action, which was approved by Congress. Every week is a week of concern for these brave women, however, who work continuously in behalf of their men. These women travel around this country and abroad in the hope that every effort will be expended for the POW's.

This constructive use of their time may have a "therapeutic effect" on them personally and psychologically but this effect is hardly their goal. They are seeking answers from all of us, and they demand and deserve honest ones from both the Congress and the administration.

CROMWELL HIGH—CHAMPS AGAIN

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. STEELE. Mr. Speaker, with the NCAA and the NIT basketball championships sharing the limelight, the heroics of the Nation's high school basketeers sometimes get the back-page treatment in the sports section. Not so in Connecticut, however. I call attention to the spread in the Middletown, Conn., Press on the fantastic feat of the Cromwell Panthers in winning an unprecedented fifth consecutive State championship. Under the leave to extend my remarks in the RECORD, I include the following article by Fred J. Post, the Press sports editor, on the frenzy created by this high school championship game:

DEFENSE, DETERMINATION WON FIFTH FOR PANTHERS

The Big D won it for Cromwell. Or is it correct to say the Big D's won it for Cromwell? That is the true story behind Cromwell High School's fifth consecutive state championship, a feat never before accomplished in the 49-year history of the Connecticut Interscholastic Athletic Conference sponsored tournaments.

It was Defense, which no other high school team practices as well as the Panthers, and Dogged Determination that gave the Panthers their 40–39 come from behind victory over Nonnewaug in the state championship encounter before more than 3,100 paying customers in the huge University of Connecticut fieldhouse Monday night.

Nonnewaug, a team of giants, had intimidated all its opponents in the western part of the state, scoring in the 80's and 90's throughout the season.

But the Chiefs averaged less than 10 points per quarter over the 32 minute stretch in dropping its first decision of the season to the Panthers.

Steve McAllister, a 6-5 performer who has scored more than 1,600 points in his career, was held to 14 points, 13 of them in the first half. McAllister got exactly one point in the final 16 minutes as Cromwell's Ed Murphy, who turned in the finest game of his career, teamed with Al (Junior) Weston to box the 6-5 star out. Murphy and Weston also kept the 6-5 Rick Hunter away from the boards. Hunter, who has also scored well over 1,000 points in his career, scored four points, two in each half as the Cromwell defense was excellent.

SECOND-HALF KEY

Coach Jake Salafia, who set Connecticut high school basketball history, said: "It was definitely our defense that turned the trick.

UNSUNG HERO

Salafia thought Jeff Skaanning was "our unsung hero."

"He was our leading rebounder and he's only six feet," said Salafia. "I think he helped turn the game around for us with his hustle on making key plays. I'll admit we got a few breaks in the closing minutes, but Jeff helped force those breaks," was the way Jake summed it up.

The record-setting coach didn't think his club's offense was that good Monday night. "We didn't move the ball very well and our shooting was poor," claimed Salafia.

Statistics bear out that contention, the Panthers shooting only 32 per cent from the floor, hitting on 16 of 50 goal attempts. However, Cromwell was much better at the foul line, converting eight of 10 for 80 per cent.

"We had to have that little miracle to pull this one out," opined Salafia. "We didn't penetrate well or move the ball as I would have liked, but we've won the close ones all year and we did it again.

"Actually," Jake said, "we had no real inside attack this season, but when we needed it, Weston was there.

"Our defense didn't permit them to run and shoot as they pleased. That's the way they'd been winning all year. We knew we had to prevent that.

"Hunter and McAllister were getting the early rebounds and tapping in easy shots. They looked extremely strong in the first half and we went into the locker room knowing that we had to put more pressure on them.

"That's exactly what Ed Murphy and Al Weston did in the second half. McAllister got only four rebounds while Hunter had six in the second half," said Salafia.

A recheck of the charts showed Nonnewaug outrebounded Cromwell, 26–10, in the first half. Final figures gave Nonnewaug a 41–26 advantage, meaning the Panthers played the Chiefs even, 15 each, in the last half.

"The second half key," claimed Salafia, "was the way Murphy and Weston boxed out."

"It was poetic justice that Al Weston got off that last shot. It wasn't lucky because Al has been doing it all year. Every game he was putting in buzzer shots.

"He's not lucky. Al Weston has the classic shot. When he went over top of Hunter for the winning shot from 20 feet out, it's something that no other player does any better. His jumping and his mechanics on that type shot is what every player should copy. They may not be able to do it as well, but they will become better ball players because of his style."

FIVE MEN PLAYED

Cromwell went with five men all the way.

Paul Harrington continued his fine tournament play. Jake thought Harrington played "his best floor game ever. He had no turnovers and he was always back in time to prevent their fast break. Paul was ready for this game. And don't forget he had a great tournament."

And then there was Pete Amenta, just recently out of a cast, who got 13 points and picked off four rebounds. He was also playing under the pressure of four personal fouls in the final quarter.

Salafia said it was the "Little Miracles," and who can dispute him.

THE HIGH COST OF BAD SPENDING

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. WOLFF. Mr. Speaker, for some time now the Congress has scrutinized with a growing degree of concern the faulty spending habits of the Pentagon—the waste, poor management, and inefficient planning—all paid for by the taxpayers.

Mr. Speaker, I have continuously spoken out against unnecessary spending of Federal funds, and I have worked to institute safeguards to prevent waste in the Government from continuing.

I submit today for the benefit of my colleagues evidence of growing public feeling that Pentagon spending must be more closely investigated by the Congress. This editorial from the Long Island Press, ably edited by David Starr, correctly points out the growing danger we face by failing to call the military to account for its poor record in contract management. It is my sincere hope that we in the Congress will provide the guidance to bring military spending into line with this country's needs and priorities, without shortchanging those programs which are truly associated with our Nation's defense.

The editorial follows:

THE HIGH COST OF BAD SPENDING

Reports of astronomic overruns in the cost of weapons systems and of widespread inefficiency and waste in defense work should provoke an impetus for reform and not ust another mindless attack on our defense system.

According to the Washington Post, the General Accounting Office has prepared a report on major weapons systems being produced or developed which discloses cost overruns totaling $33.4 billion. The extra costs were blamed on "deliberate underestimating" and "unanticipated development diculties, faulty planning, poor management, bad estimating," inflation and the desire to exploit new technology.

In another study, launched under the prodding of Sen. William Proxmire, the Wisconsin Democrat, the GAO looked into defense industry profits and came up with a disquieting picture of waste resulting from the reliance of defense contractors on government capital rather than their own.

As Sen. Proxmire pointed out, the most significant finding was that a study of 146 completed defense contracts, involving $4.3 billion of government spending, revealed a return to industry of 56.1 per cent. This compares with 21.1 per cent return on equity for all manufacturing industries in the U.S. This means that under the Pentagon system of supplying the contractors with capital—taxpayers' money—they can make profits, according to Sen. Proxmire's estimate, nearly three times the annual rate for all manufacturing corporations.

Relieved of the risks and responsibilities involved in putting up their own money, as do other manufacturers, these defense contractors have been given what appears to be a bottomless well on which to draw for their capital. No wonder there is widespread inefficiency and disregard for costs. It is essential that hearings by Sen. Proxmire's Joint Economic Committee come up with answers about what's been going on and how to correct it.

These reports come on top of a barrage of fire to which the Pentagon has been subjected for military snooping on civilians, the PX scandals, the My Lai tragedy, the war and the draft. This has seen the emergence of two simplistic camps—one that seizes on any and all criticism to undermine the very institution of defense itself, and the other that refuses to admit the Pentagon can do any wrong.

Between these poles of dangerous nonsense are responsible, troubled Americans who recognize world political realities and wholeheartedly back a strong American defense system. But they feel this must not also mean accepting Pentagon abuses nor the sacrifice of vitally needed domestic programs.

There is, indeed, serious danger to public confidence in the drumfire of criticism against the defense establishment. But there is also great danger from the failure of the Pentagon to correct manifest abuses. It is necessary to resist phony moralists who would end defense research, abolish the ROTC and unilaterally scuttle our defense capability. But it is also necessary to end the waste, inefficiency and cozy deals with industry that not only produce no more nor better guns, but consume the public money that is so scarce and so necessary to meet vital domestic needs.

TRANSPORTATION REVENUE SHARING

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. RAILSBACK. Mr. Speaker, the President has taken a bold step in proposing transportation revenue sharing. In one dramatic move he proposes to return to the people the responsibility for transportation development within their own cities and States. The President proposes, and I agree, that more money and more regulations cascading out of Washington will not alone solve our transportation problems. Experience, that stern teacher, has taught us that local problems are best understood, and best solved, at the local level.

The President's revenue sharing proposal is the best approach to achieving what has eluded us for so long—a balanced national transportation system. It will create new Federal, State, and local governmental relationships, thereby restoring local participation in governmental decisions.

The automobile is at once a blessing and a plague; it increased individual mobility to the point where our cities are drowning in a sea of cars. Urban mass transit has been engulfed in a tidal wave of individual cars, usually carrying one or two persons. Magnificent ribbons of concrete tie our cities together in an intricate net that is a modern wonder of the world and the envy of all mankind. But, 25 percent of our people, the young, the poor, and the handicapped—are stranded, they have no cars. For them, the American transportation system is a total failure. Revenue sharing will do something for these people.

The airplane is hailed as a technological triumph, and rightly so, as are the ingenious electronic navigation aids which guide it safely from coast to coast in almost complete defiance of the weather. People speak nonchalantly of "catching the plane" for a journey of thousands of miles when only recently flying was for daredevils.

While the automobile and the airplane became the commonest modes of travel, public transit declined from 87,000 vehicles carrying 13.8 billion passengers in 1950 to 62,000 buses carrying only 6.6 billion riders in 1967.

The airplane and the automobile have unwittingly combined to strangle all attempts at a balanced transportation system.

The country is changing, and the President's revenue-sharing plan is a sensitive, responsive reaction to the changing needs of the people. It is an American reaction to challenge—where a problem exists, Americans seek a solution, not alibis. Solution is the American way, and the President's revenue sharing plan is at once a diagnosis of our transportation ills and a prescription on how to cure them. This is participatory democracy in the best sense—and it makes sense.

SHOOTING DOWN THE SST

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. KEATING. Mr. Speaker, I would like to share with my colleagues an editorial which appeared in the Cincinnati Post and Times Star, a Scripps-Howard newspaper, on March 20, 1971, after the House voted down the SST project:

SHOOTING DOWN THE SST

Whatever claim the United States has had to future world aviation leadership may have been shot down Thursday in the House of Representatives.

The House voted to cut off all new funds for the proposed supersonic transport (SST) plane—a project which already has cost the taxpayers $864 million, most of it wasted if the SST is abandoned now.

It is still possible, of course, that the Senate will approve the SST appropriation. But even if it does, there is no guarantee that the two houses could get together on compromise financing.

This means the 11 years of planning and engineering that have gone into the 1800-mile-an-hour, 300-passenger plane could well be sacrificed before a prototype of the SST ever gets off the ground.

Meanwhile, the British and French, working as a team, and the Soviet Union already are test-flying supersonic transports of their own.

The depressing thing about the anti-SST campaign is that it's based on highly disputable arguments—arguments which, so far at least, have not been convincing.

The arguments rang from the unproved assertion that a fleet of SST's could erode the ozone and cause thousands of cases of sun-induced skin cancer to the unlikely assertion that supersonic travel simply won't sell on the world market.

What the nay-sayers seem to forget is that none of the ecological and environmental issues can be finally resolved until we actually build an SST, fly it and try to produce it commercially.

Certainly there is no danger in building two prototypes—yet the alarmists cry that even this would be going too far.

Whether the SST can be saved at this point is hard to say. There is some talk of new private financing in addition to what the contractors and the airlines already have spent.

And it may be that a limited form of federal aid can be arranged just to keep the project alive.

To simply walk away from the SST after so much time and money has been spent would be a mistake that even the skeptical could live to regret.

EVIDENCE OF CITIZEN ACTION

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mrs. GRASSO. Mr. Speaker, we are experiencing a period of national consciousness on the need to conserve our national and industrial resources. The world, we now realize, though still abundant, is blessed with only finite quantities of the materials necessary to maintain the quality of life which we have achieved. As our population expands we will require greater amounts of natural resources and will have to take care to utilize these resources to their fullest extent and with a minimum of waste.

I am proud to bring to the attention of my colleagues the admirable spirit and initiative of citizens of the town of Simsbury in my district who are participants in a recycling program aimed at relieving the sanitary landfill operation. The Hartford Courant reported on February 17 that civic groups and young people in Simsburg are rallying around town Administrative Assistant John Case in his efforts to start a recycling program. The Boy Scouts, the League of Women Voters, conservation and environmental groups, and others are circulating petitions, collecting paper and glass, and soliciting town government help in setting up a recycling system which will benefit their environment.

Government alone will never solve the problems of our Nation. To find solutions to our problems, especially the complex environmental ones, will take the sustained efforts of an active citizenry. The people of Simsburg are providing the Nation with an excellent example of responsible, effective community action. Their actions stand in the best tradition of American democracy.

The following is the article in the Courant further explaining this marvelous evidence of citizen action:

GROUPS, YOUNGSTERS SUPPORT RECYCLING PROGRAM

(By Kirk G. Hatsian)

SIMSBURY.—Civil groups and youngsters are backing plans for a town recycling program aimed at taking a load off the sanitary landfill operation.

The recycling movement first got its start when civic-minded organizations approached Town Administrative assistant John W. Case and expressed their desire to do something for the town.

They didn't know just what to do, so they left it up to Case.

"I thought that recycling of waste materials would be a good project for all concerned and suggested it to them," said Case.

The reaction was spontaneous and encouraging.

The Town Beautification Committee got behind it.

The town conservation group backed it.

The Junior Woman's Club endorsed it.

Boy Scout Troop 171 said okay.

The League of Women Voters gave the nod.

And there are other groups, too.

Last weekend, the Junior Woman's Club conservation committee circulated a petition in the principal shopping centers, seeking signatures to give the Board of Selectman an idea of how many residents are for recycling.

Case got interested in recycling after being made aware of the program by a state conservation organization last summer.

The organization referred to a bottle recycling plant at Dayville which could take bottles and broken glass and recycle them for re-use in another form.

Case reproduced articles sent by the state Conservation Group and sent them to local youth groups, including Boy Scouts and Girl Scouts.

"I thought it would be an ideal involvement for the youths of Simsbury," said Case.

REACH CAPACITY

The sanitary landfill on Wolcott Road, if it keeps at the present rate, will reach its capacity in five to eight years, according to Case.

"The Land fill area could have a longer life if we could find a way to separate newspapers, magazines, and other paper products along with bottles and send them to a recycling plant," said Case.

The answer is recycling.

But it's not that easy, said Case.

"The key to the whole thing is cooperation—cooperation from residents and cooperation from the various groups that have volunteered their services," Case added.

For one thing, the residents have got to pitch in. They can do this by separating bottles and paper products.

Papers and bottles would have to be separated someplace, the newspapers tied in a bundle and kept until a pickup is scheduled by one of the volunteer organizations.

"If the people are not willing to do this much, then the whole thing will be a flop," said Case.

So cooperation from residents is the key.

Then, he said, a program has to be set up to decide which groups will make the pickups—and how often.

Case believes six groups would be sufficient with each making two pickups a year. Pickups would be once a month.

CENTRAL COLLECTION

Also to be decided is where to have a central collection point and where to have satellite collection depots.

Waste paper and bottles would be left at the satellite depots, then taken to the central collection station, and from there by trucks to a recycling plant.

Where would a recycling plant be located?

This hasn't been determined yet.

The Capitol Region Council of Governments has the authority and capability for implementing a solid waste program which would give Simsbury and 28 other communities an opportunity to reclaim and recycle low grade waste paper.

Case said organizations such as the Boy Scouts and the First Church of Christ have been holding paper drives during the year.

But the recycling program will be the first time several organizations will join in a concerted effort to alleviate the load at the landfill operation and at the same time get rid of eyesores around town.

"The waste paper recycling phase will be a pilot program for Simsbury," said Case. "We want to determine by the amount of paper collected each month whether the whole project is worth the effort."

In other words, said Case, just how much paper can Simsbury generate once a month.

The answer lies with the residents.

The Junior Women's Club's conservation committee stresses the need to "establish on a permanent basis a system of separation, reclamation and recycling of recoverable low grade waste paper" now left at the sanitary landfill area.

NO VOLUNTARY SYSTEM

The committee was reported to be against a voluntary system or collections because, as one put it, "People go away on vacations in the summer and they would not be around to pick up waste paper and bottles and other items for the recycling program."

"We must realize," said Case, "that if the town is to provide an extra service, for example having our highway trucks pick up the paper and bottles earmarked for recycling, then the taxpayers are going to have to pay for it."

If the recycling program does not work out, said Case, there is another possibility in taking the load off the sanitary landfill area.

And this is the possibility of purchasing a shredder.

The shredder, which could cost as much as $1 million, grinds garbage along with papers, bottles, cans and even parts of junk cars.

The end product is a dust-like substance which can be poured into a hole and may not need to be filled in, said Case.

What's more, the end product has no nutrient value and does not attract vermin, he added.

Last week, Case spent considerable time with a representative of a firm which is establishing a shredder in another Connecticut town.

PIPE MILL WORKS AGAIN

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. GAYDOS. Mr. Speaker, early this month the United States Steel Corp.'s electric weld mill in McKeesport, Pa., which manufactures large diameter pipe, resumed production after a 7-month shutdown. It closed last August, and one of the primary reasons given for the curtailment was the deep penetration made by foreign imports into the domestic market.

The fact the mill is working again, however, should not be construed as a sign the import danger is over. The news article which announced the plant's reopening made it clear this was due to an increase in orders from customers in the petroleum and natural gas industries, not from any drop in import tonnage.

As a matter of fact, import growth in this area of our domestic steel industry has been nothing short of spectacular, resulting in a 40- to 50-percent loss of the available market in 1970. Imports of this type of specialty product totaled 255,000 tons in 1968; 388,000 tons in 1969; and a stunning 720,000 tons last year. I might add these figures do not reflect the

large-diameter pipe shipped by Japan for use on the trans-Alaskan pipeline. Japan has consistently refused to count this tonnage toward her import quota and from January–November in 1970, this tonnage amounted to 350,000 tons valued at $52 million.

I insert the above mentioned news article, which was written by Mrs. Donald R. Cooper, business editor for the Daily News of McKeesport, into the RECORD and invite the attention of my colleagues to it:

LARGE-SIZE PIPE MILL WORKS AGAIN

New demand for large diameter pipe has returned the submerged arc electric weld mill to service at the National plant here. It had been idle since last August.

J. P. Ely, general superintendent of National-Duquesne Works, said the mill, remodeled during its downtime, has resumed production due to an increase in orders from customers in the petroleum and natural gas industries.

Mr. Ely said huge growth in foreign importation of large-diameter pipe over the past three years was an influence in sidelining the mill last summer.

The electric mill is designed to produce pipe with outside diameters of 24 to 36 inches.

The renovation included installation of a new stacking crane that feeds steel plate into the mill by a unique vacuum-handling process that eliminates scratching, sliding and marring of the product. A new planer for edging the plates from which the big pipe is made and a new edge crimper ahead of the forging presses also are included in the overall mill improvement.

Mr. Ely said the problem of foreign importation remains critical in the large diameter pipe market.

He said 255,000 tons of the type of specialty turned out by the McKeesport mill were imported by domestic users during 1968. The import tonnage rose to 388,000 in 1969 and soared to 720,000 tons last year, he said.

"This means foreign producers have taken an estimated 40 to 50 per cent of the available market for this product in 1970," he added.

AMERICA MUST UNIFY TO FREE POW/MIA'S

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. VEYSEY. Mr. Speaker, the effort to bring our prisoners of war home is one behind which all Americans can unite. As one of the original authors of the legislation declaring this week "National Week of Concern for Prisoners of War/Missing in Action," I appeal today to each Member of this Congress and to the Nation's thought leaders to encourage an outpouring of American opinion so united and so intensive that the North Vietnamese Government cannot afford to further use American prisoners for propaganda purposes.

Time and time again we have seen the North Vietnamese employ our disagreement and division over the war to their own advantage. They constantly seek to further this division, and to date, the incarceration of Americans in North Vietnam prison camps has been used to that end.

Our responsibility to those American men, soldiers and civilians alike, who are POW/MIA's, demands that we, as a nation, stand firmly—solidified and determined in our resolve to bring those 1,600 American men home from the North Vietnamese prisons.

The POW/MIA represents distinguished service in the cause of freedom. He represents all races, all social and economic levels, and all political entities in America. He represents every small town and every large city, every farming area and every mining community. Here at home, he has parents, or a young family, a brother and sister or a girl who waits for him. The POW/MIA is America in every respect.

The enemy has made it clear: as long as there is any chance that they can use our imprisoned young men to spread discontent throughout America—they will never free them.

It is our solemn duty to make this week the beginning of an international campaign to secure freedom of our POW/MIA's—a campaign that accelerates without diversion until the North Vietnamese are forced to bow to worldwide opinion, and set free every imprisoned American.

NATIONAL WEEK OF CONCERN FOR POW'S

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. CARNEY. Mr. Speaker, in a world too often disrupted by war and rumors of war, the observance of a National Week of Concern for Prisoners of War/Missing in Action can truly raise our sights, bringing all men of good will together in a common concern for the fate of some 1,600 American POW's held in North Vietnam. I pledge my support for every effort to alleviate their condition and to obtain their safe release as quickly as possible.

In the words of the highly respected Christian Science Monitor:[1]

I echo the call for prayer which can unite all Americans in a new spirit as we explore every avenue of hope for a just and lasting peace. Our immediate task is to rouse and marshal public opinion in this Nation and throughout the world in behalf of those humane ideals and principles which are the hallmark of the civilized community. May our voices be heard and the depth of our concern be felt around the globe not only during this week of concern but through the days to come. To our captives and to their loved ones, we pledge our unending endeavor to win for them that humane treatment which is their right.

[1] Editorial of March 20, 1971.

For their sake and for the sake of their families, this should be a week of deep and conscientious national soul-searching. It can be the occasion to lift thought up and out of the bitterness that has so deeply divided the nation. . . .

SAVING OUR INDEPENDENT SCHOOLS—AND KEEPING THEM INDEPENDENT

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SCHMITZ. Mr. Speaker, a Government monopoly of education threatens America.

Monopolies of any kind are alien to the American spirit and the tradition of our country, where competition has flourished. And since all children must be educated, a monopoly of education—particularly by Government—bears within it the seeds of tyranny.

Years ago when our Government schools were truly local, reflecting the actual character, needs, and resources of the individual communities which built and maintained them, this danger was not immediately apparent. But in our age of a growing—and to many, deeply disturbing—sameness in the curriculum, manner of instruction and products of school systems throughout the land, it can no longer be ignored.

The fight to save our public schools from those who would take them over to use them as agents of "social change" and ideological agitation should go on. But, valiant as are the contenders for the teaching of morality, patriotism, and lasting values in the public schools, we dare not rest all our hopes upon the success of their efforts. The forces arrayed against them are too strong.

It is essential to keep alive an alternative to Government schools, to fall back upon in any area where the fight for a decent public school is lost. That means saving our independent schools—and keeping them independent.

An independent school may be church-connected or nonsectarian. It may share the evils afflicting many Government schools, or shake them off or keep them out. It does not guarantee a good education. But it does guarantee the enduring opportunity to provide a good education in harmony with the wishes of the parents whose children attend the school.

Independent schools of all kinds are now in serious trouble. The huge increases in budgets and salaries in the Government schools have made it all but impossible for most independent schools to compete financially. More and more of them are closing their doors. And each one that closes immediately shifts almost the entire burden of educating its former students to the back of the much beleaguered taxpayer.

Some still regard the independent school as a luxury patronized for reasons of religious belief or prestige, which could be dispensed with at no real loss. But if all our independent schools were to close down in the near future, the increased cost to the taxpayers—at the $600 and more per year it costs to educate a child in California public schools today for example—would be staggering.

Others, considering this issue, are still fighting old religious wars. They fear Government support of churches. But the great danger today is not that Govern-

ment will support the dogma of any church, but that Government's busy and highly paid apostles of secular humanism will undermine and destroy all churches which profess and practice faith in a transcendent Creator. Orthodox Christians and Jews of every denomination should be able to see this clearly by now.

Any form of Government grants of money to independent schools, in the present climate, brings with it grave danger of increasing Government influence and control, depriving the school of its independence. This danger is most obvious where the Government gives money directly to the school. It also exists, although to a somewhat lesser degree, in the "voucher plan" whereby Government grants are made to the parent for use by the school which his children attend.

The best solution is tax credits for tuition payments. By providing such tax credits, the Federal Government would leave more money in the hands of the people who are saving their fellow taxpayers the cost of educating themselves or their children by patronizing independent schools. The threat of Government interference would be reduced to a minimum by this arrangement, since no money would actually be coming to the schools from Government. Yet the citizen would then have a new incentive to use, and to continue to use independent schools.

On February 4, Congressman LAWRENCE COUGHLIN, Republican of Pennsylvania, introduced H.R. 3612, to provide a tax credit of 100 percent on the first $200 spent on higher education, 25 percent on expenses from $200 to $500 for this purpose, and 5 percent of expenses from $500 to $1,500. I am one of many cosponsors of this bill. On March 15 I introduced H.R. 6061 to provide the same tax credits for money spent by parents on primary and secondary education for their children in independent schools.

CONCERN ABOUT AMERICAN POW'S

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. EDWARDS of Alabama. Mr. Speaker, I can vividly recall as a boy growing up during World War II hearing and reading about the thousands of people across the Nation who used to turn out for those campaigns they called war bond drives to get people to contribute money for our war effort. The enthusiasm was electric; hardly anyone shirked their responsibility as an American citizen to help out in some small way, either by donating money or by volunteering to serve in some other capacity.

Today, every American has an equal opportunity to help shoulder a responsibility in another cause—that of convincing the tyrannical regime of Communist North Vietnam to immediately cease their inhumane treatment to American prisoners of war, many of whom have managed to survive more than 5 years of imprisonment. The method of contributing to this cause is simple. It does not require a donation of money and it does not require volunteering to serve in some capacity. All that is necessary is the simple act of signing your name and address to a card or letter and mailing one or the other to the North Vietnamese Government in Hanoi.

Whatever our differences may be about U.S. involvement in Southeast Asia, there remains little question that mentally, at least, we are all united in our concern over treatment of our prisoners of war.

As elected public servants, Mr. Speaker, it is our task to help recruit all Americans to pursue their expression of sentiment in behalf of these unfortunate men. Such action on our part is long overdue.

COMMITTEE FOR CONSTITUTIONAL INTEGRITY

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SCHMITZ. Mr. Speaker, yesterday on the House floor, in the course of the debate on the amendment to the Constitution of the United States to require all States to lower the voting age to 18, I mentioned the Committee for Constitutional Integrity which will carry on the fight against ratification of this amendment by the State legislatures. Since then I have had numerous inquiries about the nature and work of this committee.

Therefore, I insert in the RECORD at this point copies of the letter sent by the Committee for Constitutional Integrity to every State legislator in all of the 50 States, and of their letter to the Governor of each State, together with a column by Willard Edwards in the Chicago Tribune describing the formation and activities of the Committee for Constitutional Integrity:

COMMITTEE FOR CONSTITUTIONAL INTEGRITY,
Bethesda, Md., March 19, 1971.

DEAR MR. STATE LEGISLATOR: The Committee for Constitutional Integrity is a nonpartisan group that has been formed to implement the deep concern felt by all responsible and informed Americans for the defense of the U.S. Constitution and for the protection of constitutional processes of government in the States as well as in the Nation.

The Committee wishes to address to you, and to each of the more than 7,000 members of the State legislatures in all 50 States, this *urgent* report concerning the grave crisis that has arisen in our country as a result of the 18-year vote action taken by Congress last year. This report will, we are confident, demonstrate to you the imperative need for strong affirmative action by the State legislatures, acting in their high sovereign capacity as the natural protectors of the people, to preserve intact the integrity of our Constitution and to safeguard our freedoms against the usurpation which now threatens them. We *entreat* you to read—indeed study carefully—this report in view of the gravity of the crisis.

We hold it to be the duty of all citizens, and particularly of legislators sworn to defend the Federal Constitution and the constitutions of their respective States,

(1) to insist upon the repeal of the Congressional statute (Section 302 of the Voting Rights Act Amendments of 1970) in order to prevent that statute from becoming a precedent justifying acts of usurpation in the future, and

(2) to urge their respective State legislatures to defer any action on any proposed constitutional amendment dealing with the 18-year vote *until that constitutionally offensive statute is repealed*, so that the legislators will be able to deal with the proposed amendment as free and deliberative men and not as men stampeded into action by the mess created by the Congressional usurpatory legislation.

To begin with, we emphasize that our group is taking no stand on whether 18-year-olds should or should not have the right to vote. Our interest is solely that the decision should be made in accordance with constitutional processes.

The Congress of the United States is rushing through a proposed amendment to the U.S. Constitution which it will shortly submit for ratification by the state legislatures, granting the vote at 18 both in State and Federal elections. The leaders of the drive for this amendment hold that an emergency has been created by the action of the Supreme Court in validating (by a 5 to 4 vote) the statute passed last year granting the vote at 18 in Federal elections, but invalidating that section of the law which granted the vote at 18 in State elections. They hold that dual voting lists and the difficulty of distinguishing in many situations what is a State and what is a Federal election (*e.g.*, voting for delegates to a State convention that will nominate party candidates for both State and Federal offices) will create endless confusion, legal snarls, and a heavy financial burden for the State election boards which administer all our elections, Federal as well as State. They have therefore started a panic campaign to get you and your fellow state legislators to ratify this proposed amendment in a sight unseen manner so that a mess in 1972 will be avoided.

We hold that the leaders behind the amendment drive not only do not come to you with clean hands but are asking you to participate in a rape of constitutional processes. The facts are that these same leaders last year chose to circumvent the U.S. Constitution and got the Congress, by a usurpation of authority, to enact the 18-year vote (in both Federal and State elections) by simple statute. The plain words of the Constitution leave to the individual States the power to set voting qualifications not only in their own elections but in Federal elections as well. The State-set qualifications can, of course, be overridden by duly ratified amendments to the U.S. Constitution, and this has been done several times in our history. But at no time, until the episode of last year, did any responsible constitutional authority venture to suggest that Congress could override the constitutional provision for State-set age qualifications by simple statute.

In the debates on last year's statute, the leaders in Congress made it clear that they had no hope of bringing about an 18-year vote by the process of proposing a constitutional amendment and getting it ratified by three quarters of the States. They resorted to the technique of usurpation—granting to 18-year-olds what was not in the power of Congress to grant—in defiance of the advice given by George Washington in his Farewell Address never to be tempted to accomplish even a good purpose by violating

the Constitution.[1] They hoped that the Supreme Court (which in recent years has exhibited a great tendency to validate Congressional actions with which individual justices were in political sympathy) would validate the 18-year voting provisions.

The hopes of the Congressional leaders were almost fulfilled—but not quite. By a vote of 5 to 4, the Supreme Court upheld the vote at 18 in Federal elections but by another vote of 5 to 4 (with Justice Black supplying the swing vote) the Court held the statute unconstitutional as applying to State elections. It is highly significant that Justice Stewart (with the concurrence of the Chief Justice and Justice Blackmun) noted that the opinions supporting the 18-year vote "contain many pages devoted to a demonstration of how beneficent are the goals of this legislation," and that "a casual reader might get the impression that we are being asked . . . whether or not we think allowing people 18 years old to vote is a good idea."

In short, Justice Stewart plainly hinted that the pro-vote-at-18 justices had acted to validate their political predilections rather than to disinterestedly consult the Constitution as to whether Congress had authority to enact the vote at 18.

When the proposed constitutional amendment is before your legislature, you, the legislators, will be in effect serving as a jury to determine whether the amendment should be adopted or rejected. Now just as a jury cannot function properly in an atmosphere of panic and political pressure from the outside, so we believe that you the legislators cannot exercise your judgment wisely and properly in the atmosphere of panic and pressure which has been created by the ill-conceived Congressional statute and its half validation and half invalidation by the Supreme Court.

The enactment of a constitutional amendment providing for an 18-year vote is no simple matter that can be decided at a moment's glance. It involves complex questions affecting the political life of the Nation. By way of illustration, we call your attention to an article in the New York Times of February 6, which cites the concern in many quarters that an 18-year vote may enable students in university towns to take over the town governments and in the manner of carpetbaggers raise local taxes irresponsibly and unconscionably. In many university towns students (over 21) are now allowed to vote regardless of their lack of permanent residence; in other places the right of students to vote is expected to be granted by the trend of court decisions. With the enormous inflation of the student vote that would be brought about by a lowered voting age, problems that are now minor or negligible could develop serious proportions.

We do not ask you to vote against the 18-year amendment on this ground or on any other ground. We simply say that this problem and other problems that are below the surface of the 18-year vote issue be properly studied and appraised in a calm atmosphere before making a decision pro or con on the question. The people of the State which chose you and others as legislators on their behalf expect you not to vote in haste (for them to repent in leisure) and to consider all aspects of the question.

It seems to us—as it will no doubt seem to you when you consider the matter—that in order to carry out your duty properly and conscientiously on the proposed 18-year amendment, the present atmosphere of panic and pressure will have to be removed. And it can be removed only by an action of Congress repealing the 18-year vote statute and thus restoring the normal atmosphere which existed before the passage of the ill-fated legislation.

In the interest of all citizens of this great Nation—and in your interest as conscientious legislators fulfilling your responsibilities to the people who elected you—we appeal to you to have your legislatures join forces with Virginia, whose General Assembly has passed a joint resolution memorializing Congress to repeal the 18-year voting statute. The resolution should make it clear that your State will take no action on any amendment proposed by Congress until the constitutionally offensive statute is repealed.

We trust that you will give this communication the earnest attention which is demanded by the gravity of the questions we have discussed.

Respectfully,

FRANCIS G. WILSON,
Chairman.
FRANZ O. WILLENBUCHER,
Vice Chairman.
BENJAMIN GINZBURG,
Secretary.

(Note concerning the signers of this communication. Francis G. Wilson, Ph.D. (Stanford), is Emeritus Professor of Political Science, University of Illinois, and is the author of several books and numerous articles on political science, including The American Political Mind (McGraw-Hill). Franz O. Willenbucher, Captain USN (Ret.) is an Attorney at Law, whose doctorate in jurisprudence from Georgetown University was awarded largely on the basis of studies in constitutional interpretation. Benjamin Ginzburg, Ph.D. (Harvard), is a former Research Director of the Subcommittee on Constitutional Rights of the Judiciary Committee of the U.S. Senate, and author of Rededication to Freedom (Simon & Schuster).)

A CONDENSED COPY OF VIRGINIA HOUSE JOINT RESOLUTION NO. 66

Memorializing the Virginia members of the Congress to initiate and support the enactment of legislation to repeal Section 302, of the Voting Rights Act Amendments of 1970 (Public Law 91–285, 84 Stat. 314)

Offered February 11, 1971. Patrons—Messrs. Phillips (and 36 other patrons). Referred to the Committee on Privileges and Elections:

Whereas, the Congress by the enactment of Section 302 of the Voting Rights Act Amendments of 1970 (Public Law 91–285, 84 Stat. 314), attempted through legislation, to usurp power not delegated to the Congress by the Constitution but reserved by the Constitution to the States in Article I, Section 2, Article II, Section 1, and by the Tenth and Seventeenth Amendments thereof; and

Whereas, on December twenty-one, nineteen hundred seventy, the Supreme Court in Oregon v. Mitchell, rendered what purported to be a 5–4 decision in which it held the Congress to be without power to fix voting age qualifications for persons to vote in State and local elections, but on irrational and unsupportable grounds held the Congress possessed of power to establish such qualifications for persons to vote in national elections; and

Whereas the said usurpatory statutory provision can remain effective only until repealed and the Supreme Court's decision valid only until over-ridden; and

Whereas, as George Washington in his farewell address, as President of the United States declared, "If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an Amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed"; now, therefore, be it

Resolved, by the House of Delegates, the Senate concurring, That the members of the Congress of the United States from Virginia are hereby memorialized to initiate, and support the enactment of legislation to repeal Section 302 of the Voting Rights Act Amendments of 1970 (Public Law 91–285, 84 Stat. 314).

(Condensed to eliminate certain references to the enactment of a proposed constitutional amendment by Congress now no longer pertinent.)

COMMITTEE FOR CONSTITUTIONAL INTEGRITY,
Bethesda, Md., March 23, 1971.

As its chairman, it is my duty and pleasure to transmit the solemn and unanimous request of the Committee for Constitutional Integrity that you urge the legislature:

(1) To withhold action on the proposed 18-year-old constitutional amendment, shortly to be presented by Congress to the States for ratification, until Section 302 of the Voting Rights Act Amendments of 1970 which attempted to grant such vote by statute is repealed, and

(2) To join in the recent similar action of the Virginia General Assembly by memorializing the delegation of your State in the Congress to initiate and support legislation to repeal that usurpatory statute.

The Committee wishes to emphasize that it takes no stand on whether 18-year-olds should be accorded or denied the right to vote.

The Committee, in cooperation with deeply concerned citizens and organizations, is striving to prevent permanent damage to the amending processes, contained in Article V of the Constitution, which will inevitably result if the above-mentioned constitutionally offensive statute is left unrepealed.

A brief statement of the views of the Committee in the form of a copy of a letter which it has sent to each of the more than 7500 members of the 50 State legislatures is enclosed.

The Committee is urging all States to refrain from taking any action on the proposed 18-year-old amendment, unless and until the statute is repealed in order that State legislators, when they consider the proposed amendment, will act as free men, not under compulsion to avoid threatened disaster to our election processes. This threatened disaster was caused *initially* by the constitutionally usurpatory act of Congress—one which it can readily cure by removal of the cancerous statute by repeal.

It is apparent that Congress is not now disposed to recognize its own blunder, concerning which all informed citizens are now fully aware, and forthwith to correct it.

It is therefore for the people in their high sovereign capacity, through their legislatures as their true protectors against usurpation of their constitutional rights, to demand adherence to those rights, lest constitutional representative government is no longer to be guaranteed them by our Constitution and, instead, is to become a mere memory in the United States.

Respectfully,

FRANCIS G. WILSON,
Chairman.

[From the Chicago Tribune, Mar. 20, 1971]

CONGRESS SHUFFLES 18 VOTE TO STATES

(By Willard Edwards)

WASHINGTON, March 19—Congress is about to thrust upon the states responsibility for

[1] "If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an Amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed."

extricating the nation from a nightmarish prospect on election day, Nov. 7, 1972.

To the other imponderables of next year's Presidential campaign, already looming as one of the most exciting in history, will be added this question:

Will 38 of the 50 states [the necessary three-fourths] ratify, in time, an amendment to the Constitution granting the vote at 18 in both state and federal elections?

Lacking that action, an estimated 11,500,000 voters, 18 to 21, must be herded apart from other citizens in exercising their franchise for the first time.

They can vote for President, Vice President and members of Congress but in most states not for governor, state legislator, mayor or local officials. This absurdity will necessitate dual voting machines or separate paper ballots; special supervisory personnel and clerks; dual sets of books.

The prospect has been aptly described as chaotic, productive not only of confusion and disorder but of potential fraud. It will cost an estimated extra $20 million.

Congress created this mess last June. It was so anxious to get on the record in favor of lowering the voting age that it adopted a legislative shortcut to achieve that goal. It amended the Voting Rights Act of 1970, spurning warnings that a constitutional amendment was the proper procedure.

In December, the Supreme Court, in a 5 to 4 decision, upheld the lowered voting age for Presidential and congressional elections but ruled the change unconstitutional as it applied to state and local elections.

Now, happily washing its hands of responsibility for the consequences of its haste, Congress is scheduled to endorse next week the constitutional amendment it should have approved nine months ago and sent to the states. The delay has drastically shortened the time remaining to act before next year's elections.

Another threat to ratification has emerged in a movement to defer it until the 18-year voting rights measure has been repealed.

A newly formed Committee for Constitutional Integrity, headed by Francis G. Wilson, emeritus professor of political science, University of Illinois, is sending letters to each of more than 7,500 members of the legislatures of all 50 states, urging such a delay.

A number of noted constitutional scholars, including Franz O. Willenbucher and Benjamin Ginzburg, former research director of the Senate constitutional rights subcommittee, have joined Wilson in warning state legislatures of the danger of precipitate action.

Virginia, they noted, has already acted by petitioning Congress to repeal the 18-year voting act, which it described as "an act of usurpation"—a granting of powers by Congress not within its authority and standing as a precedent for future usurpatory legislation if not removed from the statute books. Every state, they argue, should make clear to Congress that it will not ratify the constitutional amendment until the constitutionally offensive statue is repealed.

Three states [Alaska, Georgia and Kentucky] already allow 18-year-olds to vote. Ten states in the last two years have rejected a lowered voting age. Others [Indiana and Kansas among them] are reported bidding for the honor of being first to ratify the 26th Amendment to the Constitution.

If precedent prevails, the number of ratifying states will mount rapidly as the months pass. Then the pace will slow as the magic number of 38 is approached.

Ratification before November, 1972, is deemed a "realistic possibility" by some observers; doubtful by others. This one could prove a cliffhanger in a period already fraught with political uncertainties.

THE ADMINISTRATION PROPOSAL WOULD CRIPPLE HIGHER EDUCATION

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mrs. MINK. Mr. Speaker, the legislative authority for many of our basic student aid programs expires this year. Instead of extending and expanding these time-tested programs which have enabled millions of deserving young people to obtain a college education, the administration seeks to revise the basic concepts so that different groups of students are assisted.

I support the goal of giving benefits to more students. The administration bill would ostensibly benefit 800,000 to 900,000 college students not now receiving aid and 100,000 high school graduates who would not otherwise go to college. But it would also deprive some 300,000 students of Federal aid which they have been receiving under existing programs. These 300,000 students presumably would be forced to finance their college education without any assistance from the Federal Government if the President's new bill is enacted into law.

The Federal Government presently has two major loan programs, and both would be adversely affected by the President's proposals. The first is the national defense student loan program, under which direct cash loans are made to students. The second is the Federal guaranteed student loan program, under which the Federal Government guarantees educational loans made by private lenders, and subsidizes interest payments.

The defense loan program is based on student financial need, and enables participants to finance their education at the lowest possible cost by deferring repayment and limiting student-paid interest to 3 percent. The loan guarantee program is available regardless of need, and interest subsidies are available to families with incomes as high as $15,000 a year.

Experience has shown that these two programs have performed with great effectiveness in enabling thousands of young people to obtain a college education at minimum cost. Under the Nixon administration proposals, the programs would be changed drastically and their benefits to middle-class families sharply reduced.

Under the President's proposal, a family of four with income over $10,000 and one child in college would no longer be eligible for assistance, except for guaranteed loans at the full private market interest rate. This reduction in help to thousands of average families of America, who are already suffering financial hardships due to the high cost of sending their children to college, demonstrates a lack of appreciation of the current crisis in higher education and the mounting costs thereof.

Overall, the proposal is designed to shift the support of higher education from the Government to private banking interests whose record in support of education is anything but commendable. There would be no further appropriations for National Defense Education Act direct loans to students. New loans would be permitted only from repayments of existing loans, thereby diminishing the impact of this program. In addition, the benefits would be reduced through elimination of the present loan forgiveness for teaching, military service, Peace Corps, and similar public services. This approach, aside from its adverse effect on higher education, would detract from our efforts to achieve a voluntary army and volunteer public service.

As the NDEA program is reduced, the administration plans to shift higher education loan funding to the private capital market through a National Student Loan Association. This would be another private corporation chartered by the Government, and would attempt to raise funds by issuing its own obligations for sale in private capital markets. The proceeds would be used to buy student loan paper from colleges, banks, or other lenders. The intended purpose is to increase the flow of private funds into student loan "markets."

What the administration fails to realize, however, is that education is not a "business" like selling automobiles or houses, and our students are not a "market" to be exploited. The proposed bill would eliminate the existing ceiling of 7 percent on guaranteed loan interest payable by students, thereby allowing lenders to charge whatever the "market" would bear. Moreover, the Government would cease paying interest on loans to students from families with income over $10,000. The special allowance for banks would also be eliminated. All of these steps could reasonably be expected to reduce the availability of subsidized Federal guaranteed student loans to most students.

The proposal seems to envision the Government becoming a mere bystander in the student loan field, serving as a detached "warehouse" for commercial lenders, and having no special responsibility to insure that our young people are able to afford an education without accruing an extremely burdensome debt.

When the loan ceiling is repealed, lenders will be free to charge as much as the interest rate for other types of loans—which has been as high as 10 percent annual interest under the current administration. The typical student, if forced to borrow several thousand dollars a year at such rates, could be faced with a staggering debt of up to $20,000 upon graduation.

This "solution" to the student aid problem is nothing more than a bonanza for banks. I pledge to the people of Hawaii that I will work for extension of our existing programs with additional funding so that more students may be assisted, and so that no student now receiving aid will be jeopardized.

Finally, another damaging aspect of the administration proposal is the conspicuous absence of general support funds for colleges, other than a modest amount for developing institutions. No prospect is held forth for prompt institutional aid to the hundreds of American colleges and universities that are now in

dire financial straits—and at a time when they are being called upon to enlarge as well as improve educational opportunity.

Unless general assistance in increasing amounts can be provided, tuition costs which are already excessively high will continue to soar. Institutions have been forced to charge ever increasing amounts for tuition, and this trend has imposed a great burden on most families with children in college. Further increases, especially if coupled with reductions in student aid, may well preclude the continued pursuit of college educations by large numbers of our most deserving students.

In view of these factors, the administration proposals for higher education are misdirected and likely to do more harm than good. There appears little sound justification for tampering with the workable existing programs, other than to reduce next year's budget deficit by shifting the financing of education more toward private interests. The result of any such shift, predictably, will be new burdens on our hard-pressed students and their families.

I cannot support a program which would cause such additional hardships.

PRISONERS OF WAR

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. O'NEILL. Mr. Speaker, this week has been designated as National Prisoners of War Week/Missing in Action. I wish to join my colleagues, the Nation, and the families of the men now being held captive in North Vietnam in paying tribute to the brave fighting men of this Nation.

Although not all of us here in Congress believe that the war is justified or necessary, I believe we are unanimous in our support of the soldiers who have fought and been captured by the enemy. The problem of the prisoner of war has always been with us. However, the inhuman and cruel treatment which American boys have received at the hands of the North Vietnamese represents a hitherto unknown atrocity against prisoners of war.

This week is dedicated to the men who are no longer involved in combat. It is based on the strong belief that we are still responsible for and committed to the fate of these men. This week should inspire us to redouble our efforts to secure the safe return of these men to their homeland. We must continue to mobilize world indignation against the treatment of our men. Pressure from the administration, from our negotiators in Paris, from the State Department, and from this Congress must be strenuously applied in a conscientious effort to insure that the fundamental rights for our prisoners abroad and their families at home are upheld.

I wish to express my thanks for having the opportunity to participate in this week of national concern and tribute.

PRISONERS OF WAR

HON. BEN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BLACKBURN. Mr. Speaker, I would like to join today with the rest of my colleagues in commenting upon the barbaric and inhumane treatment accorded to American prisoners of war being held by the Vietcong and North Vietnamese.

The first American prisoner of war, who is still being held by the enemy, was captured in South Vietnam on March 26, 1964. On the seventh anniversary of this date, we find that over 1,600 of our men are considered missing in action, and of those, approximately four hundred are estimated as being held captive by the Communist forces.

North Vietnam, South Vietnam and the United States are all parties to the Geneva Convention on the treatment of prisoners of war. Whereas the Governments of the United States and South Vietnam have been extremely careful to comply with the tenets of this convention and to see that Vietcong and North Vietnamese prisoners captured in South Vietnam, Cambodia or Laos are treated in a fair and humane manner, the North Vietnamese Government, to date, has refused to comply with these tenets. It is shocking indeed to the whole world that the basic humanitarian standards long established by international law and custom are not being followed by North Vietnam and the Vietcong.

In view of the Communists' continuing disregard for this convention and for the basic standards of humanity exemplified through their refusal to identify all of the Americans being held, their refusal to permit the impartial inspection of their camps, their refusal to release the seriously sick and wounded prisoners, their refusal to provide the prisoners with humane treatment, and their refusal to permit the prisoners to correspond regularly with their families—and in view of their adamant refusal to consider negotiations regarding the release of prisoners, the Congress of the United States has passed a resolution designating this week as the "National Week of Concern for Prisoners of War/Missing in Action." I join with a number of my colleagues in sponsoring this joint resolution.

It is incumbent upon us all to do everything within our power to focus world attention upon the barbaric treatment being given our American fighting men. These brave men living in untold misery extending for years without hope are continuing to serve in the finest tradition of the American military. We applaud heroics on the field of battle, but we owe an equal obligation to applaud the heroics of those who suffer in silence as prisoners. I would urge the administration to continue with unrelenting efforts to secure the release of our fellow citizens.

Should our Nation fail in this hour of her history to protect the rights of those who have answered her call to duty, then this will be, indeed, a dark hour for our Nation's honor. We cannot fail, we must not fail if our country is to hold its head high as a nation of courage and honor.

I would hasten to remind the Government of North Vietnam and its allies that the American servicemen whom they hold prisoners are not forgotten by their fellow citizens and their Government. They will not be forgotten. Our obligation to our most devoted and loyal citizens will not falter. The leaders of North Vietnam would do well to consider that a nation of proud people, always desiring peace, but not at the price of liberty, can be provoked into a nasty mood should their reasonable requests be constantly ignored or openly flaunted. Our demands for fair treatment and return of our prisoners are just, are humane and are in the highest tradition of humanitarian civilization. Further delay from Hanoi in assuming a reasonable posture relative to our prisoners can only irritate an increasingly tense atmosphere.

U.N. SECRETARY GENERAL CALLS FOR WAR

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. RARICK. Mr. Speaker, those Americans who still regard the U.N. as a peaceful mission should have been shocked by Secretary General U Thant's call for a redoubled world effort to dislocate South Africa's economic structure as a means of combating apartheid.

An economic boycott is an act of war; and who can suffer more in South Africa than those whom U Thant would claim to help? Clearly, U Thant's call for an escalation must be regarded as a grave danger to the cause of peace and security to the world community.

At most, his warmongering call must be regarded as retaliation for the failure of the U.N. Security Council to prove its case before the International Court of Justice on the question: What are the legal consequences for States of the continued presence of South Africa in Nambia—that is, South-West Africa—notwithstanding Security Council Resolution 276 1970?

I include a newsclipping and a newsletter from South Africa, as follows:

[From the Washington Post, Mar. 23, 1971]

U THANT URGES WORLD EFFORT

UNITED NATIONS.—Secretary General U Thant called yesterday for redoubled world effort to dislocate South Africa's economic structure as a means of combatting apartheid.

Thant's unusually strong statement came at a special meeting of the General Assembly's apartheid committee commemorating the international day for the elimination of racial discrimination.

He termed the policies and actions of the South African government "a grave danger to the cause of peace and security of the African continent."

This language went beyond anything the Security Council has been willing to say so far in resolutions dealing with South Africa.

[From News from South Africa, Mar. 19, 1971]

SOUTH AFRICA'S OPENING ARGUMENT AT THE WORLD COURT

On July 29, 1970, the United Nations Security Council requested the International Court of Justice to furnish it with an Advisory Opinion on the question: "What are the legal consequences for States of the continued presence of South Africa in Namibia (i.e. South West Africa) notwithstanding Secretary Council resolution 276 (1970)?"

In view of the special interest on the part of many of our readers in the present proceedings at the World Court in The Hague, we are pre-empting space in our newsletter this week for a synopsis of the opening argument on February 16, 1971, by Advocate D.P. de Villiers, S.C., who heads the South African legal team:

(1) *Summarizing the Case Against South Africa.* South Africa stands charged by her critics in the Court with living in the past, operating in a legal world that was not that of 1971 but of 1945 and even 1920, relying on concepts of fifty years ago in its promotion of the moral well-being of the inhabitants of South West Africa. The South African approach to the international order and the humanitarian problems of our times was one of intransigence and so-called "legal nicety," which paid overmuch attention to literal text of documents without sufficient consideration of the basic objects and purposes of the international organizations, such as the United Nations.

Mr. De Villiers replied that the case against his country was without foundation and that the answer thereto, in proper context, briefly follows.

(2) *Commitment of South Africa to an International Order.* South Africa is firmly committed to the maintenance and development of an international order of the highest possible quality, in the political, the economic, and the social and judicial sphere. However, this international order has been brought into mortal danger by a series of legal propositions advanced in the Court by the opponents of South Africa. The implications of these propositions can be summed up as "the doctrine of implied powers" (see paras. (6) and (7)) and are simply enormous, not just for South Africa but for all states which cherish their sovereignty.

(3) *The United Nations as a Super-State.* Today, the United Nations, whatever its origins may have been, is laying claims to acting as a super-state or parliament of the world. Is this what the Charter Members of the Charter had agreed to when they joined the United Nations? Is there anything in the Charter which permits this extraordinary development of powers by the United Nations to make determinations of law and fact binding on non-consenting members? The answers lie by examining both the League of Nations and the United Nations.

(4) *The League Covenant—the Protection of the Unanimity Rule in League Procedure.* The Mandate of South West Africa came into legal being in 1920 under a mandate agreement entered into between the League of Nations and the Union of South Africa for the Mandate of South West Africa.

During the League years there was no controversy between South Africa and the League, for the League operated within the framework of law based on the rule of unanimity in the Council and respect for the views of the Mandatory State. As the World Court itself declared as short a time ago as 1966: ". . . it was never the intention that that Council (of the League) should be able to impose its views on the various mandatories—the system adopted was one which deliberately rendered this impossible."

(5) *The United Nations Charter.* The innovations of the Charter included the abandonment of the unanimity rule in the General Assembly in favor of an arrangement of a two-thirds majority for important questions and a bare majority for others, but the basic design of this change was that the powers of the General Assembly were limited, as was simply and clearly stated by the U.S. Secretary of State Edward R. Stettinius, Jr., in his report to the President of the United States on the results of the San Francisco Conference: ". . . to discuss, debate, reveal, expose, lay open—to perform, that is to say, the healthful and ventilating functions of a free deliberative body, without the right or duty to enact or legislate."

The power of the Security Council for coercive action is confined to Chapter 7 of the Charter; otherwise the Security Council also merely discusses and recommends. Nonconsenting States are only bound in the event that the Security Council acts under Chapter 7. Moreover, the Security Council has the additional safeguards of the veto of the five permanent members and the requirement that a state which is not a member of the Council be invited to sit with the Council (without vote) where its interests are directly affected.

(6) *Arguments by the Secretary-General: The United Nations Has the Powers of a Super Parliament Binding Even on the World Court.* The Secretary-General of the Security Council has argued forcefully to the Court that the General Assembly has power to act for the United Nations and to bind nonconsenting member states as a result thereof, sustaining the validity of the resolution of the General Assembly purporting to terminate South Africa's Mandate for South West Africa. This will have serious consequences not only for South Africa and South West Africa, which are the areas directly concerned by this resolution, but as a precedent in international law it will have very serious consequences for all states, large and small. For the United States, a socialistic policy could be prescribed or dictated, for the Soviet Union a capitalistic one, by appropriate majority decisions of the General Assembly. There could be prohibition of space flights. The economically underdeveloped countries, who are far in the majority in the General Assembly, could impose international obligations on the developed countries to pay an annual contribution to development aid, or exact an obligation from the developed countries to floor prices for raw products (from the underdeveloped countries) and maximum prices for manufactured goods (from developed countries). In the social sphere, majority decisions of the General Assembly could prohibit State religions, whether Christian, Hindu, or Moslem or any other religion; enforce equal rights for women in Moslem countries or provide that the King of England may be a non-Anglican, and that the Pope, as Head of the Vatican State, may be a non-Catholic; the United States could be required to adopt different policies for Negroes and Indians; Estonia, Lithuania, or Latvia could be declared independent, or subject to a plebiscite. The General Assembly in the event of disputes can act as a kind of court of law and without special submission to its jurisdiction by the sovereign states concerned, the Assembly, by majority vote can make findings of fact and of law binding in such a way as not to be questioned in the World Court, which is called upon to accept these resolutions of the General Assembly as absolute.

Under a United Nations Trusteeship, as the World Court said in 1955: ". . . there is no legal obligation on the part of the Administrating Authority to give effect to a recommendation of the General Assembly to adopt or depart from a particular course of legislation or any particular administrative measure."

Yet the Secretary-General contends the contrary: The General Assembly has the power to issue binding directives to the administering authorities of a trust or a mandated territory. No provision of the Charter cited, no legal argument is even offered in support. The propositions simply stated to this Court as if they were dogma of the world of 1971.

(7) *The Doctrine of Implied Powers: Specific Instances in this Case.* The common point of the argument of the opposition is the "doctrine of implied powers" with enormous implications and extent. These propositions rest upon a basis which is not to be found anywhere in the text of the Charter or in the Mandate Agreement and therefore have to be implied in some way or the other. These implied powers include:

(a) A power of unilateral termination or revocation of a mandate by the League.

(b) Transfer of supervisory powers from the League to the United Nations General Assembly.

(c) A power in the General Assembly to adopt resolutions (outside of procedural and budgetary matters) which bind nonconsenting states.

(d) A power in the General Assembly to make binding determinations on questions of fact or law or both.

(e) A power on the part of the Security Council to adopt resolutions (outside of procedural and budgetary matters) which bind non-consenting states, despite the fact that the matter does not fall under Chapter 7.

(f) A power on the part of the Security Council to make binding determinations generally on questions of law and fact and particularly on whether a resolution has been validly adopted, whether a matter is a dispute or a situation, or whether the Security Council itself is properly constituted.

(g) A power in the General Assembly and the Security Council to do in combination what is beyond these powers of each acting separately.

If the Court were to accede to the contentions of the world of 1971, as sought by the Secretary-General of the United Nations and several other participants before the Court, virtually every one of the powers in this list would have to be implied by the Court. In other words, in order to put South Africa in its place, as it were, all the members of the United Nations would now be told on the authority of this Court that the interpretation and application of the Charter and associated instruments are subject to a doctrine of implied powers. This Court is asked to act not on a juridical basis, but upon a basis which is essentially non-juridical and really legislative.

One could hardly imagine a combination of circumstances which would be more likely to frighten off States from international organizations generally, from voluntary participation in the proceedings of the United Nations and from voluntary submission of their disputes to the judicial processes of this Court.

(8) *Tendency of the United Nations Majorities to Exceed the Constitutional Limits of Their Particular Organ.* In the case of "Certain Expenses of the United Nations", member States of the United Nations of all shades of political opinion agreed upon one thing—that the root cause of the difficulties into which the organization had run at that stage was the tendency of majorities to exceed the constitutional limits of their particular organ. Prominent States will not take kindly to a surreptitious process of developing the General Assembly into a legislative body by freely importing implied powers into the Charter. If that should happen through this Court, States will hardly be keen to submit international disputes to adjudication by this Court.

(9) *Special Rules for South Africa.* The implied powers are specifically designed to hit at South Africa. The general idea of international law is to make the rules for all and not to make some rules for one and other rules for others. But direct action

taken against a particular State may have importnt legal consequences, for various other States. In any case, if any legally unjustified process is once begun to get South Africa, how does one know where the rot is going to stop?

(10) *Even Implied Powers are Under Discipline. South Africa does not argue* against all implied powers, for there is a well established basis in law and in logic for importing an implied provision into a contract. The implied term must be consistent with all the relevant facts and a necessary inference from those facts, in the sense that all other reasonable alternative inferences are excluded and no other reasonable inferences can be drawn. That is a considerable discipline to apply, and rightly so, to a suggestion that a term is to be implied in a contractual instrument, particularly in multilateral conventions, where certain States agree upon the convention and others come in later by accession. But this approach has not been applied here in this Court.

(11) *Argument of Necessity.* The argument of our opponents:—if the implication is not made, it will not be possible to force the situation along the lines desired by the majorities in the United Nations organs against the will of South Africa. Moreover, this Court should show its solidarity with the other United Nations organs. This approach is wholly unfounded in law.

(12) *Solution of the Problem of South West Africa: Discussion, Understanding and Dialogue.* Humanitarian and other problems of South West Africa can be resolved only along the road which was wisely indicated by the authors of the Mandate System and the Trusteeship: a process of discussion, understanding and dialogue. The solution lies not in the process of trying to force a situation upon an authority and upon a people that do not want that particular remedy for their situation.

Circumstances in South West Africa, as in South Africa, are concededly not perfect—nobody could claim that for any particular country. But at the same time, they are not static, they are evolving in the direction of better understanding and better accommodations.

Meanwhile, South Africa has continued within the Territory with spectacular developments in the political field, in the economic, social, education, health and other spheres. It has done so in close consultation with, and with the cooperation of the peoples involved.

It is in these circumstances that South Africa seeks and invites dialogue and discussion, criticism if necessary, and let us proceed and see where we can get from there. There are encouraging signs from Black Africa today, not only in the neighboring states, but states farther afield where there are responsible leaders who seek contact and dialogue with South Africa, even though reserving the vehement differences of opinion and attitudes about domestic policies. South Africa looks forward to the day when the Organization of African Unity will no longer be an organization hostile to it in the forums of the world, or the practical everyday business of developing Africa; that it will be an ally and a friend in the development of the true potential of the great African continent.

There are, regrettably, some who still seem to be bent on a collision course with South Africa, particularly in regard to South West Africa. They have endeavoured to spur the Security Council to coercive action and they are here in this Court with a renewal of the old charges and in the hope that these proceedings may be a spur to coercive action. This is very much to be regretted but it is part of the reality and it is necessary to test their approach. The complete hollowness of that approach is demonstrated best by their reaction to the proposal of South Africa for a plebiscite.

(13) *The Plebiscite Proposal and Its Opposition.* The proposal for a plebiscite has so far met with complete and utter rejection, coupled with flimsiest pretense at technical and legal objections and excuses—"legal nicety" in reverse.

There are:

(a) The question of the competence of the Court. The plebiscite proposal was made on the basis that the Court finds it necessary to investigate and pronounce upon the factual issues which have been squarely raised. What possible doubt could there exist about the Court's competence to avail itself of an offer to provide the Court with probably the best and most relevant, and potentially the most crucially significant evidence—what the inhabitants themselves say about it. The Court may appoint a committee of independent experts under Article 50 of the Court's Statute.

(b) Next, a point that was raised as to relevancy of the plebiscite. Our opponents are very loud in accusing, even condemning, South Africa of violations, but pleading that, although South Africa consistently denied them, and still does, this Court must not pronounce upon the issues because they have been finally determined in the United Nations and the Court must simply rubberstamp those findings. The line relies on allegations of fact against South Africa but says that this Court must please not determine them.

(c) South Africa's so-called "standing" to organize the plebiscite. This is begging the very question at issue in this Court: is South Africa there legally or illegally? South Africa, in making the plebiscite proposal, does not beg that question; the fact is that South Africa is in *de facto* control of the Territory at the moment, and the plebiscite proposal merely proceeds from that practical basis.

(d) The question: "To whom would the experts report? Who would be the judge of their findings? Obviously, the report will be made to the Court and this Court will presumably give other participants an opportunity for comment and it will then decide what significance it should attach to the plebiscite for the purposes of the Court's opinion in these proceedings and for no other purpose whatsoever.

(e) Lastly, it is contended that the Court may become "embroiled" in the political matter—the most sardonic touch of all. If the Court is likely to become embroiled in a political matter it is because of the nature of the question which has been put before it. The plebiscite proposal does not create a situation of political overtones, it merely suggests a form of very pertinent evidence for resolving the factual disputes now before the Court.

South Africa's leading accusers have now run into rather serious trouble about these accusations of fact that they have presented to the world. They demonstrate here their aversion to having the factual issues investigated by the Court. They show an equal or stronger aversion to hearing the views and wishes of the inhabitants of South West Africa, whose cause they profess to champion.

(14) *What the World Court is Asked To Do.* The Court is asked in effect to betray its official function and to indulge in a legislative rewriting of the Charter, with the most dire consequences for international organization in general and for international adjudication in particular. Yet, if the Court should decline to do what is urged upon it, there can hardly be any doubt about the kind of pillory which is likely to be heaped upon the heads of its Members again, as we so shockingly experienced in 1966: racism, colonialism, bribery, corruption and so forth.

(15) *The Best Way is the Hardest Way.* That way is a firm rejection on their merits of every one of the revolutionary and essentially non-juridical propositions urged upon the Court under the guise of legal interpretation. In particular, this is a rejection of all notions that the organs of the United Nations are now clothed with extensive "implied power" to bind non-consenting member States, where such power either contemplated by the Charter, or subsequently created by regular processes of amendment. Furthermore, it calls for the refusal of this Court to indulge in judicial legislation.

These results would be favorable to South Africa, and for that reason there would no doubt be a public outcry. The more responsible members of the international community would have to stand firm against such an outcry, but nevertheless one knows, and one says this with warm appreciation, the consequences for the individual judges could be very unpleasant.

However, such a firm adherence to basic values and disciplines must in the long run make their mark, not the least amongst those who may temporarily be disappointed as a result of being kept in check by these disciplines.

In municipal legal systems, experience shows that it is exactly by the fearless and impartial administration of justice, regardless of the popularity or the unpopularity of its verdicts, that a court of law wins the confidence and respect of the public which it serves. And so it must be too, in the international sphere, and the winner will not be South Africa, but mankind.

The great Roman, Cicero, in an oration on the Roman law delivered more than two thousand years ago, posed the question rhetorically: "What sort of thing is the civil law?" And he answered: "It is of a sort that cannot be bent by influence, or broken by power, or spoiled by money." Such, Mr. President, is the heritage, one of the proudest of mankind, which it is this Court's duty and privilege to preserve and to enhance.

VOLUNTEER SPIRIT GIVEN A MORE EFFECTIVE CHANNEL

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. BOB WILSON. Mr. Speaker, the volunteer spirit has always been a part of the American tradition. In recent years, we have been sending volunteers to many lands throughout the world to help improve the lives of people less fortunate than those who have offered to serve. And we have also been sending volunteers among our own people to help in the ghettos of our cities and the pockets of poverty in our rural areas.

Now, the volunteer spirit is being given a new and more effective channel. Instead of the welter of helter-skelter volunteer programs now found throughout the Federal Government, President Nixon is proposing a new, single agency which will pull together all of our dedicated American volunteers and give them fresh and more unified direction. The result will be to provide more opportunities for service at a time when the requests for help both at home and abroad are growing. And it will give local communities a better sense of their own involvement in America's volunteer effort.

Beyond this, the new agency will seek new and innovative ways to confront many of our old and festering problems. Under the leadership of its director, Joe Blatchford, I am confident that it will succeed. I commend the President for his action and am pleased to support it.

HORTON PRAISES BISHOP KEARNEY "AMBASSADORS"

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. HORTON. Mr. Speaker, very often we hear of the things Americans traveling abroad do which damage not only their personal reputations but also the image of the United States in the eyes of the host countries. I would like to single out for my colleagues in the House an example of a group of young people who have recently helped to foster good relations between the United States and several countries overseas.

The Marching Band of Bishop Kearney High School, of Rochester, N.Y., in the district I represent, has just returned from a weeklong trip during which they appeared in the St. Patrick's Day parade in Dublin, Ireland, where they won an award for the most colorful band. In addition, they appeared in London, England, and gave four concerts, one at the famous Gaumont Theater and performed with the London Philharmonic.

Since the Marching Kings Band was organized in 1965, it has become internationally famous. The band marched in and won the St. Patrick's Day parade in Dublin both in 1969 and 1970. They were chosen by the Irish Government to participate in these events out of 150 groups that marched in the 1968 New York City St. Patrick's Day parade.

The school which this outstanding band represents is under the direction of the Irish Christian Brothers and the School Sisters of Notre Dame. The band director is Raymond J. Shahin.

The following members of the Bishop Kearney High School Marching Band represented the United States during St. Patrick's Day activities in England and Ireland this Year:

MARCHING KINGS

BAND

Carla Africano.
Peter Alano.
Claudia Aman.
Santo Benteviegna.
Carol Anne Bianchi.
Marie Bianchi.
Sue Boden.
Mark Bonsignore.
Mark Borton.
Margaret Borton.
Ellen Bossert.
Jim Britt.
Greg Burke.
Andy Calabrese.
Lorraine Calcagno.
Anne Ceranowicz.
Aland Chard.
Bill Coffey.
Linda Cooper.
Gail Correnti.
Steve DeBusk.
Kevin Dincher.
Rich Di Salvo.
Barb Doohan.
Kathy Dowling.
Rick Duncan.
Tom Erb.
Dan Flanigan.
Chris Florack.
Mike Foley.
Mary Jo Frumusa.
Peg Galante.
Pat Gasbarre.
Laurie Gefell.

MARCHING KINGS—Continued

BAND—continued

Mike Hauck.
Charles Hauser.
Diane Healey.
Eileen Hickey.
Marie Hickey.
Joe Holland.
Bob Kaesser.
Mary Anne Keefe.
Lisa Kilburne.
Milton Kilpatrick.
John Koetter.
Edward Kraseski.
Joe Kraus.
Marilyn Krowl.
John Kuras.
Chris Laragy.
Mike Laragy.
Rich Mahany.
Marg Marcille.
Dan McAlpin.
Kenneth McAlpin.
Mary McLaughlin.
Thomas McLaughlin.
Dave Nesser.
Karen O'Brien.
Tom Olejarski.
Beth O'Neill.
Rich Oppenheimer.
Dan Parker.
Dan Phillips.
Jean Reisinger.
Louis Rotondo.
Mike Rotondo.
Mike Rotolo.
Jim Scarpulla.
Gail Schlemitz.
Barb Schreiber.
Fred Schubert.
Jim Scott.
Mark Shahin.
John Shepard.
Greg Smith.
Anne Stevens.
Mike Tersegno.
Bill Trybulski.
Tom Vollmer.
Beth Vorndran.
Bob Walsh.
Steve Walsh.
Tom Walsh.
Ron Watro.
Flo Wilczewski.
Mark Suess.

MAJORETTES

Cheri Sloight.
Patti Kubus.
Sue Forstbauser.
Debbie DeClerk.
Karen Hadden.
Pat Seidewant.
Pat Sanger.
Barb Herbst.
Debbie Neary.
Ann Sien.
Diane Inzinna.
Diane Pellegrino.
Bridgit Sullivan.

COLOUR GUARD

Candy Johnson.
Ellen Adamski.
Joyce Magin.
Kathy Kiersblick.
Sue Richard.
Katie O'Brien.
Nancy Sisler.
Nancy Walla.
Pat Travis.
Mary Rita Fischer.
Elaine Pacitto.
Sharen Passaro.
Besty Locke.
Debbie Stahura.
Jeannine Van Curran.
Cheryl Basso.
Kathy Haehl.

Accompanying the Marching Kings were Mr. Raymond J. Shahin, Brother John Heathwood, Brother Patrick Fox, Mr. Martin LaFica, Sister Mary Ignatius, Sister Miriam, Sister Yvonne, Mrs. William Clements, Miss Doris Britt and Mr. Andrew Korts.

The fine young people in the Marching Kings exemplify the qualities of dependability, grace and talent—qualities to be admired by us all. We can be proud that the Bishop Kearney High School Marching Band represented the United States in St. Patrick's Day activities in England and Ireland this year.

THREAT TO THE PRESERVATION OF MINNESOTA'S FORT SNELLING STATE PARK

HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. FRENZEL. Mr. Speaker, I am usually reluctant to take up valuable space in the RECORD with matters which may be considered to have only local concern. However, in Minnesota we have a situation now which has implications for every area throughout the country which seeks to protect its recreational spaces from Federal encroachment, or seeks to control its own development.

The Post Office Department recently requested from the GSA 68 acres of land in the Fort Snelling State Park area of the Twin Cities for the purpose of constructing and operating a bulk mail facility.

Mr. Speaker, my purpose in bringing this matter to the attention of the entire House is to emphasize the direct threat which this request poses to the preservation of the historic and recreational development of Minnesota's Fort Snelling State Park. The land in question has been designated by the Minnesota Legislature for inclusion within the park, but, the congressional delegation and the local community have fought one battle after another with Federal agencies who have sought to build facilities on the site.

Just this morning, I, along with other members of the Minnesota congressional delegation, met with representatives of the Postal Service in an effort to make clear our bipartisan determination to preserve this land for park development and to urge that other more suitable Federal lands be considered for the postal facility.

In addition, I have met with representatives of the GSA and have written to other key governmental officials urging that requested land transfer be held up at least until an opportunity is given for the local interests to be heard. Any exposure to public opinion should very quickly persuade the Postal Service to withdraw its request for this land transfer and to seek an alternative site.

No municipality, nor our areawide planning agency, the metropolitan council, would permit commercial encroachment on this recreational and historical land. No planning unit would allow a commercial operation similar to that proposed by the Post Office at this location because of traffic congestion in this already busy intersection.

But the Postal Service has not cleared its plans with the metropolitan council as apparently required by law. The Postal Service has scheduled no hearings. There seems to be one standard for the Postal Service and a different one for everyone else.

Minnesota will resist this encroachment both on its land and its local prerogatives with every weapon available to it. Every other State could have a stake in the outcome.

At this point in the RECORD I insert my correspondence with various Federal officials on this subject together with a sample of letters from groups and individuals in Minnesota who oppose the transfer of these lands to the Postal Service:

THE AMERICAN LEGION,
St. Paul, Minn., March 9, 1971.

Hon. WILLIAM FRENZEL,
Longworth Office Building,
Washington, D.C.

DEAR MR. FRENZEL: Thank you for your thoughtfulness in providing me a copy of your letter to Postmaster General Winton Blount about the plans to locate the Twin City bulk mail facility at Fort Snelling.

It appears that the proposed plans have stirred up considerable interest and controversy but we are most grateful to you for your leadership in expressing opinions and demanding an opportunity to discuss the matter thoroughly.

You are aware that the Minnesota American Legion supports your views and does, in fact, oppose the use of the polo grounds for the construction of the bulk plant on that site.

Should you need further support, feel perfectly free to call on us for whatever assistance might possibly be forthcoming.

With kindest regards, I am

Sincerely yours,

FRANK C. MOMSEN,
Department Adjutant.

FORT SNELLING STATE PARK ASSOCIATION,
Saint Paul, Minn., March 9, 1971.

Hon. WILLIAM FRENZEL,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. FRENZEL: There is enclosed a copy of a resolution expressing our Association's complete opposition to use of the Polo Field-Parade Ground area at Fort Snelling for any other than recreational or historic purposes.

We do appreciate the concern you have already expressed over the latest threat to this area, and look forward to working with you and other members of the Minnesota delegation in not only stopping this threat, but in saving the area for all time. Perhaps the answer is appropriate legislation for its transfer to the State for permanent inclusion in Fort Snelling State Park.

Sincerely,

S. AXEL VON BERGEN,
President.

STATEMENT REGARDING POLO FIELD-PARADE GROUND AREA AT FORT SNELLING, MINNESOTA

The Executive Committee of the Board of Directors of Fort Snelling State Park Association at a meeting today adopted the following statement:

The Fort Snelling State Park Association has just learned of new threats to the preservation of the 140-acre Polo Field-Parade Ground area at Fort Snelling, which has long been planned for due inclusion as a part of Fort Snelling State Park.

Ever since the Minnesota Legislature in 1961 established Fort Snelling State Historical Park this key area has been included within the statutory boundaries of the park and in all plans for the restoration and preservation of old Fort Snelling.

Several years ago, when it was proposed to place the new GSA–VA Building on the Parade Ground, our entire congressional delegation, the Governor of Minnesota, and countless citizens working together persuaded the GSA to relocate its building outside of the Fort Snelling State Park boundaries. In fact the Fort Snelling State Park Association itself contributed some $12,000 of its funds to make possible this relocation by paying the Minnesota Trunk Highway Fund for the retransfer to the Federal Government of certain lands needed for the relocated GSA–VA Building site.

With current citizen and governmental concern for preservation of natural, recreational and historic areas, and with the passage in December 1970 of Public Law 91–485 authorizing the Federal Government to make free transfers of surplus lands for recreational as well as historic purposes, the State of Minnesota through its Department of Natural Resources has filed a new application for the transfer without consideration to the State for park purposes of the polo field-parade ground area.

We have just learned that possible plans of the Postal Corporation and perhaps other federal agencies pose a critical threat to the preservation of this historic area.

In view of the decade of effort that has now gone into the (so far) successful preservation of the Polo Field-Parade Ground for eventual inclusion in Fort Snelling State Park, the time has come for action to be taken, which will insure the preservation, for all time, of this unique historic piece of open space. The congressional determination through enactment of PL 91–485, that land such as this should be made available for park purposes without cost and as a matter of policy, and the vital interest of all concerned citizens both within and without government for the protection of one physical environment and historic heritage, demonstrate how deeply concerned we all are. We must end these threats to the Park's integrity once and for all.

The Fort Snelling State Park Association is asking for the wholehearted cooperation and support of all concerned.

MINNEAPOLIS, MINN., *March 10, 1971.*

Mr. ROBERT L. KUNZIG,
General Services Administration,
Washington, D.C.

DEAR MR. KUNZIG: I am writing you as a citizen of Minnesota and an active member of the Fort Snelling State Park Association who is greatly concerned that the polo grounds at Fort Snelling may be desecrated by using it for a postal mail handling facility for the United States Postal Department.

The State of Minnesota and our volunteer organization worked very closely with the General Services Administration some seven years ago in avoiding this when the new GSA building was being located in Minnesota, and now we have a new threat of an even more serious nature.

While your office has responsibility for the economical operation of our government, I am sure it is not your intent to ride rough shod over the wishes of the citizens of Minnesota, nor to ignore the significant historic and scenic aspects of the area which would be violated by building a modern warehouse facility near the Old Fort and on the enlarged Fort grounds.

As a former resident of Minnesota, I am sure you are familiar generally with the Fort Snelling area, and I appeal to you to use your good offices to help us keep it available for eventual transfer to the state working with us in the meantime, to find a suitable site for the postal mail handling facility.

Yours very truly,

RAYMOND D. BLACK.

MINNESOTA HISTORICAL SOCIETY,
St. Paul, Minn., March 12, 1971.

Hon. WILLIAM FRENZEL,
U.S. House of Representatives,
Washington, D.C.

DEAR BILL: I urge you to exert all the influence you can to prevent the United States Postal Service from erecting a bulk-mail facility on the Parade Ground-Polo Grounds at Fort Snelling.

This action by the United States Postal Service reveals a callous and even flagrant disregard for the very environmental values President Nixon has pledged his Administration to protect.

There are at least 9 compelling reasons why this action should be rejected.

1. Fort Snelling was designated as a National Historic Landmark by the Secretary of Interior in 1960.

2. This area is a part of the foremost historic site in Minnesota—Fort Snelling.

3. The area is an important part of the Fort Snelling Historic District, listed by the Secretary of the Interior on the National Register of Historic Places.

4. The area is within the authorized boundaries of Fort Snelling State Park, established 10 years ago by the State of Minnesota.

5. The area has been enjoyed by the American people for 150 years as open space. It should remain dedicated to this purpose.

6. The proposed facility would introduce an undesirable visual intrusion into an area whose long recognized paramount values are historical. Its effect would seriously damage those values.

7. The proposed facility would introduce an undesirable audible intrusion into the area and thus further impair its environmental qualities.

8. It is ironic that the United States Postal Service recognized the historic values of Fort Snelling with the issuance of a United States Commemorative stamp in October, 1970. Less than six months later, it ventures forth with a proposal that would destroy the very values commemorated by its own stamp.

9. In opening much of the Great Northwest to settlement, Fort Snelling laid the foundations for five states (Minnesota, North Dakota, South Dakota, Wyoming and Montana).

The logic and merit of preserving it for historical purposes is beyond dispute.

Best regards,

RUSSELL W. FRIDLEY,
Director.

DISABLED AMERICAN VETERANS,
MINNEAPOLIS CHAPTER NO. 1, INC.,
Minneapolis, Minn., March 12, 1971.

Hon. WILLIAM E. FRENZEL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FRENZEL: The Minneapolis Chapter of Disabled American Veterans, consisting of 3500 members, has unanimously gone on record opposing the erection of a postal service building on the Fort Snelling grounds.

This land is of historical interest and has been set aside for recreational purposes of our citizens. Therefore, we request your support in maintaining Fort Snelling as a strictly historical site, which is now classified as a state park.

Sincerely yours,

F. A. HOWARD,
Adjutant.

MARCH 3, 1971

Hon. WINTON BLOUNT,
Postmaster General, Post Office Department,
Washington, D.C.

DEAR MR. BLOUNT: Information has come to me from various sources including the Minneapolis newspapers that the Postal Serv-

ice plans to locate its Twin Cities bulk mail facility on the Fort Snelling polo grounds located within my congressional district.

I strongly recommend that the various interests in the community and their congressmen be given an opportunity to be heard on the site issue before any final decision is made. Local groups, including those interested in Fort Snelling State Park and employees of the Veterans Administration have reservations with regard to this site and would welcome an opportunity to discuss the matter with you.

I think a meeting with these groups, and then perhaps a public hearing, is indicated.

Your very truly.

BILL FRENZEL,
Member of Congress.

MARCH 10, 1971.

Mr. ROBERT L. KUNZIG,
Administrator General Services Administration, Washington, D.C.

DEAR MR. KUNZIG: It has come to my attention that a G.S.A. form #1334, for interagency transfer of land, has reached the Regional G.S.A. office in Kansas City concerning sixty-eight acres of property on the Fort Snelling polo field and parade grounds, and that the Postal Service is considering building a central postal handling facility on this property.

On March 3, 1971, I wrote to Postmaster General Winton Blount requesting that the various interest groups in the Twin City area be given an opportunity to be heard on the site issue before any final decision is made.

I am again requesting that such a meeting be held with the Fort Snelling State Park, State of Minnesota Department of Natural Resources, and other interested citizen groups

Your response to this letter will be greatly appreciated.

Best regards,

BILL FRENZEL,
Member of Congress.

MARCH 15, 1971.

Mr. WILLIAM D. RUCKELSHAUS,
Environmental Protection Agency Washington, D.C.

DEAR MR. RUCKELSHAUS: I am deeply concerned by persistent reports that the General Service Administration is about to transfer 68 acres of the Fort Snelling polo field and parade grounds to the Postal Service for the purpose of constructing a bulk mail facility.

This area has long been planned for inclusion as a part of Fort Snelling State Park. This is an area of unusual historic interest. Earlier efforts to locate a GSA-VA facility on the parade ground were defeated but this now appears to have been but a skirmish and the battle is not yet won.

I have asked Postmaster General Winton Blount and GSA Administrator Robert Kunzig to hold up any final decision on this site until the various interest groups in the Twin City area are given an opportunity to be heard.

As your agency reviews this proposed land transfer, it would be very helpful if you would use your influence with the respective agencies to insure that public hearings are held.

Best regards,

BILL FRENZEL,
Member of Congress.

MARCH 15, 1971.

Mr. RUSSELL E. TRAIN,
Council on Environmental Equality, New Executive Office Building, Washington, D.C.

DEAR MR. TRAIN: I am deeply concerned by persistent reports that the General Services Administration is about to transfer 68 acres of the Fort Snelling polo field and parade grounds to the Postal Service for the purpose of constructing a bulk mail facility.

This area has long been planned for inclusion as a part of Fort Snelling State Park. This is an area of unusual historic interest. Earlier efforts to locate a GSA–VA facility on the parade ground were defeated but this now appears to have been but a skirmish and the battle is not yet won.

I have asked Postmaster General Winton Blount and GSA Administrator Robert Kunzig to hold up any final decision on this site until the various interest groups in the Twin City area are given an opportunity to be heard.

As your agency reviews this proposed land transfer, it would be very helpful if you would use your influence with the respective agencies to insure that public hearings are held.

Best regards,

BILL FRENZEL,
Member of Congress.

MARCH 15, 1971.

Hon. ROGERS C. B. MORTON,
Secretary of the Interior, Interior Building, Washington, D.C.

DEAR ROG: I am deeply concerned by persistent reports that the General Services Administration is about to transfer 68 acres of the Fort Snelling polo field and parade grounds to the Postal Service for the purpose of constructing a bulk mail facility.

This area has long been planned for inclusion as a part of Fort Snelling State Park. This is an area of unusual historic interest. Earlier efforts to locate a GSA–VA facility on the parade ground were defeated but this now appears to have been but a skirmish and the battle is not yet won.

Since you are an acknowledged leader in efforts to protect and preserve our park lands, I would urge that you use your influence to prevent this land transfer and second, to help insure that the various interest groups in the Twin City area are given an opportunity to be heard on the site issue.

Thank you for your assistance.

Best regards,

BILL FRENZEL,
Member of Congress.

MARCH 16, 1971.

Hon. WINTON M. BLOUNT,
Postmaster General, Post Office Department, Washington, D.C.

DEAR MR. POSTMASTER GENERAL: In my March 3 letter to you I strongly recommended that the various interests in the Twin City area of Minneapolis and St. Paul be given an opportunity to be heard on the proposed site for the new bulk mail facility.

I would, at this time, like to reiterate my strong opposition to the selection of the Fort Snelling Parade Ground area.

The plans of the Department to build the bulk mail facility on the Fort Snelling Parade Grounds raises very serious questions with regard to the historical nature of the area. In 1960 the Secretary of Interior designated Fort Snelling as a National Historic Landmark. The Secretary has also placed the area on the National Register of Historic Places.

Ten years ago Minnesota established the Fort Snelling State Historical Park, which some day hopes to encompass the Parade Ground area.

It should also be pointed out that the Post Office Department recognized the historical significance of the area in October, 1970, with the issuance of a United States Commemorative Stamp. This most recent action hardly seems in keeping with that commemoration.

I sincerely hope you will have the appropriate personnel in the Department review this decision and seek alternate site possibilities which I am sure can be found in the airport area, which I understand is a key factor in site selection. You may be assured that I will do everything I can to assist you in your efforts to find another site.

The Twin Cities are unique in the fact that we have an outstanding historical and recreational area like Fort Snelling located in the midst of a heavy population. I sincerely hope it can be preserved in its present state.

Thank you for your attention to this matter.

Sincerely,

BILL FRENZEL,
Member of Congress.

PUBLIC OUTCRY OVER DEFECTION HURTS AGENCY'S GOOD NAME

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. DOWNING. Mr. Speaker, the publicity which resulted from the unfortunate incident of the Lithuanian seaman who wanted to defect to this country last fall somewhat obscured the splendid record that the Coast Guard has established in aiding thousands of refugees who have wanted asylum in the United States in recent years. The March 1971 issue of the National Fisherman contains an article which brings proper attention to that record of service. I am pleased to include it in the RECORD:

PUBLIC OUTCRY OVER DEFECTION HURTS AGENCY'S GOOD NAME

(By William O. Foss)

The tragic error made by the Coast Guard in refusing to give asylum to the Lithuanian seaman who tried to escape from his Russian masters off Martha's Vineyard last November has tarnished the good name of the U.S. Coast Guard.

It was a regrettable mistake, and those involved have suffered for their error. However, looking back on the events that followed the Coast Guard's failure to help the escaping sailor, one cannot but feel that the nation was suddenly caught up in a moment of mass hysteria.

Overnight the Coast Guard, which for more than 180 years has been saving lives, was publically damned from the President down to the man in the street who got his first-hand information from slanted news stories and self-righteous editorial writers.

Some Congressmen and Senators thundered in Washington and demanded sacrificial goats—which they got—and which further compounded the errors made by the Coast Guard.

One Congressman promised to introduce a bill in the 92nd Congress to rename the Coast Guard cutter Vigilant, the Simas Kudirka, after the victimized Lithuanian sailor, as if this would further punish the Coast Guard.

Through all of the hysteria, the State Dept., which was more worried about finer points of a fishing treaty than in providing the Coast Guard with firm guidance in a life-or-death matter, remained aloof and appeared to have suffered no ills from the tragic event.

SILENCE

It is regrettable, but during those days of public and governmental hysteria last No-

vember and December, few persons recalled (or if they did, they failed to speak up) the Coast Guard's remarkable record of saving human lives—often at great risk of their own.

Who can forget how the Coast Guard went to the aid of the 14,631 refugees who fled their homes in Cuba for freedom in the United States. Most Cubans fled their homeland in small boats, to be rescued by the Coast Guard who kept a constant watch over their troubled waters.

Then—as if there is any need to be reminded—there is the matter of everyday rescues performed by the Coast Guard. During fiscal year 1970, for example, the Coast Guard responded to some 50,000 requests for assistance, aided about 125,000 persons and saved the lives of 3,764 persons who were in peril on the seas and coastal waters.

We would do well to recall the motto of Coast Guard rescuers:

"You have to go out, but you don't have to come back."

THE LEGAL RECOGNITION OF RED CHINA WOULD WEAKEN AMERICA

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. WYMAN. Mr. Speaker, I am amazed that a Member of Congress, even in the other body, would publicly propose that the United States recognize Red China as a lawful, law abiding, de jure nation. It is no such thing. Such recognition can only hurt the United States of America and all still free nations. Any Member with a brain in his head cannot help but know this. Why then, would no less a person than a candidate for President of the United States state his intention to offer a resolution of recognition of Red China? Surely he would not sacrifice the national security on the alter of political notoriety?

Recognition, for example, means diplomatic recognition. This, in turn, means diplomatic immunity to spy and plot and plan for the overthrow of the Government of the United States right inside the United States in privileged sanctuaries called embassies, with messengers in cars carrying diplomatic plates, sending the most vital classified secrets in diplomatic pouches that cannot be inspected. Ours is an open society. Theirs is ironclad controlled. There is no mutuality in the exchange of diplomatic representatives in such a situation.

Mr. Speaker, there is no letup, no change in the objective of Communist nations of the world to dominate the world by force if necessary. Red China's actions in recent years demonstrate beyond doubt the utter enmity of communism for all things free and open.

In this connnection some recent developments in Mexico are significant. These are outlined in the following interesting report by Evans and Novak appearing in today's Washington Post:

SOVIET BACKFIRE IN MEXICO

(By Rowland Evans and Robert Novak)

Quite apart from the vast effrontery of the Soviet Union's aborted attempt to plant highly trained Mexican agents and provocateurs inside Mexico, the sudden exposure of the eight-year-old plot may have a profound anti-Soviet reaction throughout Latin America.

Moscow's diplomatic probing with traditionally anti-Communist governments in the hemisphere, just on the verge of success, is now endangered by the Soviet cloak-and-dagger maneuver. The facts of that maneuver, breathtaking in its audacity, are just now coming into focus.

In 1963, under auspices of the Mexican-Soviet cultural exchange agreement, the Soviet-Mexican Cultural Institute in Mexico City chose the first batch of promising left-wing Mexican students for a four-year scholarship at Moscow's Patrice Lumumba Institute. The central figure selecting these first 10 students was the second secretary of the Soviet Embassy in Mexico City (one of the five Soviet "diplomats" now expelled by the Mexican government).

After the four-year university course, during which they underwent indoctrination in Communist Party and revolutionary tactics, the 10 students asked for field training in antigovernment subversion. They formed themselves into the Revolutionary Action Movement.

But Moscow would not provide this revolutionary training in the Soviet Union itself. If discovered, the Mexican government would instantly retaliate.

To keep Soviet hands clean, the students were sent by rail to East Germany, where they acquired North Korean passports. They returned to Moscow and then flew, via Soviet Aeroflot Airline, to Pyongyang, capital of North Korea.

In Korea, they were given six months' training in guerrilla tactics, at a location far from the prying eyes of diplomats. Their training completed, they threw away their passports, flew back to Moscow and returned to Mexico on their Mexican passports. It is unthinkable that all this could have been accomplished without Soviet complicity.

Two more groups, totaling 19 Mexican students, followed the precise course of the first 10. Back in Mexico, they set up eight clandestine training centers, most in remote provincial towns, and started recruiting. Mexican counterintelligence agents uncovered the plot and arrested approximately one-third of the revolutionary students 10 days ago.

The official reaction of the Mexican government, probably the most sophisticated in Latin America, was highly unusual public indignation. Five Soviet diplomats were declared personna non grata and sent home. Beyond that, the affair raises serious questions about Soviet standing throughout the hemisphere—as in Venezuela.

Venezuela has been a key Soviet target for subversion, financed partly through Soviet aid to Communist Cuba, partly through Eastern European Soviet satellites. Attempting to warm relations with Caracas by exchanging diplomatic delegations, Moscow finally reached agreement last December after tortuous negotiations conducted intermittently for almost 20 years.

That agreement limits Soviet personnel in the new embassy to 15, including cooks and chauffeurs. So far, only three Soviet diplomats have actually taken up residence. With the explosive Soviet subversion against Mexico now surfaced, Venezuela will undoubtedly clamp additional restrictions on the new Russian embassy.

In Costa Rica, a 30-year ban on Soviet diplomatic activity was lifted several months ago, but no Russians have yet arrived. Against the Mexican backdrop, Costa Rica—a traditional democratic bastion in Central America—may have second thoughts (despite January ratification of a surplus coffee-purchase agreement with Moscow).

Likewise, the Russians have been making strenuous efforts to sign a cultural agreement with Colombia, which renewed diplomatic relations with the Soviets in 1968. The agreement was signed last summer but it has not yet been ratified by the Colombian parliament.

All these careful diplomatic probes by Moscow are now endangered by Moscow's patronage of the aborted Mexican affair. Just how much they are endangered is evident in the formal Soviet response to Mexico's expulsion of the five Soviet diplomats. Unable to deny the facts, the Russians blamed the embarrassing affair on "powers"—that is foreign countries—"that are opposed to Soviet-Mexican relations."

What powers? What motivation? The Russians can't answer that question.

MANEUVERS OF UNION CARBIDE CORP. IN REACTION TO FEDERAL AIR POLLUTION DIRECTIVES

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. WALDIE. Mr. Speaker, R. L. Osborn, of the Oil, Chemical & Atomic Workers Union has recently written me concerning the maneuvers of Union Carbide Corp. in reaction to Federal air pollution directives. I commend Mr. Osborn for his courageous and public-minded statement concerning the exploitation of workers' fears by the company. I would like to share his remarks with my colleagues in the House.

His statement follows:

OIL, CHEMICAL AND ATOMIC WORKERS INTERNATIONAL UNION,
Martinez, Calif., March 17, 1971.

MR. JEROME R. WALDIE,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WALDIE: Under orders by the Federal Government to reduce air pollution from its power generating plant at Marietta, Ohio, Union Carbide Corporation has threatened to reduce its work force by approximately 125 persons in the near future and by another 500 next year in the power plant and its adjacent ferro-alloys and plastics plants.

The company asserted that it would be forced to curtail operations to this degree in order to comply with the government orders.

We view this threat by Union Carbide Corporation as a cruel exploitation of the security fears of working people.

Carbide is a corporation with assets of nearly $3.5 billion, with 1969 sales of $2.9 billion and with 1969 net profits of $186.2 million.

It has been asked to make technically feasible adjustments to its power plant facilities in order to reduce the outpouring of sulfur oxides and fly ash into the environment.

Instead of using a small portion of these assets to improve its facilities in a spirit of good citizenhip, Carbide threatens to terminate the work of approximately 625 breadwinners in a time of serious unemployment. Whether Carbide actually intends to curtail its profitable operations in Marietta to this extent or if it voices this threat only as a political ploy to bring community pressure against the Federal order, we do not know. In either case, it represents another example of corporate attempt to force the working

people to bear the burden of sacrifice whenever sacrifice is necessary in the public interest.

It would be easy for this union and its members to yield to this pressure from the company and to join with the company in opposing the air pollution reduction orders in order to assure the job security of its members. We refuse, however, to yield to this pressure. As a matter of both good citizenship and of self respect, we condemn this threat by Union Carbide. We ask the entire labor movement to join us in this posture. We solicit the support of all people of good will.

With rare exceptions—and certainly the Marietta facilities of Union Carbide are not exceptions—environmental pollution can be sharply reduced or eliminated in existing plants. The option is not to pollute or to shut down; the third and sensible option is to clean up existing facilities and to continue operating them.

Very truly yours,

R. L. OSBORN,
Secretary-Treasurer.

FEDERAL FUNDING OF "AIR WAVE POLLUTION"

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SCHMITZ. Mr. Speaker, one of the most incredible Federal grants it has been my misfortune to witness since coming to Washington was made in February of this year by the educational broadcasting facilities program of the Department of Health, Education, and Welfare, which gave $35,480 to Pacifica Foundation station KPFK in Los Angeles.

While a State senator in California, I received numerous complaints about the broadcasting practices of both KPFK and KPFA in San Francisco, the other Pacifica Foundation station in California. Many citizens deeply resented the use of the public air waves for broadcasting material which they considered both obscene and detrimental to the public interest. They will surely find it almost unbelievable that the Federal Government is now funding station KPFK with their tax money.

Upon checking with the director of the Educational Broadcasting Facilities Branch, Raymond J. Stanley, who authorized this grant, we found that Mr. Stanley's office had not checked the complaint files at the Federal Communications Commission, nor was his office aware of the hearings which the Senate Internal Security Subcommittee held on the Pacifica Foundation in 1963.

Mr. Stanley promised to peruse the Senate hearings. But after doing so, he informed us that his acquaintance with the material contained in the 1963 Senate report had not altered his views as to the propriety of the grant to KPFK and had, in fact, made him more favorably disposed toward the station's application. This is astounding.

The Senate hearings established that the Pacifica Foundation stations, at the time KPFK, KPFA, and WBAI in New York—a fourth one has subsequently been added in Houston—regularly carried commentaries by members of the Communist Party of the United States. Radio KPFK regularly featured Dorothy Healey, at that time southern California chairman of the CPUSA, while the Pacifica station in San Francisco carried Steve Murdock, a writer for the Communist west coast paper People's World. WBAI in New York featured Herbert Aptheker, long-time Communist Party functionary and theoretician. All three stations carried Soviet expert William M. Mandell who has been identified under oath as a Communist Party member and took the fifth amendment when given the opportunity to refute this charge. This is but a sample.

The Pacifica policy of using the public air waves in the United States to carry the line of an organization officially found by the Congress to be directed by the Soviet Union and operating primarily to advance the objectives of the world Communist movement, was explicitly stated by Trevor Thomas, then acting president of the Pacifica Foundation, under questioning by Jay Sourwine, chief counsel for the Senate subcommittee:

Mr. SOURWINE. You offer a platform for every point of view including members of a conspiracy to overthrow the Government of the United States.

Mr. THOMAS. Including members of the Communist Party.

During these same hearings the then executive vice president of the Pacifica Foundation, Jerome Shore, took the fifth amendment over 90 times when questioned about his own Communist Party affiliation.

Today Pacifica stations continue to make essentially the same use of the public air waves as they did in 1963.

It is hard to see how any reasonable man can doubt that taxpayers' dollars should not be used to subsidize these stations. The $35,480 grant to KPFK was a clear misuse of Federal funds. Since the three other Pacifica stations have now also applied for Federal grants, I would suggest that those not wishing their tax dollars to be used to support this type of broadcasting make their feelings known to their Representatives in Congress.

A MIDEAST PEACE

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. WOLFF. Mr. Speaker, one of my constituents, Mr. Moses Krivis of Westbury, N.Y., has sent me a copy of a very thoughtful letter he recently wrote to the President. I was so impressed by Mr. Krivis' letter, and his analysis of our involvement and interest in the Middle East, that I insert it at this point in the RECORD for the information of my colleagues:

NEW YORK, N.Y.,
March 19, 1971.

The President RICHARD M. NIXON,
White House, Washington, D.C.

DEAR MR. PRESIDENT: I respectfully submit that you are about to make one of the great blunders of your administration in imposing a Mideast peace on Israel. The Secretary Rogers terms that will compel Israel to withdraw to indefensible borders in return for a worthless piece of paper signed by Arab rulers who may be temporarily in power, is storing up future trouble for either you or your successor in office. (I remember a similar piece of paper which Chamberlain waved aloft at a British airport just before Munich led to World War II).

The U.N. guarantees of indefensible Israel borders are worthless, when enforcement thereof will depend on Russian-French presence in the police forces set up to guard these borders. The argument presented by Secretary Rogers that American troops will be physically stationed in that police force in order to guard against Arab-Russian-French treachery overlooks the realities which will face any future American President when attacks are made across these indefensible borders.

Your fears of American-Russian confrontation will be realized on a day-to-day basis as American soldiers will be obliged to cross these indefensible borders in pursuit of Arab marauders and terrorists who will continue, with Russian connivance and help, to terrorize Israeli kibbutzim and civilian centers. The Berlin airlift that resulted from Russian confrontation with American soldiers in Berlin illustrates the danger into which you are heading. The constant crossing of Israeli borders by Al Fatah forces, at the present time, illustrates the other danger into which you are heading.

A projection into the near future is in order. What other choice would be open to you other than to convene a Security Council meeting which will result in a Russian veto of any resolution that would not meet with their approval of condemnation of the Arab marauders? Our recent memories of Federenko's thwarting of a simple resolution in the Security Council, calling for endorsement of U. Thant's mission to contain Nasser, before June 5, 1967, is vivid in all of us.

If such a non-resolution of the peace violations were to result, how could you, in American conscience, deter the Israelis from crossing these indefensible borders in pursuit of the Arab peace breakers? You, or any other American President, would be faced with one of a few choices:

(1) The use of American physical force against the Israelis to prevent them from crossing these indefensible borders, or

(2) Withdrawal of American forces from the American-Russian confrontation scene, or

(3) Order American soldiers to join the Israelis in a war to kill Arabs, Russians, French or whoever might resist the Israeli crossing of these indefensible borders.

Thus you will have one of three events taking place (a) Fratricide—Americans killing Israelis and vice versa, (b) a Munich like abandonment of Israel in its sale down the Nile, (c) Americans and Israelis killing and being killed by Arabs and their Russian allies.

Under the last stated situation you may have the start of World War III, about which Secretary Rogers has recently been talking. The inevitable conclusion is that the Rogers peace plan of withdrawal to indefensible borders has to surely result in direct American-Russian confrontation. By facing Russian soldiers in a peace keeping force with American soldiers the actual physical confrontation will take place. A spark might ignite actual killing. No sweeping under the

rug of that actuality will make it disappear. Such an actuality is being urged by Secretary Rogers. Mr. President, you should take pause and consider the consequences of forcing Israel to indefensible borders before it is too late.

The historical evolution of your policy vis-a-vis Israel started with (1) tipping the balance of power in favor of Israel, before your election, (2) the even-handedness report of your appointed emissary, Mr. Scranton, (3) no imposition of peace terms on Israel, (4) support of Secretary Rogers' proposal of Israeli withdrawal to indefensible borders, (5) finally, withdrawal to the pre-1967 borders (with inconsequential changes) which we all know are indefensible and which led to the Six-day War and (6) the unspoken referral to Israeli arm-twisting, despite Mr. Sisco's denials, leading to an imposed peace which Israel must accept, or else the U.S. will withdraw its support of Israel.

If Israel is strong enough to resist any "or else" dictation by Messrs. Rogers and Sisco, your Administration will be saved from repeating the blunders of President Eisenhower and Secretary Dulles in 1957, when they, under threat of sanctions, imposed their wills on Israel to withdraw from the very same territory now held by Israel. That 1957 Israeli withdrawal, reluctantly made by Ben Gurion, lead directly to the 1967 Six-day War. The fact that both President Eisenhower and Secretary Dulles admitted, after the fact, that they had grievously blundered, should cause you to take pause and ask yourself "am I blundering now?"

Your emphasis on withdrawal is sighted on the wrong withdrawal. I respectfully submit that your policy should be (1) a phased withdrawal of *Russian* presence in Egypt, as advocated by Senator Jackson, (2) accompanied by an Israeli withdrawal to defensible borders. The first should be a condition precedent to the second.

The American people and the entire world knows that the only reason why peace has not been established in the Mideast is the Russian presence there. If Russia had not intervened in 1956 there would have been a permanent, viable peace between Israel and the Arabs at this time. More and more west bank Arabs are unofficially urging Israel not to withdraw. They do not want substitution of Jordanian or Al Fatah rule for that of Israel.

The 1956 Eisenhower-Dulles intervention against Britain and France and against Israel unwittingly performed for Russia what she least expected—American unofficial confirmation of Russia's presence in the Mideast. The succeeding events in the next 15 years has lead to an increasing Russian presence in the area, which has already assumed the proportion of a permanent Russian naval confrontation with our 6th Fleet in the Meditteranean.

Your present Mideast course has brought the American position around 360 degrees to the Eisenhower-Dulles blunder. Any ifs, ands and buts tied into "UN guarantees", "Four Power Guarantees", "International Police Forces" beg the real and positive question—is the U.S. warding off or accelerating an American-Russian confrontation in the Mideast. I respectfully submit that your present policy will accelerate that confrontation.

The lightning-like 1967 Israeli military victory saved President Johnson from the embarrassment of explaining away his administration's ineptness in enforcing the Eisenhower-Dulles guarantees of Israeli naval passage through the Straits of Tiran. A continuation of your present course which has to lead to an imposed "peace settlement" will result in embarrassment for you or some future American President to explain away to the entire world that America is a paper tiger which does not stand by its friends. Any undermining of Israeli strength is an undermining of America's strength with the concomitant strengthening of Russia, which if she is not our enemy, certainly is not our friend.

I am proud to live in a country where its lowliest citizen can speak to its President and show his disagreement with him, while at the same time honoring the man and the position he holds. May the Lord give you wisdom and watch over all of us.

Yours sincerely,

MOSES KRIVIS.

QUAKER OATS LAUDED FOR LINCOLN FILM

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. McCLORY. Mr. Speaker, on February 8 the Illinois congressional delegation sponsored a bipartisan tribute to Abraham Lincoln by hosting the world premiere of a documentary film, shown at Ford's Theatre.

The film, produced by David L. Wolper, was entitled "They've Killed President Lincoln!" The premiere was attended by more than 250 Members of the House and 22 Members of the Senate, and the film was so well received that it became necessary to schedule four showings—two at Ford's and two at Fort Leslie J. McNair.

These days we hear much about the vapidity of television and the lack of aesthetic concerns by businesses which transform much of commercial television into a wasteland. Some of these criticisms are, unfortunately, true. But the other side of the coin shows that some businesses view their television responsibilities as part of their social obligations. In the forefront of these firms is the Quaker Oats Co., of Chicago, which financed the Lincoln production as one of a series of excellent television offerings. Mr. Robert D. Stuart, Jr., is the president of Quaker Oats and Kenneth Mason, a group vice president, had major responsibilities for the program.

In addition to the Quaker Oats Co., the Illinois delegation is indebted to Ralph Newman, president of the Abraham Lincoln Book Store of Chicago, who is chairman of the Ford's Theatre Society, and who served as master of ceremonies; and to Mrs. Don Hewitt, president of the Ford's Theatre Society, who cooperated in securing this distinguished theatre for the evening.

In addition to financing and sponsoring the Lincoln film, the Quaker Oats Co., distributed to 86,000 schools—ranging from elementary to college, including public, private, and parochial—a study guide. The guide was beautifully written and serves as an excellent introduction to a sophisticated study of one of our greatest Presidents. Portions of the study guide include the following:

Aim: To explore the mystery of Abraham Lincoln. To understand how the rule of law guarantees that "government of the people, by the people and for the people shall not perish from this earth."

SUGGESTED ACTIVITIES BEFORE VIEWING

When lilacs last in the dooryard bloom'd,
And the great star early dropp'd in the western sky in the night,
I mourn'd, and yet shall mourn with ever-returning spring.

—*Walt Whitman.*

"On May 4 of this year 1865 anno Domini," Carl Sandburg wrote: "A procession moved with its hearse from the state capitol to Oak Ridge Cemetery. . . . Bishop Matthew Simpson in a moving oration spoke as an interpreter and foreteller: 'There are moments which involve in themselves eternities. There are instants which seem to contain germs which shall develop and bloom forever. Such a moment came in the tide of time to our land when a question must be settled, affecting all the powers of the earth. The contest was for human freedom. Not for this republic merely, not for the Union simply, but to decide whether the people, as a people, in their entire majesty, were destined to be the Governments or whether they were to be subject to tyrants or aristocrats, or to class rule of any kind. This is the great question for which we have been fighting, and its decision is at hand, and the result of this contest will affect the ages to come!'"

Read the story of the "long, bony, sad man" who was to affect the ages to come, who "floated down the Sangamon River in a frail canoe in the spring of 1831. Like a piece of driftwood," his law partner and biographer, Herndon, later wrote, "he lodged at last, without a history, strange, penniless and alone."

"But suppose," Edgar Lee Masters asks, "there had been no dam, no village of kind and hearty people up the hill, no Rutledge Inn, no fiddlers, no Bowling Green, no Jack Kelso, no Hannah Armstrong with whom to mingle what was kindred in him with their lives and with the dreams of Indian Creek and Sandridge? Suppose the people of the village had turned the wanderer away, instead of taking him into their hospitality. Suppose they had not sustained him economically, and sent him to the Illinois legislature, and given him leisure to read Blackstone under the oak trees. . . ?" If he had not spent those six years in New Salem, "where Jack Kelso fished and hunted for a living, where Harvey Ross brought the mail on horseback from Springfield on his way to Lewistown and the Spoon River country, where the Clary's Grove boys rode into town and assembled at the grocery store for drinks and talk . . . without these people, without what they were to Lincoln," would the future of Abraham Lincoln have been the same?

What had his boyhood been like before he arrived at New Salem?

"I induced my husband to permit Abe to read and study at home as well as at school," Abe's stepmother Sarah Bush Lincoln said in 1865. "At first he was not easily reconciled to it, but finally he too seemed willing to encourage him to a certain extent. Abe was a dutiful son to me always, and we took particular care when he was reading not to disturb him—would let him read on and on till he quit of his own accord."

"The books within his reach were few, Hamilton Wright Mabie points out, but they were among the best. First and foremost was that collection of great literature in prose and verse, the Bible. . . . This literature Lincoln knew intimately, familiarly, fruitfully; as Shakespeare knew it in an earlier version, and as Tennyson knew it and was deeply influenced by it."

How old was Abe Lincoln when he opened his first copy of Blackstone's *Laws?*

At the age of 29, the promise and the problems of self-government concerned Abe Lincoln deeply. Read his address before the Young Men's Lyceum of Springfield, as early as 1838, in which he urged: ". . . let every man remember that to violate the law is to

trample on the blood of his father, and to tear the charter of his own and his children's liberty." Why did he stress that bad laws should be repealed, but while on the books they should be "religiously observed"?

In the October 1858 debate with Stephen Douglas Lincoln said: "They are the two principles that have stood face to face from the beginning of time and will ever continue to struggle. The one is the common right of humanity, and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit that said, 'You work and toil and earn bread, and I'll eat it.' No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle . . ."

But on April 14, 1876, Frederick Douglass said: "He was preeminently the white man's President, entirely willing at any time during the first years of his administration to deny, postpone, and sacrifice the rights of humanity in the colored people. . . To protect, defend, and perpetuate slavery in the states where it existed Abraham Lincoln was not less ready than any other President to draw the sword of the nation. . . Our faith in him was often taxed and strained to the uttermost, but it never failed."

Read Abraham Lincoln's own words, spoken as the President of the United States. How do you explain the seeming inconsistencies of which Douglass speaks? Why were Douglass and his people, despite the fact that their faith was "often taxed and strained to the uttermost," able to believe Abe Lincoln? Read the First Inaugural Address of March 4, 1861, in which Lincoln said: "I declare that 'I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.'"

Why did Lincoln believe he had "no lawful right" to interfere with the institution of slavery in the states in which it existed? Why did he write Horace Greeley: ". . . If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that. . . . I have here stated my purpose according to my view of official duty, and I intend no modification of my oft-expressed personal wish that all men, everywhere, could be free"?

Read his speech at the Cooper Union in February, 1860, in which he stated: "It is surely safe to assume that the thirty-nine framers of the original Constitution . . . understood this question just as well and even better than we do now. [Let us] speak as they spoke, and act as they acted upon it . . . as an evil not to be extended, but to be tolerated and protected only because of and so far as its actual presence among us makes that toleration and protection a necessity. Let all the guaranties those fathers gave it be not grudgingly, but fully and fairly maintained."

What relationship do you see between Lincoln's view of his "official duty," as President of the United States, despite his "oft-expressed personal wish" and the views of the the 29 year old Lincoln, when he stated ". . . let every man remember that to violate the law is . . . to tear the charter of his own and his children's liberty"—that bad laws should be repealed, but while on the books they should be "religiously observed"?

". . . we were . . . willing," Douglass said, "to allow the President all the latitude of time, phraseology, and every honorable device that statesmanship might require."

Do you believe Frederick Douglass understood, with Abraham Lincoln, the importance of the rule of law if all men were to be free?

SYNOPSIS

History is untidy. It obscures as much as it shows. Looking at the assassination of Abraham Lincoln 105 years later, we are still faced with incomplete answers and unanswered questions. On Lincoln's birthday, February 12, they've killed President Lincoln!, a television special of exceptional authenticity reexamines the events that historians still dispute.

In a unique innovation, modern documentary techniques recreate what newsreel cameras might have recorded had they existed a century ago, when violence was substituted for law and the man who might have depolarized a divided nation was dead.

FOR FURTHER EXPLORATION

Carl Sandburg, when interviewed on NBC by Edward Stanley, said of Abraham Lincoln: "He's a titanic character with mystery attaching to him—all the mystery that attaches to the word 'democracy' and that other phrase, 'The American Dream.' It's there in him more than in any other one man. Jefferson had it greatly, Washington too. But some how or other Lincoln is closer to the people and he's closer to storm—a kind of storm that we're going through now. In a certain sense there's a global Civil War going on now and he was the mastermind of an awful Civil War—a war of brothers. . . . I think Lincoln is valued on account of more than a million words that he wrote and spoke and that wonderful record of his—more than a million words and all of it holds good for this present hour . . . I think Lincoln understood the balances required in a democracy between freedom and that other word 'responsibility.' He loved and spoke that word 'responsibility' nearly as often as he did the word 'freedom,' and you can't have one without the other. Too many forget that. I think of one of his sentences in a message to Congress in 1862: 'In times like the present men should utter nothing for which they would not willingly be responsible through time and eternity.'"

Read some of the "more than a million words" Abraham Lincoln wrote and spoke. Which of them do *you* find most meaningful for "times like the present"? How does his heritage live on for you?

THE PITFALLS OF USING CLOSED-CIRCUIT TELECASTS FOR PROFIT IN THE FIELD OF SPORTS

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. TIERNAN. Mr. Speaker, the press has been replete in the past few weeks with articles regarding the Ali-Frazier fight. Of special note are those articles which point out the implications of using closed-circuit telecasts for profit in sports endeavors. I ask permission to place three articles in the RECORD today which deal with the pitfalls of such programing.

James Reston hits the nub of the problem when he points out that there clearly are dangers concerning "high priced closed-circuit sporting spectaculars." Mr. Reston says:

What the closed-circuit system does is to increase the revenues while reducing the number of people who can afford to see the event.

Mr. Speaker, the problems are clear but the solution is quite another story. The Congress has the duty to make certain that the "TV medium once opened to all, regardless of station . . ." does not become a restricted instrument. James Reston argues this can be done by "fair legislation, that will avoid the repetition or spread of the practice." Lindley H. Clark, Jr., argues:

One legislative step that isn't needed, however, is to bar professional sports from pay television.

I believe the solution is somewhere in between. We in Congress must guarantee that Americans will continue to receive the usual sports events, such as professional football, basketball, baseball, and hockey, free of charge. We should also guarantee that those who wish to pay to see a professional fight or other event on subscription television should have this opportunity. What seems clear is that we must prevent a recurrence of the use of closed-circuit technology aimed solely at putting cash in the coffers of greedy promoters who could care less about the general public and its entertainment needs.

The article follows:

[From the New York Times, Mar. 10, 1971]

THE GREEDY SPORTS PROMOTERS

(By James Reston)

WASHINGTON, March 9.—The Joe Frazier-Muhammad Ali heavyweight championship fight is over, but the battle over the greedy promoters is just beginning. If they can sell their performers to the highest bidders, and black out home television for the poor folk why not the same grab for the pro football Super Bowl, the World Series and all other big sports and theatrical productions?

Congress and the Supreme Court have had trouble with the regulation of professional sports ever since the days of "Kenesaw Mountain" Landis, and have bent the anti-trust laws to protect the semimonopoly structure of professional football and baseball, but now they have a new problem to think over.

The courts and the Congress have been comparatively lenient with the pro football and baseball promoters on the ground that they were not merely a business but a sporting enterprise, where the rights of the player to sell his services to the highest bidder had to be restricted and the rights of the club owners to black out local television areas when the team was playing at home should be protected.

But in the Frazier-Ali fight, the promoters demanded and got unrestricted rights to sell their product at prices ranging from $150 for a seat in Madison Square Garden to $15–$30 for closed television seats in theaters and hotels all over the country. Thus, total proceeds not counting movie and free television re-runs, amounted to about $20 million—$17 million from the closed-circuit gate receipts and $3 million from the rest.

The promoters not only kept the fight off the television and radio networks of the United States and Canada, but even tried by legal action to restrict the right of news agencies to file blow-by-blow accounts of the fight to their newspaper, radio and television clients. In fact, when the officials of COMSAT, which was sending the pictures of the fight overseas by satellite, tried to invite a few friends into their office to see the picture, Jack Kent Cooke, one of the two promoters of the fight, gave his permission only on condition that they also invite the Federal Communications Commissioners and the members of the two Congressional Commerce Committees, who regulate broadcasting, to attend the showing as his personal guests.

Okay, so it was a business bonanza, and maybe all legal too, but if professional sport is to be judged solely as a business, using interstate commerce facilities and selling tickets in interstate commerce, then it can be argued that it should henceforth be subject to Federal interstate commerce regulation in the public interest.

Anybody who saw the crowds of blacks around Madison Square Garden in New York, and around the Hilton Hotel in Washington, where the closed-circuit seats were selling at $30 apiece, could even believe that there is a question of public safety involved in this monopoly.

This time it was a case of "let the buyer beware," but next time, if there is a re-match under the same high-priced closed-circuit setup, the security problem for the promoters and their well-heeled guests may be formidable indeed.

Even the networks with their high-priced advertising cannot hope to compete with the closed-circuit receipts from spectacular events like a heavyweight championship fight or a pro football Super Bowl game. The pro football leagues collected $2.5 million for the television rights to the last Super Bowl in Miami. But a closed-circuit network showing in theaters in all the pro football cities might easily bring in ten times that much, and the only people left out again would be the poor.

It may be, of course, that pay-as-you-see television is the coming thing, and there are some critics who believe that it will eventually increase the variety and quality of American television programs. Thus, it is argued that by transferring the cost of programs from the advertiser to the viewer, enough people may be willing to pay to see a good play or concert to make it profitable for national distribution.

But the dangers of high-priced closed-circuit sporting spectaculars are fairly obvious. Sport in America gains its power from mass audiences, and what the closed-circuit system does is to increase the revenues while reducing the number of people who can afford to see the event.

In fact, not since the invention of television has any championship fight in America taken in so much money or been seen by so few people in this country as the Frazier-Ali battle. It is true that heavyweight championship fights are regarded by the courts as monopoly enterprises, but it was never anticipated that they would be governed by the predatory practices that controlled this one.

One argument for professional sport in America is that it occasionally diverts the whole nation from its normal preoccupations and provides the people with a common interest for at least a few hours. The closed-circuit system threatens to change all that: it is sport for the rich, like polo and yacht racing, with the poor outside the gate. And since the poor outnumber and outvote the rich, the possibilities of fair legislation to avoid the repetition or spread of the practice are fairly obvious.

[From the Wall Street Journal, Mar. 15, 1971]

PAY TELEVISION IS THE VILLAIN AGAIN

(By Lindley H. Clark, Jr.)

Last week's heavyweight championship fight demonstrated that a great many people will pay outrageous prices to watch such a spectacle on a television screen. They will, at any rate, if the screen is theater-size.

The promoters aren't able to provide precise figures, but one of them estimates that revenue from all sources will come to $20 million, with the bulk of that representing the take from closed-circuit theater showings in 362 U.S. and Canadian cities. Prices in some cities ranged as high as $30 a seat.

In the wake of this showing some observers are predicting that closed-circuit TV soon will convert all big-time sports into entertainments only for the wealthy. On free home television sets, the reasoning goes, no one will be able to watch boxing, professional baseball, football, basketball or hockey.

The forecasts are reminiscent of those about pay television, which if it ever gets rolling is supposed to kill off free TV completely. Is pay television actually such a villain?

Pay TV in the home still has a long way to go even to prove that it's economically viable, let alone a serious threat to any other facet of the entertainment business. With the restrictions imposed on it by the government, sharply limiting what it can present, there isn't much reason to think that it will destroy its free-TV competition.

Free TV actually isn't free, of course; the advertisers pay the bills. The combination of a business recession and the outlawing of cigaret commercials for a while was making advertisers relatively hard to find. Last week, however, a story in this newspaper indicated that things were changing, and distinctly for the better.

"March didn't come in like a lion," says John M. Otter, sales vice president for National Broadcasting Co. "It came in like a bull."

Times could easily change again. For the foreseeable future, though, it's hard to envision the promoters of major sports events, dramas or anything else taking their chances on the very chancy returns for home pay TV in preference to the high prices they can and are getting from free television's sponsors.

Sports promoters especially should be getting a little nervous about just how much more they can charge for their presentations, whatever the type of TV. Last week's Joe Frazier-Muhammad Ali fight sold out many theaters in larger cities, but elsewhere theaters sometimes sold half or less of their seats.

The fight, moreover, was the sort of event that won't often be duplicated. Both Ali and Frazier were undefeated, and both had at least some claim to the title before the fight. Because of Ali's refusal of military service, the fight even had political overtones. A rematch between the two fighters, or a fight between Frazier and anybody else, couldn't possibly draw the same interest.

There is a lesson there for businessmen in other sports. Outside New York City, for instance, professional basketball still resorts to double-headers to try to draw respectable crowds. Any dreams its promoters may have of huge TV revenues are still dreams.

Baseball's World Series and football's Super Bowl obviously are salable commodities, but both are probably doing better on free television than they could on any pay-to-watch setup, either in homes or in theaters. Regular-season games seem a highly remote possibility for theater television and, from the sports promoters' standpoint, a huge gamble as attractions for pay TV in the home.

Before the promoters start hunting pay television dollars perhaps they should, in their own interest, give a little more thought to what they've been doing to their product. In their eagerness to tap the growing spectator sports market they have been expanding rapidly in recent years.

There's nothing wrong with expansion, to be sure, provided that you have something reasonably attractive to offer in all the new markets. Boxing promoters presumably were most enthralled by the reports of the Ali-Frazier TV bonanza, but the shortage of new opponents for the heavyweight champion isn't their only problem.

Among the recognized boxing champions listed in the handy World Almanac are Carlos Monzon and Niccolini Loche of Argentina, Ken Buchanan of Scotland and three Japanese gladiators, Hiroshi Kobayashi, Sho Saijyo and Masao Ohba. They may be heroes in their own lands, but their names are not household words in the U.S., where those pay TV rewards supposedly are to be found.

Baseball, football, basketball, hockey and other sports have expanded right ahead, even though the names of most of their new players aren't household words either. When interest lags in one city, the franchise is shifted elsewhere in the hope of finding more gullible customers. The product is being diluted.

The product is being altered by existing free television, too, and certainly not often for the better. In one Super Bowl football game, for instance, one team was forced to kick off a second time because a commercial prevented the cameras from covering the first kick. If the other team had returned the special-for-TV kick for a touchdown, the people watching on television and in the stands would have had every right to feel cheated.

Meanwhile, major sports insist that they shouldn't be treated like ordinary business, especially in regard to such troublesome matters as the federal antitrust laws. Most of them act in highly monopolistic ways, refusing for example to allow even high-school athletes to sell their services to the highest bidder.

Perhaps professional sports do need some special antitrust status to survive. It should be clear by now, though, that they've grown so large that their antitrust position at least needs to be defined. Congress has made passes in that direction, but the situation remains highly confused.

One legislative step that isn't needed, however, is to bar professional sports from pay television, a move that some current critics appear to favor. More sports events probably will show up on pay TV, in the homes or in the theaters, but the chance that the medium will take over all such events is slim indeed.

Pay television in its various forms provides new marketing channels for packagers of various forms of entertainment. Just what products will prove salable in those channels should be decided by consumers, through the workings of competition. Competition may hurt someone, but it almost always benefits the general public.

[From the New York Times, March 8, 1971]

THE FIGHT: TV FAN COUNTED OUT

(By Jack Gould)

The impact of the Joe Frazier-Muhammad Ali fight on the world of communications will extend far beyond tonight. The effect thus far of the closed-circuit presentation already bears out many contentions of broadcasters who have opposed pay-as-you-see TV on economic and public service grounds. The electronic life is going to change. Even if every seat in 350 theaters and an unknown number of hotels, motels and cable systems is sold out, the TV audience in the United States will be one of the smallest in the history of the medium. The total number of persons watching the fight live is unlikely to exceed two million or so, a figure of minuscule proportions in comparison with the audience for an old movie on free TV.

DIFFERENT ECONOMICS

The rich few will be able to afford the astronomical prices asked by theaters but millions of the poor will be left with only nostalgic memories of Joe Louis, Jersey Joe Walcott and Kid Gavilan on their 12-inch screens. The TV medium once opened to all, regardless of station, is becoming a restricted instrument, and the fight may be the handwriting on the wall for the future of much entertainment and big sports.

The different economics of closed-circuit TV and advertiser-sponsored TV turn all video statistics upside down. An audience of 150 million might tune in if a handful of advertisers footed the bill for free TV. But

the fight promoters are shooting for a vastly greater gross by having two million fight fans as their "sponsors" through purchase of tickets to closed showings of the match.

The old rule of show business is back: Who cares about 148 million freeloaders? Only the 2 million with cash in hand warrant tender, loving care. Advertisers count noses of prospective customers; promoters only count dollars from those checking in.

And if in coming decades this country and then the world are wired up for pay TV in the home, the wild statistics surrounding the Frazier-Ali fight will be penny ante stuff.

One development is certain. The $2.5 million guarantees to Frazier and Ali are not being ignored by Hollywood's top stars. If that kind of money is around by staying off free TV and going the closed-circuit or cable route, there'll be many a second thought about the appeal of the existing homes medium. A prize fight admittedly is unique in its international attraction. But a film star might not be adverse to a modest $500,000 guarantee plus a percentage of the gross paid by 30 million homes, half the potential in this country.

Broadcasters for expedient reasons have repeatedly said that the day may come when viewers would have to pay for what they once watched without charge. Even to think of charging anything for much that is now shown would seem a colossal conceit. But serious students of communications are not devoid of genuine worries over erosion of the free air waves.

Only time—perhaps a very long time—will tell what will be the impact of closed-circuit TV on free TV's economic ability to offer news and information to rich and poor alike, carry political addresses and provide other services not returning a profit. A broadcaster is required to provide a balanced service; a closed-circuit promoter is not.

LIMITED SERVICE TO G.I.

A vivid example of the social consequences of shifting from free broadcasting to closed-circuit broadcasting has come with the fight. Instead of having the military circuits blanketed as usual with blow-by-blow accounts of the fight, G.I.'s overseas will have a sharply limited service designed to avoid conflict with the overseas commercial contracts of the promoters. In South Vietnam there will be no pictures, only the commentary. Many men in uniform will hear only news bulletins.

Tonight's fight is far more than just an unusual sporting event. Most TV viewers will not see TV's biggest attraction because the medium's economics are not up to meeting the new competition for the dollar. And, in the process, radio has also been squeezed out.

Distribution of the fight on closed-circuit is being handled by Management Television Systems, which is headed by E. William Henry. By the way of an ironic touch, Mr. Henry also had a previous job: the chairmanship of the Federal Communications Commission, the agency that will be making decisions on all forms of TV in coming years.

PUBLIC DISCLOSURE OF WELFARE RECIPIENTS

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. LANDGREBE. Mr. Speaker, a constituent and good friend of mine, Mr. Leslie Casbon of Valparaiso, Ind., recently wrote me a letter which contains an intriguing solution to the problem of welfare chiseling. Mr. Casbon's idea at first seems far-fetched, but when you think about it, the idea is not only fair, it may also be worth a try. I commend his suggestion to the attention of my colleagues.

The letter follows:

FEBRUARY 26, 1971.

DEAR EARL: A recent article in U.S. News & World Report of (February 8) and on the program "Face the Nation" (Feb. 21) relative to the poverty issue triggered this letter.

Understandably the program is necessary but quite difficult to administer fairly and equitably. It is common knowledge that some (probably many) are receiving aid who are not deserving or needing it.

All salaries and expenses of public officials except those on relief are publicized, as are contracts and public expenditures of all kinds. It seems to me that a little publicity as to where relief money goes would be proper and in the best interest of all.

To see well dressed, prosperous people buying all kinds of groceries with food stamps, then paying cash for liquor, etc., doesn't do the food stamp program any good.

The law negating the public disclosure of relief recipients should be reviewed. A crusade to make public these expenditures surely would meet the approval of many, many voters.

Sincerely,

LESLIE CASBON.

CREDIBILITY GAP IN REVERSE

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. ARCHER. Mr. Speaker, it has been suggested in this body that the U.S. Government is perpetuating the war in Vietnam because American oil companies want to develop offshore oil properties in Vietnam.

An editorial this week in the Christian Science Monitor appraises this theory for just what it is: "A hoax." I would suggest that all of our colleagues read this editorial lest they get taken in by this nonsense which is being advanced by some antiwar group in California.

I include an editorial entitled "Credibility Gap: In Reverse" from the Christian Science Monitor of March 22, 1971, in the RECORD:

CREDIBILITY GAP: IN REVERSE

A California-based anti-Vietnam war group recently started a letter-writing campaign alleging there was some suspicious relationship between the U.S. presence in Vietnam and plans for offshore oil exploitations.

Some 10,000 letters were received by Senator Fulbright's Foreign Relations Committee requesting a hearing on the matter. Other senators have found their mailboxes crammed with the oil hoax letters.

What are some of the facts in the matter, as seen from a South Vietnam point of view? They look something like this, according to Washington specialists in the subject:

South Vietnam is an oil importing nation. It spends $30,000,000 every year for petroleum products on the commercial market, quite apart from the war. It is extremely anxious to find oil. At the moment, three oil-distributing companies—Shell, Caltex, and Esso supply the Vietnam market from their refineries in the Persian Gulf and Singapore. There are no refineries in Vietnam.

With its countryside devastated by war, and since the Green Revolution has made exporters of many rice importing countries, South Vietnam cannot hope to reenter the rice export market for years. It will need a substitute export, like oil.

Geological surveys by private companies and by the United Nations Economic Commission for the Far East (ECAFE) have shown that there is a geologic potential for oil off Vietnam. But no oil has been found. No drilling has yet taken place. Only one American oil company has expressed concrete interest in the offshore oil potential.

Actually, U.S. commercial interests have a total investment in Vietnam of only about $10,000,000, about one-tenth of the total foreign investment in the country. In all of the mainland of Southeast Asia, the total American investment is less than 1 percent of U.S. private investment abroad, the bulk of it being in Canada, Latin America, and Europe.

Even if there were to be an oil boom in Vietnam five years from now, it would help Vietnam's economy. The government has just passed a petroleum law, promulgated in Dec., 1970, governing and controlling exploration, if it ever comes, and providing large tax profits to Vietnam.

This hardly sounds as if the U.S. Army is in Vietnam to protect a huge American investment there, present or potential.

It suggests rather that some of the antiwar groups have made a specious argument on the basis of flimsy evidence, and attempted to associate the war in Vietnam with economic fantasies.

This compounds the credibility gap, but in a reverse fashion, for leftist and antiwar groups.

SUPPORT FOR COMBINING FEDERAL SERVICE AGENCIES

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. GROVER. Mr. Speaker, in adding my voice of support to the President's plan of gathering existing Federal service agencies under one authority, I would like to recall the accomplishments of the Peace Corps, which is to become the overseas arm of the new agency.

Surely, the individual and collective contributions of the more than 50,000 Peace Corps volunteers who have served over the past decade in some 70 countries around the world represent one of our proudest chapters. The Peace Corps has often and quite rightly been described as perhaps the best thing that America has going for it overseas.

Now, the Peace Corps, along with a number of other volunteer agencies specializing in domestic as well as overseas service will be able to pool their talents, their experience, and their resources to launch a new and more extensive campaign against the critical ills that beset us.

Throughout America, and in many parts of the world, the new agency will enable citizens who are truly interested, as individuals or in small groups, to take meaningful action against whatever problems confront them. This is the path to a better and more hopeful tomorrow.

THE FLAG

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. BAKER. Mr. Speaker, Flag Day at Anna B. Lacey School in Chattanooga, Tenn., was proclaimed by official proclamation of Gov. Winfield Dunn on Friday, February 26, 1971. I presented a U.S. flag to the school. Joe Prebul, a fifth-grade student at the school, wrote this poem in celebration of the event. I am convinced our Nation is awakening to respect for the flag as well as building a meaningful pride in our national heritage. I commend Joe and his generation for their loyalty to America and understanding of our proud history. I am happy to place his inspirational thoughts on freedom in the RECORD:

THE FLAG

(By Joe Prebul)

The flag is used in all the states,
It even is used in U.S. debates.
It means freedom in every way,
And we should salute it every day.

Men are fighting in Vietnam,
We don't know how they got in that jam.
They try their best to salute the flag,
And keep it clean, without a snag.

We should keep the heritage of Betsy Ross,
When she made the flag out of cloth.
And when the men saw the flag she made,
With the freedom they wanted, they all prayed.

Now we have freedom, freedom for all,
And we should stand up brave and tall.
We salute the flag with all our heart,
But it seems to be that it will never part.

Now when you see the red, white, and blue,
You can imagine what our men went through,
So as long as you live in the land of the free,
You can be what ever you want to be.

REPORT TO THE PEOPLE OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—XXIV, PART II

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. BYRNES of Wisconsin. Mr. Speaker, I am pleased to submit the second and final portion of my 24th annual report the people of the Eighth Congressional District of Wisconsin on my voting and attendance record in the House of Representatives.

The report I am issuing today includes all rollcall votes in the second session of the 91st Congress since September 30, 1970. I issued the first portion of my voting record in October in order to make it available to my constituents for their evaluation before the election. I believe it is my responsibility to furnish this information as I do not believe my constituents should be deprived, through the sheer difficulty of getting the facts, of knowing how I voted on the issues.

The descriptions used in the report were prepared by the Library of Congress and are for purposes of identification only; no attempt was made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is given in view of the fact that the descriptions used were, for the most part, taken from the titles of the bills which do not always reflect the nature or true purpose of the legislation.

Upon request, I will be pleased to furnish more complete information concerning any particular bill as well as a summary of the issues involved and the reasons for my vote.

In addition to the votes shown in this report, there were 53 quorum calls in the House which are omitted to conserve space. This accounts for the nonconsecutive numbering of the rollcalls. I was absent for four quorum calls and I was present for 49 quorum calls.

My record follows:

Rollcall No.	Date	Measure, question, and result	Vote
326	Oct. 5	H. J. Res. 1388: To provide for continuing appropriations of $600,000,000 for fiscal 1971. Motion to suspend rules and pass. (Passed 284 to 9; 2/3 vote required)	Yea
327	Oct. 5	S. 1461: To provide for public defender organizations to represent defendants in Federal criminal cases who are financially unable to obtain adequate counsel. Motion to suspend rules and pass. (Passed 277 to 21; 2/3 vote required)	Yea
329	Oct. 6	H.R. 14685: To amend the International Travel Act to alter the balance of payments by further promoting travel to the U.S. Staggers motion to recede and concur in Senate amendment to reduce funds by $500,000. (Passed 254 to 93)	Yea
330	Oct. 6	H.R. 15424: To amend the Merchant Marine Act to create a construction subsidy program to build 300 merchant ships by 1980. Adoption of conference report. (Passed 343 to 4)	Yea
332	Oct. 7	S. 30: Organized Crime Control Act of 1970. On passage. (Passed 341 to 26)	Yea
337	Oct. 8	H.R. 19590: To make appropriations of $66,806,561,000 for the Department of Defense for fiscal 1971. Riegle recommittal motion. (Failed 46 to 264, "present" 1)	Nay
338	Oct. 8	H.R. 19590: On passage. (Passed 274 to 31, "present" 2)	Yea
340	Oct. 13	H.R. 17604: To authorize appropriations of $1,667,154,000 for military construction for fiscal 1971 and $33,586,000 in prior year authorizations. Adoption of conference report. (Passed 316 to 20)	Yea
341	Oct. 13	H.R. 18546: Agriculture Act of 1970. Adoption of conference report. (Passed 191 to 145, "present" 1)	Yea
347	Oct. 14	H.R. 16408: To authorize $373,000 for fiscal 1971 for the American Revolution Bicentennial Commission. On passage. (Passed 304 to 1)	Yea
349	Nov. 16	S. 2455: To authorize appropriations of $3,400,000 for the Civil Rights Commission. Motion to suspend rules and pass. (Passed 272 to 59; 2/3 vote required)	Yea
350	Nov. 16	S. 3785: To authorize educational and home loan assistance to dependents of armed forces personnel missing in action or captured. Motion to suspend rules and pass. (Passed 331 to 0; 2/3 vote required)	Yea
351	Nov. 16	H.R. 19318: To alter the coordination of family planning services and population research activities of the Federal government. Motion to suspend rules and pass. (Passed 298 to 32; 2/3 vote required)	Yea
352	Nov. 16	H. J. Res. 1355: To define the war powers of Congress and the President. Motion to suspend rules and pass. (Passed 288 to 39, "present" 4; 2/3 vote required)	Yea
355	Nov. 17	H.R. 19519: Manpower Act of 1970. Scherle recommittal motion to refer to Committee on Education and Labor. (Failed 80 to 275)	Nay
357	Nov. 18	H. Res. 1225: To provide for the consideration of H.R. 18970 to amend the tariff and trade laws of the U.S. Previous question on closed rule under which the bill was considered. (Failed 189 to 204)	Yea
358	Nov. 18	H. Res. 1225: Gibbons amendment to permit amendments deleting provisions from the bill. (Failed 192 to 201)	Nay
359	Nov. 18	H. Res. 1225: On passage. (Passed 203 to 187)	Yea
361	Nov. 19	H.R. 18970: Collier recommittal motion. (Failed 172 to 207, "present" 3)	Nay
362	Nov. 19	H.R. 18970: On passage. (Passed 215 to 165; "present" 3)	Yea
365	Nov. 24	H.R. 16785: Occupational Health and Safety Act of 1970. Steiger-Sikes amendment in nature of substitute authorizing a presidentially-appointed board to set standards and an appeals commission to enforce standards. (Passed 220 to 173)	Yea
366	Nov. 24	H.R. 16785: On passage. (Passed 384 to 5, "present" 1)	Yea
367	Nov. 24	H.R. 19830: To make appropriations of $17,709,525,300 for Independent Offices and the Department of Housing and Urban Development. On passage. (Passed 375 to 10)	Yea
368	Nov. 24	H. Res. 1267: To provide for the consideration of H.R. 19504, Federal-Aid Highway Act of 1970. On passage. (Passed 287 to 60)	Yea
371	Nov. 30	H.R. 18884: To permit projects for paid advertising under marketing orders; to provide for potato research; and to provide for the extension of restrictions on imported commodities. Goodling recommittal motion. (Failed 130 to 187)	Yea
373	Dec. 1	H.R. 19333: To create a Securities Investor Protection Corporation and an insurance fund to protect customers against losses due to broker insolvency. On passage. (Passed 359 to 3, "present" 1)	Yea
374	Dec. 1	H.R. 19599: To provide for grants to medical schools and hospitals to assist in establishing departments and programs in the field of family medical practice. On passage. (Passed 346 to 2)	Yea
376	Dec. 2	H. Res. 1270: To increase telephone, telegraph, and radio-telegraph allowances of Members of the House. On passage. (Passed 187 to 164)	Nay
377	Dec. 2	H. Res. 1271: To provide for the consideration of H.R. 19436 to provide for the establishment of a national urban growth policy and to amend laws relating to housing and urban development. On passage. (Passed 344 to 22)	Yea
381	Dec. 3	H.R. 19436: On passage. (Passed 328 to 30, "present" 1)	Yea

Roll-call No.	Date	Measure, question, and result	Vote
383	Dec. 3	H.Res. 1147: To alter medical allowances for former Members of the House of Representatives. On passage. (Failed 89 to 192, "present" 1)	Nay
385	Dec. 7	To dispense with further proceedings under the call of the House. (Passed 312 to 28)	Yea
387	Dec. 7	H. Res. 1282: To express support for the November 21 military expedition to rescue American prisoners of war incarcerated in North Vietnam. On passage. (Passed 347 to 15, "present" 1)	Yea
389	Dec. 8	H.R. 17755: To appropriate $2,453,923,605 for the Department of Transportation and related agencies for fiscal 1971. Boland motion to table Yates motion to instruct conferees to agree to Senate amendment to strike $289.9 million for development of the SST. On passage. (Passed 213 to 175, "present" 1)	Nay
390	Dec. 8	H. Res. 1290: To provide for the consideration of S. 3070 to provide for the development of novel varieties of sexually reproduced plants. On passage. (Passed 331 to 27)	Yea
392	Dec. 9	H. J. Res. 1413: To provide for a temporary prohibition of railway strikes or lockouts. Staggers amendment: to increase the pay of all employees subject to the resolution's first section by 5 percent effective January 1, 1970, and by 32 cents per hour effective November 1, 1970, which amounts may be changed by agreement. (Passed 203 to 184)	Nay
393	Dec. 9	H. J. Res. 1413: On passage. (Passed 220 to 167)	Yea
394	Dec. 9	H.R. 19911: To provide for supplemental foreign aid authorizations. On passage. (Passed 249 to 102)	Yea
397	Dec. 9	H. J. Res. 1413: Adoption of conference report. (Passed 198 to 131)	Yea
399	Dec. 10	H. Res. 1303: To waive points of order against H.R. 19928, making supplemental appropriations for fiscal year 1971. On passage. (Passed 331 to 28)	Yea
400	Dec. 10	H.R. 19928: To provide $1,525,365,538 in supplemental appropriations for fiscal year 1971. On passage. (Passed 344 to 21, "present" 1)	Yea
401	Dec. 10	S. 3867: To authorize $5 billion for various manpower training programs; to reorganize those programs; and to authorize $4.5 billion for public service jobs. Adoption of conference report. (Passed 177 to 159)	Nay
403	Dec. 11	H. Res. 1296: To consider H.R. 19868 to accelerate estate and gift tax collection and to continue car and communication service excise taxes. On passage. (Passed 242 to 22)	Yea
405	Dec. 11	H.R. 13956: To authorize additional appropriations to the Smithsonian Institution. On passage. (Passed 215 to 53, "present" 3)	Yea
407	Dec. 14	H. Res. 1306: To assert House privilege to publish an Internal Security Committee report on campus speakers. Stokes motion to lay on table ordering of the previous question. (Failed 55 to 301)	Nay
408	Dec. 14	H. Res. 1306: On passage. (Passed 302 to 54)	Yea
409	Dec. 14	H.R. 19885: To provide additional revenue for the District of Columbia. On passage. (Passed 272 to 58)	Yea
411	Dec. 15	H.R. 17755: To appropriate $2,603,134,605 for the Department of Transportation and related agencies for fiscal year 1971. On ordering previous question on motion to recommit conference report. (Passed 205 to 185)	Nay
412	Dec. 15	H.R. 17755: Adoption of conference report. (Passed 319 to 71)	Yea
413	Dec. 15	H.R. 6114: To provide relief for Elmer M. Grade. On motion to disagree with and ask for conference on Senate amendment providing the Mississippi steamboat Delta Queen a 3-year exemption from existing safety standards until a replica might be built. (Passed 295 to 74, "present" 1)	Yea
414	Dec. 16	H.R. 17867: To appropriate $2,534,310,000 for foreign assistance and related programs for fiscal year 1971. Adoption of conference report. (Passed 199 to 152)	Yea
415	Dec. 16	H.R. 19590: To appropriate $66,595,937,000 for the Department of Defense for fiscal year 1971. Adoption of conference report. (Passed 328 to 30, "present" 2)	Yea
416	Dec. 16	H.R. 6778: To amend the Bank Holding Act of 1956 to extend Federal regulation of multibank holding companies to those controlling just one bank. Adoption of conference report. (Passed 366 to 4, "present" 7)	Yea
418	Dec. 16	H.R. 18582: To amend the 1964 Food Stamp Act. On Foley of Washington substitute amendment as amended by Abbitt of Virginia substitute: To change the committee bill by banning food stamps to strikers, postponing the State sharing provision one year, preventing unspent funds from being available from one year to the next, and making eligible migratory workers who are U.S. citizens. (Failed 172 to 183)	Yea
419	Dec. 16	H.R. 18582: On passage. (Passed 290 to 68)	Yea
420	Dec. 17	S. 1181: To amend the Agricultural Marketing Agreement Act of 1937 to permit projects for paid advertising under marketing orders, to provide for a potato research and promotion program, and to provide for the extension of restrictions on imported raisins, olives, and prunes. On motion to ask for a conference. (Passed 214 to 145)	Nay
421	Dec. 17	S. 2193: To authorize the Secretary of Labor to set industrial health and safety standards; to encourage State participation; to provide for research, information, education and training. Adoption of conference report. (Passed 308 to 60)	Yea
422	Dec. 17	H.R. 17809: To provide a system for fixing and adjusting the pay scales of Federal wage board employees. Adoption of conference report. (Passed 271 to 89)	Nay
426	Dec. 18	To dispense with further proceedings under the call of the House. (Passed 307 to 10)	Yea
430	Dec. 18	H.R. 19504: Federal-Aid Highway Act Amendments of 1970. Adoption of conference report. (Passed 319 to 11)	Yea
432	Dec. 19	H.R. 19436: To provide for a national urban growth policy emphasizing new community and inner city development; to extend and amend housing and urban development laws. Adoption of conference report. (Passed 168 to 104)	Nay
433	Dec. 19	S. 578: To include firefighters within Code provisions on retirement of Government employees engaged in certain hazardous professions. On passage. (Passed 158 to 104)	Nay
435	Dec. 21	H.R. 14233: To exempt .22 caliber rimfire ammunition from recordkeeping requirements of the 1968 Gun Control Act. On motion to suspend rules and pass. (Passed 246 to 59; 2/3 vote required)	Yea
436	Dec. 21	H. Res. 1308: To provide for consideration of H.J. Res. 1146 authorizing $20 million to defray part of the cost of expanding the U.N. headquarters. On passage. (Passed 189 to 107)	Yea
438	Dec. 21	H.J. Res. 1146: Gross motion to recommit with instructions that no funds be appropriated until all U.N. members' delinquent dues and assessments have been paid in full. (Failed 124 to 168)	Nay
439	Dec. 21	H.J. Res. 1146: On passage. (Passed 152 to 135)	Yea
441	Dec. 21	H.R. 19446: To assist school districts to meet special desegregation problems, and to provide funds to improve education in racially impacted areas. On Perkins motion to resolve into Committee of the Whole House on the State of the Union. (Passed 147 to 84)	NV[2]
442	Dec. 21	H.R. 19446: On striking enacting clause. (Failed 109 to 130)	Yea
443	Dec. 21	H.R. 19446: On passage. (Passed 159 to 77)	Nay
446	Dec. 22	To dispense with further proceedings under the call of the House. (Passed 278 to 9)	Yea
447	Dec. 22	H. Res. 1238: A resolution providing staff and office allowances for the Speaker of the House in the Ninety-first Congress after his retirement. On passage. (Passed 218 to 69)	Nay
448	Dec. 22	H. Res. 1315: To provide for the consideration of H.R. 19953 to authorize the Interstate Commerce Commission to provide funds to certain railroads to preserve essential rail services. On passage. (Passed 263 to 30, "present" 1)	Yea
449	Dec. 22	H.R. 19953: On passage. (Passed 165 to 121, "present" 2)	Yea
450	Dec. 29	H.R. 14984: To provide for the disposition of funds appropriated to pay judgments in favor of the Mississippi Sioux Indians. On concurring in Senate request for the return of the bill. (Passed 235 to 20)	Yea
451	Dec. 29	S. 1181: To amend the Agricultural Marketing Agreement Act of 1937 to permit projects for paid advertising under marketing orders, to provide for a potato research and promotion program, and to provide for the extension of restrictions on raisins, olives, and prunes. Adoption of conference report. (Passed 159 to 93)	Nay
452	Dec. 29	H.R. 19590: To appropriate $66.6 billion for the Department of Defense. Adoption of conference report. (Passed 234 to 18)	Yea
454	Dec. 30	H.R. 18582: To amend the 1964 Food Stamp Act. On ordering previous question on motion to recommit conference report. (Passed 148 to 126, "present" 2)	Yea
455	Dec. 30	S. 4268: To amend the Export-Import Bank Act of 1945 to allow for greater expansion of the export trade of the United States, and to exclude Bank receipts and disbursements from the budget of the United States Government. On motion to suspend rules and pass. (Failed 161 to 102; 2/3 vote required)	Yea
457	Dec. 31	H.R. 13000: To implement the Federal employee pay comparability system, and to establish a Federal Employee Salary Commission and a Board of Arbitration. On motion to suspend rules and agree to conference report. (Passed 183 to 54; 2/3 vote required)	Yea
458	Dec. 31	H. Res. 1337: To provide for the consideration of H. J. Res. 1421 making continuing Department of Transportation and related agencies appropriations for fiscal 1971. On ordering previous question on agreement. (Passed 145 to 76, "present" 2)	Yea
459	Dec. 31	H. J. Res. 1421: On passage. (Passed 180 to 37, "present" 1)	Yea

[1]Absent. If present, would have voted "yea".

[2]Absent. If present, would have voted "nay".

A PROPOSAL FOR A COMPREHENSIVE PLAN TO END DRUG ABUSE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. SCHEUER. Mr. Speaker, narcotics addition and the "pill culture" are literally destroying our youth and our cities. This epidemic is turning our children into physical and psychological cripples. It is the cause of perhaps one-half of our street crime—particularly violent crimes against people—and is overwhelming our police, clogging our judicial machinery, and turning our cities into jungles.

Despite these stark facts, the Congress and Presidents of both parties have utterly failed to establish a high-priority comprehensive national program to meet the awful ravages of drug abuse, let alone deal with its causes. While all of us have become experts in describing the gravity and extent of the problem and its disastrous effects, our efforts to control it are comprised of more rhetoric than resources, more posturing than planning.

At home, the programs which we have devised are unrelated and disjointed in design, largely unevaluated and of doubtful efficacy, poorly led, and starved for resources.

Drug education, law enforcement, and rehabilitation programs, taken individually, can only be viewed as neutral at worst, and minimally effective at best.

No reliable study has indicated that drug education programs effectively prevent potential drug abusers from experimenting with narcotics or pills. Although we are beginning to realize that dramatic overstatements in the forms of slogans such as "Marijuana—the Killer Drug," are not only ineffective but treated as jokes by the people they are designed to "educate," we have not even begun to design programs which will reach and persuade sophisticated college students as well as knowledgeable ghetto youths who have lived in an atmosphere permeated with the drug culture for their entire lives.

Law enforcement experts admit that their efforts account for a 20-percent reduction in supply at best, and that this attrition is easily compensated for by suppliers who simply load another 20 percent into the pipeline at the other end as a modest cost of doing business.

Knowledgeable law enforcement professionals are doubtful that reductions much beyond this level can be achieved without personal searches at our borders of the most intimate variety, involving inspections of all major body orifices, and other such techniques which go far beyond what a free society will tolerate.

With the single possible exception of methadone, no current addict rehabilitation method demonstrates any real hope for permanently turning drug abusers away from narcotics and the criminal activity which is required in order to support a habit.

Our methadone maintenance programs, which do show some promise of reducing the crimeogenic attributes of drug addition, and of permitting addicts to lead almost normal lives, are inadequate in scope. With the exception of Washington, D.C., few cities have begun a large-scale methadone program. New York City, for example, with an addict population of 150,000 to 200,000, conducts a methadone program which reaches only 2,000 members of this population. While the city has recently proposed increasing the size of the program to reach 9,000 patients, clearly this is still an inadequate allocation of resources to a program which promises to make a definite contribution to a massive reduction in violent personal crime.

Our efforts to deal with the international aspects of the problem have also failed miserably. The countries responsible for the growth of the illicit opium which ultimately reaches our borders are well known. The routes over which this opium travels on its way to factories where it is refined into morphine and heroin have been traced time and time again. Yet, we have failed to develop even a single element of a multifaceted national program of interdicting the flow of drugs from its source to the veins of a 7-year-old child in the South Bronx.

We have not developed a sophisticated coordinated program of technical assistance for the poppy producing countries. Although we have made some effort to provide Turkey with law enforcement assistance, 80 percent of the illegal heroin which reaches our borders still originates in the plains of Anatola. We have made no concentrated effort to provide Turkey and the other poppy-producing countries with police training and law enforcement technology, administrative expertise for licensing inspection of poppy culture, aid in crop diversification, or the means and the provision of providing alternative sources of employment.

We have made only a bare beginning in the effort to put opium refiners out of business. Because we have not sufficiently encouraged the use of paid informants and because we have failed to adequately employ legitimate sources of leverage, refiners in Marseilles, the location of most refiners of opium, have been able to pursue their activities without great fear of arrest. The demand for hard drugs on our campuses and in our slums is being met totally and without interruption.

Mr. Speaker, I had the privilege of attending the recently concluded United Nations Conference on Psychotropic Substances in Vienna as a result of your appointment of me as a congressional adviser to the United States delegation. During the 91st Congress, I twice traveled abroad, at my own expense, to confer with elected representatives and law enforcement officials in London, Paris, Rome, The Hague, and Turkey. I have conferred with the President, the Secretary of State, top White House officials, the Director of the Federal Bureau of Narcotics and Dangerous Drugs, and many experts both within the Government and in the private sector.

These consultations have convinced me that our efforts to stem the tide of drug abuse have resulted in gross inadequacy and failure at every point in the spectrum of required controls. This failure is not the result of the policies of any one administration or any one Congress. Instead, it has been a national failure of imagination and perspective which cuts across party lines and the executive, legislative, and judicial branches of Government.

Our failure results from our persistence in viewing drug abuse as a series of isolated phenomena involving production, smuggling, addiction, and rehabilitation. This approach has caused us to fragment our efforts, placing law enforcement in both the Department of Justice and the Treasury Department, research and rehabilitation in the Department of Health, Education, and Welfare, and international drug-control activities in the Department of State. These scattershot, uncoordinated efforts have resulted in overlapping, inconsistent, and unrelated programs, bureaucratic infighting, and a not always efficient allocation of resources and energy.

We must begin to look at drug abuse as the result of a system which begins high in the plains of Anatola—or Southeast Asia or a factory here or abroad—and then moves on to Marseilles—or Mexico or Canada—into the United States and through our cities, our slums, our schools, and our homes. We must trace the problem of drug addiction just as we traced the common beef tapeworm from food to cattle to human host to waste material to food.

To do this, Mr. Speaker, we must move immediately to charge a high-level official of great intelligence, leadership qualities, and administrative and organizational abilities with the specific responsibilty of developing a multifaceted, multidisciplinary program involving research, education, domestic and foreign law enforcement, crop diversification programs in Turkey, Iraq, Pakistan, Laos, Burma, and Thailand, and rehabilitation clinics in the South Bronx, Harlem, Westchester, Los Angeles, San Francisco, Palm Beach, and Butte, Mont. Then, we must give him enough authority and resources to effectively implement this comprehensive program of coordinating or controlling new and existing research efforts and action programs.

To implement this proposal, I have joined with a number of my colleagues in introducing legislation which would establish, within the Executive Office of the President, an Office of Drug Abuse Control, specifically directed to develop and implement a program such as I have outlined. The Office would possess its own budget and its own appropriation. The Director would report directly to the President and through him to the Congress. He would possess the authority to employ the experts he required either from the private sector or by loan from Federal departments or agencies. Finally, the Director would be granted complete authority to coordinate the entire Federal effort in this area, and where, in his judgment it is necessary, to recommend to the President that the Office be vested with direct operational authority over new and existing programs.

One of the most important features of the proposed legislation empowers the Director to make recommendations to the President with respect to the expenditure of funds by Federal departments or agencies for programs related to drug abuse control including programs located in the Departments of Defense, Agriculture, Labor, Commerce, Justice, Treasury, Health, Education and Welfare, Housing and Urban Development, and State. This budgetary power will guarantee the ability of the Director to influence the programs conducted by these departments and will thus ensure his ability to develop a coordinated, comprehensive, and truly effective program.

Mr. Speaker, I believe that the creation of an office such as I have described will enable us to make great progress in the field of drug abuse control. A man with great administrative ability and leadership potential would be able to utilize all of the resources at the command of the Federal Government including programs involving agricultural economies, law enforcement technology, medical and educational research, crop diversification techniques, industrial development assistance, and technical information which are now located in such Federal departments and agencies as Agriculture, Defense, Justice, Treasury, Health, Education and Welfare, State, Labor, Commerce, Housing and Urban Development, NASA, and OEO.

In addition, such a man would be able to overcome the comparable fragmentation on Capitol Hill which results in consideration of the drug abuse problem by at least nine different committees, including Foreign Affairs, Agriculture, Judiciary, Education and Labor, Interstate and Foreign Commerce, Armed Services, Banking and Currency, Government Operations, Science and Astronautics, and Appropriations. In short, such a man would serve as the focus for a sophisticated, coordinated, and comprehensive attack on the problem.

Mr. Speaker, I believe that the Director of this Office should possess the flexibility required to exercise initiative and imagination as well as the ability to adapt to changing needs and increasing progress in developing a solution. However, a number of essential elements of our initial comprehensive plan can be specified. Accordingly, my legislation contains a number of specific items which may be included in the basic beginning program if, in fact, upon detailed examination they appear to be as effective as I believe them to be.

These specific program items would include many of the following elements:

RESEARCH EFFORTS

The Director's comprehensive plan may include the stimulation of expanded research to develop:

First. A synthetic analgesic substitute which is nonaddictive, to replace opium and its derivatives, morphine and codeine, in medical usage.

Synthetic analgesics are already in limited use as pain killers. None of these, however, induce the euphoria for which opium products are noted and which many physicians seem to value in their practices. In addition, existing substitutes possess undesirable addictive properties.

Government-sponsored research must be conducted to improve these substitutes and to eliminate their addictive nature. The American Medical Association and it counterparts abroad must encourage the members of the medical profession to use these replacements.

Successful implementation of this program would permit a complete international ban on opium production—ultimately, the most feasible method of ending heroin addiction.

Second. A longlasting blocking or antagonistic drug to treat heroin addiction.

Methadone is one drug which is being widely used to halt heroin addiction. Although an addict becomes as dependent upon methadone as a diabetic is dependent upon insulin, regular daily doses of methadone can block an addict's craving for heroin for up to 8 hours and thereby permit him to pursue a normal life instead of a life of crime.

We must develop a drug or device which, with dosage units administered at long intervals or by subcutaneous implantation, would cancel heroin's euphoric effect and end the craving for narcotics for 8 days, 8 weeks, or 8 months, rather than 8 hours.

Third. A detoxification agent which when administered breaks the physical addiction of a heroin user without the unpleasant physical side effects of "cold-turkey" withdrawal.

Fourth. Effective utilization of chemical or radioactive tracers to aid in law enforcement efforts.

Heroin can be easily smuggled into this country because small amounts, worth a great deal, can be hidden so easily. If poppies in the field could be sprayed with chemical or low-grade radioactive tracer elements, the detection of smugglers would be greatly facilitated and, by utilizing slightly different tracers for different areas, it would become a relatively simple task to locate fields from which opium was being illegally produced or diverted.

Fifth. Effective utilization of Department of Defense and NASA high-altitude and/or satellite surveillance techniques to detect illegal poppy culture or to monitor licit poppy crops to prevent diversion into illicit channels.

Sixth. Effective drug-abuse prevention programs. Some time ago, many of us became very enamored with the use of driver education as a means of reducing automobile accidents. Several recent studies have cast doubts upon the contribution of driver education to a reduction in the accident rate. I suggest the same may well prove to be true about drug-abuse prevention education.

We must develop a truly effective education program or programs which will utilize techniques that will reach all potential drug abusers, from affluent suburbanite to ghetto youth.

DOMESTIC ACTION PROGRAM

The Director's plan for a comprehensive domestic action program may include the development of:

First. A large-scale, national program of methadone or advanced substitute treatment, with proper supportive services, in a variety of community-based models appropriate to the needs of various user groups.

A massive nationwide program of methadone treatment, with appropriate supportive services, can make a definite contribution to a great reduction in violent personal street crime. We must move immediately to establish a program sufficient to treat every willing addict.

Second. A plan for the control of the production and distribution of psychotropic substances—amphetamines, barbiturates, and tranquilizers. This plan will no doubt include the utilization of computers to monitor the manufacture, distribution, and, perhaps, the dispensing of all mind-altering drugs.

According to the House Select Committee on Crime, the United States produces nearly 8 billion amphetamines annually—enough to supply nearly 40 doses to every American citizen—when the medical need is estimated at 0.05 pills per person per year. This must be stopped.

The Comprehensive Drug Abuse Control Act of 1970 must be expanded to regulate medical journal advertising of these products and to require manufacturers, wholesalers, jobbers, and druggists to make computer-compatible reports on all transactions involving these drugs. The computer would then cross-check all reports and immediately notify law enforcement investigators of any suspected illegal production or distribution.

Prescriptions for mind-altering drugs have been increasing at an alarming rate. In 1970, pharmacists filled more than 225 million prescriptions for these drugs compared with 166 million in 1965. This 37-percent increase compares with a 32-percent increase for all prescription drugs during the same period.

The medical profession must be urged to subject prescription practices to scrutiny and review and to conduct post-graduate seminars on the dangers of overprescription. If they fail to do so, Government intervention must be considered as a serious possibility.

Third. Legislative proposals for bringing the Comprehensive Drug Abuse Prevention and Control Act of 1970 into conformity with the requirements of the new Convention on Psychotropic Substances when it is ratified and enters into force.

On February 21, 1971, 20 nations signed a new Convention on Psychotropic Substances designed to control the international traffic in all manmade synethtic mind-altering drugs. Hopefully, the President will submit this new treaty to the Senate for its advice and consent in the very near future and the Senate will complete the formal procedures as rapidly as possible.

After ratification, we should examine our own law to insure complete conformity with the treaty.

INTERNATIONAL ACTION PROGRAM

First. The Director must propose amendments to strengthen the enforcement provisions of the 1961 Single Convention on Narcotic Drugs, the principle international instrument designed to control dangerous narcotic drugs.

The 1961 Single Convention on Narcotic Drugs is the successor to 10 previous treaties aimed at controlling leakages into illegal channels of lawfully produced narcotic drugs adopted by the nations of the world since 1912. That control has been developed. The 1,100 tons of opium required to meet the legitimate medical and scientific needs of the world community are well regulated.

However, at the same time, illicit production and illegal trafficking has increased to the point where an additional 1,200 to 1,400 tons are produced annually outside the law. This development was not surprising since only a small handful of professionals were charged with overseeing the entire world problem and their enforcement powers were limited.

Increasing the number of international civil servants to enforce the 1961 Single Convention would not be sufficient, however. New methods and new sanctions are required. The United States should take the lead in proposing amendments to the Single Convention, or, perhaps in calling a conference to develop an entirely new treaty.

When this is accomplished and when the new Convention on Psychotropic Substances designed to control the synthetic mind-altering drugs takes its place beside the 1961 Single Convention, a sound international juridical framework for the control of drug abuse will have been constructed. It will then be necessary to build upon this framework to create a truly complete system of controls.

Second. The Director should develop effective means of cooperation with international institutions such as United Nations Division on Narcotic Drugs, the United Nations Special Fund for Drug Abuse Control, the World Health Organization, the Food and Agricultural Organization, Interpol, and the international lending agencies such as the World Bank, the United Nations Development Plan, and the International Development Association.

An effort to build upon the existing international framework for the control of the international traffic in drugs was begun in November 1970, when, at the urging of our State Department, the United Nations established a Special Fund for Drug Abuse Control. Designed to provide new resources for integrated international action against drug abuse, the fund will be used to establish pilot programs which would provide training and equipment for law enforcement and government officials involved in drug control programs; stimulate and develop crop diversification programs, including the development and distribution of the necessary seed, fertilizer, and farm equipment and the organization, if necessary, of farm cooperatives, and the development of roads and the provision, if necessary, of such equipment as refrigerated trucks for a farm-to-market distribution system; and develop new techniques of addict rehabilitation.

Turkey provides an example of the potential utility of the special fund. Although Turkey has been a party to the 1961 Single Convention on Narcotic Drugs since 1965, the international community has been justifiably increasingly dissatisfied with Turkey for not fulfilling its obligation to enact a poppy culture licensing system.

Turkey has reduced the area of poppy cultivation by 50 percent from what it was in 1964 and has reduced the number of opium farmers from 200,000 to 80,000. However, yields per hectare have been increased so greatly that total production in 1968 was 50 percent higher than it was in 1964. Obviously, even if outright prohibition is not possible at present, some form of control is essential as a start to bringing the production under control.

Although the fall of the Demirel government may change the situation somewhat, in the past Turkey has bristled at American diplomatic and political pressure designed to stimulate it to tighten its controls. Leftwing critics of the Government have consistently demagoged what they characterized as American interference in Turkey's internal affairs. Thus, a licensing law which has been before the Turkish Parliament for some time has yet to be enacted and Turkey continues to supply an estimated 80 percent of the illegal heroin which reaches the United States.

The special fund can obviously serve as a multilateral channel for aid and pressure, thus disarming critics of U.S. foreign policy. It is essential, therefore, that the special fund operate effectively and efficiently. An indecisive, undirected organization with insufficient resources, will be almost as bad as no international agency at all.

Despite the fine initiative displayed by the United States in encouraging the establishment of the special fund, American financial support has been fainthearted and parsimonious. The United States has pledged an initial first-year contribution of only $2 million. Given the importance of narcotics control to the United States, other nations took this small pledge as a depressingly clear signal of American lack of interest and confidence in the fund.

Moreover, the United States only 1 month ago—while the Vienna Conference on Psychotropic Substances was still in progress—indicated that it was willing to release only a mere $100,000 of its $2 million pledge. This, again, was taken as a signal of lack of urgency, purpose, and priority and has greatly impaired American credibility concerning its desire to solve the problem. While the State Department has, since the conference, agreed to release $1 million—the harm was done.

Finally, the $2 million American contribution has impaired the effectiveness of the fund. As a general rule, the United States contributes approximately 35 percent of the budget of international agencies. Using this rule, the American pledge of $2 million means that the fund will initially possess resources of only approximately $5 million when the fund should have resources of $25 to 50 million per year.

The cost of not spending millions abroad is measured in a cost of billions in our cities. It is no exaggeration to use a multiple of 1,000 in relating failure to spend abroad with cost at home.

Therefore, the actions of the United States must be corrected. The American contribution should have been, and, in the future, must be much greater. We must evidence a clear and credible intent to solve the drug problem now.

The World Health Organization conducts medical research and disseminates public health information. Clearly, our efforts must be coordinated with this organization.

The Food and Agricultural Organization has 2,300 agents spread throughout the world who possess the expertise required to develop crop diversification programs. Again, if poppy culture is to be eliminated, this valuable expertise must be utilized. No initiative has yet been made to harness FAO expertise, available manpower in the field, and its widespread credibility and popularity with the underdeveloped nations.

The international lending agencies, such as the World Bank, the International Development Association, and the United Nations Development Program must be involved in a well designed program to make their resources available for hard and soft loans to fund economic diversification programs to shift poppy farmers to the production of other cash crops or into other employment.

In anticipation of the potential control over poppy culture in Turkey and processing in Marseilles, the organized criminal syndicates are already shifting opium, morphine base, and heroin production from Turkey to such other countries as Afghanistan, Burma, Laos, and Thailand. If we are to halt this shift we must obviously move quickly before it becomes well established.

This will not be easy. Many of the countries I have mentioned lack effective administrative control over their remote poppy growing areas. Roads must be built, administrative and control infrastructures developed, seed for such crops as sunflowers, fertilizer, and farm equipment provided and technical expertise made available. The international lending agencies can be invaluable in providing the variety of financial aid that is required in order to close all the holes in the dikes and create a seamless web of controls over opium production.

Third. The Director should offer technological assistance to international organizations and foreign countries, including:

Advanced computer technology. The need for such assistance is clearly illustrated by the current plight of Interpol. This international organization deals primarily in information and criminal intelligence which it provides for member governments around the world. Yet, it currently has a budget of only $800,000, less than the police budget of Fargo, N. Dak. Clearly, the organization should have a larger budget which would enable it to utilize advanced computer technology for its information gathering, storing and disseminating functions.

Sophisticated administrative and law enforcement techniques must be made available to opium-producing countries for use in licensing or halting opium production.

Agricultural expertise for use in crop diversification. The most effective method of ending heroin addiction in this country involves a total prohibition of poppy culture. This must be our goal.

Poppy farming is a very labor intensive occupation which, to the farmer, is not very remunerative. For example, the average Turkish poppy farmer earns less than $100 per year from his opium crop. Thus, countries such as Yugoslavia have found it relatively easy to move farmers from poppy cultivation to the production of other more financially rewarding crops. Expertise in crop diversification must be made available for this purpose.

COORDINATION AND OPERATIONAL CONTROL

First. Obviously, to accomplish his task, the Director will be required to effectively coordinate programs which are presently located in other Federal departments and agencies. These programs include:

Domestic law enforcement programs which are located within the Department of Justice and border control activities which are located in the Treasury Department;

Medical research and treatment programs located within the Department of Health, Education, and Welfare and the Office of Economic Opportunity;

Technological research conducted by the Department of Defense and the National Aeronautics and Space Administration;

Agricultural research and technical assistance programs located within the Department of Agriculture and operated by AID;

Local treatment programs to reach large numbers of potential drug abusers such as those located within the Department of Housing and Urban Development—(Model Cities; the Office of Economic Opportunity—(Community Action programs; the Department of Health, Education, and Welfare—(Office of Education, Office of Child Development; the Public Health Service — (community based health clinics;

International programs developed or implemented by the Department of State, including the relevant programs under the jurisdiction of the Agency for International Development; and

Relevant technical assistance programs available through the Department of Labor—for example, manpower training for new skills for farmers—and commerce—for example, light industrial development.

Second. In some instances, coordination of existing programs will not be sufficient. Therefore, when, in his judgment it will best serve the aim of drug-abuse control, the Director is empowered to recommend to the President that existing programs be transferred to the direct control of the Office for continued operation or consolidation. In addition, under the same conditions, the Director may recommend to the President that the Office be empowered to develop directly an entirely new program.

Mr. Speaker, drug abuse is not a partisan problem. It is a serious national problem which involves all regions of the country, urban and rural, north and south, east and west. It is attacking affluent youth in our suburbs, poor youth in our slums, students on our college campuses, pupils in our elementary and secondary schools, men in our workshops, and executives in our corporate headquarters.

Similarly, our failure to solve the problem has not been the failure of one party or one administration. It has been a national failure over many years to develop programs and apply resources even marginally commensurate with the appalling scope of the problem.

We can stop the illicit traffic in dangerous drugs if we are willing to call a moratorium in rhetoric and join across party lines to devote the thought, the resources and the energy that are required to mount a total and coordinated effort to end the scourge of addiction.

My proposal to establish an Office of Drug Abuse Control represents an effective and feasible means of conquering this dreaded epidemic. In the past, when we have wished to accomplish a task, we have utilized high quality personnel to develop a sophisticated grand design for action. We have created an Office of Consumer Affairs when we wished to develop a program of consumer protection. We have established a National Aeronautics and Space Administration when we wished to send men to the moon and a Manhattan Project when we wished to split the atom. Surely, drug abuse control is as important a national challenge as consumer affairs, space flight, and atomic energy.

Admittedly, these organizations were not perfect. But they provided the organizational framework to do the job. They used highly sophisticated, multidisciplinary methods to develop programs which applied imagination, initiative, centralization, coordination, operational control, and major resources to accomplish their tasks. We can do the same for drug-abuse control if we have the will and the energy.

Finally, Mr. Speaker, my proposal is a short-term measure only. It deals with a symptom—drug abuse—rather than the disease. While we must move, and move quickly, to correct the symptom because of the disastrous effect it is having upon our society, we should not permit these efforts to diminish our search for a cure of the disease. History will judge us harshly if we fail to end drug abuse. But the judgment will be even more severe if we fail to end the alienation, the bitterness, and the despair which are the root causes of the abuse of drugs. Therein lies the true solution. That should be our ultimate goal.

Mr. Speaker, the following is the full text of the bill:

H.R. 6731

A bill to establish the Office of Drug Abuse Control within the Executive Office of the President

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

ESTABLISHMENT

SECTION 1. There is established in the Executive Office of the President an office to be known as the Office of Drug Abuse Control (hereafter referred to in this Act as the "Office") which shall be headed by a Director appointed by the President, by and with the advice and consent of the Senate. The President shall also appoint, by and with the advice and consent of the Senate, a Deputy Director.

DUTIES OF THE DIRECTOR

SEC. 2. (a) The Director shall carry out the following:

(1) DOMESTIC DRUG CONTROL PROGRAM.—The Director shall prepare for the President a comprehensive program for the control of drug abuse in the United States. Such program may provide for—

(A) stimulation of an expanded research program to create a synthetic analgesic to replace opium and its derivatives in medical use;

(B) stimulation of an expanded research program into the development and dissemination of a long-lasting blocking or antagonistic drug for treatment of drug addiction;

(C) stimulation of expanded research into the development of a detoxification agent which, when administered, will ease the physical effects of withdrawal from heroin addiction;

(D) development of a large-scale, national program of methadone maintenance, with appropriate supporting services, or similar program for any methadone substitute, if and when developed; and

(E) development of programs for the control of the production and distribution of psychotropic substances including a program for the development of a computer capability to monitor their manufacture, distribution, and dispensing;

(F) development and evaluation of drug abuse prevention education programs.

(2) INTERNATIONAL DRUG CONTROL PROGRAM.—The Director shall prepare for the President a program for the effective use of facilities and personnel of governmental and international organizations in controlling drug abuse. Such program may provide for

(A) the offer to international organizations or foreign countries of technological assistance including—

(i) advanced computer technology,

(ii) high-altitude and satellite surveillance photography,

(iii) the use of infra-red sensors and radioactive and chemical tracer elements,

(iv) sophisticated administrative techniques, and

(v) agricultural expertise for use in crop diversification; and

(B) effective cooperation with international institutions (such as the World Health Organization, the Food and Agricultural Organization, Interpol, and international lending agencies) for the development, implementation, and financing of crop diversification programs, alternative employment opportunities for persons engaged in drug production and distribution, and methods of controlling the international traffic in drugs subject to abuse.

(3) COORDINATION OF FEDERAL PROGRAMS.—The Director shall prepare for the President a plan for the coordination of the programs carried out by departments and agencies of the Federal Government to control drug abuse, including—

(A) law enforcement programs of the Department of Justice and the Treasury Department:

(B) medical research and treatment programs of the Department of Health, Education, and Welfare and the Office of Economic Opportunity;

(C) technological research conducted by the Department of Defense and the National Aeronautics and Space Administration;

(D) agricultural research and technical as-

sistance programs of the Department of Agriculture;

(E) programs utilized to reach large numbers of potential drug abusers such as those located in the Offices of Education and Child Development in the Department of Health, Education, and Welfare, in the Department of Housing and Urban Development, and in the Office of Economic Opportunity; and

(F) international programs developed or implemented by the Department of State or the Agency for International Development.

(b) Upon approval by the President of a plan submitted under subsection (a), the Director shall carry out such plan. The President shall take such administrative action, and shall submit to Congress requests for such legislation, as may be necessary to enable the Director to effectively carry out each such approved plan.

(c) The President shall transmit to each House of Congress each approved plan prepared by the Director and every six months after a plan is transmitted to Congress the President shall make a report to each House of Congress describing the activities undertaken pursuant to the plan and any revisions made in the plan.

(4) The Director may, from time to time, make recommendations to the President, with respect to:

(1) the expenditure of funds by Federal departments and agencies for programs related to drug abuse control including, but not limited to, the fields of agriculture, education, training, health and welfare, defense, foreign affairs, law enforcement, commerce, border control, and manpower.

(2) Such additional, Federal, State, and local legislation as the Director deems necessary to further the purposes of this Act.

ADMINISTRATIVE PROVISIONS RELATING TO DIRECTOR, DEPUTY DIRECTOR, AND STAFF OF THE OFFICE

SEC. 3. (a) DIRECTOR AND DEPUTY DIRECTOR.—The Director shall be paid at a rate not to exceed the rate for level III of the Executive Schedule and the Deputy Director shall be paid at a rate not to exceed the rate for level IV of the Executive Schedule.

(b) STAFF.—The Director may appoint and fix the compensation of such personnel as he deems desirable.

(c) APPLICABILITY OF CIVIL SERVICE AND CLASSIFICATION LAWS.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive compensation in excess of the annual rate for grade GS-18 of the General Schedule.

(d) EXPERTS AND CONSULTANTS.—The Director may procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5 of the United States Code, but at rates for individuals not to exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule.

(e) STAFF OF FEDERAL AGENCIES.—Upon request of the Director, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to the Director to assist it in carrying out his duties under this Act.

(f) OBTAINING OFFICIAL DATA.—The director may secure directly from any department or agency of the United States information necessary to enable him to carry out this Act. Upon request of the Director, such department or agency shall furnish such information to the Director.

WEEK OF CONCERN

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. BINGHAM. Mr. Speaker, I want to commend the gentleman from Indiana (Mr. MYERS) for arranging this special order on the distressing situation of our prisoners of war and missing in action in North Vietnam. Further discussion and reflection on this matter is particularly in order this week, which the President has officially proclaimed a Week of Concern. I know that the gentleman from Indiana and other Members of the House were instrumental in securing this proclamation, for which we are all grateful.

As I see it, the prisoner of war problem is now really two problems. There is, first, the problem of the treatment of our prisoners by the North Vietnamese and, second, there is the problem of obtaining their early release.

With regard to the matter of treatment, I have said before and I say again that I deplore and condemn the failure of North Vietnam to observe the Geneva Convention with regard to these prisoners. I voted for the resolution passed by the House December 15, 1969, protesting the treatment of our servicemen held prisoner by North Vietnam and the National Liberation Front of South Vietnam and calling on them to comply with the requirements of the Geneva Convention. I am introducing a similar resolution today to point out that no progress has been made and to reemphasize the need for release by North Vietnam of the names of all our prisoners, repatriation of the sick and wounded, impartial inspection of prison facilities, and regular mail services.

The force of sympathetic national and worldwide public opinion is the best hope we have for more humane treatment of our prisoners. But sympathetic world public opinion is extremely difficult to mobilize when our leaders continue to widen the war and step up the bombing, as they have in recent months. The Sontay raid probably made conditions more difficult for the prisoners. The President, by refusing to preclude future Sontay-like raids, perpetuates that extra hardship.

So far as obtaining the release of the prisoners of war is concerned, the President's policies and actions have been even more misguided and inept. Hanoi has offered to negotiate with regard to the release of the prisoners if this country will set a date for total withdrawal of U.S. troops—a move 73 percent of the American people desire and support. I believe there is only one course open to us to obtain the release of these men, and that is the course of scheduled withdrawal to be completed by a preannounced date, provided the prisoners are released. As the Vietnam Disengagement Act (H.R. 4100), the McGovern-Hatfield bill which I had the honor to introduce in the House with 64 cosponsors, makes clear: In light of all considerations, the solution which offers the best likelihood for the return of U.S. prisoners and the most meaningful opportunity for a political settlement would be the establishment of a date certain for the orderly withdrawal of all U.S. Armed Forces from Vietnam.

I urge all those in this Congress and across the Nation who are deeply concerned, as I am about the prisoners to support this course, which the President so far has refused to take.

AMERICAN PRISONERS OF WAR

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. WYMAN. Mr. Speaker, it is with a heavy heart and a marked sense of frustration that I join with my colleagues in observing the National Week of Concern for Prisoners of War and Those Missing in Action. Seven years ago, on March 26, 1964, the first American was taken prisoner by North Vietnam. Today those Americans taken prisoner or listed as missing in action number approximately 1,600. Of these 460 have been confirmed as prisoners by the Department of Defense, with the fate of the remaining men known only to North Vietnam. At best, these seemingly forgotten men are languishing ill-fed in a cell in a North Vietnamese camp with little or no contact with home.

In an effort to reduce man's inhumanity to man, the United States has joined with other nations, including North Vietnam, in signing the Geneva Convention of 1949 seeking to guarantee humane treatment for prisoners of war. Unlike North Vietnam, however, this Nation is honoring its commitment under the Convention. Make no mistake, this is no great concession on our part; it is simple human decency. Identifying all prisoners held, allowing impartial inspection of camps, permitting free exchange of mail between prisoners and their families, releasing seriously sick or injured prisoners, and negotiating seriously for the release of all prisoners—these are provisions contained in the Convention which North Vietnam ratified in 1957. Compliance cannot conceivably jeopardize any nation's security or interests. Yet North Vietnam continues to ignore them.

On October 7, 1970, President Nixon made an offer—which is still standing—to exchange 8,200 North Vietnamese prisoners of war for those Americans held by North Vietnam. To date, North Vietnam will not even discuss the matter. Can this attitude truly reflect a culture supposedly civilized? Yet this is the position of Communist North Vietnam?

It is frustrating, to say the least, not to be able to directly assist those Americans who are prisoners of war or listed as missing in action. The 90th, the 91st, and now the 92d Congresses have strongly deplored the barbaric insensi-

tivity displayed by North Vietnam. Although regretably meager, the only method of assistance available is to place the spotlight of world opinion on the actions of North Vietnam. As more and more people realize the full extent of that nation's inhumanity, we can hope Hanoi will rsepond to the diplomatic appeals from other nations. Until then we must make every effort to demonstrate to North Vietnam the wisdom of adhering to the responsibilities they incurred by signing the Geneva Convention in 1957.

I pray these efforts are successful.

ECOLOGICAL DESTRUCTION IN VIETNAM

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. KASTENMEIER. Mr. Speaker, I would urge my colleagues to read two recently published articles describing the ecological and genetic hazards of the U.S. defoliation and crop-destroying practices in South Vietnam.

The articles, the first by Arthur H. Westing in the March 1971 issue of Natural History, and the second by Terri Aaronson in the March 1971 issue of Environment, discuss the consequences of the deliberate and massive attack upon the ecological system of South Vietnam. The two authors, as well as many other persons, including myself, fear that the ecological disruption of South Vietnam will endure long after the causes of the current conflict are forgotten. The signs of lasting ecological damage are becoming increasingly apparent, and because of the interrelationship of all life in an ecological system, such destruction could also have long range effects on animals and humans as well.

Any person who is interested, even to the slightest degree, in the future of man and his environment has to be horrified and saddened by this willful destruction of the home environment of another people. The American conscience will be haunted for years to come by this brutal action.

Mr. Speaker, the articles follow:

[From the Natural History, March 1971]

ECOCIDE IN INDOCHINA

(By Arthur H. Westing)

All wars raise havoc with the land on which they are fought. However, our war in Indochina has been, and continues to be, particularly disruptive of the environment.

The country is largely rural, and the enemy is dispersed in the fields and forests, in the mountains and swamps. This enemy matches his numbers and concealment and persistence against our wealth and technology and persistence. They hide and we seek.

In an attempt to cope with that elusive enemy, dispersed and hidden in the wild stretches of Vietnam, the United States military employs two major tactics: bombing on a staggeringly unprecedented scale and laying bare vast stretches of terrain. Both tactics are enormously disruptive of the ecology (and economy) of Vietnam.

When an area is found to contain—or is even suspected of containing—Vietcong, it is subjected to intensive aerial bombardment. Hundreds of bombing sorties are flown each day. Some three million bombs are dropped annually, for a total now of more than ten million tons, and the program is being intensified daily. In flying over the country, as I did last August, one is overwhelmed by the endless craters, each 20 or 30 feet deep and 30 to 40 feet across. These ubiquitous craters are (at least during the rainy season) usually filled with water and provide an ideal breeding habitat for malarial mosquitoes. The long-term ecological effects, possibly for centuries, of this massive intrusion of the environment have attracted little attention.

The other massive ecological disturbance is our program of defoliation: the destruction of vast stretches of vegtation in order to deny cover and sanctuary to the enemy. This is done in two major ways. One rather straightforward approach is to bulldoze the countryside. Using giant tractors equipped with sharpened Rome-plow blades, we have now cleared a 1,000- to 2,000-yard strip along most major transportation routes. Most of these swaths—often scraped down to the infertile subsoil—are barren and subject to erosion. The remainder are largely weed-choked wastelands. They will be difficult to reclaim and rehabilitate after the war.

In addition to roadside clearing, large contiguous areas of countryside are Rome-plowed to deny them to the enemy. At least one-half million acres of forest were cleared through 1969, according to information released by the Army. This program continues unabated. In the words of the commanding officer of this operation, "The B–52 bomber is the battle-ax of this war, and our plow is the scalpel."

The second and much more extensive means we have devised for denying wild land cover and sanctuary to the other side is the aerial application of plant poisons, or herbicides. This aspect of the war drew me to Indochina twice, most recently in August 1970, as director of the Herbicide Assessment Commission of the American Association for the Advancement of Science (AAAS). There is no precedent for the massive use of herbicides in a tropical environment and thus no way of reliably predicting the full extent and seriousness of the damage being inflicted upon the ecology of Vietnam. The likelihood of serious long-term damage to the environment has been a major concern of many scientists in this country and elsewhere. In December 1970, the Council of the AAAS resolved to urge the United State to renounce the military use of herbicides.

War against the plants of Vietnam began in late 1961 and, according to a recent Department of Defense news release, was inflicted upon some 5½ million acres through 1969. Since the program continues to this day, the current figure can be estimated to be in excess of 6½ million acres. (A half million or more acres classified as agricultural have been sprayed.) All told, one acre in six in South Vietnam has now been sprayed.

To illustrate the extent of environmental disruption more graphically: South Vietnam approximates the size of New England; the area sprayed is larger than Vermont; the area bulldozed almost that of Rhode Island. While none of Vietnam's 43 provinces has escaped, some have been attacked herbicidally with particular intensity and frequency. Among these are the Rung Sat region in Gia Dinh Province southeast of Saigon, Tay Ninh Province (War Zone C), which is northwest of Saigon, and Long Khanh Province (War Zone D) northeast of Saigon—the last previously contained major stands of South Vietnam's magnificent virgin tropical forest.

Most forest spraying has been done with a 1:1 mixture of 2,4-D and 2,4,5-T, Agent Orange in military terminology; some with a 4:1 mixture of 2,4-D and picloram, or Agent White; and small amounts with dimethyl arsenic acid, Agent Blue. The use of Agent Orange was discontinued in early 1970, largely in favor of Agent White. Agent Orange was applied at the rate of 25 pounds of active ingredients per acre; Agent White at 8 pounds; and Agent Blue at 9.

When an upland forest is attacked with herbicide, the leaves drop after two or three weeks and the trees remain bare for several months. Sunlight, able to reach the forest floor following defoliation, promotes the growth of a luxuriant understory in which certain herbaceous grasses and shrubby bamboos dominate. A tropical forest has an enormous diversity of species, some more sensitive to the spray than others. When refoliation of the trees occurs, about one out of ten trees fails to survive the treatment, perhaps more. This has occurred on more than 5 million acres in Vietnam. The repeated spraying of an additional million acres or so of upland forest has caused even more serious damage. In such areas the proportion of trees killed rises dramatically, as much as 50 percent to 80 percent of higher, depending upon the number of applications, the type of spray, and the local mix of species. An estimated 6½ billion board feet of merchantable tropical timber have been destroyed, plus an indeterminate amount of fuel wood, charcoal wood, and other forest products.

In flying over these hard-hit areas, I was impressed by the widespread invasion of cogon grass (*Imperata*) or, even worse, a variety of low-growing scrub bamboos. These species are aggressive colonizers and prevent the re-establishment of the former high forest. The resultant grass savannas and bamboo brakes have a reduced biomass and an impoverished fauna. Commercially worthless, they will be extremely difficult to eradicate. These vegetational wastelands will remain one of the legacies of our presence for decades to come.

Additional, less obvious ecological damage is likely to occur in a sprayed upland forest. In a tropical forest ecosystem (like those of temperate zones) the major fraction of the total nutrient budget is in its biotic component (largely in the leaves and small twigs). Following defoliation, a significant fraction of the leaf-stored nutrients is probably lost permanently in the water runoff. It takes decades for a tropical ecosystem to restore its former productivity following such nutrient dumping.

Herbivorous insect, bird, and bat populations are bound to decline markedly and with them, their pollinating function, which is so important in a tropical forest where individual plants of the same species are usually widely scattered. In the replacement community, particularly following multiple herbicidal attacks, the original set of animal populations will be replaced by a less diverse set. A large number of species will be eliminated and the replacement community will have higher numbers of fewer species, many of them new to the area. In addition, the miles of borders (or ecotones) between divers vegetational types is being greatly increased. Such a fringe habitat supports its own animal community. For example, the scrub typhus mite appears to be restricted to such a niche.

The chemicals used for defoliation missions (largely 2,4-D, 2,4,5-T, and picloram) are potent herbicides but are supposedly not toxic to animals. These chemicals have their main effect on terrestrial animals (both large and microscopic) indirectly via the dependence of these animals on plants for food and shelter. However, at least one of the herbicides, 2,4,5-T, contains dioxin as an

impurity. Dioxin is both highly toxic and enormously teratogenetic (causing birth defects) to mammals. Vietnam's countryside has been drenched over the years with some 47 million pounds of 2,4,5-T, with an estimated dioxin concentration of 25 parts per million. This means that more than one thousand pounds of dioxin have been introduced into Vietnam's environment. Dioxin's environmental stability, mobility, and possible points of concentration in the ecosystem are not yet known.

In a different ecological situation, more than one million acres of Vietnam's southerly coastal regions are subject to daily flooding at each high tide. This tidal zone supports a characteristic biotic community known as mangrove swamp. It is an inhospitable region used mainly as a source of charcoal and as sanctuary for the ubiquitous Vietcong. More subtly, it is a crucial breeding and nursing ground for a great variety of ocean fishes and crustaceans and some river fishes.

To date, more than one-quarter of Vietnam's mangrove association has been sprayed and killed. I say *killed* because, through some quirk of nature, one herbicidal attack of this tidal zone literally kills all the plant life that grows there. Moreover, for unknown reasons, the plants do not regenerate. The utter devastation that results is eerie to behold and also frightening because I could find no indication of how soon, if ever, recovery would occur. Tens of thousands of acres sprayed years ago still have no sign of green on them. The web of life on these vast stretches has been destroyed, with ecological ramifications—and even geologic ones via marine erosion—not yet possible to fathom. Whether or not the recent disappearance of the freshwater tarpon, which breeds among the mangroves, from the Mekong Delta is the result of this destruction remains to be determined.

My focus has been on the strictly ecological impact of the military use of herbicides in a tropical setting. What must be left for another time is the impact of this program on human ecology—on the 17 million semi-destitute Vietnamese peasants and primitive hill tribesmen inexorably enmeshed in the vagaries of the war. This unfortunate aspect of the problem has incredibly serious economic, public health, and social welfare dimensions.

Whatever one's political and moral views may be toward the war in Indochina, one has to assume that the war will end some day and that the surviving population must have a natural resource to support itself. The natural resource is the base upon which an underdeveloped country must build its future.

In December the White House announced a "phasing out" of the use of herbicides. It is my hope that a second statement is imminent announcing the immediate cessation and abrogation of such use of herbicides. I hasten to add that I have little against the discriminate civil use of many herbicides; I am only against their massive and indiscriminate use by the military. One cannot destroy a nation in order to save it.

[From the Environment, March 1971]

A TOUR OF VIETNAM

(By Terri Aaronson)

The extensive U.S. military defoliation and crop destruction program in South Vietnam has caused many scientists to fear long-lasting ecological damage and human health hazards in that country. In the past nine years, defoliation has affected more than one-seventh of the land area of South Vietnam. In December of 1969, the American Association for the Advancement of Science (AAAS), after at least three years of internal discussion, appointed Mathew Meselson, professor of biology at Harvard University, to develop a plan for an indepth study of the effects of herbicide use on the ecology of Vietnam and on human welfare. During 1970, Meselson and a group of scientists he gathered to assist him (comprising the Herbicide Assessment Commission) studied the background of the use of herbicides—chemicals which either kill plants or affect their natural growth patterns—in South Vietnam and made a study tour of South Vietnam during the summer. Because so little information has been available on the ecological consequences of military use of herbicides, and because of reports in Vietnamese newspapers claiming that herbicides caused horrible birth defects, many people were anxious to hear the preliminary report of the Herbicide Assessment Commission (HAC), presented at the annual AAAS meeting held in Chicago in December 1970. There was also official interest in the report, and three days before the commission was to address the AAAS the White House, which had received advance notice of the contents of the report, announced that herbicide use in Vietnam will be phased out; policies governing use of herbicides in Vietnam will, in the meantime, conform to U.S. regulations; and herbicides will be used only on the perimeters of firebases and U.S. installations and in remote unpopulated areas.

Chemicals that are used in the defoliation program in South Vietnam go under the names of Agent Orange, Agent White, and Agent Blue. Orange, the most widely used herbicide, consists of a 50: 50 mixture of 2,4,5–T and 2,4–D. White is a 80: 20 mixture of 2,4–D and picloram, and Blue is cacodylic acid, an arsenic compound. These herbicides have been used in the United States for about twenty years as effective weedkillers; however, their use here has been in much lower concentrations. Last spring the U.S. government announced that 2,4,5–T and/or its contaminents were capable of producing birth defects in mice and rats, and that registration for certain uses of 2,4,5–T in this country was suspended. In April, President Nixon announced that Agent Orange, which contains 2,4,5–T, would no longer be used in Vietnam. Despite orders, Agent Orange was used in two northern provinces of South Vietnam throughout the summer.[1]

No restrictions were placed on the use of 2,4–D, which has also been implicated in the production of birth defects in mice and rats.[2]

Picloram is a persistent chemical in soils and has not been authorized for use on any American food crop. Cacodylic acid may be used in the United States on food crops under certain Department of Agriculture restrictions. However, the concentration of Agent Blue used in Vietnam is seven and one-half times the concentration permitted in this country for weed killing.[3] Agent Blue is used primarily to destroy rice crops in Vietnam.

DEFOLIATION OF FORESTS IN SOUTH VIETNAM

Forest areas cover about 25 million acres, or 60 to 70 percent of the total land area of South Vietnam. Defoliation is aimed at denying the National Liberation Front (NLF) protective cover and uncovering NLF supply routes through forest areas. Four million acres are estimated to have been sprayed once; one million acres are estimated to have been sprayed at least twice. (These estimates were made by the Herbicide Assessment Commission on the basis of open literature, interviews with South Vietnamese witnesses of spraying, and personal assessment during visits to South Vietnam. The U.S. Department of Defense has refused to declassify information concerning exact numbers of missions flown, locations of missions, and the type of herbicide sprayed on each mission. Such data will be necessary for any complete scientific study of herbicide effects.) Forest defoliation was accomplished primarily by Agent Orange until its ban in April. Since then Agent White has been used as the main herbicidal agent. Agent Blue has been used very little for forest spraying. Arthur Westing, professor of biology, Windham College, Putney, Vermont, whom Meselson appointed to direct the HAC, suggested that over 60,000 tons each of 2,4,5-T and 2,4-D and 1,000 tons of picloram have been dumped on the forests of South Vietnam. Both 2,4,5-T and 2,4-D degrade rapidly in the environment, that is, they last only several weeks or a few months at most. Picloram, on the other hand, may remain in the soil, influencing vegetation for as long as several years.

Agents Orange and White, when sprayed on forests at standard active ingredient rates of 25.5 pounds per acre and 7.6 pounds per acre respectively, cause leaf fall in approximately two to three weeks after spraying. The trees remain bare for several months following spraying. Previous studies by B. R. Flamm of the U.S. Forest Service and F. H. Tschirley of the U.S. Department of Agriculture's Agricultural Research Service, concluded that with a single spraying one out of every eight to ten trees is killed. Aerial examination by HAC seemed to indicate that a much greater percentage of trees are killed outright. For those areas sprayed more than once, 50 to 80 percent of the trees are killed.

Approximately 35 percent of the dense jungle, which comprises half of South Vietnam's total forest land, has been defoliated. When trees are stripped of their leaves, sunlight reaches the ground, encouraging growth of some kinds of bamboo and pioneer grass, which have little economic value. If the defoliated trees regenerate their leaves, the grasses and bamboo may be killed by lack of sunlight. If, on the other hand, the trees are killed by herbicides, the grasses and bamboo stands may become predominant in the area. Larger trees then may take years or decades to reestablish themselves. If hardy grass types, particularly *Imperata cylindrica*, become established, previous forestland may be transformed to semipermanent savannah. Westing commented that forests in Sumatra have been shown to crowd out *Imperata* over a period of ten to sixteen years. However, bamboo stands may resist forest crowding for decades. HAC made particular note of the fact that lumbering is a major industry and timber the most promising economic resource in South Vietnam.

Even when trees are not killed, spraying has drastic consequences on dense tropical forest land. Most of the nutrients contained in South Vietnam's jungles are, at any one time, in the leaves and twigs of the trees. Very few nutrients are found in the soil. Ordinary leaf loss is fairly continuous, and leaves degrade very rapidly in the warm, humid climate. When defoliation causes all the leaves to fall at one time, they are all quickly decomposed and many nutrients are lost to the immediate ecosystem by leaching, runoff, and erosion. HAC has christened this phenomenon "nutrient dumping." and Westing surmises that it will take a minimum of a decade for a defoliated area to regain its total nutrient budget.

Because of wartime conditions it has been impossible for anyone to make a detailed ground study of any defoliated area. However, Westing pointed out that it is reasonable to assume that animal populations have suffered because of defoliation; moving to contiguous, unsprayed areas does not ease animal hardships, because each jungle area is normally filled to capacity. Rather, Westing foresees that the only animals to thrive in a defoliated area will be termites, Although Agent Orange, in particular, is known to have toxic effects, at the present time there

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[1] *New York Times*, October 24, 1970.

[2] Epstein, Samuel S., "Family Likeness," *Environment*, July/August 1970.

[3] Whitesade, Thomas, *Defoliation*, Ballantine/Friends of the Earth, New York, 1969, p. 7.

is nothing to indicate that herbicides have directly affected animal populations. This must be interpreted, however, in light of severely limited field observations.

Again, because of the limitation on ground research, observation of the soil in defoliated areas is difficult. However, HAC lists erosion as the major impact of defoliation on the soil. Erosion would be most severe in mountainous terrain, or following fire in a defoliated area.

Mangrove forests grow well in marshlands where they are often subject to saltwater tides. South Vietnam has in excess of one million acres of mangrove forest, consisting of both true and so-called "rear" mangrove. Because the mangroves grow along coastlines, they have been the target of U.S. defoliation missions in an attempt to secure waterways for safe passage of military and commercial vessels. More than 20 percent of the mangrove forests have been defoliated. Unlike the species in dense forest, 100 percent of the mangroves appear to be killed by a single spraying of herbicides, and all other vegetation on the sprayed site is killed. Up to six years following spraying no regrowth on mangrove sites has been observed. Rather than speculate on why mangrove sites did not regenerate, Westing suggested that on-site experimentation and land rehabilitation begin as soon as possible.

Mangroves are particularly useful as firewood and as a source of charcoal. The swamps where mangroves thrive are also very rich breeding grounds for a wide variety of aquatic organisms. When the mangroves are destroyed, the nutrients which they ordinarily lose continuously to the surrounding area no longer available to these organisms. Westing and Meselson suggested that the effects of destruction of mangrove forests on fish and crustaceans (such as shrimp) be studied. The AAAS scientists firmly believe, despite reports to the contrary and a lack of direct evidence, that the number of aquatic organisms must have declined. The scientists pointed out that fish catches have indeed increased in recent years, but attribute increases to advanced fishing techniques which would mask actual depletion in the fish population.

The HAC also noted the potential threat of coastline erosion as dead mangrove roots rot away. Up to this time, however, no erosion has been observed.

Westing dismissed one estimate that mangrove forests will regenerate in twenty years. Although mangroves destroyed through means other than spraying an indeed regenerate fairly rapidly, Westing believes that such timetables do not apply to sprayed areas.

Defoliation programs in South Vietnam are concentrated on the dense forests and the mangrove forests. Westing claimed that rubber plantations in South Vietnam are carefully avoided by spray planes, although some damage to rubber has occurred from spray drift and from accidental sprayings. He did note, though, that no attempt has been made to protect rubber plantations in Cambodia. However, an NLF film given to Dr. Egbert Pfeiffer of the University of Montana (see accompanying article), shows extensive damage to rubber plantations thought to be in South Vietnam. Rubber is a major commodity in both Cambodia and South Vietnam.

Along with rubber, rice has been a major export item in South Vietnam. HAC suggests that timber could also be an important export. Over one-half of South Vietnam's forests are appropriate for commercial use. If the forests were put to commercial use they could provide an adequate supply for the South Vietnamese plus afford a considerable amount for export. Westing has calculated that the defoliation program in Vietnam has destroyed approximately 6,500 million board feet of timber—with an approximate monetary loss of close to one-half billion dollars. This figure must be seen, though, in light of the very limited timber industry presently operating in South Vietnam.

HEALTH EFFECTS OF HERBICIDES

The lack of knowledge of the effects of herbicides used in Vietnam on human health was one of the major reasons for the creation of HAC. Laboratory studies in 1968 to 1969 showed 2,4,5-T and/or its contaminants to be teratogenic (causing birth defects) in mice and rats.[4] Naturally, it was feared by the AAAS scientists and others that the 60,000 tons of 2,4,5-T sprayed in South Vietnam might have drastic consequences on children born since the spraying began. Scientific concern was increased by reports in the Vietnamese press that defoliants were causing monstrous birth defects. Although 2,4-D has been as widely used in Vietnam as 2,4,5-T and is now the most often used military herbicide, it has never received as much publicity for its teratogenic possibilities as its cousin, 2,4,5-T.

John Constable, professor of surgery at Massachusetts General Hospital, led HAC's study of health effects. Constable and HAC found no evidence of drastic abnormalties, such as occurred from thalidomide, in the South Vietnamese population. Interviews with leading doctors in South Vietnam tended to confirm HAC's evidence. However, this does not eliminate the possibility that major abnormalities are occurring but are simply going unnoticed. Laboratory studies indicate that 2,4,5-T may cause gastrointestinal or urinary tract changes. These, or biochemical abnormalities in the body, may not be observed in the South Vietnamese population, but may have a definite effect on life expectancy. Abnormalities can sometimes result in spontaneous abortion or stillbirth, and the rate of stillbirth in South Vietnam for the period of defoliant spraying may be revealing. There are, however, many variables to consider before drawing conclusions from stillbirth rates.

Because most areas defoliated by 2,4,5-T and 2,4-D were quite remote, only a limited population was directly exposed. Since few people were directly exposed, to study the prime effects of these herbicides it is important to know whether they enter the food chain. In order to assess increases or decreases in the stillbirth rate it is necessary to be aware of any changes in the quality of health care and in the manner and accuracy of reporting birth figures. And it is valuable to have autopsies performed on a number of stillbirths to discover any pattern of abnormality. All of these considerations are suggested by HAC for future study.

The major problem in obtaining figures on the number of stillbirths in South Vietnam is that many children are born not in large hospitals but at home or in village or district dispensaries. These dispensaries are staffed by a midwife and/or a rural health worker, HAC found general agreement among Vietnamese doctors and midwives that records kept by midwives (who attend most of the births in South Vietnam) are accurate in reporting the birth of a child, the sex and weight of the baby, and whether the child survived. There are great discrepancies in reporting congenital abnormalities, however. For the most part, if abnormalities are recorded at all, only gross malformations are reported by midwives at the village or district levels. Causes of stillbirths are almost never reported. Provincial and large city hospitals are somewhat more reliable in their reporting of abnormalities and are generally more sophisticated in their medical care. The large hospitals normally report more stillbirths and obstetrical difficulties than do village and district dispensaries because the referral of difficult cases to the large hospitals is prescribed by the Ministry of Health.

A study of congenital abnormalities, hydatiform moles (placental tumors), and stillbirths in the Republic of Vietnam from 1960 to 1969 was made for the U.S. Department of the Army and the Vietnamese Ministry of Health under the direction of Dr. Robert T. Cutting. The study was made public in December shortly before the AAAS meeting. In some respects HAC has drawn significantly different conclusions from similar data than did Cutting's group.

Cutting reported that in the past decade there was a slight decrease in the rate of stillbirths reported in South Vietnam. However, Constable pointed out that approximately 60 percent of the birth figures Cutting used came from Saigon—where the most modern medical facilities in the country exist, and where the medical staff of at least one hospital attributed the decreased rate to improved medical care. If, Constable claimed, the Saigon figures were subtracted from Cutting's totals, the rate of stillbirths in the rest of the country would no longer show a decrease. Constable was not willing to attribute this fact to use of herbicides. He presented data from Tay Ninh City Hospital on the stillbirth rates from 1968 to 1970, but declined to draw conclusions.

Tay Ninh province has been heavily defoliated in its northern section. Although few people live at the site of defoliation, many persons in Tay Ninh province do eat fresh fish from rivers which filter through the defoliated forests. Constable's group studied the daily record book kept at Tay Ninh City province hospital for the years 1968 to 1970. They found that "a higher rate of stillbirths was shown from these records in Tay Ninh than recorded anywhere else by Cutting and his group." Earlier records for Tay Ninh are not available, and Cutting did not report seeing the daily record book for 1968 to 1970.

Constable found that nearly complete records were available for all of the districts and villages in Tay Ninh province as well as for the provincial hospitals for a period of four months in 1970. These figures, representing an estimated 70 percent of births, showed that outlying districts reported a stillbirth rate of 8.7 per thousand (based on 2,281 births); at the same time Tay Ninh City provincial hospital reported a rate of 58 stillbirths per thousand live births (based on a total of 1,028 births). Combining these figures, the overall rate of stillbirths for Tay Ninh province was 24 per thousand. Although smaller facilities are supposed to refer probable stillbirth cases to the larger hospitals, HAC could not explain the very large discrepancy between figures from Tay Ninh City provincial hospital and outlying facilities. Saigon's major maternity hospital, which receives numerous referrals of difficult cases, might be expected to have a stillbirth rate similar to that of Tay Ninh City provincial hospital. However, the Saigon hospital had rates of 26 per thousand and 20 per thousand for 1968 and 1969 respectively.

HAC also looked briefly at records from medical facilities in the Rung Sat area, southeast of Saigon. This area has experienced massive defoliation of mangrove forests. However, the major hospital in the area, Vung Tau hospital, which also receives referrals of difficult obstetrical cases and has a monthly birth rate similar to that of Tay Ninh City provincial hospital, showed very low levels of stillbirths—10.5 per thousand in 1968 and 12.8 per thousand in 1969. HAC was hesitant to draw conclusions from these data, but noted that inhabitants of the Rung Sat area do not eat fish from streams run-

[4] Courtney, K. Diane, D. W. Gaylor, M. D. Hogan, H. L. Falk, R. R. Bates, I. Mitchell, "Teratogenic Evaluation of 2,4,5-T," *Science*, 168(3933):864, May 15, 1970.

ning through the defoliated mangrove forests, as do the people of Tay Ninh. HAC claimed that until more research was done and more exact data were available, the high rates of stillbirth in Tay Ninh City provincial hospital could not be interpreted.

Figures on the number of congenital malformations which did not cause stillbirths are very difficult to o btain in South Vietnam for reasons stated above—many midwives don't record this information. Even some provincial hospitals do not bother to record congenital abnormalities; for example, Tay Ninh City provincial hospital reported 2,551 consecutive births with no recorded congenital malformations. When interviewed by HAC, midwives admitted seeing a number of deformities. Similarly, Vung Tau hospital reported 6,198 births in 1968 and 1969, but no congenital abnormalities were recorded; it is extremely unlikely that there were none.

The most valuable and accurate information on congenital malformations was available to HAC from the Saigon Children's Hospital. There, Dr. Le Anh has kept a complete record of all 4,002 cases of congenital abnormalities seen from 1959 to 1968. The hospital, though, receives a specific kind of patient. Saigon Children's Hospital has no obstetrical unit and accepts only those children whose defects can be helped by surgery. Furthermore, the affected child must survive long enough to be transferred to Saigon Children's.

Although most patients at Saigon Children's came from the area surrounding Saigon, patients from throughout the country are seen. Unfortunately, Dr. Le Anh does not have records of where individual patients are from. This, of course, severely limits the effectiveness of Dr. Le Anh's data in examining the relationship of defoliation to birth defects. Therefore, HAC felt that the best use of the data would be to look at it for changes in relative frequency of abnormalities. In two cases such changes seem significant.

In 1967, the year of heaviest herbicide spraying, Saigon Children's Hospital saw thirteen cases of spina bifida, a malformation of the spinal column. In the previous year only one case was seen and in the previous two years a total of seven cases were seen. In 1968 the figure remained relatively high, at twelve cases.

The second abnormality to increase during the time of spraying was pure cleft palate. Two cases were seen in 1964, two cases in 1965, and twelve cases in 1966. The number increased to twenty-three cases of cleft palate at Saigon's Children's in 1967, and twelve cases were recorded in 1968.

The increase in spina bifida might be explained by increased detection of it as a result of an improved x-ray technique, although HAC reported that this was denied by Vietnamese doctors. The increase in cases of pure cleft palate seen at Saigon Children's might be a result of rural medical personnel more frequently opening the mouths of new borns. HAC noted in relation to this, though, that a new medical facility at Cho Ray had repaired 180 cleft palates from 1968 to 1970; however, this high figure might be a result of grouping pure cleft palates with cleft lips or combinations of both. Again, it will be important in the future to study the provincial origins of deformed children. Until that time, HAC will draw no conclusions about the connection between extensive use of herbicides and seeming increases in certain types of congenital abnormalities.

CROP DESTRUCTION PROGRAM

Crop destruction has occured in Vietnam on a much smaller scale than forest defoliation. HAC estimates that from 1962 to 1969, 530,000 acres of cropland were sprayed with herbicides in a program of denying food to the enemy. Whether or not the enemy is indeed harmed by crop destruction by herbicides has been sharply debated. HAC declared the crop destruction program to be a total failure, charging that 95 percent of the crops destroyed were intended for civilians. Types of crops sprayed were not defined by HAC, but are assumed to consist primarily of rice.

Agent Blue, cacodylic acid, is the agent most used in the crop destruction program. It acts to dry out vegetation in a few days and is extremely effective in preventing the maturation of rice. It is therefore sprayed just before harvest time. Agent Orange apparently has been used against some food crops, but most likely in very small quantities. There is no evidence that Agent Blue is capable of causing birth defects.

Most of the crop destruction which has taken place was in the central highlands of South Vietnam. While the cropland area sprayed represents approximately 5 percent of all cropland in South Vietnam, its productivity is relatively poor, so that the percentage of food destroyed would be somewhat less. However, the crops destroyed were in territory inhabited largely by Montagnards—a separate minority culture of about 1,000,000 people existing primarily in the central highlands. HAC suggested that enough food for 600,000 people has been destroyed.

Interviws by HAC indicated that the lives of the Montagnards have been deeply affected by the spraying, although much of the effect may have been psychological and some of the response may have been to insecticidal rather than herbicidal spray. For example, Westing reported that villagers told him chickens died from the herbicide spray. Upon returning to his laboratory Westing devised a crude experiment in which he subjected chickens to Agents Orange, White, and Blue. None of Westing chickens, admittedly not identical to Vietnamese species, suffered the effects described by villagers. However, the effects described were like those suffered by a chicken sprayed with malathion, which is used extensively in Vietnam to control malaria. Nevertheless, Montagnards did feel their livestock were adversely affected by herbicides. Additionally, because many felt that the sprayed land was cursed, they would not go back and farm the same plot. In extreme cases, Montagnards felt it necessary to sacrifice their water buffaloes, their main wealth.

Physical effects of herbicides on the health of Montagnards are more difficult to assess. Some of the villagers interviewed had been wetted by the herbicide spray while working in the fields. Some of those wetted felt they had been affected by the spray, suffering weakness and other symptoms. Others felt unaffected. HAC was unable to identify any definite health hazards of spraying food crops, but did identify that area as in need of further study.

CONCLUSIONS AND DISCUSSION

The HAC scientists concluded that a great deal more research needs to be done in South Vietnam. They saw a need to examine that part of the population exposed to Agent Orange; to perform careful autopsies on stillborns and babies that die from gross abnormalities; to study further incidence of spina bifida and cleft palate; to review stillbirth data in relation to areas sprayed; to learn of possible spray exposure of parents of children born with defects; and to seek for deformities of the type reported by the press as resulting from 2,4,5-T exposure. Finally, HAC most strongly recommended that studies begin immediately on how the Vietnamese people could repair the damage done by spraying. The group emphasized that Vietnamese scientists were able and eager to conduct these further studies.

Following the formal presentation of the HAC report at the AAAS meeting, discussion served to add greater dimension to an understanding of the problems associated with the military defoliation program. Herbert Scoville, Jr., chairman of the discussion and the director of the Arms Control Program, Carnegie Endowment for International Peace, in his opening remarks disdained the December 26 White House announcement of an "orderly yet rapid phaseout of herbicide operations" in Vietnam. Certainly, he stated, if the decision was made to stop using herbicides, their use could be stopped immediately, not after the present supply runs out. Further, Scoville was scornful of the claim that during the phaseout herbicides would be used in the field only in "remote, unpopulated areas." The broad wording allows the destruction of Montagnard crops to continue unabated. Later, one of the panelists explained that, according to military practice, all inhabitants of a suspected Viet Cong area would be told to leave, the area would be classified as zero population, and later sprayed. No notice is taken of farmers who do not desire to become refugees or who are forced to stay behind.

The harshest treatment any panelist received from the audience was directed at Brigadier General William Stone, recently retired director of Chemical and Nuclear Operations, U.S. Army, who defended the military use of herbicides and explained their effectiveness. Undoubtedly, defoliation has helped save American lives in South Vietnam, although Meselson claimed that personal information he received from at least one military source declared defoliation to be a total failure. General Stone, in his presentation, left himself open to hostile comments. Claims that defoliated areas along roads were being cleared and used for farming turned out to be more of a hope for the future than actual practice. Reassurances that herbicides are used in Malaysia to kill rubber trees so that new ones may be planted were found to be reports of experiments that failed miserably. Affirmation that the U.S. crop destruction program was hurting the enemy was refuted.

Samuel Popkin, assistant professor of government at Harvard University and research associate, Center for International Affairs, charged that evidence conclusively showed that only 3 to 5 percent of the crops destroyed in Vietnam were indeed destined for the Viet Cong. This AAAS commission also found evidence that crops destroyed belonged to Montagnards, not Viet Cong. Meselson and his group flew over a valley in the central highlands that had been defoliated some days before as part of the crop destruction program. Army personnel explained that there were no civilian inhabitants of the valley, and that was how it appeared to HAC. But when photographs taken by HAC were enlarged, approximately 900 Montagnard huts were identified, along with neatly terraced fields no larger than ones photographed five years previous. HAC concluded that contrary to Army intelligence, the crops destroyed quite obviously belong to Montagnards.

Popkin, in interviews with South Vietnamese villagers living close to a sprayed forest area, found that farmers were profoundly affected, at least psychologically, by herbicide spraying. The farmers attempted to adjust to spraying by such methods as harvesting their crops early. If the crops were actually damaged from spray drift, farmers rarely applied for reparation from the government, a process that is long, costly, and generally discouraging. Few claims are actually paid. Spraying generally puzzled the villagers. Popkin claimed that people tend to understand bombing better than defoliation. Particularly, in light of knowledge of extensive Viet Cong supply routes, the villagers could understand no military reason for the defoliation. Rather, they seemed to assume that defoliation was an American attempt to destroy the economy and make South Vietnam dependent on the United States.

Although South Vietnam may not always be dependent on the United States, the effects of our defoliation program will be long lasting. F. H. Tschirley, of the Agricultural

Research Service, U.S. Department of Agriculture, and author of a report on the effects of herbicides on vegetation in Vietnam, is more optimistic about regeneration of defoliated areas than members of HAC. However, Tschirley, a discussion panel member, expressed surprise that mangroves still had not regenerated. He told one reporter, "I had assumed regeneration would be taking place." [5]

Tschirley otherwise did not seem to share the fears of HAC members concerning hazardous effects of herbicides. Presenting new data, Tschirley reported that although dioxin (a contaminant of 2,4,5-T which has definitely been shown to cause birth defects at exceedingly low doses—see *Environment*, July/August 1970) may be fat soluble, allowing it to be concentrated by the food chain, it is rapidly decomposed when exposed to light. However, Tschirley also found that dioxin is persistent in soil for at least 160 days and that soy beans and oats pick up trace amounts of dioxin when grown in soil heavily contaminated with the chemical. Tschirley's findings will be useful in studying crops in areas definitely known to have been sprayed. This, again, hinges on the declassification of the Army's files of exact spray data.

The Department of Defense has said that the spray data will be declassified if a full-scale study of the herbicide program is undertaken. Such a study is currently being planned by the National Academy of Sciences. The AAAS preliminary study has paved the way for a more thorough one. Many of the recommendations of the HAC surely will be considered by any researchers studying defoliation in Vietnam in the future. Perhaps it is best to hope, though, that the final recommendation proposed by Dr. Meselson be the one first undertaken by any new group—a study of how the Vietnamese can rebuild their ravished land.

[5] Boffey, Philip, "Herbicides in Vietnam: AAAS Study Finds Widespread Devastation," *Science*, 171(3966):46, January 8, 1971.

PRISONER OF WAR WEEK

HON. BILL ARCHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. ARCHER. Mr. Speaker, I wish to commend the action of the Congress in establishing this week National Week of Concern for Prisoners of War/Missing in Action. I am proud to have been a sponsor of the resolution in the House.

There must be a continued consciousness among Americans about the plight of our 1,600 captured soldiers in Southeast Asia. Though the Government of North Vietnam is a signatory of the 1949 Geneva Convention, it has consistently ignored the provisions about humane treatment of prisoners of war. The North Vietnamese have continued to disregard United States protests and world public opinion.

Setting aside a week to demonstrate our deep national concern for these men, as we have now done, will further focus world attention on the treatment of the prisoners and, hopefully, pressure the North Vietnamese into becoming more responsive to the needs of the prisoners and their families.

I feel certain this will help. There have been indications, such as the increased number of letters from prisoners to their families, that the Communists may be yielding—ever so little—to recent increased public pressure.

Let this National Week of Concern mark the beginning of a more concerted effort by all the American people to attain better treatment for American prisoners and to seek more information about those reported as missing.

EVICTION OF SENATORS FROM R. F. K. UNDER STUDY

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MARTIN. Mr. Speaker, listed below is a news item from the Washington Evening Star of Friday, March 12, in regard to the fact that Bob Short, owner of the Washington Senators baseball team, is $133,000 in the arrears in his payments to the District of Columbia Armory Board for last year's operations.

The statements attributed to Mr. Short in this article are incredible and unbelievable, as he is quoted as saying that he "had no intention of paying the back rent because he does not have the money." "I was counting on the new lease when I signed Curt Flood for $110,000, otherwise I never would have signed him."

The first year of operation of the Washington Senators under Mr. Short's ownership, he greatly expanded the number of box seats and the reserved seat section, increased admission prices in all sections, which according to the Washington press, doubled his take for a single game if the stadium was filled.

The Senators have continued to maintain their consistent position as last in the American League, and the quality of the baseball played is minor league.

Mr. Short is reported to be a millionaire. As a businessman, he most certainly should know that he should honor his commitments. He reportedly owes the District of Columbia Armory Board $133,000 for last year's operation, and he should be made to pay this amount in full.

The operation of a baseball team is private enterprise, operated for a profit, and he should not be given a rent-free lease on the stadium now or at any time in the future.

The Evening Star story by Morris Siegel is listed below:

EVICTION OF SENATORS FROM RFK UNDER STUDY

POMPANO BEACH, FLA.—The prospect of eviction from RFK Stadium faces Bob Short, owner of the Senators whose 1970 rent payments are long overdue.

Short disclosed last night he has received notice from Francis Kane, chairman of the D.C. Armory Board, that eviction action is being considered unless Short pays up before the season opens April 5. The ball club reportedly is $133,000 in arrears.

Contacted at his Washington home this morning, Kane said "an informal letter" had been sent to Short last week and that eviction had been mentioned. However, he emphasized that the board at this time is merely considering such action, adding that the letter to Short was not intended as a threat.

Before leaving Pompano Beach for his Minneapolis home last night, Short said he had no intention of paying the back rent because he does not have the money.

He also said the amount owed is chiefly for "lights and police protection which the stadium ought to pay for in the first place."

Short had hoped that his plea to Congress for a new lease agreement might have been acted on by now.

He presented his case to a House District Committee group last fall, but no action was taken before the session ended. A committee hearing was scheduled today but was postponed because of the illness of Dutch Bergmann, who manages the Stadium for the Armory Board.

Short said he still believes Congress can act by opening day. He has petitioned for the Interior Department to take over the stadium and negotiate a new lease with him—a "Milwaukee-type lease." This would give him the ball park almost rent-free until attendance reaches one million. That has happened only once in the history of the Senators—in 1946.

"I was counting on the new lease when I signed Curt Flood for $110,000, otherwise I never would have signed him," Short said.

He is hopeful, he added, that the Interior Department, if and when it takes over the Stadium operation from the District of Columbia, will cancel his indebtedness.

He estimates the Senators, through earlier payments on rent, concessions and other income, already had contributed "about $400,000" to the Armory Board in 1970.

A bigger financial crisis looms for Short Oct. 31. On that date he must pay the American Security Bank $2 million. Half of this is for a note which was due last Jan. 12, which the bank extended through October. The other million is due Jan. 12, 1972, but the bank wants it in October.

"If we drew two million people I couldn't make enough to pay them," Short said. "But I think we'll be able to work out something."

BROTHERHOOD WEEK

HON. JACK F. KEMP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. KEMP. Mr. Speaker, we are all familiar with the quotation "and a little child shall lead them." I recently received correspondence from some youngsters in Buffalo, N.Y., who are outstanding examples of this phrase.

These children, of the second grade class of Room 102, School 63, sent me their letters written during Brotherhood Week expressing their hope for peace and brotherhood in the world.

At a time when much of what we hear in the news concerns violence and dissent, these children are, by their expressions of hope, setting an example for all of us to follow.

Mr. Speaker, I would like to share with my colleagues a selection of these letters:

FEBRUARY 22, 1971.

DEAR MR. JACK KEMP: I wish you could help the world be peaceful, and I wish you could help people get along better. I'm doing my best. Thank you for trying.

Sincerely,

MICHAEL KRAMER.

FEBRUARY 22, 1971.

DEAR MR. JACK KEMP: Please help stop the war and bring peace to the country. Help

the people that, need jobs. I'll try not to fight, and I'll try to be kind.

Sincerely,

MARIA D. WAGENHEIM.

FEBRUARY 19, 1971.

DEAR MR. JACK KEMP: I would like to know what you are doing about Brotherhood. I'm trying my hardest to do my part for Brotnerhood. I'm trying my hardest to be fair, to share, to be honest, to keep a smile on people's faces.

Sincerely,

ANTHONY MARZULLO.

FEBRUARY 18, 1971.

DEAR MR. JACK KEMP: Will you help stop wars and bring peace to earth? Please help poor families. I'll try to do my part and I hope you'll do your part too. Bring peace to earth.

Sincerely,

SALVATORE D.

FEBRUARY 22, 1971.

DEAR MR. KEMP: This week we are celebrating Brotherhood Week in our school. We should practice Brotherhood all the time, not just one week of every year. I wish you would make Love and peace.

Yours truly,

MARK LONGO.

VETERANS OF FOREIGN WARS, OUR BOY'S POST NO. 4684

REMARKS
OF

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. KLUCZYNSKI. Mr. Speaker, it is with great pleasure that I insert in today's RECORD a resolution adopted by the Veterans of Foreign Wars, Our Boy's Post No. 4684, Chicago, Ill. I commend both the resolution and the members of this post to my colleagues:

Whereas, the Our Boy's Post #4684 of the Veterans of Foreign Wars of the U.S. was founded 25 years ago by Leonard J. Kay for servicemen returning home from overseas assignments in World War II, and

Whereas, Post #4684 has served the Back of the Yards veterans faithfully for a quarter century, offering a meeting place for fellowship, an organization for counsel and advice concerning veterans benefits and the adjustment to civilian life, and an assembly of concerned veterans desiring to serve their community and country; and

Whereas, Throughout its history, the Post has served its membership faithfully, sustained the ideals and principles of the National organization of the Veterans of Foreign Wars and served as a vigorous force for the good of the Back of Yards; and

Whereas, Highlights of its service to the Back of the Yards include organization of a Crusade for safety, girls and boy drill teams, little league baseball, cancer, and blood donor drives, military honors for returned war dead and other community social and civic events; and

Whereas, Post #4684 was officially instituted and its officers installed 25 years ago in January; now therefore

Be it resolved, that we the members of the Congress of the United States in session on the 24th day of March 1971, do hereby congratulate the Our Boy's Post 4684, its members and its Ladies' Auxiliary, for faithful and devoted service to the Back of the Yards servicemen and to the community itself on its Silver Jubilee.

SOCIAL SECURITY JUSTICE FOR MARRIED WORKING COUPLES

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. PATTEN. Mr. Speaker, I have reintroduced into the 92d Congress legislation which would permit a working couple to add together their social security earnings if it would give them a higher monthly payment. In addition, where the combined earnings of the couple exceed the maximum earnings that one person can have, additional benefits, based on the higher earnings, would be payable.

My bill, H.R. 6500, is identical to H.R. 6500 which I introduced in the 91st Congress, and H.R. 17532 which I introduced in the 90th Congress. I have been encouraged by the number of my colleagues who have shown an interest in this legislation, and I have received letters from working wives all over America urging its passage. There is much talk in the United States today about equality for women, and I believe this is a very good example of an area where equality should be achieved.

Mr. Speaker, the present problem is an accidental result of a change in the law that came about not long after the original Social Security Act was enacted. The original 1935 act provided for the payment of retirement benefits only. There were no dependents or survivor's benefits. Before any monthly benefits were paid, however, the law was changed in 1939 so as to provide dependent's and survivor's benefits. In this way, it was thought that meaningful income protection could be provided at a reasonable cost to single workers, to married workers and their wives and their families. In general this system has worked out fairly well. But, as more and more married women have worked and earned significant retirement benefits in their own right, the shortcomings of the present system in providing some married couples with a meaningful return for their social security taxes has become apparent.

As long ago as 1963, the social security problems of working women were recognized by the President's Commission on the Status of Women. In a report to the Commission, its Committee on Social Insurance and Taxes said:

In many cases a married woman who is potentially eligible for benefits on both her husband's and her own earnings feels that she receives little or no return from her contributions to the program. If she had not worked and made contributions to the program, she nevertheless would get a wife's or widow's benefit based on her husband's earnings, and it might be as high as the benefit she gets as a result or her own work, or higher. Basically, the feelings of married working women that they do not get enough of a return for their contributions arises from such situations.

This situation is bad enough but there is an even worse situation in which a husband and a working wife can pay the same amount in social security taxes as a husband whose wife never worked and get less benefits than the couple where the wife never worked. For example, the benefit paid to a person with average monthly earnings of $200 is $101.60; thus when the husband and wife both have average earnings of $200, the total monthly payment is $203.20. On the other hand, the monthly benefit payable to a man with average monthly earnings of $400 is $153.60 and his wife who has never worked can be paid an additional benefit equal to one-half of that amount—$76.80—making a total monthly payment to the couple $230.40, or $27.20 a month more than is paid when the same amount was earned equally by a husband and his wife.

Mr. Speaker, H.R. 6500 is intended to correct these situations which come about because of the way social security benefits are computed. When a husband and wife both have earnings covered under the social security program, the husband is paid a retirement benefit based on his own earnings; if the wife has worked long enough to be entitled to a benefit based on her own earnings she is, in effect, paid the higher of the wife's benefit based on her husband's earnings or the retirement benefit based on her own earnings.

Mr. Speaker, I have had a table prepared which shows additional examples of how the present law works to pay more in benefits if the wife has not worked than if she has. I insert the table in the RECORD at this point in my remarks:

TABLE I.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW

Average monthly earnings [1] [2]	Total monthly benefits for couple: If husband and wife have equal earnings [1]	Total monthly benefits for couple: If benefit is based on husband's earnings [2]
$50	$110.00	$82.50
$100	110.00	107.30
$200	143.00	152.40
$300	176.80	190.70
$400	203.20	230.40
$500	230.00	266.30
$600	254.20	306.00
$650	268.60	[3] 323.00
$800	307.20	----
$1,000	355.00	----
$1,200	408.00	----
$1,300	436.00	----

[1] Earnings of husband and wife are each equal to one-half of the amounts shown in first column.

[2] Husband's earnings are equal to amounts shown in first column.

[3] Maximum amount payable under present law is based on average monthly earnings of $650. Husband's benefit is $218 and wife's benefit is limited to $105 when one-half of the husband's benefit exceeds amount.

To eliminate this situation H.R. 6500 would provide that, for the purpose of computing the benefits paid to a husband and his wife, their earnings may be combined if the total payments to the couple would be increased. In order to qualify for this computation, the husband and wife must be living together or, if they are not, both the husband and wife must agree to have their benefits combined under the alternative procedure. If the husband's and the wife's earnings are combined, a benefit would be computed, as it is under present law, on the basis of average earnings up to the maximum amount, currently $450,

that could be credited to a single person who retires in the same year that the couple's benefit is computed.

If the couple's combined earnings exceed the highest amount of earnings that a single person could have, a special rule would apply to those earnings above the single person maximum and up to twice that amount. In that case an additional amount equal to 28.43 percent of the excess would be computed and added to the amount described earlier. The reason for using the 28.43 percent factor is to be found in the present formula for determining social security benefits. Although benefits under the present law are determined by a table in the law, the table is based on the following formula: 71.16 percent of the first $110 of average monthly earnings, plus 25.88 percent of the next $290, plus 24.18 percent of the next $150, plus 28.43 percent of the last $100. Since 28.43 percent is the factor used in present law at the top of the formula, it seems logical to extend it to the amount of combined average earnings in excess of the amounts used in computations under the present law.

Under any new alternative computation, the benefit paid to a husband and his wife would be 75 percent, each, of the benefit computed in the way I have outlined. Because the benefit paid to a wife is 50 percent of the amount paid to her husband, the alternative benefit computation guarantees that when a husband and his wife both work, they will be paid an amount which is at least equal to the amount which would have been paid to them had the husband's earnings been equal to the combined earnings. Also, where the husband and wife have worked and paid social security taxes which are in excess of the maximum amount that could have been paid by an individual retiring in the same year, the couple will get an additional amount related to the additional earnings.

Mr. Speaker, I have had four additional tables prepared which compare the social security benefits payable to a married couple under present law and under H.R. 6500. I will include the tables in the RECORD immediately following the conclusion of my remarks.

Table II shows how the provisions of H.R. 6500 would be applied to the benefits of a husband and wife and contrasts the benefits paid to a husband and wife under present law and under H.R. 6500. In making this table, it was assumed that the husband and wife both retire at age 65 in 1969 and that their average monthly earnings are equal. In every case, except where the minimum benefit provisions of present law apply, the benefits under H.R. 6500 are greater than those paid under present law. At the lower earnings levels, the increased payment would be the smallest, and at the highest level, it would be the largest.

Table III, also, is based on the assumption that the husband and wife retire at age 65 in 1969. However, the husband is assumed to have the maximum possible earnings, $450, while the wife's average earnings vary from $25 to $450. Here too, the total payments to the couple under H.R. 6500 are shown to be higher than under present law in every case in which the wife has any earnings. Where the wife has no earnings, the total payment is the same under both present law and under H.R. 6500. It is worth noting that under present law the wife's earnings have no effect on the total payment to the couple until the benefit paid on her own earnings exceeds the wife's benefit paid on the husband's earnings. Where the husband has average earnings of $450, this point is not reached until the wife's average earnings are $151 a month. At this level, the benefit based on her own earnings is $89.50 a month, $2 a month more than the wife's benefit based on the husband's earnings.

In this connection I might point out that in 1969, a woman who works and earns $150 a month pays social security taxes of $86.40 a year and her employer pays an equal amount. And, for these taxes they get nothing, if the husband happens to have paid the highest possible amount in social security taxes.

As bad as the situation is under present law, it will gradually grow worse until in 2006, when creditable earnings will have grown so that average monthly earnings can be as much as $650, a woman whose husband has maximum possible earnings will need average earnings of at least $212 a month before the couple will get any increased benefits because of her work. Then the increase would be 20 cents a month. If her average earnings are only $210 a month, the couple will get nothing for the extra social security taxes paid on her earnings. And, under the present law the tax paid by the wife on $210 a month will rise from the present $120.96 a year to $172.68 starting in 1987; the employer will, of course, pay an equal amount.

Tables IV and V are similar to tables II and III except that they illustrate the effects of H.R. 6500 in the year 2008, the first year in which a man retiring at age 65 can receive the highest benefits contemplated by the present law.

Mr. Speaker, I feel that justice and equity call for a change in the social security laws along the lines proposed in H.R. 6500. If we are going to require married working women to pay the same social security taxes as a single or married man, and that is what we require, then we should also guarantee them some return for their taxes. I find the situation I have outlined intolerable. Therefore, I urge the Committee on Ways and Means to look carefully at H.R. 6500 during their present deliberations on changes in the social security system.

TABLE II.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER H.R. 6500

Average monthly earnings of husband and wife, each [2]	Total monthly benefit for couple [1]	
	Present law	H.R. 6500
$25	$11.00	$110.00
$50	110.00	110.00
$100	143.00	152.40
$150	176.80	190.80
$200	203.20	230.40
$225 [3]	215.40	247.60
$250	230.00	268.80
$300	254.20	311.60
$350	$280.80	$354.20
$400	207.20	396.80
$450	330.00	439.00

[1] Assumes that husband reaches age 65 in 1970; the highest possible average monthly earnings for such a man is $450.
[2] The combined earnings of the couple are twice the amounts shown.
[3] Highest amount to which regular computation applies. Above this amount the 24.18 percent factor is used.

TABLE III.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER H.R. 6500 WHERE HUSBAND HAS AVERAGE MONTHLY EARNINGS OF $450,[1] AT VARIOUS LEVELS OF WIFE'S EARNINGS

Average monthly earnings of wife	Total monthly benefit for couple	
	Present law	H.R. 6500
	$247.50	$247.50
$25	247.50	258.20
$50	247.50	269.00
$100	247.50	290.20
$150	253.40	311.60
$200	266.60	332.80
$250	280.00	353.20
$300	292.10	375.60
$350	305.40	396.80
$400	318.60	418.20
$450	330.00	439.60

[1] Maximum average possible for a man who retires at age 65 in 1970.

TABLE IV.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND H.R. 6500

Average monthly earnings of husband and wife, each [2]	Total monthly benefit for couple [1]	
	Present law	H.R. 6500
$25	$110.00	$110.00
$50	110.00	110.00
$100	143.00	152.40
$150	176.80	190.80
$200	203.20	230.40
$250	230.00	266.40
$300	254.20	306.00
$325	268.60	327.00
$350	280.80	348.40
$400	307.20	391.00
$450	330.00	433.80
$500	355.00	476.40
$600	408.00	561.60
$650	436.00	604.20

[1] Assumes that husband reaches age 65 in 2006, the first year in which average monthly earnings of $650 is possible for a man retiring at age 65.
[2] The combined earnings of the couple are twice the amounts shown.

TABLE V.—HUSBAND'S AND WIFE'S SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER H.R. 6500 WHERE HUSBAND HAS AVERAGE MONTHLY EARNINGS OF $650,[1] AT VARIOUS LEVELS OF WIFE'S EARNINGS

Average monthly earnings of wife [2]	Total monthly benefit for couple [1]	
	Present law	H.R. 6500
	$232.00	$323.00
$25	327.00	337.80
$50	327.00	348.40
$100	327.00	369.80
$150	327.00	391.00
$200	327.00	412.40
$250	333.00	433.80
$300	345.10	455.00
$350	358.40	476.70
$400	371.60	497.60
$450	383.00	519.00
$500	395.50	540.40
$600	422.00	583.00
$650	436.00	604.20

[1] Maximum amount possible under present law. This amount will not be payable to a man who retires at age 65 until the year 2006.
[2] The present law limitst he wife's benefit to a maximum of $105. Thus, the husband's benefit is $218 and the wife's $105 rather than $109.

Footnotes at end of table.

ONE RESULT OF THE MELLOWING THEORY

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SCHMITZ. Mr. Speaker, an excellent analysis of several of the pertinent factors brought forth in the case of Simas Kudirka, the Lithuanian seaman who was turned back to the Soviets when he sought asylum aboard a U.S. Coast Guard ship last November, appeared in the December and January issues of Tactics magazine.

Mr. Edward Hunter, the editor of Tactics, took the time to read the testimony taken at the Coast Guard's formal board of investigation into this matter, and excerpted passages which are of great significance. One of the most striking features of the entire shameful episode is the testimony given by Rear Adm. William B. Ellis, the Commander of the First Coast Guard district, for whom, along with Capt. Fletcher W. Brown, the Coast Guard's formal board of investigation recommended court martial.

The following portion of his testimony is extremely revealing:

Rear Admiral William B. Ellis, commander of the first Coast Guard district, was asked at the inquiry about his final conversation with Capt. Fletcher Webster Brown, Jr., his chief of staff, at 7.28 p.m. that fateful day:

"Answer: The principal information which Capt. Brown presented to me at that time, that he had received from Commander [Ralph W.] Eustis was that the man stated he was in fear of his life, his life was in danger.

"Question: That was a fact that you had not heard before?

"A.: This was new information. I told—in discussing this with Capt. Brown, I know I said there was no reason to believe this had actually happened, that they would kill this man and that I am quite sure I said, 'Eustis, they are not barbarians.'

"Q.: Sir, why do you feel that he had no reason to be afraid?

"A.: I don't say that I had no reason—that he did not have reason to be afraid. I think that any man in that circumstance would plead for his life. I didn't and I still don't feel there is any facts that the Russians go around killing people.

"Q.: Sir, do you recall the Berlin Wall in the early fifties with respect to defectors from East Germany?

"A.: This is 1970."

The question is, where did Admiral Ellis pick up his ideas concerning the Soviets? Had the year after year repetition of cliches wrapped in volumes of erudition by our preferred experts on policy and the Soviet Union impressed themselves on Admiral Ellis's mind to the point where his action in this case were determined by utterly unreal conceptions as to the nature of the enemy we face? Had Admiral Ellis come to believe the myths we hear repeated day after day that "the Soviets are mellowing," "the cold war ended in 1962," "the Soviet Union is simply another great power with legitimate aspirations and national interests like any other nation," "there are no Communists in the Soviet Union, only Russian nationalists," "the Soviets are simply slightly paranoid and if not offended are quite reasonable," and so forth.

Had the well documented history of continuing Communist atrocities committed in the name of their pantheistic God masquerading as matter not been brought to the admirals attention? Had the admiral forgotten, or simply not been informed about, what the Soviet Union did in the Ukraine, Latvia, Lithuania, Estonia, and the rest of Eastern Europe? What Stalin's epigone, Mao Tse Tung, had done to the Chinese people? What Ho Chi Minh had done to the North Vietnamese people, to the South Vietnamese people, and what his successors continue to do today in Southeast Asia?

Perhaps it is possible to trace the admiral's lack of understanding of the Communists back to the early sixties when the extent of political suppression of material which revealed the reality of communism to our Armed Forces was brought forth by the Senate Preparedness Subcommittee of the Committee of the Armed Services.

Whatever the case, it is apparent that one of the factors revealed by this episode was the lack of understanding of communism and Communists by one of those who should have had the greatest knowledge of the enemy with which he must deal. We must never forget the undeniable truth that ideas are real things in that they influence the course of events and that it is necessary for ideas and concepts which are officially disseminated concerning subjects such as communism to coincide with reality and not the wishful thinking of those moral cowards who lack the courage to face up to the fact that the Communists have not mellowed, show no signs of mellowing, and, in fact, have no reason whatsoever to forswear their oft repeated goal of global conquest as long as the United States continues its equivocal, uncertain, and self defeating approach to the most powerful enemy we have ever faced.

All voting citizens should, and all men working for the Federal Government must, have a basic understanding of one of the factors which helps in determining the present-day course of events—the Soviet Union and the Communist parties of the world whose objective is the destruction of our civilization. If the image in the minds of men responsible for activity directly related to the survival of the nation does not correspond to the reality of the external world we will not be able to control this reality and act within it in such a manner as to assure the survival of our Nation.

I would highly recommend that all my colleagues take the time to read at least part II of the following article which details exactly what took place aboard our Coast Guard cutter:

CASE OF SIMAS KUDIRKA, FREEDOM SEEKER

If Simas Kudirka has not already been beaten and tortured to death, what remains for him is a living death. He was the radio operator aboard the Soviet mother ship, Sovetskaya Litva, of a fleet of spy and fish trawlers off our New England coast. He thought he had gained refuge in a free society when he reached the deck of the U.S. Coast Guard cutter Vigilante on Nov. 23. He had every reason and right to believe so.

This was an American ship, within American waters. He couldn't possibly be handed back, because this would run counter to our proudest tradition, would have broken an international convention on refugees signed by us, and in addition, would have violated the first and fundamental, common law on which civilization is based. This is the concept, that extends back into immemorial times, that assures a haven and a refuge to whatever stranger knocks at our door and asks escape from the storm, whether the storm be nature's work or the hostility of man or beast.

But we tread all of this underfoot. We perpetrated what without possibility of contradiction was as heinous and shameful a crime as has ever stained our flag. We stood by and watched, in the manner of those despicable persons, related some time ago in news stories, who watched and listened as a girl was being raped and murdered, without bothering to go to the telephone and phone the police. Coast Guard officers similarly watched as Soviet goons came aboard their U.S. ship in U.S. waters, chased, seized and beat up the refugee seaman.

The three red cutthroats then complained that they were unable to subdue the Lithuanian, and asked to send for help. So the Americans gave permission for three more Communist goons to come to the American ship to join the party. The red squad finally ferreted out the Lithuanian, who, smashed and bleeding, had managed to get out of their grasp and hide. He was thrashed unmercilessly, while rolled helplessly in a blanket.

Simas was now obviously more than just a refugee; he was a martyr to freedom, and a sacrifice that should alert the American people to the depths of decadence and submission to which we have fallen. He also was a symbol of the United States of America, for he represented all who came to our shores for refuge and freedom. Significantly, the craven scene took place not far from Plymouth, close to the day that Thanksgiving should represent.

POINT-BY-POINT ANALYSIS

Simas also was a symbol of the United States of 1970, and what we are being softened up for. In capsule form, he is our country and ourselves when we have sufficiently dropped our alert and corrupted our character so the Kremlin can deal with us as it dealt with Simas.

What this sickening incident should demonstrate in living color—blood color—is the inevitable consequence of the pacifism and permissiveness of the day. The so-called "peace" symbol, its cross broken and turned down, is its sign, and let no man who carries it not know precisely this that he is doing, no matter with what doubletalk and doublethink he seeks to confuse and conceal it, even from himself.

This editor has engaged in an in-depth reportorial and analytical study of the Simas Kudirka case, its setting and ramifications. Here are some of the basic points that showed up:

1. The authorities involved, or rather those who possessed the power and position, were not making any "error in judgment," so far as their decision to block the attempted defection was concerned. They were following orders . . . adhering to policy. A long-standing agreement, tacit or written, exists with Soviet Russia under which we seek to forestall or prevent—the official term used is "to discourage"—such defections. Of course, this is a scandalous arrangement of the usual one-way-road type.

2. The affair did not merely "appear" to be "very poorly handled," as the White House spokesman also declared; it was disgracefully mishandled by all involved. Their tacitly understood task was to get rid of the freedom seeker secretly, without the American people finding out. But policy was mishandled in its conception. The mishandling

was in its basic illegality. Once again, as in the case of Stalin's daughter, Svetlana, we used all our influence first to "discourage" escape from Soviet Russia, and when this failed, either to employ any recourse to force the person to return, or to blunt the impact of the successful flight. This is secret policy.

3. What made the Simas case an American disgrace and an international scandal was the fact that it cut through the secrecy exercised over such shocking affairs, and gained the attention of the public. It was not the first such defection attempt foiled with the collaboration of the American authorities, and will not be the last, unless much more definitive action is taken than presently indicated. Pious words only lull the public.

4. The explanation for the utter callousness shown by the Coast Guard officers is to be found in the more intensive purge and anti-anti-communist indoctrination in the Coast Guard and its academy than in the military services. All services, nonetheless, have had their training programs revised and promotions determined in accordance with the policy outlined in the secret Fulbright memorandum at the start of the Kennedy Administration, and implemented in the Pentagon by Robert Strange McNamara as defense secretary, with Robert F. Kennedy as attorney general attending to enforcement in government generally.

5. One of the long-standing deceits in which the State Department indulges is its recognition of Lithuania, Latvia and Estonia, which is sabotaged just as is "captive nations week." Except for formalities required to perpetrate the hoax, the Soviet desk at the State Department handles everything relating to these three nations. In effect, we recognize the ruthless conquest by Communist Russia of those three countries. The same policy is followed as regards the Ukrainians, Armenians and other non-Russian peoples within the borders of the USSR. The satellite lands are handled more or less the same way. The limitations are those of secrecy

6. Although the Nixon Administration is plagued by "leaks," sabotage by holdovers and SDS-type cliques in government, and the President is "set up" for embarrassments and opposition by these elements in collaboration with similarly motivated segments of radio-television and the press, the "speaking with one voice" policy instituted by President Kennedy has not been completely eliminated. The White House enforced a hush-hush on the case that shut the mouths of all departments of the Administration except for its own and State Department briefings. Our military secrets are hardly guarded any tighter.

OUR GLIBLY VIOLATED INTERNATIONAL COMMITMENT

Here is a translation of the text of the "Convention relating to the status of refugees," signed at Geneva on July 28, 1951, which we have callously violated:

Article 33. Prohibition of expulsion or return (Refoulement).

(1) No contracting State shall expel or return (refouler) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion;

(2) The benefit of the present provision may not, however, be claimed by a refugee for whom there is reasonable ground for regarding as a danger to the security of the country in which he is, or who having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of said country.

America's voice, that is critically needed at this time in history, is blunted by being made to appear as if purely opportunistic and hypocritical by such incidents. If ever a policy became self-defeating, it generally is that of the State Department. Nixon supporters are heard frequently nowadays, and with justification, saying the State Department now is worse than it was under Dean Rusk and the Democrats. Its cynicism shows up more.

We should not be put into the embarrassing position of being the subject of a protest on such a matter. But Prince Sadruddin Aga Khan, high commissioner for refugees, telegraphed Secretary of State Rogers concerning the Simas case, and expressed his dismay verbally to Charles W. Yost, U.N. delegate, on Nov. 30.

The Lithuanian Legation in Washington, D.C., supposedly recognized by the United States, was pointedly ignored and lied to by the State Department on this case. Diplomatic courtesy, if nothing else, would have required that the legation at least be informed on such a matter by the State Department. The legation is in a lovely, little house (2622 16th St. N.W., Washington, D.C. 20009), barely furnished and pathetically equipped—its "Who's Who" is for 1958! The staff consists of Josef Kajeckas, charge d'affaires, and Dr. Stasyo Backis, counselor. Its improvishment is carried proudly.

Kajeckas went to the State Department to inquire after being informed by a Lithuanian-American by phone from New York City. He was told that the State Department knew nothing of the case, and before it found out, the refugee had been returned to the Soviet ship. Under questioning by correspondents later, this was proven to be a lie. What actually happened was that the Coast Guard phoned at once—to the Soviet Russian desk, of course—and was given as guidance the information, diplomatically worded, that we "discourage" defections. Exactly as government employes are told that a request is an order when made by a high level officer, so the interpretation of this guidance translates in practice to mean, "prevent by every possible means." The intent was that the crime be committed under wraps, without anyone finding out about it.

A pattern exists for such incriminating actions, so that the Secretary of State or other key officials are not publicly involved. The dissembling verbiage and doubletalk, as "discourage" for "prevent," is only part of the pattern. Subordinates implement policy that is kept secret, or is contrary to what Congress and the nation are led to believe. So it was with the no-win policy, and so it is with the long-standing effort to recognize Peking. The lower echelons have as their task the furtherance of such sub rosa policy without involving top offices.

Instead of the State Department being reformed, as Nixon pledged when running for President, the occasion is being taken of a Republican Administration to attempt quietly to give the State Department even more power to operate secret policy. A sly maneuver failed in the last Administration to slip through Congress a bill that would have deprived State Department employes generally of civil service protection, and put all of them under foreign service jurisdiction. This was exposed in time, and William J. Crockett, who as undersecretary for administration handled the maneuver, had to resign.

Now, with another experienced conniver, William B. Macomber, Jr., given this top post, a new effort is being made to achieve the same objective, only without asking Congress for permission. The classified civil service simply would be absorbed administratively into the foreign service, whether a man ever had served abroad, or ever would. The foreign service is set up by rank, not type of work, so a man can be assigned any position, whether library clerk or ambassador, and so long as he continues receiving his level of salary, cannot object. The tactic used is to then admit he is doing a fine job as, say library clerk, but that he is getting an enoromus salary for it. As no other post is made available, he is "selected out"—fired! Neat, isn't it?

Thus, no Otto F. Otepka case ever could hit the headlines, and the analyst who warned that Algiers would become the seat of anti-American conspiracy could simply have been fired, instead of being put through the squeezer, as was done. (See TACTICS of Nov. 20, 1970.) Macomber's maneuver had not yet been surfaced at the time this is being written, but was ready for imminent announcement. Congress would be put into a position of having to take the offensive, in order to overrule the underhanded action. Actually, it is illegal, but so is much that is taking place in the Administration, continuing practices of the past couple of Administrations.

"THIS HAPPENS ALL THE TIME!"

A Washington correspondent on learning of the Simas case late in the day called a Coast Guard press officer at his home. The response he got was highly revealing. "This is no story," he was told. "The local papers don't even consider it a story. This happens all the time."

"This happens all the time!" Except this time Robert M. Brieze, of Fairhaven, at the edge of New Bedford, Mass., was on the cutter as representative of the Seafood Producers Association, the fishing boat owners, and he had been a refugee himself. He had fled from Latvia with his wife on a trawler after the Russians seized his parents and shipped them to Siberia. He had wanted to intervene on behalf of the Lithuanian, but had been told he would be forcibly prevented. When he came off the ship, he told what he had seen. Heaven knows how many other cases have never become public knowledge for lack of a witness with sufficient honor left in him to talk.

Even so, if it had not been for publication of what he said in the local press of Boston, the case would have been brushed off by the sort of Tass-like coverage that John Chancellor gave it in his evening news coverage on NBC. Chancellor is handling the news even more propagandistically than his predecessor, and that takes some doing! The so-called "liberal" press either ignored the story or played it down until several days later, when it became evident that suppression would not work. The N.Y. Times was one of those that came in late, but its contribution was decisive, by referring to the State Department's actual role in the affair.

The State Department had been getting away with its patent lie that it had not heard of the affair until after the unhappy man had been returned to the Soviet ship, The N.Y. Times in a Washington dispatch published on No. 29, signed by Robert D. McFadden, pointed out: "This was contradicted yesterday, however, by a spokesman for the First Coast Guard District in Boston, which had jurisdiction over the cutter in the authorized but unusual conference with the Russians." He said "both the State Department and the Coast Guard commandant in Washington had been appraised of the situation 'early in the afternoon of the 23d,' the day the incident took place."

The Lithuanians had forced the story out by demonstrations and forcible protests in a number of cities. The time was——years back——when the press broke such stories, as one of the responsibilities of a free press. But this only happens now when pressure is exerted that cannot be ignored, or when Marxists and pro-reds benefit. The time has come, with guerrilla warfare already expanding in American communities, when the press must return to objective reporting. The tactic at present is to build up enemy propaganda under this guise.

TRANSCRIPT OF SOME WHITE HOUSE AND STATE DEPARTMENT BRIEFINGS

Only a few members of the Washington press corps have the background and the ethics to ask hard questions at the daily news briefings in the White House, the Pentagon and the State Department, and it is remarkable how much in-depth information they can elicit. What is really shocking is the small amount of this publicly provided news ever gets printed in most papers; much less that is vital ever gets on radio and television.

Usually, a great deal of pressing and rewording and new approaches is needed to bring out some revealing detail. Other times blunt and plain speaking that borders on rudeness is required. There is no alternative. The transcripts of these briefings and their give and take are available to the accredited press for publication, but are just too wordy except for a phrase or a sentence, or perhaps a paragraph here and there. The spokesman at times goes "off the record" for "background" information, to clarify some point, and this material cannot be made public. At least, not from this source. Frequently, the same information is derived elsewhere, and then is freely disseminated.

Extensive excerpts, sufficient to disclose to an observer or analyst the mechanism of the official press briefings, especially on a single subject, have rarely been published. One valid reason is the work and time involved. At the White House, for instance, in the part of the press section—the erstwhile swimming pool area—occupied by Administration staff concerned with news, there is a most modern duplicating machine. A page can be copied in a few moments.

But this equipment is not made available to non-governmental people, perhaps in order to reduce the number of fringe and even kook requests that most certainly would result. After all, the same transcripts contain both the texts that become public property and "background" that is not for publication. Briefing officers, who are called on to talk off the top of their heads, understandably want as little legalistic-type hemming and hawing over what they meant as possible. So far as White House reporters are concerned, while this simply is speculation, if such duplicating equipment were available, some of the very economy-minded syndicates and publications simply would send over a copy boy to get the transcripts of the briefings. This really would not be coverage of the White House.

Whatever the rationale for a duplicating machine not being installed in the working press section of the White House, in a wing effectively cut off from the rest of the place, this writer spent hours copying the texts of briefings on this Simas case into his notebook. A dual purpose was to fathom the contradictions in the case as deeply as possibly from official sources that were being almost unprecedentedly limited, and to provide an informative sample of such press briefings. After all, they constitute a great portion of what appears daily in all communications media, under every guise from outright reporting to the supposedly exclusive material of columnists. Many a supposed "scoop" or "exclusive" has been gleaned from briefing material.

TAKE STATE DEPARTMENT, FOR EXAMPLE

A briefing began at the State Department at 12.48 p.m. on Nov. 30, a Monday, for example. A reporter asked the chronology of the case of the Lithuanian defector. He was told the State Department was informed by the Coast Guard at 2.30 p.m. on the preceding Monday, Nov. 23. "The Coast Guard at that point was told that we would not want to encourage a defection and that a provocation might be involved. The Coast Guard was asked, however, to keep the Department informed of developments.

"At approximately 3.30 or an hour later another telephone discussion took place, again with the Coast Guard in Washington, in which the Coast Guard informed us that it appeared no actual attempt at defection had been made, but that the Coast Guard officer would keep the State Department involved."

The press officer giving the briefing was the veteran, Robert J. McCloskey. "No actual attempt?" he was asked. Answer. "Excuse me?" Question. "Yes." Question. "As of 3.30?" Answer. "Nothing further was heard from the Coast Guard until 7.45 p.m."

The briefing continues. (Quotation marks will be dispensed with, and remarks paraphrased to save space will be put in parenthesis. Interpolations, if any, by this editor, will go in brackets.)

Q. Is this following the 3.30 thing? A. Right, 7.45 p.m., when the Department was told by telephone that defection had in fact occurred and that the seaman had been released to his ship. The Department was further told that the Soviet ship was being escorted out of United States territorial waters. Now, that is the chronology. Q. Bob, I'm sorry. That a defection had occurred and what?

A. And that the seaman had been returned to his ship. Further we are told that the Soviet vessel was being escorted out of United States territorial waters. Q. By "further" you mean in that same 7.45?

A. Right. (Some background material here was provided, specified as such, meaning "off the record.")

(Some U.S. seamen of the Coast Guard cutter Vigilante went to the mother ship of the Soviet fleet, where a man "whom we know only as Simas told one of the sailors he might want to defect.")

A. The Coast Guard talked to someone in the Soviet Affairs office [of the State Dept.] at 2.30. The State Department man told the Coast Guard that we would not want to encourage a defection. (Questioned whether the Department had said it did not want the discussion on fisheries upset by a defection.) A. I have no record that anything that specific was said. But keep in mind that this meeting of these vessels was arranged because of the fishing issue. It was not arranged in order to encourage defections.

(Questioned how long Simas actually was on the U.S. cutter. Told up to five hours, couldn't say for sure.)

Q. Was he beaten up? A. [Evasion, then:] We did not give advice that the man should be returned or that the Soviet crewmen should be permitted to come aboard to return him. (Asked whether Coast Guard shouldn't have been told what to do in case of defection. Response refers to hindsight.) Q. Was any attempt made to rescue this poor guy (before the Sovetskaya Litva left U.S. waters)? A. No, to my knowledge, there was none.

Q . . . any attempt to get him back? A. No. (Discussion on how many hours elapsed before the defector was returned. A reporter said it appeared to add up to 9½ hours. The spokesman had no explanation. He stated that U. Alexis Johnson, undersecretary for political affairs, and the secretary of transportation, that now has jurisdiction over the Coast Guard, met that morning and will try to outline more effective procedures to deal with this if it should happen again. Johnson and the transportation secretary, John A. Volpe, would continue to confer, the spokesman said.) Q. And what authority does any captain of an American vessel at sea have to allow Soviet seamen to come on and take somebody off his ship? A. I will have to take the question. I don't know the answer to that. I don't know whether there is authority.

Q. And Bob, at the time of the 2.30 and 3.30 calls, as I understand it, it was not even the Soviet desk officer who was involved, but somebody below him. Did that individual get his instructions higher, or did he operate on his own? A. Well, his first advice was given on his own judgment, and I must say that that was sound advise. We were not encouraging a defection by seamen from these vessels. Q. But that advice was that you did not want a defection encouraged and that you wanted no provocation? A. Yes.

Q. But did the 7.45 call indicate or say specifically that this man had been taken off by force by the Russians? Did they just say he has been returned, or did they say he was dragged away screaming and kicking?

A. There is nothing in the information I have that detailed the circumstances of the other men coming aboard the Vigilante while Simas was aboard. Q. Bob, don't you have anything that indicates that he was removed against his will? A. Well, are you asking now? Oh, yes, now, of course. Q. No, at the time.

A. At the time I cannot certify that we had that information. (The Coast Guard officer who spoke to State was a captain.) Q. Bob, who made the decision in the Coast Guard to return the man? A. The commander of the vessel. Q. On his own? A. Yes. Q. On his own. Do you plan to have a full and corrected chronology of events made available? A. Well, I don't know about corrected. But I hope to have a fuller chronology. I don't feel that there is any need. I don't think anything I have said so far needs to be corrected. It may need to be added to.

Q. Well, sir, this 7.40 breakaway of the two vessels, it rung counter to witnesses who assure those who talked to them about this that this did not occur, they didn't go overboard with the body—I mean with the unconscious man—until nearly midnight. A. That is what you say, and that is what—Q. No, sir, it is not what I say. What I say is that I was told by two people who observed the situation. A. Well, as I say, I am perfectly prepared to add to what I have given you when I have more information. And it is possible. I think I have allowed for there being some inconsistencies—but certainly there is incomplete information.

"NATURALLY AND DEEPLY REGRET—"

Q. You said, "We naturally and deeply regret that this incident occurred." What incident? What specifically do you deeply regret? A. That clearly there was a deliberate effort by a seaman from a Russian or another Eastern European vessel to defect to the United States, that he was returned to the Soviet vessel, and in a way that apparently ran counter to his own desires. I cannot confirm the extent of mistreatment which he apparently or reportedly received at the hands of his own fellow seamen. And that is what we regret.

The United States record, I think, on providing asylum and refuge to the people from various countries who want to come to the United States is in my judgment impressive and I think the record will support that. We have been in all cases in my experience completely sympathetic. And this incident is the more regrettable because of the previous tradition of the United States government.

A. I would like to come back to a point that I think has been implicit in certain of the questions on this matter of saying that we did not wish to encourage a defection, simply to say that the United States, where official meetings on whatever subject with the Soviet Union are held, does not enter them with the desire to stimulate and encourage defections. I am not, by saying that, arguing obviously that all could have been done in this case was done. It wasn't. I will leave it at that.

A. The officer who handles the calls with the Coast Guard is Edward Killham, who is one of the officers on the Soviet desk, in the Office of Soviet Affairs. Q. Well, who gave him advice or guidance? A. I said that his advice was based on his own judgment, and

I would support that advice at that time. Q. Except that it leaves unanswered what seems, I think to some of us, to be a logical question. Suppose it is not a provocation. Suppose the man does do what he indicated he would do, he does defect. What do we do then? I mean all the subsequent developments grew out of that possibility. Was that question not raised or answered by the State Dept.?

A. I have no record that it was raised or answered. Q. Are there procedures to cover that on the seas?

A. There will be, yes. Q. Were there at the time? You say it might have been handled differently had the State Department actually known there was a defection. Are there rules that cover this? Are there regulations that cover it as of now? A. Well, I don't know about rules and regulations, but I can invoke one of our favorite words of the current period, there ought to be understanding to avoid this kind of incident.

Q. Bob, this kind of incident is unprecedented, is it not, in sort of our allowing the officers of a foreign power to come aboard what amounts to American property to take back one of their people? A. Well, unprecedented, I suppose, is the specific incident we had here. But remember I told you that when a Russian or someone from, as has happened in the past, another Eastern European country comes and approaches an American embassy or as has happened in the past, the State Department saying that he wishes to defect, either to come into or remain in the United States, that a certain procedure is invoked which calls for at one point an officer of his own government, and we use the word "confronting" the subject, again to ascertain, and if my memory serves me there has been a situation in which a possible defector was encouraged by his own fellow officials not to carry out the act, in which case the United States said, "Well, then, you are free to return" to whatever country. Q. I'm sorry; my question was to describe the forcible removal of a defector from our territory.

A. Yes, I know of no previous incident identical to this one, given the fact that it was aboard a ship, given not the fact but reportedly there was mistreatment, would say that this is the first occasion of that kind that I know of. Q. Does the Department of State disapprove of the forcible return of this man? A. Yes. Q. Do you have the rank and name of the officer who made the decision, the captain of the Coast Guard vessel?

A. Commander Ralph E. Eustis. Q. The whole burden of this thing, which so far as I know is today's national story, puts the total responsibility for what is obviously a highly unpopular act on one guy with a relatively low rank. Isn't there a question here of fairness to this man? A. Well, then, let me say on the record that the Department of State, pending a complete investigation in which it will join with the Department of Transportation, is not pointing the finger of blame at any one individual, or any other agency of the government.

Q. Bob, just for your information, on Saturday [Nov. 28] the Coast Guard, asked the same question, the Coast Guard spokesman said the decision was made by an Adm. Ellis [Rear Adm. W. B. Ellis], the first Coast Guard District commander, in Boston. That was their on-the-record statement on Saturday. A. Well, I wasn't aware of that statement and I am glad I said what I said.

TAKE THE WHITE HOUSE, FOR EXAMPLE

A briefing by Ronald L. Zeigler, press secretary, began in the White House at 12.50 p.m. on Friday, Dec. 4.

Q. Ron, does the White House plan to release today the reports that the White House received from the State Department and the Transportation Department on the defection attempt? A. We are still looking at the reports as I said yesterday, very carefully. We have a desire to make sure that we have the facts completed in an orderly way. There are some inconsistencies between the two reports. There are some additional facts we have called for. We expect to have these submitted to us very soon and when the report is complete and those additional questions have been answered, the information with the exception, of course, of those portions that could be considered classified, or would prejudice the formal investigations that are going on, will be made public. I suspect that that will be complete by the first of next week.

I would like to say again today, however—I see reports to the contrary—that the White House at no time said to any department that they should not testify on the Hill. I said that yesterday afternoon at the 4 o'clock briefing. I will say it again today. Any department is free to testify before any Congressional Committee on this particular incident at any time they would like.

Q. Ron, in that connection, of course the House Foreign Affairs Committee, Dr. [Albert C. F.] Westphal, the staff member, said that the White House has frozen government officers against testifying on the Hill. And they asked Macomber to come. [William B. Macomber, Jr., undersecretary for administration] Of course, he didn't show up Friday. They have invited him to come Monday. Are you all going to give him a little push and tell him to go on then? A. We haven't given him a non-push. We haven't even addressed the question. All I am saying again today—you can quote me on that (laughter) is what I said yesterday. Any official of any department can testify. A. In other words, if Macomber doesn't go, it is because his boss, [Secretary of State] Rogers, told him not to? A. I don't know what his reason would be.

Q. Back to this business of the Russian defector, did the White House issue any sort of an order to the Executive departments that they should not discuss this at all until the final determination was made? A. Sarah, the only order which we made quite clearly to the various departments was that we wanted the report giving us the full details of what happened.

Q. I would like to tell you what they are doing. They are really putting an iron curtain down on this thing. The Coast Guard, State, Treasury, Transportation—not Treasury—everybody has put their curtain down saying we have been told we can't talk until the thing is over. But you all didn't tell them to do that?

A. From the standpoint of the Coast Guard they have a formal investigation going. I don't know what the motivation would be at the State Department except to say that no doubt they are concerned about providing us the additional facts we have asked for.

"FUTILITY OF SUCH A REQUEST"—FOR SEAMAN'S RETURN

Here are excerpts from the White House briefing by "Ron" Ziegler at 4:14 p.m. on Dec. 3:

Q. This morning, in response to a question here, did I understand you to say that the President or the administration had not requested that the Soviet Union return the seaman involved in this incident or take steps to insure his safety and that of his family? Was that your response to this question?

A. My response was that I knew of no formal request to the Soviet Union to return the seaman. I think I left the impression that that would be relatively moot. Q. . . the question is whether you are in a position to deny that any approach has been made, an official approach by the Nixon Administration, to the Soviets to return that sailor? A. I can say to the best of my knowledge, and I think I am relatively current on the matter, that a protest such as that has not been made because of what could be considered the futility of such a request.

Q. Ron, was there any thought given to requesting the Soviet Union to show the man, so that the world could see whether or not he is still alive? A. Sarah, this incident that has occurred, I think everyone agrees, based upon the information that is available, that this was an extremely unfortunate incident. Before you take that step you have to think of what the response would be or what indeed the result of that request would be. We have not made such a request, again to the extent of my knowledge, because, as I said, what we consider the futility of such a request. We have not made a formal request.

Q. Have we protested at all the action of the Soviets? A. No, we have not. Q. Did the White House request that William Macomber of the State Department not testify today? A. Absolutely not. I think the point has been made, and I will make it again this afternoon—I think the facts are relatively clear—that a Soviet seaman boarded a Coast Guard ship requesting asylum. After a series of events took place, the seamen from the Soviet vessel came on board the Coast Guard ship and physically removed the seaman from the Coast Guard vessel and returned him to the Soviet vessel.

What we are trying to do, what we have done, based upon the reports that the President has received, is to take steps to assure that this does not occur again. Our motivation is to proceed with an orderly compilation of the facts and the circumstances that surround the whole matter. That is what is taking place. But in terms of providing information to Congress, there would be no reason that we would have not to provide to the Congrss on this matter.

CIVILIAN EYEWITNESSES TO THE ATROCITY

Q. Ron, does the President plan to talk to the eyewitnesses, the American citizens who were not in the Coast Guard who saw this? A. We have received, Sarah, as a part of the reports that the President has asked for, information from those who were on board the Coast Guard cutter. Q. Ron, did you mean to include the Russians among those you said everyone agreed that this was an unfortunate incident? A. No. I was referring to the United States government and I think most of the United States. I can't speak for the Soviet Union.

Q. You said that everyone thought it was an unfortunate event. Does the man think it was an unfortunate event who gave the order for him to be sent back? A. Sarah, there is no way for me to answer that question.

Q. You did ask Macomber not to go up (before Congress) until after you got the report? A. No. Q. That is what he told them on the Hill. A. I don't know if he told them that specifically. But this is a question we have not addressed here in the President's office or in any of our discussions today. Q. Could anyone at the White House have told Macomber that? A. I don't believe so. We talked about the desirability of compiling further information in an orderly way about what occurred to round out the information that we had. But that is the extent of our discussion on that matter.

Q. Ron, do you plan to make public the ultimate set of guidelines and procedures that result from all of this on handling of defectors? A. Much of it we put forth to you this morning, the interim steps. I pointed out at that time that one of the significant things of that was that there is full dissemination of the steps that should be followed by various agencies, by agencies that could be involved in this, and the communications are being improved.

Q. Did you say this morning how these guidelines differed from those that were standard before the incident? A. I stated the general concept. There had been some additions. But the main thing that has taken

place is that over the years apparently these have not been disseminated as thoroughly as they should be. That has been taken care of. People are now clear in all of the agencies as to what action they would take and what procedure they should follow as these things occur on a case by case basis. You really can't on these matters make a general statement that will cover every incident that may occur, because every one, of course, has its peculiarities. Q. I thought you told us Monday [Nov. 30] that the President was calling for a full, complete report which was presented to him yesterday. A. Yes. Q. Do we not have already a full, orderly compilation of the facts as they took place? A. Yes, we do.

Q. What is the holdup on the testimony? A. Let me answer your question before you state a question. We have a very thorough rundown on what took place, the timing and what we consider to be a very thorough report of what took place. We are in the process of reviewing and checking that to see what effect that report may have on the formal investigation that is going on. That is the process we are going through. But, yes, we did receive quite a complete report. Q. Are you satisfied with the report now in rechecking it? A. No, we have received a thorough report. We are in the process of checking it. [End of quoted excerpts from briefings.]

Thus, the daily briefings take place. So-called guidelines were announced in detail in the morning briefing on Dec. 3. (Excerpts from text of that briefing are provided separately, on Page 2.)

Certainly nothing more sickening than the case of Simas Kudirka has ever come to public attention. The reason is that other despicable cases have been successfully kept secret. Indeed, they go back to the ending of World War. Provisions of the Yalta agreements were implemented by the Americans and the British in a more thorough and more atrocious manner than even Stalin anticipated. Hundreds of thousands were trapped this way, if they were claimed as Russian nationals. Only after thousands of scenes similar to what took place on the American cutter, and suicides of entire families rather than be returned to the USSR, did the ghastly facts leak out. Public indignation overcame the hush-hush efforts of American and British authorities, and put an end to this mass atrocity that we perpetrated.

Defections continued without cease after the conclusion of World War II. This embarrassed both the Soviet Union and the appeasers and opportunists among us at that time. Moscow was even more concerned over the vital information that some of the defectors were bringing with them from communist areas. We sacrificed this tremendous source of basic data as well as the psychological warfare advantage involved and made some sort of an agreement to discourage or prevent such defections so far as we were able. Marxists and red agents on our side obviously were involved in this one-sided, inhumane and stupid deal, that was treasonable in effect.

Nonetheless, it has been an open secret that a tacit agreement of this kind exists, and nothing that has happened during the present scandal over the Lithuanian specifically and officially puts an end to it. Pious words merely lull the American people in once again suppressing whatever capacity for indignation remains in us. Nixon can talk until he is blue in the face, with genuine horror, that such things happen, but they will continue unless and until he orders their stoppage, with all the authority of the President.

Even so, he will have to eliminate the saboteurs, opportunists and reds in the State Department in the reform of it that he promised before a halt, in fact, it put to such undercutting of our interests and our honor.

As this is being written, a so-called "reform" of the State Department by itself is being publicized. It would make it impossible for a President to check sabotage of White House policy by State Department personnel. The only safeguard, the ability of a career officer to protest through other government channels, is being removed. Of course, the Secretary of State knows about this, for else Macomber would not be working so hard on this sly maneuver.

The functionary on the Soviet desk reacted the way he did without involving any superior because otherwise he would not be holding that job in the State Department. If he had acted any differently, now or in the past, he would not have advanced that far. The mechanism is set up this way, squeezing out anyone not reacting as the State Department establishment wants.

Simas may have sacrificed himself to save countless others.

EXCERPTS FROM SIMAS HEARINGS—PART II

Exhibit #1, attached to transcript, U.S. Coast Guard's "formal board of investigation into allegations of improper conduct in connection with recent defection attempt of Soviet crewman to Vigilant near Martha's Vineyard, Mass., on 23 Nov. 1970."

Lt. Kenneth N. Ryan, duty officer, Boston, and Coast Guard headquarters officer, phoned conversation:

"How do you want to handle the press? It's leaked somehow . . . Say, hey, I hear there's a Russian defector out there, you know and we denied all knowledge . . . If I do get any calls I'm going to say 'no comment' or I am unable to make any statement at this time, or something else like that, okey, goodby."

Exhibit #2. Between Rear Adm. William B. Ellis, on convalescent leave, and Commander Ralph W. Eustis, of Vigilant.

Eustis: We have a man aboard who has defected from Soviet Union . . . I believe the political situation is such that today has been very successful other than events that have occurred in the last hour . . .

Ellis: Does the ship know that he has come aboard your ship? If not, I think they should know that . . . In view of nature of present arrangements with them, and in the interest of not fouling up our arrangements as far as the fishing fleet is concerned, I think they should know this. If they choose to do nothing, keep him on board. Otherwise put him back . . .

Eustis: If they desire to recover him, will have them return man to mothership . . .

Ellis: If the man jumps into the water give the Russian ship the first opportunity to pick him up. Don't let him drown. Go get him if they are not going to retrieve him. . . . Well, make sure that you don't preempt them in taking action.

"HIS LIFE IS PROBABLY IN JEOPARDY"

Exhibit #3. Between Captain Fletcher W. Brown, Jr., chief of staff, acting district commander, Boston, and Cmdr. Eustis.

Eustis: Defector is definitely in fear of life . . . Only person that has had closest communication with potential defector is myself. Four Soviet officers on U.S. ship as part of general group that was invited . . . They indicated they aware of defector. Defector came with group invited to visit ship.

Brown: This is a situation that is going to have to be resolved by State Department.

Exhibit #4. Another conversation between Brown and Eustis.

Eustis: Believe if we direct them to return abroad vessel with subject, I believe his life is probably in jeopardy . . . Understand if the Soviet master desires return of individual to Soviet vessel we will do so . . .

Brown: You are ordered to take all necessary precaution to preclude any type incident from recurring from your vessel. . . . I think you misunderstood what your last order was. You are to take all precautions to prevent the incident from occurring. Do you understand? All precautions to prevent an incident from occurring.

Brown: Vigilant, this is Boston again. We will do it this way. There must be a formal request. There must be a specific request by the master, by the master of the Russian vessel that the individual be returned, that the individual be returned. That is point #1. Point #2. If the master specifically requests that the individual be returned to his ship, you will return the individual to the Russian ship, you will return him. The individual will be returned and placed in the custody of the master of the Russian ship. At this point, at this point, you may break contact with the Russian vessel and continue your surveillance and continue patrol, continue your escort surveillance and continue patrol. You will assure that no incident occurs during the transfer of the individual from your vessel to the Russian vessel. Do you understand?

Exhibit #5. Another conversation, Brown and Eustis.

EUSTIS: I have official request in writing for return of alleged defector, in writing. Present intentions are to return defector to the Soviet officers that are aboard Vigilant, have him depart vessel in custody Soviet officers. . . . Vigilant to depart Soviet vessel and escort Soviet vessel out of U.S. territorial seas . . . If defector, potential defector, departs Soviet vessel Vigilant will stand clear and make no attempt to pick up defector until life in jeopardy.

Exhibit #6. Statement by David R. Santos, engineman, third class. [Stbd. taft rail means starboard vertical railing.]

The first time I seen the man he was already in process of climbing over the Stbd. taft rail in preparation to jump into the water. Myself and someone else off the Vigilant grabbed him, one by each wrist to prevent him from jumping. Within 10 or 15 seconds a Russian climbed over the top of us and grabbed the man by the head and started to drag him back aboard. In no time another Russian grabbed him, and myself and the other big sailor stepped out of the way. The man put up a good struggle, but two more Russians jumped in, totaling four in all and beat this man viciously. Upon bringing the restrained man up the ladder on the fantail one man grabbed the 1JV phone talker's cord and was going to wrap it around the defector's neck, when the phone talker pulled the cord away. While the incident with the cord was happening another man was beating the defector's head against the rail of the ladder. A short time after that they had him on the flight deck. I did not go onto the flight deck but watched from the fantail. And the men did not stop the continuous beating. It was about this time that the Vigilant pulled away and the Stbd boom from the mothership ripped down the port side of the Vigilant, tearing off the whip antenna. After that I had to go below deck.

Exhibit #7. By Richard P. Maresca, boatswain's mate, third class. (On removal to Russian ship, in a U.S. boat.)

The way the Russian crew members were allowed to beat and stomp the defector gave me doubts of my own security in the boat. Once the word was given that an officer was going, we, the Vigilant crew, entered the boat. At that time I saw the defector completely tied up and thrown into the boat by the Russian crew members being handled like nothing more than a log . . . I acted as coxswain . . . While riding to the Russian ship, one Russian crew member sat on the defector's head and kept punching him for the entire ride. Once we arrived alongside the Russian vessel they lowered the net and the first mate went up first. The other Russian members then threw the defector from aft to amidship, then again threw him into the net when lowered. They then gave us the

Vigilant mooring lines and we left for the Vigilant.

[John F. Hughes, ensign, boat officer, was in charge of the boat on the trip.]

GUIDANCE BEFOREHAND REFUSED BY STATE DEPARTMENT

Exhibit #14. "Chronological summary of events." 23 Nov. 1970. [CGC means Coast Guard cutter.]

1400. Contacted Capt. David A. Webb, USCG liaison officer, State Department, for names of State Department personnel who should be contacted regarding the possible defection.

1415. Received names of Mr. Morton, U.S. State Dept., SYS/SAS and Mr. Adolph Dubs, Soviet desk, as contacts with State Dept. 1450. Contacted Mr. Killham, tel. 22071, at Soviet desk, in absence of Mr. Dubs. He advised that he would call me back later after he had digested CGC Vigilant message. 1520. In contact with Mr. Killham, who advised that until man was on board CGC Vigilant, State Department could offer no helpful instructions.

Exhibit #15. By Lt. JG Douglas A. Lundberg; operations officer. [XO means executive officer.]

I had Latvian neighbors at my last duty station who had been in Russian Concentration Camp. I had watched some of their crew draw their finger across their throat when members of our ship jokingly asked them to come aboard. The man also stated to me that he would be killed if returned. Between 1615 and 1630 the man suddenly appeared on our bridge. He was all smiles and almost hysterical with happiness. I immediately grabbed him by the arm and placed him inside stick. [Isolated portion of the bridge.]

Not long after he came aboard I saw several Russians pointing forward and could tell someone had seen him come to our ship. I told the XO right away. I was not present for the conversation but when I first learned that he was to be sent back, I was completely horrified and thought that some points must not have been passed to the district office. One was that the man had gained access on his own initiative with no Coast Guard assistance, two, that he said he would be killed and would not go back without being overpowered or killed; three, that he had repeatedly requested political asylum.

[On phone talk.] Capt. Brown's reply was: Cmdr. Eustis, you have no discretion in this matter whatsoever, you have a direct order from the Admiral and are to return the man to the Russian vessel using Russian or Coast Guard force as necessary, the only requirement being a written request from the Soviet Captain for the subject man.

"LOOKED AT ME AND I JUST SHRUGGED"

Exhibit #32. Chronology by Lt. Cmdr. Paul E. Pakos, executive officer.

About 1630 most of the Soviet naval officers had left. There may have been two or three remaining on the flight deck ready to be carried back to the Soviet vessel. The crew member who wanted to defect showed up on the deck opposite the bridge wing and just looked at me and stared at me intently. I looked down at our Foc'sle and looked down at our port boat, trying to indicate that if he was going to jump, I suppose that these two places were the most reasonable places to jump. He looked at me and I just shrugged my shoulders.

The next thing I knew (probably within five minutes) he was on the Vigilant's bridge. I was very surprised. He apparently jumped across from the main deck and grabbed on the Vigilant's rail, and had come aboard. He embraced me immediately and called me comrade and embraced the operations officer, called him comrade, and I ordered him out of sight immediately and notified the Captain down in the Captain's cabin. The Captain ordered him taken to a place where he would not be detected and we took him to the watchstander's head [washroom for bridge watchers].

With the man aboard, we went to the mooring stations immediately as we wanted to depart as soon as possible. About the same time, the interpreter from the State Department who was part of the delegation came up to us in the Cabin and having been informed that the man was aboard, his first reaction was, "he had to leave because he would ruin all the work that we had accomplished during the day." The Captain went down and spoke to the defector himself, spending the better part of an hour inside the watchstander's head speaking to him . . . One thing did come through very clear, and that was that the man under no circumstances wanted to be returned to the Soviet vessel . . . Finally about 2030 the interpreter brought up a formal request in Russian for the return of the defector to the Soviet vessel.

Included in the formal request were some charges that the man had stolen some money aboard the Soviet ship . . . There was some discussion and Mr. Gordon [William C., of National Marine Fisheries Service, Department of Commerce) wanted to put a phone patch into someone he knew at State, he tried but no one was home. There was also discussion, which I was a participant, in the legality of the order, whether or not such an order to return a man who had been pleading with the Captain not to be returned and who feared obviously for his life. I questioned if such an order was legal. We felt that there was a real possibility or a probability that the man would be killed if returned and certainly a major part of his life would be affected by being put in a concentration camp or being put in a prison in the Soviet Union and I joined the discussion of the Neuremburg [Nuremberg] Trials.

The impact of all that was a very, very heavy burden on the Captain Eustis. We discussed how if we decide or if he decided to disobey the order, how he would perhaps be a hero in the eyes of the United States public, but be disobedient in the eyes of the Coast Guard. Whereas if he obeyed the Coast Guard order, he would be true to the Coast Guard but in the eyes of the United States public would have done something considered improper.

BUT SOVIETS KNEW THEY WERE IN A BOX!

The decision process was very heavy on the Captain. However, having heard from Admiral Ellis to the point once, from Capt. Brown twice, he decided that he would obey the order. He told the Soviet officers that the man would be returned to them. Up to this point the Soviet officers knew they were in a very, very difficult position. They were inside the territorial waters of the United States, and we could within all respects legally keep the man and have them return to their vessel while we would retain custody. However, when Capt. Eustis informed them that the man would be returned to them, several of the officers went up and spoke to the defector.

This conversation took place for a half hour to 45 minutes. It was a very heated and animated conversation with the defector insisting that he did not want to return and refusing to return to the Soviet vessel. At approximately 2130 we were still moored alongside the Soviet vessel and the Russians had been unable to talk the defector into leaving peacefully the Vigilant and going back to the Soviet vessel. They apparently at this point were reluctant to use force . . . The time now is about 2200. Capt. Brown was advised of this situation, he again reiterated that we were directed to remove the man from the Vigilant and return him to the Soviet vessel.

When Capt. Eustis mentioned that the Soviets were apparently reluctant to use force, we were directed to use whatever force was necessary to get the man back including Coast Guard force. We had in previous conversations discussed the aspect of the man trying to jump into the water and at that time earlier, Capt. Brown told us that we should make every effort to see that the man does not attempt to jump into the water while he is being delivered to the Soviet vessel.

If subsequently to his delivery to the Soviet vessel he jumped over the side, then we should give the Soviets every opportunity to recover before we moved in to recover the individual. At this point it was a very clear to Capt. Eustis and to me that these were direct orders. Capt. Brown was explicit and said, there is no discretion allowed here. We decided that we would just have to comply with this order. Capt. Eustis therefore told the Soviets that he would again attempt to get the man back to the Soviet vessel. We were reluctant to use Coast Guard force to transfer him back for obvious reasons.

FOUR RED GOONS NOT ENOUGH! TWO MORE CALLED!

Capt. Eustis tried to talk the man into going back but the man got down on his knees and pleaded and begged. He begged not to be returned to the Soviet vessel and kept crying, "Please Captain, please Captain, don't send me back. Don't send me back. "Capt. Eustis was unsuccessful again in trying to talk him into going back peacefully. The Russian officers came up and again tried to talk him into going back and he constantly refused and would not move. All of this conversation with the defector took more time and I was up on the bridge and suddenly I saw four of what I would term "heavies" being transferred from the Soviet vessel to the Vigilant.

When they came aboard, they immediately started running up the port side of the flight deck. I yelled down and ordered my crew members to stop them which they did and ordered them to be kept there on the flight deck unless the Captain specifically asked for them or unless I specifically asked for them. I informed Capt. Eustis of the situation. Conversations with the defector continued to prove fruitless. He asked for a knife from us, that he could kill himself. We, of course, did not provide him with any kind of weapon to harm himself with.

Finally, Capt. Eustis decided that they, the Russians, would have to take him by force. When the Russian officers were told that we would agree to them taking the defector by force they didn't seem to waste much time getting organized to come over. The four "heavies" were allowed to come up to the man and there naturally was an ensuing struggle.

Apparently the four men could not restrain the defector so they called for two more men. Two more men did come over and now six men were struggling with the defector trying to drive him down the ladder from the 02 deck to the 01 deck. When they got to the flight deck level, there was much pandemonium. They were all struggling, the Soviets on the Russian ship saw what was going on. Many of them started screaming. They were all at the rail yelling and screaming. There were a lot of Soviets on the Russian ship apparently anxious to get over to help and suddenly the man broke loose and someone saw him go over the side, our port side, and in between the two ships. Someone yelled, "Manoverboard." We dropped the life-ring in between the two ships, immediately started slipping our mooring lines because we wanted to get out of there. There was about three feet in between the two ships and we thought the man was trapped in there. We shined our searchlights down in the water between the ships and couldn't see him.

We had our mooring lines belayed on the Soviet vessel and no one was standing by

so we slipped the lines we could and cut with an ax the lines that we couldn't. We had been previously prepared to cope with this situation. In trying to get out of there rapidly, a boom from the Soviet vessel caught our communications antennae on the port side and tore them down, knocked down our port whip antenna, and we bent or lost three or possibly four stanchions on the port side of the Vigilant. Fortunately, no one on Vigilant was hurt with these antennae coming down.

As we were backing away still not completely clear of the Soviet vessel, there was more commotion on the fantail and someone later told me that the man never did get into the water. He was able to grab a hold and somehow swing from the O1 deck to the main deck and had been running down the main deck. This is all unconfirmed. I do know there was a commotion on the fantail when six Soviets caught up to the defector and they were beating him. [The next sentence was written in handwriting, then the typing resumed.] Accordingly to what I told. Emotion was running very high among our crew members. The Soviets grabbed the man and hauled him back up the flight deck but could not get him over to the Soviet vessel because we had been backing clear and the antennae were falling down and we ended up clear of the stern of the Soviet vessel and there was pandemonium on the Vigilant.

SIX GOONS WRAP DEFECTOR INSIDE BLANKET

However, things quickly cooled down. We got a count of the number of Russians who were still aboard. We still have perhaps three officers in the cabin during the incident plus the six men who were overcoming the defector. I told ENS Hughes [John F., ensign, boat officer] to get all the Russians on the Messdeck. I later (but before they left) found out that the six men took the defector inside the Vigilant's helicopter shack. They wrapped him with a blanket. They tied him up from his head all the way down. I saw them jab him in his back once. I, through the direction of Capt. Eustis, put in an immediate phone patch to Capt. Brown and informed him of the situation and told him that we were going to attempt the transfer by small boat from the Vigilant to the Soviet vessel.

Capt. Brown asked if the weather would make the transfer hazardous. I said no. The Captain ordered the small boat lowered. The Soviet people were all put aboard along with two or three of Vigilant's crew. [Next sentence handwritten.] I went up to the bridge prior to the time the boat was loaded. The man, the defector, was literally thrown into the boat. They sat on him. I saw them poke him in the back once or twice. The Soviets and the defector were taken aboard the Soviet ship and the boat crew returned to Vigilant and then the Soviet vessel got underway and departed the waters.

Exhibit #35. [Text of formal request as asked for by American authorities. Such accusations are part of the act.]

[On stationary of] Lithuanian Fisheries Administration . . . Klajpeda Base of the Refrigerator Fleet . . . Mothership Sovetskata Litva . . . Nov. 23, 1970. To the Leader of the U.S. Delegation of Fishery Representatives . . . To the Captain of Coast Guard Cutter Vigilant. . . . During our meeting of November 23, 1970, the radio operator Kudirka penetrated into my stateroom, forced the safe, took money from the safe in the amount of 3,000 rubles, jumped over the fender and hid on your vessel. Request you conduct a search and return him to the vessel. I lodge a maritime protest on the matter . . . [s] Popov . . . Captain of Mothership . . . Sovetskaia Litva.

MEMO FOR NIXON SANITIZED BY HEAVY VERBIAGE

Exhibit No. 42. Memorandum for the President . . . Dec. 2, 1970.

[Long, legalistic document, does not reflect the heart-rending, life-and-death nature of the struggle on the Vigilant. This weighty, colorless "memorandum" requested by President Nixon, is signed by John N. Irwin II, of the office of the Undersecretary of State, as acting for Secretary of State William P. Rogers.]

Exhibit No. 42. By Capt. Ralph W. Eustis, commanding officer.

. . . The defector had put up a desperate struggle for his life, and could not have been restrained without considerable force. . . .

Exhibit No. 46. [Conversation between Lt. Kenneth N. Ryan, of First Coast Guard District, and Adm. William B. Ellis, his chief, district commander, "on convalescent leave," and Capt. Fletcher W. Brown, Jr., acting district commander.]

ADMIRAL. But this uh could get a little hairy. I don't know—

RYAN. Yes, sir. It sounds like it.

ADMIRAL. The problem was that they should never have let him on board in the first place.

RYAN. Uh huh. . . .

BROWN. Keep the thing out of the press until we can find out how they want the press handled on this thing.

Observations by TACTICS editor. These appendixes, made up of conversations and memorandums by participants at the time, provide a living representation of the tragic affair, out of which all the official reports and conclusions are derived. The formal hearings themselves could only clarify and amplify these. This editor's study of the transcript confirmed this, and brought out no refutal or contradiction of what was contained in the appendixes.

Obviously, the Soviets were encouraged into reacting as they did by American hesitancy and fear of provoking their displeasure. They realized their untenable position, on a U.S. ship in U.S. waters. Under even this slight pressure. American communications and policy determination either was dangerously interrupted or broke down. In our anxiety to please, we abandoned our national traditions and our basic principles. Those in highest posts displayed a trusting attitude toward the communists that reflected a continued, no-win, anti-anticommunist indoctrination.

The documentation in the Simas Kudirka case includes a voluminous amount of interrogation by the "formal board of investigation" convened by the Coast Guard. The "Verbatim Report of Proceedings" covers hearings at Cambridge, Mass., on Dec. 1 through 4, 1970, in Washington, D.C. on Dec. 8–10, and again at Cambridge on Dec. 16. The most unthinking, insensitive piece of testimony ever by an American to come to this writer's attention is contained in this testimony. No people on earth has demonstrated as much feeling for others as have Americans, all down their history.

The first sessions were held at the Transportation Systems Center at Cambridge, when the following exchange took place:

The witness told what he saw. "A man came running out without his shirt on. He looked very nervous." A ruckus had taken place on the flight deck, between 10 and 10.15 p.m. The defector looked like "a fairly strong guy for his size, something like a 140-pound wrestler if you can imagine what that would be. I know he didn't have on any shirt. . . . They got on the ladder. They had the man horizontal as they were trying to bring the man up the ladder. One man had his legs.

"Question. Bringing him up the ladder to where?

"Answer. To the flight deck, I presume that's where they were going. One man was in the middle and the other man still had him in a headlock. He seemed still to have strength. He was still fighting. He was making noises. He was trying to talk. He was just moaning.

"Q. Was it the kind of a moan when a man is being hurt?

A. "Yes, he was being hurt. The man who had him in a headlock was hitting his head against the rail of the ladder.

"IT'S NOT REAL HEAVY STEEL"

"Q. Against the ladder?

"A. Against the railing of the ladder.

"Q. That's steel, isn't it?

"A. It's not real heavy steel. I don't believe it's real heavy steel. . . ."

Read that last part over again, real slow. Let it penetrate. The description was of Russian communist treatment of Russia's nationals. The atrocity perpetrated against the Lithuanian radio operator presented us once again, this time in capsule form, inescapably visible to all, incontrovertible evidence of the barbaric nature that is characteristic of any communist state. The despotism inherent in the Marxist system makes this inevitable in the socialist-communist approach. Each time the wishful thinkers come forth with the discovery that the reds have become just, something always happens that cannot be hushed up, that shows the mellowing to have been a Machiavellian tactic. And it pulls us down!

But the Simas affair has an even greater significance for Americans. What it cruelly demonstrates is that you can deal with criminals only on their terms, for they cannot survive otherwise, and this means you must close your eyes to or participate in criminal practices. In order for so simple a civilized practice as a fisheries agreement to be possible, we had to participate in an atrocity. We had to adopt a criminal approach, too. There is no alternative to maintenance of one's standards and principles when confronted by the barbaric throwback that constitutes totalitarianism. Democratic and Republican administrations alike, in their sincere efforts to get along with all peoples, have not learned the lesson this teaches, and by one unilateral concession after the other, from Panmunjom to Paris, at the U.N. and in Geneva, have so weakened the United States, without achieving any tangible results, that we have brought into question the survival of our nation under Communist pressure. Herein lies the major vulnerability of the complex Horatio Alger that is Nixon.

"JUST NOT TO GET INVOLVED"

A man in the position of, say the President, has a dual function in reading such testimony. That is, if he does read it, instead of having "a briefing" prepared for him on it, either verbally or in writing. The efficiency of the latter has passed the line of diminishing returns. All meaning except narrow legalisms are squeezed out by it. Such firsthand testimony brings out character and practice at the grassroots. A Nixon in the White House, therefore, fulfills his role only by adopting at all times a short-range and a longrange approach, studying each problem for its immediate, right-wrong perspective, and for its overall portrayal of national approaches and developing trends. With this in mind, for in a free society each voter has a similar responsibility, no matter how reduced in scope, let us continue with this testimony.

"Question: But did you think at this time that you should go help the individual? Answer: Yes.

"Q. Why did you not?

"A. Well, word had been passed and not from the bridge, but word had been passed . . . I presume it was rumor, that everybody stand back.

"Q. Stand back, from the fight or any altercation?

"A. Nobody knew anything at all, just not to get involved."

A $500,000 government grant to study public attitudes and how they are brought about would not give us a more instructional and helpful final paper, no matter how wordy and thick, than the above question and answer colloquy could provide for an ad-

ministrator or sovereign. The testimony in its entirety gives us an in-depth picture of America now, its weaknesses, vulnerabilities and in-depth drift away from the standards and principles that until a generation or so ago characterized the United States, and was why people from everywhere came here. They still seek to come, as did Simas Ionovich Kudirka, but because they still think of the America during its time of growth and greatness. The job of a Nixon, and of every wisely motivated American, is thus laid out for him. The Europeanization of our country, and its lowering of standards generally, whether in building machines or character, must be halted, so we can raise our eyes and lift up our heads once again.

Robert M. Brieze, who himself had fled from Latvia by a small boat, was a cilivian witness called to testify. His role abroad ship had been as representative of the New Bedford Sea Food Producer's Association. Brieze (of 10 Jarvis Ave., Fairhaven, Mass 02719) declared, "as to my opinion there is two different crews on [Soviet] ship. Master and the political persons involved, those two." He referred to "Russian commissar and his interpreter," saying, "I noticed from pilot house that the Russian commissar and his interpreter was not going back to the ship at that time. They were still on Vigilant."

The commissar went to speak to the American captain, and it was he who finally produced the letter accusing the defector of theft. Brieze testified: "I told Capt. Eustis usually Russia is making criminal to get the man back. This happened after the Russian commissar got a telephone call to Russian embassy. This would be time about 9 o'clock in the evening. . . . I was very upset, I told Capt. Eustis, you know what is going to happen to this man. He said he knows he can be punished very hard, maybe with death. 'But I got to fulfill my higher officer's command.' "

A man who is sure of himself, and willing to accept responsibility for his decisions, does not have to take refuge in the easy alibi, "But I got to fulfill my higher officer's command." One such was Gen. Douglas MacArthur. This confidence and character differentiate the great general from the run-of-the-mill officer. Americans used to expect such traits. They ceased to be the accepted pattern with the implementation of the secret Fulbright memorandum in 1961, that destroyed the civilian-military seminars on red tactics, set up after the Korean War.

These traits bear only a superficial similarity to the anarchy of today's dissent. They are intended to fulfill national interest, not destroy the nation. Their spirit is obedience, not disobedience.

"THEY ARE NOT BARBARIANS," HE SAID

Rear Admiral William B. Ellis, commander of the first Coast Guard district, was asked at the inquiry about his final conversation with Capt. Fletcher Webster Brown, Jr., his chief of staff, at 7:28 p.m. that fateful day:

"Answer: The principal information which Capt. Brown presented to me at that time, that he had received from Commander [Ralph W.] Eustis was that the man stated he was in fear of his life, his life was in danger.

"Question: That was a fact that you had not heard before?

"A.: This was new information. I told—in discussing this with Capt. Brown, I know I said there was no reason to believe this had actually happened, that they would kill this man and that I am quite sure I said, 'Eustis, they are not barbarians.'

"Q.: Sir, why do you feel that he had no reason to be afraid?

"A.: I don't say that I had no reason that he did not have reason to be afraid. I think that any man in that circumstance would plead for his life. I didn't and I still don't feel there is any facts that the Russians go around killing people.

"Q.: Sir, do you recall the Berlin Wall in the early fifties with respect to defectors from East Germany?

"A.: This is 1970."

One cannot help but be amazed and even perplexed over the evident fact that this man in ultimate authority in the Boston area obviously still believed, after what happened to the defector, that he had not tragically underestimated the evil inherent in communism. What sort of intelligence had he been given? He was indoctrinated, not informed. This is why our security systems have been crippled, and the anti-communist, not the communist, made the security risk.

PIN DOWN THE ISSUES

The paramount issues that should stand out in the Simas Kudirka case can be discovered in findings of the Coast Guard's formal board of investigation, headed by Vice Adm. Thomas R. Sargent, who serves in Washington under Adm. Chester R. Bender, commandant, in the latters approval or disavowal of these opinions, and in the final judgment of John A. Volpe, secretary of transportation. A courtmartial was asked by Adm. Sargent for Capt. Fletcher W. Brown, Jr., who was acting commander of the first Coast Guard district, headquartered in Boston. Bender concurred, but said he would not call for a trial if Brown retired at once. The board's findings follow:

"Opinion 1: Capt. Brown, although counseled by his principal staff officers that the defector should have been retained aboard Vigilant until State Department could arrange disposition, failed to properly utilize or rely upon their expertise. In referring a matter of important decision to Rear Adm. Ellis, and in acceding to, and accepting or adopting instructions provided by Rear Adm. Ellis, Capt. Brown failed to exercise his command powers and accept his command responsibilities as the Acting District Commander of the First Coast Guard District. Furthermore, Capt. Brown failed to keep Coast Guard Headquarters informed of important changes in the case, even though he was asked to do so by Headquarters authorities, and was required to do so as a matter of general policy within the Coast Guard. It should be noted that although Capt. Brown asked Lt. (Kenneth R.) Ryan to call Headquarters about the case, he effectively rescinded that order without ever verifying whether or not Headquarters had been informed.

"Recommendation 1. That Capt. Brown be awarded a General Courtmartial for trial on charges of Dereliction of Duty for his failure to inform the Commandant of the progress of the case and for his failure to retain the defector aboard the Vigilant until having advice from proper authority."

The commandant concurred in both the opinion and the recommendation, with this comment: "In spite of the fact that Capt. Brown should have exercised independently his authority as Acting District Commander, I am convinced that he was markedly influenced in his course of action by the forceful advice he had received from Rear Adm. Ellis. There is little doubt that regardless of the results of a trial Capt. Brown's performance during this entire incident has seriously impaired his effectiveness as a senior captain on active duty. For these reasons, if Capt. Brown immediately submits a request for retirement, I shall accept it and not refer the charge for trial, but rather will issue a Punitive Letter of Reprimand under Article 15 of the Uniform Code of Military Justice."

The inquiry board did not request a courtmartial for Rear Adm. Ellis, but the commandant ordered one, not to be called if Ellis retired. Secretary Volpe ordered both courtmartial charges to be withdrawn. The pertinent documents:

"Opinion 2. Rear Adm. Ellis, although he was reluctant to offer advice while not in command, should have known that Capt. Brown and Cmdr. Eustis were treating his remarks not as advice but as orders. Instructing these men as he did, Rear Adm. Ellis infringed improperly upon the command prerogatives of the Acting District Commander. Furthermore, Rear Adm. Ellis gave instructions on complicated and sensitive issues having obvious national and international import without first apprising himself of established national policy."

The Coast Guard document signed by Adm. Bender, dated Dec. 18, 1970 and entitled, "Action of the Convening Authority," went on:

"Opinion No. 2 is concurred in as expressed. However, in addition to the matters set forth, it is apparent that Rear Adm. Ellis assumed authority not possessed by anyone in the Coast Guard to make a final determination as to the denial of political asylum in the United States to a person seeking it. The determination was properly the function of the State Department."

The statement by Volpe rejecting the proposed courtmartials was dated Dec. 21 and read:

"APPRECIATE THEIR ERROR OF JUDGMENT"

"I do not concur in the award of the court-martial in the case of Rear Adm. William B. Ellis, USCG, and Capt. Fletcher W. Brown, Jr., USCG. It is my considered view that no purpose would be served by subjecting either Rear Adm. or Capt. Brown to a court-martial. There is no doubt that both of these officers now appreciate fully their serious error of judgment in this case. It is also clear that they have been subjected to most extreme castigation from many quarters in this nation. This, indeed, is a severe indictment for which both they and their families have already suffered.

"For these reasons, you are directed to withdraw court-martial charges of any sort against Rear Adm. Ellis and Capt. Brown. However, I do fully concur in the issuance of Punitive Letters of Reprimand to both officers. In taking this action, I have taken note of the fact that both officers are submitting requests for immediate retirement and that these requests will be accepted."

Volpe had no alternative, for he is a Cabinet member, and a courtmartial might very well have involved government policy, and the role of the State Department, in a manner that could have been most embarrasing to the Administration. The paramount issue is government policy. Volpe reacted politically. His unequivocal statement, "There is no doubt that both of these officers now appreciate fully their serious error of judgment in this case," is at best doubletalk, and actually untrue. The unanticipated indignation aroused, particularly among ethnic groups that take our traditions and principles most seriously, was being lulled.

The fat was tossed into the fire at a House Foreign Affairs subcommittee hearing, headed by Wayne L. Hays, Ohio Democrat. An Associated Press article of Dec. 29 was headlined by the Baltimore Sun the next morning as follows:

"Admiral Felt He Was Right. . . . Thought Superiors Backed Soviet Defector's Return."

He had practically every reason to feel this way, which constitutes the main issue, of longrange significance.

So long as government policy remains anti-anticommunist, so long as the primary channel for that appeasement line remains an unchanged State Department, so long as its personnel, for the most part, remains those who have been the designers of our tragically wrong foreign policy, men of lifelong service to the nation are caught in a trap. The buck is passed to them; they are wrong if they do, and wrong if they don't! The no-win policy,

with its pathological obsession with what is called "escalation," damns everything it touches. This is what President Nixon was supposed to change, and the first requirement was fulfillment of his campaign pledge to reform the State Department. The State Department now, under a conniving operator with a sorry background, is at least as bad as it ever was, and probably worse. Nixon has changed neither this policy of his immediate precedessors in the White House, nor the direction of the State Department.

This is the basic issue. Until our anti-anticommunist policy is discarded, all our foreign policy remains tainted. Brown and Ellis are being penalized not for failing to fulfill high policy, but for being caught at it.

"CAN NEVER OCCUR AGAIN"

The Department of Transportation's news release, accompanying announcement of its final decision on the accused, quoted John A. Volpe as declaring: "I have today taken action with respect to the case in which the Lithuanian seaman aboard the Soviet fishing vessel attempted to seek asylum aboard the U.S. Coast Guard Cutter Vigilant. I regret very deeply that a young man had to lose his chance for freedom in order to bring to light the deficiencies in government procedures for welcoming victims of oppression to American soil. Also, I regret that the proud history of the U.S. Coast Guard which has given shelter to hundreds of political refugees was not upheld in this tragic incident.

"But the errors in procedure have now been corrected. We now can give assurance to the world that an incident such as that which occurred on Nov. 23 can never occur again and that America remains the haven for the oppressed."

More than rhetoric is required to change a situation that begin with "Operation Keelhaul" at the end of World War II, when we brutally took men of Russian background out of their American uniforms, and forcibly shipped them to Soviet Russia. No, not exactly. We just handed them to the Russian communists, who did the shipping, much as the pattern was repeated on the U.S. Coast Guard cutter *Vigilant*.

This was the Yalta agreement, which Dwight D. Eisenhower promised to cancel if elected President, but which still is in effect. The issue now, too, is a clandestine understanding—a tacit agreement—that this writer was told about several Administrations ago, under which our policy was to "discourage" defections, meaning prevent if possible. This obviously was the situation, as understood at the State Department, when it was asked about Simas. The White House should make it quite clear that no such "understanding" exists, and that we no longer will observe it. Only then can the new promises obtain a sufficient measure of credibility.

ISSUE OF SECRET FULBRIGHT MEMORANDUM

The Coast Guard officers acted in accordance with the re-education, so-called, of our military brought about by implementation of the recommendations made at the start of the Kennedy administration in the secret Fulbright memorandum. This remains the indoctrination. The time has come for Nixon to honor one of the finest deeds of the Eisenhower administration by reinstituting the program of civilian-military seminars on communist tactics. Otherwise, our officers are likely to remain as naive—as dangerously misled—about Moscow actions as Ellis showed himself to be.

Again we are forced back to the anti-anticommunist policy that prevents serious study of communist tactics. Surely we should have been provided discussion and study in depth of the Simas case by our newspaper editors and columnists, and by our radio-television commentators. If anyone has come across anything approximating this, this editor would like to be informed about it. He has not seen or heard anything except an initial brush-off, and when insistence by our ethnic communities forced attention in the press, some momentary, pious expressions of great indignation, all of it ignoring the basic issues that were responsible for the atrocity happening in the first place. The usual tactic is to hush up the subject as "McCarthyism," and to accuse those who bring it up of being "nasty," "hysterical"—"reprehensible."

Another vital issue brought to the surface by the Simas case—all the issues brought out by it are important—is the confusion and inefficiency, in spite of the finest equipment on earth, that characterizes our reaction nowadays to an emergency. The documentation in this affair frequently refers to a breakdown in communications. The cause either was a failure in equipment, or inability to contact the right man at the right place when critically needed. Too often, this is an obvious excuse, to cover up fear of accepting responsibility—the most un-American trait of all—and one that more than anything else could lead to national collapse through the pressures of "psywar" or all-out war. President Nixon has a mission above all others, and that is to restore American forthrightness, for our survival's sake.

"INORDINATE DELAYS, EQUIPMENT INOPERATIVE"

Herein lies the reason for such inexcusable scandals as that of our allowing the U.S.S. Pueblo to be captured—officers and crew, the most secret electronic equipment, and secret documents and files—by a peanut naval force of North Korea. The Kremlin would be more than human not to be tempted to try an all-out aggression against us if we give such example after example of crippling hesitancy, fear of responsibility, and eagerness to back down.

Read this, from the findings of the Coast Guard as a consequence of the inquiry:

"Opinion 5: Coast Guard communications were deficient in that: (a) there were inordinate delays in operational immediate messages due to failure in equipment, (b) telephone conversations of great importance were not confirmed by written messages, and (c) recording equipment in Flag Plot at Coast Guard Headquarters was inoperative. Although not conclusive, a more efficient communications procedure may have affected the outcome.

"Opinion No. 5 is concurred in with the observation that clause (b) applies to each participating echelon including Coast Guard Headquarters.

"Recommendation 5. That immediate steps be taken to repair the telephone recording equipment in Flag Plot at Coast Guard Headquarters with automatic time recording equipment, and that competent engineering personnel review the communications difficulties experienced by CGC Vigilant and the office of Commander, First Coast Guard District, to determine what changes, if any, may be necessary. . . . Recommendation No. 5 is concurred in."

The "changes," to be effective, must start with training procedures and character. Especially character! Permissiveness is a psychological warfare weapon of the enemy, and must be rooted out of our society, along with that other Marxist weapon against us, the teaching that there are no absolutes. A return to our system of checks and balances is needed to keep all concepts in balance.

The commandant's instructions, made part of the inquiry findings, concludes: "Although not mentioned in the opinions or recommendations, hindsight indicates that more aggressive actions on the part of Coast Guard Headquarters might have altered the prosecution of this incident. Specifically, Coast Guard Headquarters might well have insisted on more definite guidance from State Department."

Opinion 3 points out that Cmdr. Eustis "was not in sympathy with the orders he had received to return the defector. Having the opportunity, Cmdr. Eustis would have avoided or refused to return the defector." Adm. Bender, as commandant, condemned the permission given by Eustis or "any commanding officer" to nationals of another country "to exercise authority on board of Coast Guard vessel. . . . His error in judgment reflects an inadequate understanding of the underlying principle of the sovereignty of a United States naval vessel."

How can one expect otherwise, though, when the White House even permits flags of the enemy—the Viet Cong and North Korea—to be paraded and flaunted in front of its windows? The example must be set at the top. Let us insist on it.

GEORGE J. LEBER'S HISTORY OF THE 1821 GREEK WAR OF INDEPENDENCE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BRADEMAS. Mr. Speaker, today is the 150th anniversary of the beginning of the war for Greek independence.

George J. Leber, executive secretary of the Order of Ahepa, an international organization for people of Greek descent, has compiled a very valuable account of this momentous time in Greek history for this occasion.

Mr. Leber pays careful attention to the role America played in supporting the Greek patriots in their fight for freedom, underscoring the long friendship between the people of Greece and America.

Mr. Speaker, I ask unanimous consent that Mr. Leber's article, which appears in the January–February 1971 edition of the Order of Ahepa's publication, Ahepan be printed in the RECORD.

The text of the article follows:

THE 1821 GREEK WAR OF INDEPENDENCE

(By George J. Leber)

I. THE BACKGROUND AND EVENTS LEADING UP TO THE REVOLUTION

The fall of Constantinople

On May 29, 1453, Constantinople finally fell before the onslaught of the Turkish armies, and this date also marks the beginning of virtual slavery for Greece, for a period of nearly four hundred years.

During the early years following the Fall of Constantinople, the Greek Orthodox Church did not suffer greatly at the hands of the Turk, however, during the two centuries preceding the Revolution, bans were put on the Church, and cruelties to the priests and followers became common. Small outbreaks among the Greeks resulted in reduced liberties, slavery to women and children, and oftentimes, wholesale murders and massacres. The Greek Orthodox Church held its place and its power throughout Greece and the Near East mainly because of the constant energetic fight of the Patriarchs, who never relaxed ther vigilance, and who carried on their struggle for maintenance of their faith.

The Phanariotes

The Phanariotes were men of great learning, taught in Phanari in Constantinople, under the Patriarchate. They kept alive the Greek language both in the Church and in the communities of all Greece. These men,

because of their learning, gained rank in Turkish diplomatic and business circles. The Phanariotes were given ambassadorial and diplomatic positions to all parts of Europe. They rose to high positions, and secured lands, and titles for their families, which placed them in strategic positions for the revolution to come.

With the fall of Constantinople, the scholars in Greece immediately fled to the other parts of Europe, taking refuge in Holland, England and France. This left little source of learning for the people, for soon the schools themselves were closed for lack of teachers and because of Turkish pressure. Finally, in the 18th Century the prosperous Greek community of traders and merchants in Venice started its own small Greek school and Church. The Black Sea communities followed suit, and then the program was broadened to include schools in Athens, with aid from these outside communities. Schools were also established in Giannena, Levadia, Patmos, etc. Among the teachers who carried on this work were Eugenios Voulgaris, Nikeforos Theotokis, Constantinos Economos, Vamvas, Georgios Gennathios, and others. These teachers not only taught their pupils the Greek language, but also taught the hope of freedom, someday, for Greece. They preached a greater and free Hellas for the future.

Adamantios Koraes

The greatest of these Greek teachers was Adamantios Koraes, of Chios. However, he never actually taught in a school as an instructor. Through his writings, he did more to instill the thought of freedom and of the glory of the Greek language and name in the mind and heart of the Greek, than any other person. He brought back all of the deeds of ancient Greece—informed these Greeks that they were descendants of these great men—and that slavery was never meant for them. He is credited with giving new life to the Greek language, for he took the work of the ancients and explained them in his writings, using them as a means of portraying the action he believed that the modern Greek should follow. He did much to bring out a Greek language now bereft of the many dialects and instrusive tongues it had acquired throughout the centuries under various overlords. He died in 1833, at 85.

Regas O Fereos

Regas O Fereos was born in 1757 in Velestino, Thessaly. He studied and became a teacher in Bucharest. At this time, the French Revolution had begun, and Regas began to think of freedom for his country, Greece. He began writing letters to all influential men in Greece, urging freedom for the country, asking them to work towards that end. He also wrote many poems and songs of the greatness of Greece, and of freedom—hoping to instill within the hearts of his countrymen more than an ordinary desire for freedom. These spread over all of Greece. He also wrote to Napoleon, and arranged for an audience with him. On the way, he was stopped by the Austrians, searched, and incriminatory papers were found on him which caused his return to Vienna, and later, he was turned over to the Turkish authorities in Belgrade. There, he died in prison, but his memory lived forever after in Greece, where he was a hero, and his songs and poems lived on, feeding the flame of revolt.

Philiki Etairia

The great national secret society, which was international actually in scope, was the Philiki Etairia. This society was formed by three Greek merchants of Odessa—Skoufas, Tsakaloff, and Xanthos. The membership was secret for it would mean death at the hands of the Turks to be known as a member of the society. Headquarters were established in Constantinople, and the movement officially opened for freedom for Greece. Alexander Ypsilanti, a general in the Russian army, was chosen the leader of the Philiki Etairia. (June, 1820)

On Easter Day, at the close of the services in the Greek Orthodox Churches, Turkish soldiers forced their way into the Greek Patriarchate in Constantinople, and showed papers to the Patriarch, which stated that he had been evicted from his post as Patriarch by the sultan. The soldiers then put the Patriarch in prison, where he remained for some time. The Patriarchate was given orders by the sultan, on pain of death, to select another Patriarch.

Finally, the Patriarch was taken from his prison, to the Patriarchate, and there hanged from the Inner Gate. His body was left there for three days, while all Christians hid in their homes for fear of their lives, as the Turkish soldiers roamed the city, searching for Greek Christians. Those that they found, were slaughtered. Then, the body of the Patriarch was taken down, weighted with a heavy stone, and thrown into the sea, by the Turks. However, a Greek ship captain, several days later, sighted the floating body, which had come to the surface, brought it aboard his ship upon recognition, and carried it immediately to Odessa in Russia. There, the Czar gave the Patriarch the honor due him, with a state funeral, and great mourning. After fifty years, the body was exhumed and taken to Athens, where it lies today.

II. MEN AND EVENTS OF THE REVOLUTION . . .

In 1821, through the efforts of the Philiki Hetairia, the secret society, some semblance of organization and planning had been brought about, and in March of that year, under the leadership of such men as Theodore Kolokotronis, Petrompes Mavromichalis, Andreas Zaimis, Andreas Lontos, the Metropolites Palaion Patron Germanos, Gregorios Papaflesas—the revolution opened in Greece.

Kolokotronis arrived at Mani, in January of 1821, and his very presence in Greece was enough to arouse the spirit of the patriots, for his name was already known throughout the country, as a fearless patriot, and leader. In 1818, the Turks had evicted him from the Morea, or Peleponnesus, because of his aggressiveness and rebellious spirit.

On March 21, 1821, the patriots besieged the city of Kalavrita, and in five days had taken the town. On the 22nd, Mavromichalis and his Maniates, with Kolokotronis and others, besieged Kalames and took it on the 25th. In Patras, the Metropolites Palaion Patron Germanos, with Andreas Zaimis, Lontos and others, struck the colors for freedom, on March 25, which date is recognized as the official beginning of the Revolution. With their force, these leaders besieged the town of Patras. At the same time, Lala, Corinth, Monemvasis, Navarino, Argos, and Nauplion were besieged by the patriots.

The revolution was raised in *sterea* Hellas by Panourgias at Amphissa, by Thanasis Diakos at Levadia, and by Diovouniotis at Voudounitsa.

A large Turkish force, under Kioshe Mehmet and Omar Vrionis, advanced upon the Greeks in Sterea Hellas, and dispersed the force that came to meet them—all except for forty patriots and Thanasis Diakos, who decided to hold at Thermopylae. They were finally all dead except Diakos, who was taken prisoner and taken to Lamia. There, the two Turkish leaders asked him to join with them for they both admired and feared his bravery. He cursed them instead of agreeing, and he was consequently spitted upon a large stake by the Turks, where he died, pierced the length of his body by the stake.

Oddesseas Androutsos heard of the death of his friend Diakos, but it only spurred him on. He stationed himself at the pass of Amplianis, with 129 others, in a log shelter, or fort, fortified with large stones. The Turks defeated the main Greek force, then turned their attention to the fort, but were met by volley after volley of fire, and were hurled back. When night fell, the Turks brought cannon from Lamia to bombard the fort, but during the night, Diakos and his men broke out of the fort, and escaped through the Turkish lines, into the hills. After this, the Turks retreated to Attica, where they raised the siege of the Greeks on the Acropolis. On August 20, the Greeks defeated the enemy at Vasiliki, for their second great victory of the revolution, the first being at Valtatsiou. The Turkish forces left Tripoli following this defeat, and the city fell to the Greeks.

The revolution opened on May 20 in northern Greece. Because of the heavy Turkish forces in that section, the struggle did not meet with any success. In Thessaly, the uprising was quickly downed by the Turks who massacred and destroyed as they went through the countryside. In Macedonia, the heavy Turkish forces spelled defeat for the Greeks there, also. In Crete, in the south of Greece, the Greeks arose in revolution, but had to flee to the hills for safety where they remained for the duration of the struggle, fighting for their lives.

In the islands, lay the greatest wealth of Greece, because of trading and commerce which they carried on. The islands joined with the rest of the country in the revolt, and on April 3, the Spetses Isles revolted, sending 58 ships to besiege Nauplio from the sea. Hydra, Psara, and Spetses bore the brunt of the revolution among the islands, since they led them in importance. Shortly after, Samos, the Cyclades, and the Dodecanesa, except for Rhodes, also joined in with the revolutionists.

THE FIRST GOVERNMENT

The first government of the revolutionary forces was formed at Epidaurus. A committee was selected to rule, with Alexandros Mavrokordatos as the president, and leader. From this seat, the revolution was directed, and the forms of attack were planned. However, shortly thereafter, at Peta, the Greeks suffered their first great loss, losing 3500 men, being routed from the field, to Missolonghi, where the survivors took refuge while the Turkish forces besieged the city. The siege lasted for years, resulting in hardships and suffering for those in the city. It was here at Missolonghi that Marco Bozzaris first sprang into fame for his bravery and leadership.

Kolokotronis

During these dark days, it was Kolokotronis who saved Greece from being taken again by the superior forces of the Turks, for time and again, through his strategy and leadership, he constantly harried the enemy, keeping them at bay, and worrying them, keeping them disorganized. Kolokotronis asked the other Greek leaders to follow his plan, for he realized that the Turks would march towards Corinth, instead of retreating as the other leaders insisted. They scoffed at him, but he took up his position in the hills, and when the Turks did appear, on the way to Corinth, he was the actual saviour of Greece, for he engaged them with his small force, until aid came from the other leaders.

Konstantinos Kanaris

Konstantinos Kanaris is renowned for his feats of daring and bravery on the sea, of which he had gained control over the Turks, with his Samians. On one occasion, the Turkish fleet had two giant warships anchored at Chios. Kanaris came into the harbor with his small boats, unseen. Kanaris succeeded in tying the kegs of gunpowder to an open gun-turret of one ship, but his companions failed to secure their kegs to the other ship. They rowed away, while the fuse burned, and finally the kegs exploded, setting fire to the one ship. The fire reached the powder rooms, and the entire warship went into the air, with a loss of 2,000 lives to the Turkish fleet.

Marcos Bozzaris

Marcos Bozzaris has been immortalized by an American poet (Halleck) for his bravery. He did not care for honors, but only liberty for Greece. While the various other leaders fought amongst themselves for medals and honors, and credit for victory, he sought only to do his work, unmolested.

Bozzaris was the leader of the Souliotes, described as the most-feared fighters among the patriots. He conceived the daring plan of attacking a force of Turks, 4,500 in number, as they were encamped during the night. He took with him only 350 of his Souliotes, and they attacked the camp, and were well on the road to a complete rout and massacre of the Turkish force, when a stray bullet struck Bozzaris in the head, killing him. His Souliotes then took his body and fled to the hills, leaving behind them over 2,000 dead of the enemy! His loss was one of the greatest of the war, to the patriots.

Internal troubles

Two factions appeared within the government itself—one demanding that Kolokotronis became the leader of all the forces, and the other which demanded Mavrokordates as leader. There were now two governments among the revolutionary forces—one headed by Petrompes and the other by Koundouriotes. The government of Koundouriotes won out, and Kolokotronis was imprisoned by the government at Hydra, at the monastery of the Prophet Elias. Oddesseus Androutsos bitterly complained of the treatment given Kolokotronis, and was himself consequently accused of being in alliance with the Turks. Cauras was sent after him with a force—he was seized and imprisoned on the Acropolis, in Athens. However, within a few days his body was found at the bottom of the slope, broken on the rocks. The mystery of his death was never solved. At this point, the Greeks were saved from their own foolishness and jealousy through aid from the rest of Europe. The various nations were attracted to the scene and offered their aid.

European Philhellenism

When news of the Greek Revolution spread throughout Europe, the great scholars on the continent saw once again the rise of the Glory of Ancient Greece. With this ideal before them, they began the campaign for aid to Greece, which led, ultimately, to financial and material aid in soldiers and ships, to the patriots. The little country had not been heard from for over 1,000 years, and the magic of the word "Greece" and "Hellas" brought immediate aid. In Switzerland, France, and Germany societies were formed to aid the patriots. The government of England was not in favor of the revolution at the first, however after constant pressure from internal groups, she was forced to accede to their demands of the English, and favor swung towards aid for Greece. It was Lord Byron who raised his voice and power to bring material and financial aid to Greece, and he went so far as to expend his own personal fortune in aiding the patriots, and died in Greece, at Missolonghi, during the siege, of fever.

Naval Battles

In 1824, the Turkish fleet sailed to Samos, to attack the island and to punish the populace, however they were met by the Greek fleet, under Kanaris and were forced to flee, retreating to Ko.

In August of that year, the Egyptian fleet reached the islands, and with an additional 56 warships, and 150 smaller ships, the Turkish-Egyptian fleet sailed against the Greeks again, but in two battles, at Geronta and at Samos the Greeks were again the victors, although they had to fight against overwhelming odds. Miaoulis was the naval hero in these two engagements. However, now the Greek fleet was in sad need of repairs, and they returned to Hydra for the winter, believing that the Egyptians and Turkish fleets would not engage in activity for the rest of the winter. However, in February, 1824, Ibrahim, the Egyptian leader landed 4,000 soldiers on the Peloponnesus, with 500 cavalry, at Methonis, from 50 ships.

In the Peleponnesus

The entire Peleponnesus now clamored for the freedom of Kolokotronis, still in prison. The government would not listen, even though Papaflesas, himself, asked for his release. Consequently Papaflesas with his 1,000 Roumeliotes took the stand against the Turks, and although they fought bravely, they were slain to the last man. Now, the government seeing disaster before it, freed Kolokotronis and his friends, who had been imprisoned because of jealousy and political reasons, for the patriots needed a good leader now, if ever they had.

The news that Kolokotronis, O GEROS TIS MOREAS, was free spread like wildfire over the Peleponnesus, and his name drew thousands of patriots to the fight, under him, as their leader.

Kolokotronis was faced with the problem of meeting the Turks in battle whose superior fighting forces, in numbers, could not be easily met in open battle on the field. Consequently, he fell back to the Kleftiko method—with lightning thrusts at night or day, from the hills, upon the enemy, furious fighting that demoralized the Turks, then back into the hills would sweep the patriots until the next opportunity. He constantly harried them with this guerrilla warfare for it was Greece's only way out.

At this time, the siege of Missolonghi was underway in earnest and he was called to go to the aid of the Turkish troops besieging the city. After months, finally the Turkish forces had worn down the resistance of the Greeks, and they determined to break through, to safety. However, almost to safety, fear overtook the patriots, and half of them turned back to the city, while the other half continued on to freedom in the hills. Those who had turned back were followed closely by the enemy, who broke into the city, and began the massacre that alarmed all of Europe. When they had finished, Missolonghi was nothing but a smoking ruins. The fall of Missolonghi, now named the Holy City, (IERA POLIS) because of the massacre, also spelled the downfall of the revolutionary government in power, and a new one arose, with Zaimis as president. Kioutahis was in command of the Turkish troops in central Greece at the time, while Ibrahim returned to the Peleponnesus where he began laying waste the countryside, killing as he drove relentlessly onward. Koutahis meanwhile advanced into Attica, and laid siege to the Acropolis.

Karaiskakis

Karaiskakis, the leader in the central Greek front, was a small, sickly man, who was described as having the "heart of a lion." It was his strategy and bitter defense that was of such aid to the patriots. He was given command of the Greek forces in central Greece by the government. In July, 1826 he went to Salamina where he gathered together 3,500 patriots, among whom were Kriezotis, Vasos, Panourias, and others, and a force that had been gathered together by the Frenchman, Faviero. This force was defeated by the Turkish cavalry at Haidari, near Daphni of Attica, but shortly thereafter, Kriezotis with 500 men under him, broke through the Turkish lines and reinforced the small group of patriots who were defending the Acropolis. Their leader, Gouras, had been killed shortly before.

Then, Karaiskakis decided to gather as large a force as possible, in order to trap Koutahis, and his forces, in Attica, where they were besieging the Acropolis. He sent Kouletis by sea to Atalanta to take Dombrina, and Ibrahim sent a force under Mustapha Bey to oppose him, and Kouletis was forced to leave without victory. Karaiskakis then guessed that Mustapha Bey and his Arvanites would go to Salona, so he sent Griva, the Gardikiotis, to Arahova, to take that position, which he held, so that when the Turks arrived, they found him there. Griva engaged the Turks and thus gained time for Karaiskakis to put his plan into effect. Karaiskakis then sent other troops against Mustapha Bey and his Arvanites. The Greeks closed in, scoring a decisive victory—only 300 of the Arvanites escaping their vengeance. This victory was made at Parnassus, in November, 1826. After this the patriots scored other victories and retook all of central Greece with the exception of Vonitsa, Missolonghi and Naupakto. The Turks retired to Phaleron, where the big engagement would take place on April 23.

Aid from the European powers

At this moment, when the revolution seemed doomed to failure, the European powers entered the picture, officially. England, France, Russia and Austria had previously lent no governmental aid to Greece, nor sanctioned the revolt, because of fear of international complications. France, England, and Russia met in London in 1827 and signed a secret treaty, agreeing to support the revolutionary government of Greece, and to rid Europe of Turkey.

England, France and Russia immediately sent their fleets to Greek waters, and ordered the Egyptian and Turkish commanders to take their troops and their ships and vacate the Peleponnesus and its waters. The Turks refused, upon further orders from Constantinople. In the meantime, the Greek forces had taken new heart upon the good news, and the revolution sprang up anew. Ibrahim then began anew to scourge the Peleponnesus sweeping through Messenia, Arcadia and Laconia. Following this action, the French, Russian and English ships swept into Navarino and gave final orders for the Turkish-Egyptian fleets to leave the waters of the country at once. The Turkish fired and sank a smaller English boat. Following this action, Codrington, the English commander, gave orders to start firing. Within four hours, only 20 of the original 120 Turkish-Egyptian ships remained afloat on the water. All the rest had been sunk. This destroyed Turkey's power in Greece forever. French soldiers were then landed in the Peleponnesus, and Ibrahim was forced to flee the country with his Egyptians, back to Egypt. Finally, on September 12, 1829, all of central Greece and the Peleponnesus had been cleared of Turkish forces.

Recognition and freedom

John Capo D'Istrias was elected as governor of Greece by the nations and the revolutionary government. He had been striving since 1822 to influence the Czar of Russia to aid Greece without success, and then had gone shortly after to Switzerland to try to raise funds for the patriots. He had been quite influential in Russia, within the government there. In 1828 he arrived in Greece.

It was decided by the three powers, England, France and Russia, that Prince Leopold of Coburg should become ruler of Greece. It was their wish to establish a monarchy in Greece. Capo D'Istrias also had the same idea and upon the eviction of the Turks from the land, he dissolved the legislative chamber of the revolutionary government, and took charge of all the affairs. This action by Capo D'Istrias caused internal dissension and strife, for the men who had led in the revolution, and had risen to power, now found themselves without power and without positions, and unrecognized, in a sense—or so they felt. They also regarded Capo D'Istrias, as an opportunist, who wished to make

himself king, which was not the case. Capo D'Istrias wished to prepare the government to receive the monarchy, and he believed his action the best in the way of preparation. Finally, things became so bitter that on September 27, 1831, Capo D'Istrias was assassinated.

Immediately following the assassination, violent civil war broke out in Greece, and the three European powers looked on with alarm. Leopold had refused to accept the throne of king, because he learned of the destitute condition of the country following the effects of the revolution, and the powers then selected Prince Othon of Bavaria, son of Ludovici, king of Bavaria, to rule as the monarch of Greece.

Othon, only seventeen years of age, assumed the crown as King of Greece on January 25, 1832, and peace reigned in the land for the first time in almost four hundred years. The people welcomed him as a saviour for now they were united, as a recognized nation of the world. And freedom came to Hellas, again.

THE BEGINNING OF AMERICA'S INTEREST IN GREECE

On May 25, 1821, Petros Mavromichalis, Director General of the Messenian Congress at Kalamata, wrote a letter addressed to the people of the United States, in which he asked for America's help.

This letter reached the attention of American Ambassador to France Albert Gallatin, Secretary of State John Quincy Adams, and Dr. Edward Everett of Harvard University. A letter to Everett was also sent from Paris, and Adamantios Koraes was one of the signers, asking for assistance from America. Dr. Everett published these letters in his North American Review, and through his personal efforts, the Greek War of Independence received wide publicity in America, resulting in widespread support from the American people.

Adamantios Koraes wrote to Thomas Jefferson, from Paris, on July 10, 1823, asking for America's help, and support, and Jefferson replied with fervent hope for Greece's success, and his support, and with suggestions. In addition, there was correspondence from Lafayette to Jefferson urging American recognition of the Greek stand for independence.

AMERICAN PHILHELLENES IN THE GREEK WAR OF INDEPENDENCE

Although we hope to briefly recount the story of the American Philhellenes who assisted Greece during her War of Independence, tribute must first be paid to the great English poet Lord Byron, who called the attention of the world to Greece's desperate struggle for freedom and existence.

Lord Byron arrived at Missolonghi on December 24, 1823, where he was warmly welcomed by the Hellenes. He delighted in wearing the Greek foustanella. With his own money, he supported 500 Souliotes soldiers, and gave greatly of his own wealth for the cause of Greece. However, illness struck on April 6, 1824, and on April 7, 1824, he died, at 37 years of age, with these words on his lips: "Greece, I gave you everything that any one man can give. I gave you my wealth—my every hour—my health, and now—my very life. My sacrifice is for your salvation."

Monuments now stand to his memory in Missolonghi, and also at the Zappeion in Athens.

Sons of Pericles memorial

These monuments include a memorial erected by the Order of Sons of Pericles, the Junior Order of Ahepa, in 1939, and placed there in memory of the American Philhellenes.

This 10-foot-high monument erected by the Sons of Pericles was dedicated and unveiled in the Garden of Heroes at Missolonghi on June 25, 1939, in the presence of representatives of the Sons, Ahepa, and the American and Greek governments. The Congress of the United States passed a unanimous Joint Congressional Resolution which read: "The President be authorized and requested on behalf of the Order of Sons of Pericles, the Junior Order of Ahepa, a national fraternity of youthful Americans of Hellenic descent, to provide through the American Minister to Greece for the presentation to the people of Greece of the monument recently erected in the Garden of Heroes at Missolonghi, Greece, the shrine of Greek Independence, as a tribute to and in commemoration of those patriotic Americans who, aided by the moral and material support and assistance of the entire American people, gave their services, their fortunes, and their lives to the cause of Greek Independence in the Greek Revolutionary War of 1821."

YPSILANTI, MICHIGAN

Ahepa erected statue of Demetrius Ypsilanti in Ypsilanti, Michigan on August 29, 1928

Harvey C. Colburn in his book "The Story of Ypsilanti, Michigan" says:

"Among the notable world events of the time was the Greek revolution. In the splendid struggle of the Greek people against Turkish tyranny, appeared an outstanding heroic figure, Demetrius Ypsilanti.

"Judge Woodward proposed that the name of the new city be Ypsilanti—and Ypsilanti it was. (1826.)

"It was a wise providence that guided the good judge in his remarkable suggestion.

"In the city hall hangs a fitting portrait of the Greek general. The cause of human freedom is largely indebted to him, and besides, he left us a good name."

PRESIDENT JAMES MONROE

On December 3, 1822, President James Monroe included the following words in his Message to Congress: "The mention of Greece fills the mind with the most exalted sentiments, and arouses in our bosoms the best feelings of which our nature is susceptible. That such a country should have been overwhelmed, and so long hidden as it were, from the world, under a gloomy despotism, has been a cause of unceasing and deep regret to generous minds for ages past. A strong hope is entertained that these people will recover their independence, and resume their equal station among the nations of the earth."

Daniel Webster of Massachusetts, U.S. House of Representatives

U.S. Representative Daniel Webster of Massachusetts introduced a resolution in the House of Representatives during the 1823–1824 Congressional 18th Session that: "That provision ought to be made, by law, for defraying the expense incident to the appointment of an agent, or commissioner, to Greece, whenever the President shall deem it expedient to make such an appointment."

In speaking for his resolution, Webster said: "This people, a people of intelligence, ingenuity, refinement, spirit, and enterprise, have been for centuries under the most atrocious, unparalleled Tartarian barbarism that ever oppressed the human race. It has been as truly, as beautifully said, that "The Turk has now been encamped in Europe for four centuries. Yes, sir—it is nothing else than an encampment. They came in by the sword, and they govern by the sword. . . .

"Does not the land ring from side to side with one common sentiment of sympathy for Greece, and indignation towards her oppressors? Sir, while we sit here deliberating, her destiny may be decided. . . . They look to us as the great Republic of the earth—and they ask us by our common faith, whether we can forget that they are now struggling for what we can now so ably enjoy? . . ."

Henry Clay of Kentucky, U.S. House of Representatives

U.S. Representative Henry Clay of Kentucky spoke in the same Session of Congress in support of the resolution introduced by Daniel Webster, as follows:

"Are we so low, so base, so despicable, that we may not express our horror, articulate our detestation, of the most brutal and atrocious war that ever stained earth, or shocked high Heaven, with the ferocious deeds of a brutal soldiery set on by the clergy and followers of a fanatical and inimical religion, and rioting in excesses of blood and butchery, at the mere details of which the breast sickens?

"Go home, if you dare; go home, if you can, to your constituents, and tell them that you voted it down—meet, if you dare, the appalling countenances of those who sent you here (I mean no defiance) and tell them that you shrank from the declaration of your own sentiments—that you cannot tell how, but that some unknown dread, some indescribe apprenhension, some indefinable danger, affrighted you—that the spectres of scimetars, and crowns, and crescents, gleamed before you, and alarmed you; and that you suppressed all the noble feeling prompted by religion, by liberty, by national independence, and by humanity."

JOHN QUINCY ADAMS

President of the United States, annual message, Dec. 4, 1824

"The sympathies which the people and Government of the United States have so warmly indulged with the cause of Greece have been acknowledged by their government in a letter of thanks, which I have received from their illustrious President, a translation of which is now communicated to Congress. We hope that they will obtain relief from the most unequal of conflicts which they have so long and so gallantly sustained; that they will enjoy the blessing of self-government, which by their sufferings in the cause of liberty they have richly earned, and that their independence will be secured by those liberal institutions of which their country furnished the earliest examples in the history of mankind, and which have consecrated to immortal remembrance the very soil for which they are now again profusely pouring forth their blood."

HENRY W. DWIGHT

Member of the House of Representatives from Massachusetts

No, sir, not to England, but to America, did Greece appeal from the Senate of Calamata, in language we cannot refuse to hear, "That having deliberately resolved to live or die for freedom, they were drawn by an irresistible sympathy to the people of the United States."

DANIEL P. COOK

Member of the House of Representatives from Illinois

On these principles (of the Declaration of Independence) Greece has dared to act; she has broken her chains, and set up for herself an independent Government; in recognizing that Government, we break no international law.

PATRICK FARRELLY

Member of the House of Representatives from Pennsylvania

We are not sending an agent to Greece to excite her to begin a rebellion against the Turk; that is begun already, and more than half finished too, sir. For one, I believe they are able to maintain their independence, and well maintain it; they will not forget their ancestors. And, as a confirmation of this opinion, I pray you, sir, look at the last news from there. The coincidence of their modern and their ancient spirit is striking indeed, sir, the selfsame act has now been performed in Attica that was done two thousand five

hundred years ago—the inhabitants of Athens have all migrated to Salamis, to avoid subjection.

SUPPORT FROM CITY COMMITTEES

Sentiment was expressed in popular assemblies which drew up resolutions of sympathy for Greece and urged Congress to do likewise. Philadelphia was among the leading cities to champion the Greek cause.

On December 11, 1823, in the City of Philadelphia, a committee sent a resolution to the Congress of the United States urging it to recognize Greek independence in the following words:

"Having read the appeal of the Messinian Congress to the United States, can we any longer shut our hearts to such an appeal? No! No!

On January 18, 1824, in Philadelphia, the Reverend Gregory T. Bedell of Saint Andrew's Church, appealing to his congregation for aid to Greece, said:

"The struggle of the Greeks finds a defender in our hearts, since it is connected with reminiscences of our own history."

The resolution from Washington City, typical of the rest, is:

"Praying Congress to assure the people of Greece of the deep interest felt by the people of this country in their contest for emancipation and freedom, and of the sincere good wishes of the Congress of the United States for the ultimate success and triumph of their cause."

DR. SAMUEL GRIDLEY HOWE

Dr. Samuel Gridley Howe, who completed his medical studies at Harvard University in 1824, departed that same year for Greece, to observe the struggle for independence and to assist the Greeks.

He was the author of a book, "An Historical Sketch of the Greek Revolution," which was published upon his return to America, and which received wide readership. The Howe book has been reprinted by Dr. George C. Arnakis of the Center for Neo-Hellenic Studies of Austin, Texas. (1010 W. 22nd St., Austin, Texas.)

Dr. Howe stayed in Greece from his arrival at the close of the year 1824, until November 13, 1827, when he departed for the United States. On November 12, 1828, he arrived back in Greece at Aegina, and stayed until June of 1830, when he returned to America to continue his professional career as a doctor.

While in America between the trips to Greece, he spent almost all of his time campaigning for Greek relief, lecturing in behalf of the many Greek communities in the United States, and working on his book for publication.

During his first years in Greece he was a surgeon in the Greek armed forces and was given the title of "Surgeon-in-Chief" by the Greek government. Dr. Howe also took part in several engagements, wore the *foustanella* on some occasions, and gave invaluable service to the Greek forces.

On his second trip to Greece in 1828 he escorted a large supply of American aid materials, which he distributed to the Greek war refugees, with the assistance of Jonathan P. Miller and George Jarvis.

Dr. Howe again visited Greece in 1844 for a brief time, and in 1867 he returned to Greece with his family, at a time when the Cretans were fighting for freedom from Turkey.

The following excerpt is taken from one of Dr. Howe's letters:

"Greece is my idol, and the sufferings and privations I have endured in her cause have rendered her fate and her future to be more interesting. I can say sincerely that I have found the Greeks kindly, affectionate, truthful, grateful and honest. There is a spark left of the spirit of ancient Greece which four hundred years of slavery has not been able to blot out."

In 1939, the Order of Ahepa dedicated the Dr. Samuel Gridley Howe Flag Mast on the campus of Brown University, Providence, R.I., as a memorial to the contributions of this American Philhellene to the Greek War of Independence.

COL. JONATHAN P. MILLER

In 1824, Colonel Jonathan P. Miller of Vermont was sent to Greece by the Greek Committee of Boston, to observe conditions of the war, and he made the long voyage which took 45 days.

Speaking of Colonel Miller, Dr. Howe says in a letter to his father, dated March, 1825:

"Captain Miller you have seen. He is as brave a man as ever stepped foot in Greece; has the most sterling integrity, and an entire devotion to the cause of liberty. You would laugh to see him; he has his head shaved, has on the Greek *floccata*, and petticoat trousers, and with his pistols and dagger stuck in his belt, and his musquet on his shoulder, cuts a most curious figure. He serves as a captain, and if his life is spared, he will be of the greatest use to the cause."

Upon his return to America, Colonel Miller brought with him two Greek orphans, a boy and a girl. He adopted the boy, whom he named Lucas Miltiades Miller. Lucas Miltiades Miller became the first American Congressman of Greek descent, when elected to the U.S. House of Representatives in 1891. He was a resident of Oshkosh, Wis., at the time of his election.

WAR ORPHANS FROM GREECE

Under the auspices of the various Greek Committees in the United States, and individuals, several war orphans of the 1821 Greek War of Independence were brought to the United States.

Fotios Kavasalis, age 14, and Anastasios Karavells, age 11, arrived at Salem, Mass., in 1823.

Two brothers, Stephanos and Pantelis Galatis, 16 and 12 years of age, arrived here in October, 1823, and were sent to the United States by a theologian named Temple.

Konstantinos and Pantias Rallis, 16 and 14 years of age, arrived here in May 1824.

Nicholas Petrokokkinos came to America also in 1824 at 16 years of age.

Alexander Paspatis arrived here in 1824 at age 12.

Three young Greeks, Nicholas Prassas, age 16, Nicholas Vlassopoulos, age 22, and Gregorios Perdicaris, age 22, arrived in Boston in June, 1826 on board the ship *Romulus*, under shipmaster John M. Allen.

Other young Greek orphans who came to the United States were: Konstantinos Fountoulakis, Christos Stamatis, Epaminondas I. Stratis, Christos Vangelis (Vangale), and Ioannis Zachos.

Athanasios Kolovelonis was born in 1815 in Missolonghi, and was brought to New York sometime in the latter part of the war by shipmaster Nicholson of the ship *Ontario*.

George Mousalas Calvocoressis was brought to Baltimore, Maryland, with other Greek orphans on board the ship *Margarita*.

Ioannis Kilivergos Zachos was brought to America by Dr. Samuel Gridley Howe in about 1828.

Christoforos Kastanis also arrived in the United States at the same time as John Zachos.

In the book, "The Greek Exile," by Kastanis, he mentions that about forty (40) Greek orphans were brought to the United States by American Philhellenes, and that they studied at Yale University, Amherst, Princeton, Hartford, Athens, Ga., Kenyon College of Ohio, Easton College, Pa., and at Knoxville, Tenn. He stated that these 40 young Greek lads were from Chios, Eipiros, Athens, Macedonia, and Asia Minor, and that most of them returned to Greece after completing their studies in the United States. He also says that in 1839 three young students came from Eipiros to study at Princeton University.

Another young Greek who studied at Yale College in 1840 was Vasilios Argyros.

Evangelinos Apostolides Sophocles came to America in 1828, at 24 years of age, at the invitation of theologian Josiah Brewer.

LUCAS MILTIADES MILLER

When Colonel Jonathan P. Miller of Vermont returned to America after serving so courageously with the Greek forces, he brought with him two orphans, a boy and a girl. The girl was adopted by the Winthrop family of Massachusetts (and we assumed this was Governor Winthrop of Massachusetts), and Miller adopted the boy, giving him the name Lucas Miltiades Miller.

The boy was born in Levadia in 1824. He was educated in Vermont, and at 21 years of age became an attorney. Lucas Miltiades Miller moved to Oshkosh, Wisconsin, in 1846, and in 1891 was elected to the U.S. Congress as a U.S. Representative from Wisconsin. Insofar as we know, Lucas Miltiades Miller was the first member of the U.S. Congress of Greek descent.

LIEUT. GEN. GEORGE JARVIS

George Jarvis, an American from Massachusetts, was the first American to join the Greeks in their struggle for freedom.

He went to Denmark, where he was born, and from there to Greece in early 1822. Along with Jonathan P. Miller, Jarvis fought with the Greeks in the defense of Nauplia against the Egyptians (who were allies of the Turkish forces) in 1825, as well as in other battles.

Also with Miller, Jarvis helped Dr. Samuel Gridley Howe in the distribution of American food, clothes and medicines which were sent to Greece from the United States, and also helped in the establishment of a hospital, created by Dr. Howe, for Greek veterans. Jarvis also originated the idea of a model agricultural settlement for the war refugees, which Howe established at Hexamilia, and which was named "Washingtonia." Thirty-six families were established at this settlement.

Lieutenant General George Jarvis was the son of an American diplomat stationed in Germany. He fought with the Greeks against the Turks for almost seven years. He died of illness at Argos, Greece, on August 11, 1828.

Speaking of Lieutenant General Jarvis in a letter written to his father in March, 1825, Dr. Samuel Gridley Howe says:

"General Jarvis has been in Greece three years, has been in many engagements, has become a complete Greek in dress, manners, and language; he is almost the only foreigner who has uniformly conducted himself with prudence and correctness; and he has reaped his reward. He has gained the confidence of the Greeks, he has rendered great service to their cause and now is made Lieutenant General. He is a man I am proud to own as a countryman."

OTHER AMERICAN PHILHELLENES

Among other American Philhellenes in Greece were:

George Wilson, from Providence, Rhode Island, who served with the Greek naval forces.

James Williams, from Baltimore, a Negro, who also served with the Greek naval forces.

Estwick Evans, from New Hampshire.

John M. Allen, shipmaster, who had previously served in the American naval forces, and who was a close friend of Lafayette.

William Washington, who died at the battle of Palamidiou.

Also Christ Bosco, John Getty, Alexander Ross, John Villen.

Intensive research on the subject would no doubt bring other names to light, and the subject should be pursued further.

AMERICAN & EUROPEAN PHILHELLENES

According to available figures, about 450 Philhellenes from Europe and America went to Greece during the 1821 Greek War of Independence, to assist the Greek cause.

Germany, alone, was represented by about 150 men, and the other 300 were from America, Italy, Poland, England, Switzerland, Denmark, Sweden, Finland, Russia, Holland, Belgium, Hungary, Portugal and France.

WHAT ARE A NEWSMAN'S RIGHTS?

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BRAY. Mr. Speaker, safeguarding the source of information is one of the most important and cherished rights of the field of journalism. The Legislative Reference Service of the Library of Congress, with its usual high standards of accuracy and excellence, has prepared a special report on "A Constitutional Newsman's Privilege," which I am happy to include in the RECORD:

A CONSTITUTIONAL NEWSMAN'S PRIVILEGE

(By Johnny H. Killian)

(An Inquiry Into the Background, Development, and Possible Implications of the *Caldwell* case as a Result of Which Newsmen May Achieve the Privilege to Safeguard the Confidentiality of Their Information Gathering Activities.)

INTRODUCTION

In *Caldwell* v. *United States*, No. 26,025 (C.A. 9, November 16, 1970), *petition for certiorari pending*, No. 1114 OT 1970, the United States Court of Appeals for the Ninth Circuit reversed a judgment of civil contempt imposed on a reporter for the *New York Times* upon his refusal to appear before a federal grand jury. The appellate court held that the First Amendment to the United States Constitution accords newsmen a qualified privilege to refuse to answer questions of a grand jury and even to refuse to appear at all if answering or appearing might so destroy or harm his relationship with a news source that he would no longer be able adequately to cover that source for his employer. The privilege could be defeated, the court further held, only if the government could demonstrate a compelling need for the newsman's presence or testimony.

Important issues are raised by this case. First Amendment freedoms of speech and press are balanced against the power of government to inquire into the possible commission of crimes. To what extent the First Amendment imposes on government the duty not to do certain things which have only indirect effects on the freedoms there guaranteed is in question. Whether the traditional open-ended power of grand juries—as well as legislative committees—can be bounded by constitutional claims of witnesses in advance of appearing is of no small significance.

The following report deals with these issues in its consideration of the opinion of the Court of Appeals and its implications. The treatment is suggestive and summary rather than an in-depth analysis, since many of the implications can only be perceived in outline. If the Supreme Court reviews and decides the case more extensive analysis will be forthcoming.

THE DUTY TO TESTIFY

"For more than three centuries it has now been recognized as a fundamental maxim that the public . . . has a right to every man's evidence. When we come to examine the various claims of exemption, we start with the primary assumption that there is a general duty to give what testimony one is capable of giving, and that any exemptions which may exist are distinctly exceptional, being so many derogations from a positive general rule." [1]

The rule is firmly settled with regard to federal grand juries, *Blair* v. *United States*, 250 U.S. 273, 281 (1919), and to congressional committees. *United States* v. *Bryan*, 339 U.S. 323, 331 (1950). "The duty . . . is subject to mitigation in exceptional circumstances; . . ." *Blair* v. *United States, supra*, 281. The exceptions generally relate to the duty to give testimony rather than to the duty to appear in response to the summons of the inquiring body.

Inability to attend because of illness or some other sufficient ground has normally been the only excuse for nonattendance when a witness is properly summoned, although a few jurisdictions by statute have accorded the privilege to certain persons, such as public officials and in a few instances women.[2] A privilege to decline to testify once one has appeared is the more usual exception to the general rule.

Among the privileges commonly recognized the most notable has perhaps been the privilege against self-incrimination.[3] A number of other testimonial privileges have been divided between privileged topics, such as trade secrets, official secrets, political votes, and the like,[4] and privileged communications. The latter are those made by persons holding a certain confidential relationship—husband and wife, attorney and client, fellow-jurors, priest and penitent, being the most common—which government has decided should not be subject to compelled disclosure and should be protected.[5]

Wigmore states that there are four fundamental conditions which are necessary to the establishment of a privilege against the disclosure of communications between persons standing in a given relation.[6] They are:

"(1) The communications must originate in a *confidence* that they will not be disclosed;

"(2) This element of *confidentiality must be essential* to the full and satisfactory maintenance of the relation between the parties;

"(3) The *relation* must be one which in the opinion of the community ought to be sedulously *fostered;* and

"(4) The *injury* that would inure to the relation by the disclosure of the communication must be *greater than the benefit* thereby gained for the correct disposal of litigation."

Much of the discussion regarding whether there is a newsman's privilege or if there should be has taken place in the context of these principles.

The Newsman's Privilege

Many news stories obtained by newsmen will be received in whole or in part from informants who desire to remain anonymous and who may well insist on a promise to conceal their identities as a condition of divulging information. Yet, if a court or legislative committee decides that it wants the name of the informant or information about him, the newsman wishing to honor his promise has had to go to jail for contempt because the courts have steadfastly refused to recognize a common law journalist's or newsman's privilege.[7] Newsmen have fruitlessly argued over many years that there should be such a privilege and have attempted to shape the privilege to bring it within Wigmore's four fundamental conditions.

Footnotes at end of article.

Thus, it is argued, (1) the informant's identity was made known to the newsman on the understanding that it would not be disclosed, (2) concealment of the identity was a prerequisite to disclosure of the information because the newsman could not otherwise have dealt with the informant, (3) the community interest in fostering the widest dissemination of news and discovery of materials of public interest, which fostering must take into account the desire of the informer for anonymity, and (3) the disruption of the relation between informer and newsman by compulsory disclosure will injure the community through deprivation of news more than the disclosure of some informers' identities could possibly benefit the community.[8]

But, as we have indicated, the courts have never accepted these arguments for the privilege. At least fifteen States have by statute provided for some degree of protection of newsmen from compulsory disclosure of their sources,[9] but even here the courts have generally construed the privilege narrowly, as a derogation of the common law.[10]

In summary, then, we have seen that ordinarily it is the duty of everyone to appear and testify when properly summoned before a court, grand jury, or legislative committee and that exceptions to the duty are limited and narrowly construed. There is no common law newsmen's privilege to refuse to name an informant. Further, the claims for the existence or creation of such a privilege have been limited to an assertion of the right not to name an informant; they have not normally extended to assertions of a right not to reveal information learned from the informant.

During the last several years, some newsmen have urged on the courts a new ground for the privilege. They have urged the First Amendment as the source of a limited or absolute refusal to testify and it is to that we turn.

THE FIRST AMENDMENT

"Congress shall make no law . . . abridging the freedom . . . of the press . . ." This prohibition of the First Amendment applies to the entire Federal Government as well as to Congress [11] and applies to the States through the Fourteenth Amendment.[12] The primary function of the free press clause has been to protect newspapers, radio and television, book publishers, pamphleteers, and others from prior restraints on their right to publish [13] and from direct or indirect punishments directed at their right to publish.[14] The Amendment is not limited to protecting the right from "any particular way of abridging it." *Grosjean* v. *American Press Co.*, 297 U.S. 233, 249 (1936), and it reaches abridgments that may not be direct restraints, *American Communications Assn.* v. *Douds*, 339 U.S. 382, 402 (1950), or that may be unintended restraints, *NAACP* v. *Alabama ex rel. Patterson*, 357 U.S. 449, 461 (1958).

But the greatest number of freedom-of-the-press cases are far removed from supporting any argument relating to a constitutionally-required newsman's privilege. Compulsory disclosure of sources is not designed to abridge news gathering or to operate as a prior restraint on publishing or to punish the news media for disseminating certain materials; the effect of such compelled disclosure is no doubt problematical in these regards. And inasmuch as many of the cases proceed upon the basis that newsmen and their employers are guaranteed certain basic rights in carrying on their business the imposition of a duty to testify which is in the main applicable to all other persons seems no more than the placing of a burden on them which all of us share.

In any event, the courts to which such an argument was presented uniformly rejected it.[15]

But a number of recent cases have ap-

peared to read the First Amendment in a somewhat different fashion than the older cases did; whereas the older cases in the main read the Amendment as containing a series of "thou shalt nots" directed to government, the newer cases have also included suggestions that the Amendment contains a series of "must do" commands directed at government and through it to private persons.[16] In good part, these cases reflect a philosophy that what the First Amendment guarantees is not the freedom of the news media and other disseminators of information and entertainment to carry on their business as they choose but rather the right of the people to be informed about those things which affect them.

Though the idea may be found in older cases, it comes more to the front in recent ones. In *Lamont* v. *Postmaster General*, 381 U.S. (1965), the Court held that the First Amendment protects the right to receive information. In *New York Times Co.* v. *Sullivan*, 376 U.S. 254, 266 (1964), the Court held entitled to freedom of press protection a paid advertisement relating to matters of public interest. "Any other conclusion would discourage newspapers from carrying 'editorial advertisements' of this type, and so might shut off an important outlet for the promulgation of information and ideas by persons who do not themselves have access to publishing facilities—who wish to exercise their freedom of speech even though they are not members of the press. . . . The effect would be to shackle the First Amendment in its attempt to secure 'the widest possible dissemination of information from diverse and antagonistic sources.' "

In *Office of Communication of the United Church of Christ* v. *FCC*, 359 F. 2d 994 (C.A.D.C. 1966), the court, in an opinion by then-Judge (now Chief Justice) Burger, held that the listening public, or a portion of it, had standing before the Federal Communications Commission to contest the renewal of a license to a television station which had conspicuously failed to present any programming representative of a substantial minority of the community and to give voice to any views unrepresentative of the prevailing ethos of the community.[17]

But it was in *Red Lion Broadcasting Co.* v. *FCC*, 395 U.S. 367 (1969), that a unanimous Court presented a rationale which clearly bestowed affirmative voice to the First Amendment. *Red Lion* involved attacks on the Commission's "fairness" and "opportunity to reply" doctrines which compelled radio and television stations, when they presented views on a topic or when someone was attacked or unfavorably cited over the air, to afford the opportunity for opposing views to be presented and for the attacked person to respond. The broadcasters contended that the imposition of these rules violated their First Amendment rights of speech and press.

The attack was rejected. "[T]he people as a whole retain their interest in free speech by radio and their collective right to have the medium function consistently with the ends and purposes of the First Amendment. It is the right of the viewers and listeners, not the right of the broadcasters, which is paramount. . . . It is the right of the public to receive suitable access to social, political, esthetic, moral, and other ideas and experiences which is crucial here."[18] *Supra*, 390.

It can be seen, then, that once a concept of the First Amendment protection of freedom of the press, as well as of speech, is expanded from its context of assuring freedom of action on the part of newspapers and broadcasters to ensuring that the public is adequately informed, the balance which might be drawn between the duty of everyone to testify and the privilege of newsmen to conceal their sources might well be differently weighed. If compelled testimony might in certain cases so injure the ability of newsmen to inform the public, then a privilege might be recognized in those cases.

Certainly, the obligation which *Red Lion*, *supra*, 393–94, recognized as resting on the government, the obligation to ensure that broadcasters at least "give adequate and fair attention to public issues," may not simply be fulfilled by a facially neutral attitude that indirectly inhibits the performance of the newsman's duty. In *New York Times Co.* v. *Sullivan*, *supra*, 278–79, the Court rejected the argument that allowance of the defense of truth in "public figure" libel cases was adequate to protect freedom of the press. "A rule compelling the critic of official conduct to guarantee the truth of all his factual assertions . . . leads to a . . . 'self-censorship.' Allowance of the defense of truth, with the burden of proving it on the defendant, does not mean that only false speech will be deterred." Thus, the Court recognized that an indirect constraint could operate to abridge a constitutional freedom.

Nothing in the foregoing is meant to suggest that there is now or is developing a certain privilege for newsmen founded on the First Amendment. It merely suggests that with the development of an affirmative obligation on government to ensure in some instances that the people are not deprived of the information necessary to the functioning of the polity a principled argument can be made for the recognition of such a privilege.

This argument has now been accepted by the panel of the Ninth Circuit.

THE CALDWELL CASE—DISTRICT COURT

Caldwell is a black reporter for the *New York Times* who had become something of a specialist in covering the Black Panther Party. Upon the convening of a federal grand jury charged with investigating the activities of the Panthers, Caldwell was subpoenaed to appear and testify with regard to a number of things he had written in his articles which appeared in the *Times*.[19] Caldwell moved the District Court to quash the subpoena on the ground that his appearance at the secret grand jury inquiry[20] would be interpreted by the Panthers as a breach of confidence and would destroy his effectiveness in obtaining news from them. Alternatively, he requested the District Court to enter a protective order prohibiting grand jury interrogation concerning any confidential interviews or information which he had obtained exclusively by confidential interviews.

The District Court declined to quash the subpoena but did issue the protective order. 311 F. Supp. 358 (D.C.N.D. Calif. 1970). The court relied on *Blair* and *Bryan*, cited supra, p. 2, for authority that a person properly summoned must appear. However, the judge found that Caldwell had developed a relationship of trust and confidence with the Panthers, that this relationship was indispensable to Caldwell's ability to gather, analyze, and publish the news, and that the First Amendment protected this right and ability to gather and disseminate news. Thus, Caldwell was entitled to a protective order precluding inquiries into subjects which would destroy the relationship of trust and confidence with the Panthers unless the Federal Government could make a clear showing of a compelling and overriding national interest that could not be served by alternative means.

Caldwell refused to appear as directed by the subpoena and the District Court thereupon ordered him committed to jail until he agreed to appear.[21]

THE CALDWELL CASE—COURT OF APPEALS

The citation for contempt was reversed by a panel of the Court of Appeals which held that in addition to the qualified privilege to refuse to testify about certain things there was a First Amendment qualified privilege not to appear if the appearance would destroy the relationship of trust and confidence.

The Government had not appealed the District Court's protective order but the Court of Appeals decided it must first pass on the questions there presented. Having done so, it agreed with the District Court.

"If the Grand Jury may require appellant to make available to it information obtained by him in his capacity as news gatherer, then the Grand Jury and the Department of Justice have the power to appropriate appellant's investigative efforts to their own behalf—to convert him after the fact into an investigative agent of the Government. The very concept of a free press requires that the news media be accorded a measure of autonomy; that they should be free to pursue their own investigations to their own ends without fear of governmental interference; and that they should be able to protect their investigative processes. To convert news gatherers into Department of Justice investigators is to invade the autonomy of the press by imposing a governmental function upon them. To do so where the result is to diminish their future capacity as news gatherers is destructive of their public function. To accomplish this where it has not been shown to be essential to the Grand Jury inquiry simply cannot be justified in the public interest. Slip opinion, at 7."

Thus, the court ruled, the grant of a qualified privilege by the District Court was proper and appropriate. The question then was whether Caldwell could claim a similarly qualified privilege to refuse to appear at all.

The court reviewed the briefs and affidavits filed by newsmen in support of Caldwell and Caldwell's own supporting papers. It appeared to the court that Caldwell had established a tenuous and unstable relationship with the Panthers based on his discretion in the handling of information gained from his contacts with them. This relationship permitted Caldwell to interpret the Panthers to his readers and report on things which most other reporters found themselves barred from learning. But the trust and confidence imposed in Caldwell was subject to constant re-examination on the basis of what the Panthers thought he was doing with what he learned of, from, and about them.

Grand jury proceedings are secret. No one outside the witness, the grand jurors, and the government agent directing the inquiry knows or can know what went on. For persons who uneasily maintain a confidence in someone, the possibility that a confidence has been betrayed by the pressures of a secret interrogation may seem very real. The supporting briefs indicated clearly to the court that the Panthers were extremely likely to respond this way. Therefore, it could be assumed with some certainty, Caldwell's appearance would destroy his relationship with the Panthers and his ability effectively to gather news about them.

But if there were a sufficient government need to know, that need could override the public's interest in maintaining Caldwell's news gathering ability. The Government apparently, however, did not controvert Caldwell's assertion "that there is nothing to which he could testify (beyond that which he has already made public and for which, therefore, his appearance is unnecessary) that is not protected by the District Court's order." Slip opinion, at 12. Accepting that as true, the court could see no interest, of the Government which would outweigh the injury to the public interest by the calling of Caldwell. It concluded:

"In light of these considerations we hold that where it has been shown that the public's First Amendment right to be informed

Footnotes at end of article.

would be jeopardized by requiring a journalist to submit to secret Grand Jury interrogation, the Government must respond by demonstrating a compelling need for the witness's presence before judicial process can issue to require attendance. *Ibid.*"

THE CALDWELL CASE—SUPREME COURT

On December 16, the Government through the Solicitor General filed a petition for a writ of certiorari to review the Ninth Circuit decision. Caldwell has thirty days in which to file a brief opposing the Government's petition if he chooses to do so.[22]

The Government's appeal is limited to the question of requiring Caldwell's appearance before the grand jury. It does not contest the District Court's protective order, though it does not concede that newsmen have a privilege; the brief asserts, however, that the point is unlikely to arise "since the Department of Justice, as a matter of policy, does not seek confidential information in the absence of an overriding need." *Pet. for Writ of Cert., United States* v. *Caldwell*, No. 1114, at 6. Rather, the Government attacks the holding that there is a qualified privilege to refuse to appear.

Assuming, the Government argues, that there is a privilege for a newsman to refuse to disclose information received in confidence, there is no reason the privilege should extend to non-confidential information communicated to him for the purpose of publication, especially where he has published it. In this case, Caldwell had written of Panther threats to take up arms and to lead an "armed struggle." The Panther leader, Hilliard, who was so quoted by Caldwell, was at the time under indictment for threatening to kill the President. Thus, the argument continues, in light of a grand jury's plenary power to inquire into whether grounds exist for criminal proceedings, Caldwell should at least be required to testify with regard to the accuracy of the things quoted in his articles, that he did hear them said, and that they were said either seriously or in jest.

The fear that his mere appearance will destroy his relationship with the Panthers is an inadequate ground for assertion of any privilege by Caldwell, the Government contends. Although the Panthers may not be able to assure themselves that he will not break a confidence in the secret session, they cannot now assure themselves that he may not already have spoken about them to law enforcement officials or that he may not in the future. "Their faith in him must therefore be under constant re-examination without regard to his grand jury appearance. Where, as here, he has explicit protection against disclosure of confidential information by virtue of a court order, there is no reasonable basis for fear that confidences will be betrayed." *Id.*, 9.

PROSPECTS AND IMPLICATIONS

We cannot yet tell whether or not the Court will agree to hear the appeal. Nor at this stage is it possible to foresee with any degree of assurance how the arguments will develop in the give-and-take between the parties. Nevertheless, certain things can be said at this point.

The argument presented by the Government is extremely narrow. It deals only with the requirement that Caldwell appear and testify about things which are not confidential. It does not contest the finding of a limited First Amendment privilege with regard to the testimony, though it does not accept it either except as a matter of governmental grace, and therefore does not require the Court to consider the existence of such a privilege. Under the usual rules of constitutional interpretation, the Court will not decide the question of the testimonial privilege, leaving the Government free to argue the matter another day, if it chooses, under perhaps more auspicious circumstances, if the Government prevails with regard to the issue of the duty to appear. If the Court should decide against the Government's position on this issue, however, it would appear almost to be compelled to decide the existence of the testimonial privilege as a prerequisite to the existence of the privilege not to appear.

Thus, the decision of the Government to contest only part of the decision below, and that only the narrowest part, would seem calculated to preclude a broad constitutional ruling in this field by the Court. That is, if the questions were appropriately presented, it would not be surprising, though it would not be a foregone conclusion either, to find the Court enunciating some form of First Amendment privilege in this regard; but in view of the extent of precedent about the duty to appear and the narrow scope of the privilege not to appear, the likelihood of a Court decision sustaining the privilege granted below, especially in the context of the Government's acquiescence as a matter of grace in the protection of confidential communication, would not appear to be substantial.

The implications flowing from this case are of course substantially dependent upon the nature of the privilege finally judicially established. But even if the privilege is only the testimonial one found to exist by the District Court, there are profound implications for both judicial and legislative inquiries.

First, the scope of inquiry of both judicial and legislative inquiries will be narrowed.[23] Witnesses who have been defeated in the past in attempts to establish some form of First Amendment limitations upon investigation, especially congressional investigation, will have a beachhead established and more efforts will no doubt be made.[24] But aside from the efforts to broaden the privilege, a class of persons will be able to resist official inquires into certain subjects.

Second, almost by implication the propriety of courts acting in advance of inquiries, judicial and legislative, to limit the scope of inquiry would seem to have been established. The general rule is that with regard to both judicial and legislative investigations witnesses must appear and must decline at that point to answer certain questions; if pressed or ordered to answer, they must refuse, be cited for contempt, and defend at trial or on appeal the propriety of their refusal. The rule, of course, presents such witnesses with the prospect that if they guess wrong about their rights they can go to jail.

Here, the District Court entered a protective order. Witnesses who intend to assert this newsman's privilege in the future will no doubt also seek protective orders. There may well be appellate proceedings with regard to whether such orders may or should be granted but assuming that their propriety is established it would appear that their issuance might become routine in proper cases. The effect might be limited in cases of grand juries since they are after all under the direction of the court; but what is to be said in the case of congressional investigations?

A separation of powers problem immediately arises. If a witness who has been cited for contempt for refusing to answer the questions of a committee has properly, in the view of the trial court or an appellate court, refused to answer, he can be acquitted of the charge of contempt since the question is, under the statute, a legal question for the court to decide.[25] But if a witness intending to assert the newsman's privilege appears before a court and seeks a protective order in advance of his appearance before a congressional committee, how can the judge issue an effective protective order? He may not enjoin Members of Congress not to ask certain questions[26] and an order directed only to committee counsel or other committee perhaps proper,[27] would be ineffective. A dismissal of a subsequent, contempt citation issued for a refusal to answer questions proscribed by the judge might be an effective way to enforce such a protective order. But in that event, the committee might assert the inherent power of Congress to imprison a witness for contempt without seeking judicial process.[28]

It might well be, then, that protective orders in the case of congressional investigations would not be issued with regard to testimonial privileges, even though they might be founded on the Constitution; but if a privilege not to appear were recognized, the power of courts to restrain the appearance would certainly be placed in issue.

Other problems also intrude. If a prospective witness raises the privilege, either to withhold certain information or to decline to appear at all, is there to be a hearing at which the Government may contest the contention? Is there to be a full-scale evidentiary hearing or a proceeding on papers with or without oral argument? How is the claimant to establish that denial of the privilege would harm his confidential relationship? How is the Government to controvert it? If the requisite showing is made, what is the "compelling need" that the Government must show if the privilege is to be disregarded? Is there to be a hearing on this point too?

There problems arise because unlike the other common-law privileges, and unlike a statutory newsman's privilege, the claimed privilege arises not out of a certain relationship which need only be asserted by the claimant but stems from a result which is claimed would flow from the act of testifying or appearing, a result which must be shown to be a likely possibility or probability, and which may yet be disregarded if the Government's interest is strong enough. Thus, each claim of the privilege might give rise to extensive litigation.

We do not attempt to answer these problems. They are raised merely to indicate the possible ramifications of a recognition of even a limited newsman's privilege. The problems do not mean that no privilege will be recognized, but their existence indicates that judicial caution will be observed.

CONCLUSION

We have seen that the asserted common-law privilege allowing a newsman to protect the identity of confidential informants has been generally rejected by the courts. Legislation in fifteen States has been enacted creating such a privilege and legislation has been proposed in other States and in Congress to recognize such a privilege. After being rejected by the courts in similar fashion to the common-law evidential privilege, a First Amendment privilege founded on the public interest in being informed about matters of general and particular interest has been recognized by the District Court in this case; the Court of Appeals thereafter recognized a much broader privilege founded on the same ground: that reporting of public-interest matters will be hindered to the detriment of the public if the privilege is not recognized. Both the testimonial privilege and the privilege not to appear are in themselves much broader than the privilege earlier claimed in that the privilege now is said to apply not only to concealing the identity of informants but to concealing as well all information gained on a confidential basis which a newsman chooses not to report.

It is unlikely that one Supreme Court decision, whether in this case or in another, will be adequate to explore the contours and confines of such a developing doctrine.

Footnotes at end of article.

FOOTNOTES

[1] 8 Wigmore on *Evidence* (3d ed. 1940), § 2192.

[2] Id., §§ 2197–2207.

[3] Id., §§ 2250–2284. This privilege is, of course, guaranteed against governmental abridgment by the Fifth Amendment to the Constitution. It is also protected against state abridgment through the due process clause of the Fourteenth Amendment. *Malloy* v. *Hogan*, 378 U.S. 1 (1964).

[4] Wigmore, *op. cit.*, n. 1, §§ 2210–2224.

[5] *Id.*, §§ 2285–2369.

[6] *Id.*, § 2285. It should be noted that with regard to congressional committee investigations, observance of the common-law evidentiary privileges, if done, is entirely a matter of grace. *Infra*, n. 23.

[7] The leading case is *People ex rel. Mooney* v. *Sheriff of New York County*, 269 N.Y. 291, 199 N.E. 415 (1936); see cases cited, *In re Goodfader's Appeal*, 45 Hawaii 317, 332–33, 367 P. 2d 472, 482 (1961). See generally, Semeta, "Journalist's Testimonial Privilege," 9 Clev.-Mar. L. Rev. 311 (1960); Comment, "Compulsory Disclosure of a Newsman's Source: A Compromise Proposal," 54 Nw. U.L. Rev. 243 (1959); Beaver, "The Newsman's Code—The Claim of Privilege and Everyman's Right to Evidence," 47 Ore. L. Rev. 243 (1968).

[8] Cf. Guest & Stanzler, "The Constitutional Argument for Newsmen Concealing Their Sources," 64 Nw. U.L. Rev. 18, 26–27 (1969).

[9] *Id.*, 20 n. 13. New Mexico and New York have since joined the list cited.

[10] E.g., *State* v. *Donovan*, 129 N. J. L. 478, 486, 30 A. 2d 421, 426 (1943); *Branzburg* v. *Pound*, 39 Law Week 2322 (Ky. Ct. App. November 27, 1970).

[11] There is no citation to a precise holding but it is evident from the Court's decision. But cf. *De Jonge* v. *Oregon*, 299 U.S. 353, 364 (1937): "The First Amendment of the Federal Constitution expressly guarantees [free press and free speech] against abridgment by Congress. But explicit mention there does not argue exclusion elsewhere. For the right is one that cannot be denied without violating those fundamental principles of liberty and justice which lie at the base of all civil and political institutions. . . ."

[12] *Gitlow* v. *New York*, 268 U.S. 652 (1925); *Whitney* v. *California*, 274 U.S. 357 (1927); *Fiske* v. *Kansas*, 274 U.S. 380 (1927); *Near* v. *Minnesota*, 283 U.S. 697 (1931).

[13] E.g., *Near* v. *Minnesota*, *supra*, n. 12 (voiding an injunction against publication of a "malicious, scandalous and defamatory newspaper").

[14] E.g., *New York Times Co.* v. *Sullivan*, 376 U.S. 254 (1964) (placing strict limitations on libel recovery by public officials); *Mills* v. *Alabama*, 384 U.S. 214 (1966) (voiding a law penalizing the publication of an election-related editorial on election day).

[15] *Garden* v. *Torre*, 259 F. 2d 545 (C.A. 2), *cert. den.*, 358 U.S. 910 (1958); *In re Goodfader's Appeal*, 45 Hawaii 317, 367 P 2d 472 (1961); *In re Taylor*, 412 Pa. 32, 193 A. 2d 181 (1963); *State* v. *Buchanan*, 436 P. 2d 729 (Ore. 1968), *cert. den.*, 392 U.S. 905 (1968). The arguments for a constitutional privilege are presented and analyzed in Guest & Stanzler, *op. cit.*, n. 8.

[16] The terminology is from Leon Duguit: "Any system of public law can be vital only so far as it is based on a given sanction to the following rules: First, the holders of power cannot do certain things; second, there are certain things they must do." *Law in the Modern State* (Laski trans. 1919), 26. Most American constitutional law emphasizes the former; for a divining of the latter in some recent cases, see Miller, "Toward a Concept of Constitutional Duty," 1968 Sup. Ct. Rev. 199 (Kurland ed.).

[17] On remand the FCC adhered to its former decision to renew the license; on review this time the court itself ordered that the license not be renewed but awarded to someone else. *Office of Communication of United Church of Christ* v. *FCC*, 425 F. 2d 543 (C.A. D.C. 1969).

[18] For an elaboration of the meaning of *Red Lion* in line with that here, see Barron, "Access—The Only Choice for the Media?" 48 Texas L. Rev. 766 (1970); for a pre *Red Lion* development of the argument relying on *Church of Christ*, see Barron, "Access to the Press—A New First Amendment Right," 80 Harv. L. Rev. 1641 (1967).

[19] It appears from the opinions of the lower courts that the subpoena was the usual general one with no specification of the line of inquiry. The Solicitor General's Supreme Court brief, however, purports to limit the scope of the inquiry to his published articles. *Infra*, p. 16.

[20] Grand jury inquiries are uniformly conducted in private, even to the point of excluding the witness's attorney. It will be noted that the District Court order specifically directed that Caldwell at all times be permitted to consult with counsel. 311 F. Supp., 362. Denial of counsel in grand jury proceedings, at least to persons who are the object of the inquiry and in danger of indictment, is under attack in a pending Supreme Court case. *Piccirillo* v. *New York*, No. 97.

[21] It is the function of civil contempt not to punish but to coerce. That is, a person imprisoned under charge of civil contempt can be held only until he decides to cooperate or until the term of the grand jury expires and cooperation becomes impossible.

[22] Caldwell's options lie between opposing the petition for certiorari or filing his motion of concurrence that certiorari should be granted and opposing the Government on the merits. Choice may be dictated by whether Caldwell wishes merely to win his point here or whether he feels the time is auspicious to establish a broad principle through a Supreme Court ruling.

[23] That only judicial inquiries would be bound by a constitutional ruling is out of the question; though congressional committees may be free to honor or to reject ordinary evidentiary privileges, they are not free to disregard constitutional privileges. Cf. Moreland, "Congressional Investigations and Private Persons," 40 So. Calif. L. Rev. 189, 253–68 (1967).

[24] Cf. *United States* v. *Rumely*, 345 U.S. 41 (1953); *Barenblatt* v. *United States*, 360 U.S. 109 (1959). The matter is sharply raised in the action of the District Court in the District of Columbia enjoining publication and distribution of a committee report on First Amendment grounds. *Hentoff* v. *Ichord*, CA No. 3028–70 (D.C.D.C. October 28, 1970, *appeal pending*, No. 24,761 (C.A.D.C.). In two recent decisions dismissing actions against congressional committee proceedings, two appeals panels have indicated that the constitutional considerations were substantial but that the likelihood of harm to petitioners was so slight, because of intervening events, that the "case and controversy" requirement of jurisdiction was not satisfied. *Davis* v. *Ichord*, No. 23,426 (C.A.D.C. August 20, 1970); *Cole* v. *McClellan*, No. 23,424 (C.A.D.C. November 6, 1970).

[25] U.S.C. §§ 191–95. See generally Moreland, *op. cit.*, n. 23.

[26] The speech and debate clause of the Constitution, Art. I, § 6, cl. 1, precludes either injunctive relief or actions for damages against Members of Congress. *Powell* v. *McCormack*, 395 U.S. 486, 501–06 (1969); *Stamler* v. *Willis*, 415 F. 2d 1365 (C.A. 7, 1969), *cert. den.*, 399 U.S. 929 (1970).

[27] *Stamler* v. *Willis*, *supra*, n. 26; *Dombrowski* v. *Eastland*, 387 U.S. 82 (1967).

[28] *Moreland*, *op. cit.*, n. 23, 190–201.

PAINTING THE BEWILDERING VAULT OF HIGHER EDUCATION

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. MANN. Mr. Speaker, not everyone, needless to say, is born to follow in the path of Michelanglo. Not everyone is meant, that is to say, to paint the ceiling of the Sistine or any other chapel. The same might be said about higher education.

Not everyone has either the kill or the inclination to work out the problems of nuclear physics or novel-writing for himself. But many can do very well at arranging the scaffolding for the artist so that he might better perform these tasks. I am only saying the obvious: Perhaps what is really wrong with higher education is that too many with neither art nor creativity are being allowed, even encouraged, to paint on the ceiling—and they neither enjoy the work nor do they do it very well. Why are they up there? Because this culture and this Nation lay such a great stress on higher education and because manual labor, by contrast, is demeaned. This should not be so. We must once again praise, encourage, and uplift the alternatives to higher education; we must once again, that is to say, raise to their former value, the concepts of work and self-help. Not everyone can be a Michelangelo, that is true; but there is a meaningful task in life for everyone and we, as a people, must provide a system that will not promote frustration, but will contribute toward realization, by each person, of his potential in the schema of our Nation's life.

Making just these points, though in a more general way, is the following insightful editorial from the Greenville, S.C., Piedmont of March 20, 1971:

NOT ENOUGH HOLES, MUCH LESS FOR "SQUARE PEGS"

Yet another analysis of what's wrong with this country's system of higher education is at hand.

The conclusion reached by a panel set to its task by Robert H. Finch when he was secretary of Health, Education, and Welfare, is that colleges are not meeting the needs of most of their students.

It could as conclusively be said that most students are not meeting the needs of higher education. Deciding which to fault first or foremost would be futile.

Clearly, both students and colleges could do better. To its credit the Finch-instigated panel contributes some cogent suggestions.

For a starter, it would shake loose the old concept that college and university should follow secondary-school education in uninterrupted progression.

Keeping open the institutions of higher learning to students of all ages, with equal access to degree-producing programs at any time in their lives, is recommended as a basic renovation.

So, too, is recognition that a formal routine of classroom lecture and prescribed "homework" is at best a limited means of becoming educated.

Value should be given to work experience and independent study.

As postscript, it might be added that, for all the prescribed remedies, none really gets at the basic malady extant in so-called higher education today.

This is the continued attempt to ingest great numbers of students into academic programs for which they are unsuited by ability or inclination.

Manual and technical training has been sorely neglected in this country.

Given higher status it could absorb many youths into a rewarding and contributive life without the frustrations that go with trying to progress by the warped standards of status that have been allowed to evolve out of so-called "higher learning."

THE LOST TRIBE OF ISRAEL

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HOGAN. Mr. Speaker, this week I joined 46 other Members of the House in sponsoring a resolution, House Concurrent Resolution 220, calling upon President Nixon to take affirmative action to persuade the Soviet Union to revise its official policies concerning the rights of Soviet Jews.

The oppressive conditions under which Jews in the Soviet Union are forced to live have been a matter of great concern to me ever since they were dramatically brought to our attention last year with the trial and sentencing of nine Jews in Leningrad for allegedly planning to hijack an airplane in an attempt to leave the Soviet Union.

Although Soviet officials, apparently induced by world opinion, did commute the death sentences of the nine "hijackers," the continuing persecution and repression which the Soviet Jews are experiencing have not abated. It appears that the more than 3 million Jews in the Soviet Union are undergoing an organized and purposeful effort on the part of the Soviet Government to extinguish their Jewish culture and religion and as a result they are very well in danger of becoming what some of my colleagues have termed as "the lost tribe of Israel."

Estimates are that 300,000 or more Jews have applied for exit visas from the Soviet Union. We also know that upon taking this action they are being subjected to increased pressures and harassment.

I recently had the opportunity to listen to two ladies who were permitted to leave the Soviet Union tell firsthand of the vicious discrimination against Soviet Jews and the suppression of the Jewish identity and religion by the Soviet Government. They stated that the only thing which influences the Soviets and will help the Jews in that country is world opinion.

Therefore, I am cosponsoring this resolution and urging the House to act affirmatively thereon in order that our President and other world leaders, including the Soviets, will know of the Congress' earnest concern and plea for more humane treatment of the Jewish people by the Russian Government, including relaxation of emigration policies for those desiring to leave the country.

TELEPHONES FOR RURAL SOUTH DAKOTA

HON. FRANK E. DENHOLM

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. DENHOLM. Mr. Speaker, yesterday Members of the House of Representatives approved by a large margin a bill to set up a new financing source for telephone systems to serve rural areas of this Nation. I supported that measure because it is an excellent bill that deserved the support that it received.

The issues concerning that bill are not new. The question was—Were we willing to enact legislation beneficial to rural America? The bill, H.R. 7, provides for self-help to people of rural America that are willing to help themselves. The bill provides, not for a loan, not for a grant, but for an investment—an investment in a rural telephone bank which is an investment in our country. It is an investment in ourselves.

I want to briefly answer some of the arguments that were advanced against the bill when it was being debated on the House floor. The gentleman from Pennsylvania (Mr. GOODLING), submitted certain figures in support of his contention that the REA systems have cost the Government large sums of money and continue to be a burden, with recent loans reaching a per capita cost of $1,461 per consumer. The gentleman from Pennsylvania stated the cost of Federal Government is so large that computed interest on the national debt is accumulating at the rate of $38,000 per minute. I agree that such mathematical computations are shocking, traumatic and staggering to the mind of any reasonable man.

I submit, however, that the staggering proportions of the national debt are not caused by or directly related to the Federal funding of the REA and RTA systems. The fact is that if the Federal expenditures were all made with the equal experiences of financial return—in the same measure of sound fiscal wisdom equal to the investments in the REA and RTA systems this country would be substantially free of debt by all reasonable and acceptable standards of public accounting. The history of the REA programs are almost entirely free of default and financial disaster. In all or most all instances the borrowers have a record of advance payment on indebtedness. It is a record—a commendable record of performance with a superb benefit-cost ratio in public financing.

The provisions of this bill, H.R. 7, provide for an actual purchase of stock in a bank with a guarantee of 2 percent return on the investment. To those who have historically objected to 2-percent money to rural America in support of the REA and RTA systems—and to all of them, I ask, how much interest does the Government receive on grants to the great urban centers of this country? What comparative analysis have you made on a cost-benefit basis?

While I supported the establishment of this new supplemental source of financing for the rural telephone cooperatives of this Nation I want to make it clear that establishment of this new credit source should not be interpreted as an excuse or rationale to phase out or limit the present 2-percent loan program for those providing telephone service in the rural areas.

In South Dakota, providing modern telephone service is a costly business. In the more sparsely populated areas of my State it is necessary to build a mile of telephone line to serve just one customer. The typical rural telephone system has two customers per mile. This low density of consumers, coupled with the hazards of severe winters, makes it much more costly for South Dakota rural telephone systems to provide service than is the case in almost all of the other States.

Officials of these telephone cooperatives have emphasized to me that unless they put into effect substantially increased rates that they must continue to have the 2-percent loan program available to them.

The farm families of South Dakota cannot afford any increase in their operating costs. A telephone is an absolute necessity, not only for farm operation and management, but in times of crisis. It is critical, therefore, that the 2-percent loan program be continued for these sparsely populated areas of the Nation.

Establishment of this new credit source for those better qualified to pay higher interest rates will make possible use of these 2-percent loans under the existing program for systems less qualified to pay these higher interest rates—such as all of the systems serving rural South Dakota.

THE NEW VOLUNTEER AGENCY

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. RHODES. Mr. Speaker, the new design for voluntary action presented Congress by President Nixon provides all Americans an opportunity to contribute to our Nation's search for the quality life. His proposal is both idealistic, in that it will appeal to a spirit of selfless public service, and it is also practical in that it appeals to a natural American impulse to get things done. In that sense, the new volunteer agency is uniquely American.

We can be confident that such an agency will work. We have seen that Americans by the thousands will leave these shores and spend 2 years and more to help others. We can surely expect that many more thousands will help other Americans.

Until now, all that has been lacking has been the superstructure to support a desire to be of service. With his proposal for a new volunteer agency, the President has offered a way of turning that desire into action. I believe Americans are eager to answer his call.

THE BIA AND URBAN INDIANS: TIME TO END THE "HANDS OFF" POLICY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. FRASER. Mr. Speaker, each year the Bureau of Indian Affairs spends over $1.8 million to operate a 65-man office in Minneapolis. This rather sizable expenditure benefits very few of the 10,000 American Indians living in the Minneapolis-St. Paul area, however, because of the Bureau's refusal to aid "nonrelocated" urban Indians.

The BIA claims that the only function of its Minneapolis office is to oversee the operation of reservation programs in Minnesota, Iowa, Wisconsin, and Michigan. Unless a Minneapolis Indian has recently been relocated to the city by the BIA, the Minneapolis office staff is not authorized to help him find a job or a home or to put him in touch with other local agencies that can help him adjust to city living.

This same story can be repeated in Chicago, in Los Angeles, and in more than 20 other cities where the Bureau maintains an area office or an employment assistance office.

Now that close to half of this country's 900,000 American Indians live in cities, the time has come for the Bureau of Indian Affairs to reassess this "reservation only" policy.

Off-reservation Indians do not need or expect to receive the same Bureau services available to Indians living on trust land but they do not deserve to be ignored entirely by a Bureau of Indian Affairs that encouraged them to come to the cities in the first place. Certain Bureau services can and should be made available to all urban Indians—particularly in those communities like Minneapolis where the BIA already operates a local office.

Recently I wrote to Interior Secretary Rogers Morton outlining a plan for new urban resource centers to be operated by the BIA. I am including a copy of that letter with my remarks:

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 18, 1971.

Mr. ROGERS MORTON,
Secretary, Department of the Interior, Washington, D.C.

DEAR MR. SECRETARY: Now that the Bureau of Indian Affairs is likely to be reorganized, I want to urge you to reconsider the Bureau's relationship to off-reservation Indians.

I am aware of the Bureau's traditional policy of limiting its services to those Indians living on or near Indian land held in trust by the federal government. As you know, however, there is no legal basis for this policy. With the exception of some ambiguous language in a 1951 Senate appropriations report, no congressional mandate specifically restricts Bureau services to reservation areas.

The Bureau claims that its mission is to serve only reservation Indians but, in fact, it does aid non-reservation Indians through the employment assistance and adult vocational training programs. Thus, the first link to trust land has already been broken.

I can appreciate your department's concern about the development of a major new urban program that would have a significant impact on the Bureau's budget. There are ways, however, that the Bureau can extend aid to off-reservation Indians without a major increase in the expenditure of federal funds.

In Minneapolis, the Bureau maintains an area office that oversees the operation of Bureau programs in Minnesota, Wisconsin, Iowa and Michigan. This office has a staff of 65 and an annual budget of $1.8 million.

The Minneapolis area office has always been a sorepoint with the 10,000 American Indians who live in the Minneapolis-St. Paul area. Unless they have recently been relocated to the city by the BIA, these Indians are not technically eligible to receive services from the Minneapolis office.

The distinction between a "relocated" and a "non-relocated" Indian is in part artificial, however. Even the former area director has admitted that non-relocated Indians can "sneak in the back door" from time to time to see the employment counselors.

According to the reorganization plan announced by former Secretary Hickel in November, the ten area offices including the one in Minneapolis will be revamped. These regional agencies will no longer have direct authority over reservation programs. Instead, they will become technical service centers for BIA programs that operate at the grass roots level.

If the Bureau still intends to implement the reorganization plan, this would be an ideal time to establish an urban resources center in the Minneapolis area office.

This center could serve several important functions:

It could provide technical assistance to urban Indian organizations that are developing a wide range of housing, employment and recreation projects.

It could assist an area-wide Indian coordinating organization such as the Urban Indian Federation of Minnesota.

It could provide direct service staff to expand the employment, housing and legal aid programs operated by private Indian organizations in the Minneapolis-St. Paul area.

This re-orientation of the area office could occur with little or no increase in its budget. Currently the office has a staff of 15 employment counselors housed in a downtown office building. It seems only reasonable that these counselors be assigned to the Indian centers in the Indian neighborhoods.

Now that the office may no longer have direct authority over reservation programs, some of the 65-man staff could be freed to help the Indian groups prepare funding applications for other public and private agencies.

Many of us were extremely pleased with the new new concern for urban Indians expressed in President Nixon's July 8 message to Congress. The new urban social services program proposed by President Nixon is an important step forward. The seven new centers to be funded through this program are now being developed under the direction of a federal inter-agency team in Washington.

I know that the Minneapolis area office could play a useful role in the establishment of the new Minneapolis center. Similar assistance could be given in the six other cities—particularly in coordinating the new centers with reservation-based programs.

Creation of new BIA urban resources centers could fill a particularly important need in those communities where BIA field offices are now located but where the new model social service centers are not scheduled to be established.

I hope we might have an opportunity to discuss this plan at some point during the next few months.

With best wishes.

Sincerely,

DONALD M. FRASER.

NATIONAL HEALTH INSURANCE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. VANIK. Mr. Speaker, recent interest and controversy on the subject of national health insurance has generated a lot of comment from many directions. Among the most knowledgeable in this field is Sam Pollock, who has long been associated with the labor movement and has been deeply involved in developing meaningful group practice programs throughout the Nation.

Mr. Pollock is a constituent living in my congressional district upon whom I have depended for counsel and advice in my work on this critical subject in the Committee on Ways and Means. I commend to the attention of this House a fine article on "Prepaid Group Health Practice" written by Mr. Pollock which was printed recently.

The article is as follows:

UNIONS PAVE THE WAY: PREPAID GROUP HEALTH PRACTICE

(By Sam Pollock)

In health care the United States' position relative to the rest of the advanced industrial nations is poor and getting worse.

If such a statement about the richest nation in the world seems unbelievable, the facts show otherwise. People in 15 other industrial countries live longer. The U.S. ranks 14th in infant mortality. Indices of overall health care in the world show that the U.S. has dropped below at least six countries and is likely to slip four notches within five years.

These figures are a part of the alarm currently being sounded by national health agencies, medical schools and concerned professionals. The state of the nation's health service is also the concern of trade unions, consumer groups, and other institutions which have taken on the job of making some sense out of America's non-system of medicine.

We don't like to be 15th or 14th—or even second. When the Russians seemed to have an edge on us in space exploration, we threw all our resources into the race for the first foothold on the moon. In the arms race competition where every human being can now be bombed to death several times over, we stand second to none in weaponry production.

The American people, during the past few years, have developed a new sense of priorities. Faced with day-by-day experiences of polluted air and water, urban decay, and poorer health service which ironically costs more each year, the American people are beginning to place greater importance upon these issues.

While the American Medical Association floods waiting rooms with literature calling us lucky to have escaped the "regimented" health service of other lands, organizations more attentive to reality strive hungrily for a small measure of the "regimentation." Almost anything seems preferable to the pampered and cherished chaos that forces Americans to pay more for medical care than any other people, with tangible benefits running far behind. It is estimated that the American people will have spent $70 billion or more for health service during 1970.

What's being done to prohibit an approaching health blackout? The insurance industry, including Blue Shield and Blue Cross, while showing more awareness of the problem is

moving at an oxcart pace to deal with the crisis.

Trade unions are assuming a major role in attempting to drag organized medicine into the world of Today. More and more doctors are joining in the effort for a better health care delivery system. At the bargaining table more unions are negotiating for dual choice, where the alternate to insurance is prepaid group practice direct service plans.

Long aware that gains won in negotiations may be torn apart in the cost-of-living stampede, with hospital-medical costs pacing the inflationary gallop, unions began demanding agreements which yielded more than a few perishable raises in pay. Early breakthroughs included a program of employer-paid hospital insurance. That helped to initiate Blue Cross and Blue Shield.

Organized medicine fought that idea at first. When it finally accepted the idea, it then virtually took it over. The Blues became a simple system for paying hospital and medical bills. Medical costs, however, continued to soar as did insurance premiums and the amounts billed patients above coverage levels.

Although few Americans paid actual cash for their $100-a-day hospital beds, adequate health care was still a long way from realization. The Blues maintained no control over fees, in some ways even causing them to rise from higher assured bases. The average family could ill afford services which were not covered.

Better answers were still needed. A few unions began to negotiate contracts that established health care and diagnostic plans around health centers funded by employer contributions. Among the pioneers were Amalgamated Local 88 in St. Louis, Local 100 in Chicago, Local 195 in Philadelphia as well as local unions in other national unions.

Most significant was the health program of Henry Kaiser to provide medical care to his employes on the West Coast more than a quarter of a century ago. The Kaiser program grew into a full-service, prepaid health plan with well-staffed health centers complete with hospital and surgical facilities. The program now serves the community on a non-profit basis.

This new group prepaid health concept was quickly and strongly promoted by unions. The Amalgamated's Meat Cutters District Union 427 sparked the formation of the Community Health Foundation in Cleveland, Ohio where such a health program went into operation in the summer of 1964.

The labor sponsored and founded Community Health Foundation of Cleveland opened its membership to the community at large. It grew to a membership of 33,000. In 1969, CHF reached out for national identity in merger with the Kaiser Health Foundation organization. This further stimulated growth, bringing new facilities and economic resources. Now, following Kaiser's California lead, Cleveland's Community Health Foundation is establishing its own hospitals in a move to offer total medical service. The first such hospital located in Northwest Ohio now provides a full array of services for acute care.

What labor started is snowballing into a force that may effectively break the American health barrier. It may turn back the trend which has placed the United States among the less favored advanced nations in health care.

Since 1953, as a result of a merger between Labor's Health Association and the Group Health Association along with the emergence of the Group Health Association of America, the advocates of prepaid group practice were in a position to speak with a united voice. Labor assumed a key role by merging its lonely identity into a broader consumer community movement.

Already several Amalgamated local unions are in the development stage toward establishing prepaid group health service programs. They are Locals 590 in Cincinnati, Ohio, 328 in Providence, R.I., and 448 in Phoenix, Ariz. A number of Amalgamated Locals on the West Coast are already enrolled in the Kaiser Foundation plan.

Insurance companies, once thought to have a vested interest in the old inefficiencies, have now begun making serious studies of the successful prepaid group health programs on the West Coast, Cleveland, and elsewhere. They conclude that health is what investors call a "growth industry."

The day when a medic took his professional life in his hands if he entered group practice is fading fast. Even the entrenched AMA is responding under the weight of the evidence.

While their ancient association rushes in with a "national health program" of its own (a Tax-credit ploy which would actually do nothing to upset the existing fee-for-service, solo practice, non-system beyond making sure the government paid doctor bills for the poor), individual doctors recognize the pressure to modernize. They collect in "medical center" buildings, spreading their various specialties along the sterile white to pastel corridors. Down the hall you can find an internist, a colleague who works on heart, another who knows genitourinary problems, and so on. But each doctor is king of the domain; each still bills on a fee-for-service basis.

If you are rich, or at least well-to-do, you share the great American dream of a personal doctor-patient relationship, provided you don't try to call your doctor before 1 p.m., after 5 p.m., Wednesday afternoon, or any time Sunday.

Under group practice, however, every member has full access to medical service 24-hours a day, every day of the year. Although each family chooses its own doctor from among the many in the group, every specialty is at the member's disposal.

More than that, the member is encouraged to come in for regular physical checkups. Thus, instead of catching patients only at the peak of emergency, group practitioners apprehend troubles and correct them early. The result is patients who, although they have round-the-clock access to medical and hospital services, actually use those services no more than the average American. This is an effective answer to those who argue that if medical care were available on simple demand, doctors and their facilities would be swamped with hypochondriacs and maligners.

Not only are top-rated physicians, surgeons, and technicians changing to group practice; even some long-held bastions of medical conservatism have become aware of the need.

American industrial leaders who have had to solve their own problems in the heat of competition are getting tired of making apologies for an industry growing fat and inefficient in a non-competitive setting.

Fortune Magazine, long cherished by the business leadership, recently broke an article indicting the medical establishment for delivering only a fraction of its capability. Fortune went out of its way to hail group practice as the hope of the future.

But change comes slowly. The AMA, particularly the affiliated local societies, continue to resist and most doctors, whatever their personal feelings, are loath to rock the AMA boat.

The burden rests where it did 20 years ago, with consumer organizations willing to apply the needed pressure. That's labor's challenge.

Of unions answering the challenge, none are more vocal or active than the Amalgamated Meat Cutters. In its 22nd General Convention, the Amalgamated passed a resolution endorsing "the Group Health Association of America's project to expand and develop group health prepayment plans" and pledging support to GHAA's drives for federal and private funds to implement its program. It also supports meaningful National Health Insurance legislation.

The resolution called for five steps to encourage local unions as well as the International Union, to cooperate with group health movements and, where such movements do not exist, to help organize them. Above all, the Locals are asked to press for group health through collective bargaining, at least giving members options in the selection of health plan coverage.

The myths about the excellence of American medical care are still passed around, but they are effectively challenged now by truth which has grown angry. The American medical care fee for service non-system itself is now waiting in the out-patient room for a remedy and the American public is the doctor. The problem has been diagnosed and a cure proposed. Action is now needed.

THE SELLING OF THE PENTAGON

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HÉBERT. Mr. Speaker, yesterday on the floor of the House, I promised I would expose the CBS handling of the criticisms of the discredited program, "The Selling of the Pentagon."

There is nothing more for me to say other than to show you what they did.

I am inserting in the RECORD a copy of the transcript as sent by CBS to every Member of Congress yesterday afternoon with the most impressive stamp, "uncorrected proof."

My observation of that classification, "uncorrected proof," is that it is designed to carry the impression that CBS is trying to give out the facts without altering them.

Lt me show you how they cut me up. First I will insert that portion of the CSB "uncorrected copy" transcript which will give you verbatin quotes of the section dealing with me.

Then I will insert the complete transcript of the interview I had with CBS news in toto, and this, too, is an "uncorrected copy."

You will note how they "edited" my remarks. A better description would be how they "gutted" my remarks. The portions which were edited out are in italic in the full transcript.

I direct your attention to that part, and it becomes obvious why they deleted it, and that is because it destroys their house of sand.

After reading the two versions, you can well understand why CBS is crying now. As you read, you can picture CBS with jelly on its face and its hand in the cookie jar.

What more proof of perfidy is needed? The script follows:

SCRIPT No. 1

After the rebroadcast tonight of CBS Reports: "The Selling of the Pentagon," CBS News presented statements by three critics

of the broadcast, Vice President Spiro T. Agnew, Secretary of Defense Melvin R. Laird and House Armed Services Committee Chairman F. Edward Hébert (D., La.) and one by CBS News President Richard S. Salant. Following is a transcript of the statements as broadcast on the CBS Television Network:

ROGER MUDD. The next 20 minutes are by way of postscript to the broadcast you have just seen. The reaction to the original presentation of The Selling of the Pentagon on CBS, February 23, was immediate and nationwide. Phone calls, mail and telegram response were unusually high—and predominantly favorable. Reactions of the professional television critics were even more so. However, there was also a good deal of adverse criticism—much of it sharp and angry—and some of it from high places. Since we decided, in the public interest, to rebroadcast The Selling of the Pentagon, we have decided it would be appropriate, too, to broadcast and rebroadcast the most notable official criticism and, briefly, the CBS response to it. The most prominent critics have been Vice President Agnew, Secretary of Defense Melvin Laird and F. Edward Hébert, Chairman of the House Armed Services Committee. Bob Schieffer interviewed Hébert on the CBS Morning News.

SCHIEFFER. Mr. Chairman, what did you think of the program, The Selling of the Pentagon?

HÉBERT. I haven't got the time to tell you. I think it was the most horrible thing I've seen in years. The most—the greatest disservice to the military I've ever seen on television. And I've seen some pretty bad staff.

SCHIEFFER. Why do you think it was so bad?

HÉBERT. Well, it's very easy to tell why it was so bad. It was, I think, one of the most professional hatchet jobs, and a splendid professional hatchet job. For instance, this is an old technique—that you know as well as I know—this is nothing new to us, but to the unsuspecting viewer it's something that they accept as being fact.

SCHIEFFER. Well, now, it might be new to me, so you just go right ahead——

HÉBERT. No, I'm sure . . . no, no, you're well-experienced. I didn't say you're guilty, I said you're experienced. Now, what they did in the full basis of the film: They took clips of certain things that happened, which were facts and did happen. OK. Now that standing alone is a factual thing. But the script that's in the commentator's hands absolutely destroys what has just been seen by the use of nice little words. For instance, there's a firepower demonstration, as I recall it, or something. And it's a terrific looking firepower thing and it says, "That's the way our wars are being fought"—I'm recalling from memory—"That's the way our wars are being fought but not in front of grandstands." Why, that little word, that's a very cute word. The use of these little words and innuendoes are the things that are the vicious, the devious things. And that's what I objected to. For instance, they presented me—in the clip on me—that clip was obtained under false representation it was to be used as a POW documentary. And it turns up here, in this film as though the Pentagon had used me as a patsy to take major rowe. As a matter of fact, the Pentagon didn't even know this film was being made. The film was part of a show—and I use the word "show" advisedly—for presentation of a bi-monthly program that I've had in New Orleans over WWL for years and years and years—and WWL pays for it. The Pentagon doesn't pay for it. The station pays for it, as a public service. And they extracted this to make it look—and the words they use there, the commentator reading the script handed to him, says, in effect—again, I can't quote verbatim because I don't have the script in front of me, but he does say this: "Then in turn the Pentagon gets pro-Pentagon politicians and makes war heroes available to them." Now, this is the damnest lie and the damnest misrepresentation of a fact that I've ever seen. And it is a misrepresentation. That's what I object to. And this is true through the whole film.

SCHIEFFER. Well, is there a propaganda machine over there these days, Mr. Chairman? Is there a Pentagon propaganda machine, you said you found one one time. Is it still operating?

HÉBERT. I think the Pentagon is trying to sell the best bill of goods it can. And, what do you want them to sell, Communism? Do you want these people to go over there and tell you that Hanoi's right?

SCHIEFFER. Mr. Chairman, you're not trying to tell me, are you, that this documentary, the making of this documentary, was an un-American act that was performed, this documentary, do you?

HÉBERT. Wittingly or unwittingly, however done, consciously or unconsciously, deliberately, it is one of the most un-American things I've ever seen on the screen—on the tube. I'm not saying they did this deliberately. I can't read a man's conscience. I can't know what's in a man's mind. I'm not saying that. All I can do is judge the product. And the product was a non-American activity. That's what I'm saying. (End of Hébert Segment)

SCRIPT 2

Voice of John Hart at beginning of broadcast. In a couple of minutes the Chairman of the House Armed Services Committee is going to say what he didn't like about a broadcast that CBS put on recently on the Pentagon.

Bob Schieffer talked yesterday with the Chairman of the House Armed Services Committee, Edward Hébert. The subject was the CBS news report "The Selling of the Pentagon." Hébert did not like it.

SCHIEFFER. Mr. Chairman, what did you think of the program, "The Selling of the Pentagon?"

HÉBERT. I haven't got time to tell you. I think it was the most horrible thing I have seen in years, and the greatest disservice to the military I've seen on television—and I've seen some pretty bad stuff.

SCHIEFFER. Why do you think it was so bad?

HÉBERT. Well, it was very easy to tell why it was so bad. I think it was one of the most professional hatchet jobs—and a splendid professional hatchet job. For instance—this is an old technique that you know as well as I know—this is nothing new to us, but to the unsuspecting viewer, it's something they accept as being fact.

SCHIEFFER. It might be new to me, so you just go right ahead.

HÉBERT. No, no, no, you're well experienced. I didn't say you are guilty, I said you are experienced. Now, what they did in the whole basis of the film, they took clips of certain things that happened, which were facts and did happen. Okay, Now, that standing alone, is a factual thing, but the script that's in the commentator's hands absolutely destroys what they have just been seeing by use of nice little words. For instance, there's a fire power demonstration, as I recall it, or something, and it's a terrific looking fire power thing. "That's the way our wars are being fought" (I'm recalling from memory). "That's the way our wars are being fought, but not in front of grandstands." Why now, that's a very cute word. The use of these little words and innuendos are the things that are the vicious, the devious things—and that's what I objected to. For instance, they presented me, in the clip on me. That clip was obtained, under false representation, from my office here. It was obtained under the representation that it was to be used as a POW documentary, and it turns up here in this film as though the Pentagon had used me as a patsy to take Major Rowe. As a matter of fact, the Pentagon didn't even know this film was being made. The film was part of a show (and I use the word show, advisedly) for presentation of a bi-monthly program that I have had in New Orleans over WWL for years and years and years. And WWL pays for it, the Pentagon don't pay for it. The station pays for it, as a public service. And they extracted this to make it look . . . and the words they used there, the commentator reading the script handed to him says, in effect (again I can't quote verbatim as I don't have the script in front of me) but he does say this, that in turn the Pentagon gets pro-Pentagon politicians and makes war heroes available to them. Now, this is the damnedest lie, and the damnedest misrepresentation of a fact that I've ever seen. And it is a misrepresentation. That's what I object to. And this is true, practically, through the whole film.

SCHIEFFER. *Well, now, how is it a misrepresentation, though, Mr. Chairman, I mean, you're known as a friend of the Pentagon, aren't you sir?*

HÉBERT. *Why certainly, I'm known as a friend, but I am also known as a critic of the Pentagon. I'll dare say there isn't a man in the Congress who's been more vocal in his criticism of the Pentagon. So don't show. . . . Why don't they show both critic and friend? And the connotation of that dirty, filthy word "politician, politician". That's what they use—those kinds of words. Oh, listen me . . . it, it, it arouses me when I see these things being done, because I know how they are done.*

SCHIEFFER. Well, is there a propaganda machine over there these days, Mr. Chairman? You say you found one one time, is it still operating?

HÉBERT. I think the Pentagon is trying to sell the best bill of goods it can. What do you want them to do, sell Communism? Do you want these people to go over there and tell you that Hanoi is right? *Do you want a man in uniform to go around the country saying, "My country shouldn't be in this war?" What do you want? See, like I used the word "politician," you can do the same thing with the word propaganda. This brings me up to another thing that I object to, in subsequence, because I am trying to keep CBS a little honest, if I can. It's difficult, I admit, but I am doing my best. Here, they devote all this time—all this time to denouncing this nefarious thing that the Pentagon has done. This horrible thing! This sinful, immoral thing they've done in foisting these things on the people at the taxpayers' expense. They keep saying the taxpayers' money, the taxpayers' money, the taxpayers' money, paying for this so-called propaganda. Well, the CBS is going to get a million, three hundred thousand dollars for a real propaganda program from the Army in three months time, and this is propaganda, and justified propaganda. The Army is going all out to stimulate the all-volunteer Army—is going all out to try to induce people to come in and join the Army. It is going to set its best foot forward, and the CBS is going to get a million three hundred thousand dollars. Well now, they sold.*

SCHIEFFER. *That means they are going to buy advertising on CBS—is that what you're telling me?*

HÉBERT. *They are going to pay, they are going to pay CBS to run this thing that CBS denounces. Now, I want to help CBS keep their conscience clean, because I don't want to accuse CBS of putting filthy lucre money above their principle. And it certainly would seem to me it would be a reversal if they take money and submerge their principle. Now, I don't think those people want to do that.*

SCHIEFFER. *While we are on the subject of money, the program asserted that the Pentagon spends thirty million dollars a year on public relations. They said there were some private surveys that said that cost went even over a hundred million dollars. Do you think, Mr. Chairman, that the Pentagon is spending too much money? Isn't that a lot of money to spend . . . ?*

HÉBERT. *If that is an accurate figure. I have no documentation that it is an accurate figure—only the statement that was made on that CBS program, and after what I saw, then I'd accept nothing as being the truth until I investigated it myself. And, incidentally, spending that money—you know that it is an interesting thing (you ought to know this too) ten months the Pentagon cooperated with CBS to put that show on? I think 735 manhours of the Pentagon were used up. Those 735 manhours, if that's the figure—around that—at a reasonable rate of $5.00 an hour (they are paid by the taxpayer) was utilized to contribute to the program for CBS, amounting to $3,200, and I don't think the Pentagon has seen a check yet from CBS for that $3,200. It was perfectly alright for them to spend the taxpayers' money to help CBS put a program on that was going to attempt to destroy the military. But that's a different thing, you know, that's perfectly alright. I think they paid for a maintenance man or a janitor, one day, or something—picked up or bought a cup of coffee—I don't know what they did, but they never paid, never attempted, up to now, they may have now. Maybe they re-examined their conscience, but as of now, I have no knowledge that CBS has offered to reimburse the Pentagon for any expense it went to in their ten months cooperation with CBS to put on this program.*

SCHIEFFER. *Well now, let's say you were the Pentagon public relations man, or whatever the term is for that fellow that handles that sort of thing, and CBS came to you and said we want to do this program. Would you say don't cooperate with them?*

HÉBERT. *No! I'd cooperate. Oh, definitely, I'd cooperate, and then when they did what they did to me, I'd scream to high heaven—like I'm screaming now—because of what they did to me. I cooperated with them under false pretense—or rather their false presentation. I cooperated fully. If they had used that document in a Prisoner of War document—then, alright. But they did not do it and then they release a letter that my Press Secretary wrote them (a cover-all) saying I told them they could use it in any way. Sure, he told them that—and properly so—in the context of the discussion. And only as of today I am releasing the entire memorandum, whereby my Press Secretary cooperated to the extent of hustling on the Hill for them to get members of Congress who had talked to prisoners of war. Now, if he was talking to get them to talk prisoners of war, what do you think they . . . they, they are preparing a film for how to play dominoes or how to play checkers? They are talking about prisoners of war.*

SCHIEFFER. *And you are convinced that the CBS people who arranged this program came to you and just under false pretenses got . . . but they didn't tell you it was about a public relations program.*

HÉBERT. *They did not tell my Press Secretary—I didn't handle it. My Press Secretary did, and between the choice of who's telling the truth, I'll take my Press Secretary.*

SCHIEFFER. Mr. Chairman, you are not trying to tell me, are you, that this documentary, the making of this documentary, was an un-American act, that was performed—this documentary, do you?

HÉBERT. Wittingly, or unwittingly—however done—consciously or unconsciously—deliberately or not deliberately—it is one of the most un-American things I have ever seen on a screen—on a tube. I am not saying they did this deliberately. I can't read a man's conscience. I can't know what's in a man's mind. I'm not saying that. All I can do is judge the product. And the product was an un-American activity. That's what I'm saying.

SCHIEFFER. The views of F. Edw. Hébert, Chairman of the House Armed Services Committee.

POLLUTION CONTROL IN INDIANA AND THE NINTH CONGRESSIONAL DISTRICT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HAMILTON. Mr. Speaker, pollution control is a major concern for Hoosiers. I am often asked: How are we doing in our efforts to improve the quality of the environment? In answer to this question, I have prepared the following status report which briefly suggests the progress and the problems, both statewide and within the Ninth Congressional District:

INDIANA: WATER POLLUTION

Funding: The Federal government spent more than twice as much in Indiana in fiscal year 1970 than it did in fiscal year 1969 for construction grants for waste treatment works. In dollar amounts, the jump was from $5.3 million to $13.5 million.

The government could spend that much, however, only because the State combined two years' appropriations (1970 and 1971) into one. Even this compression left Indiana eligible for only two-thirds of the $20 million allotted to it by the Federal government for fiscal year 1970.

In an encouraging development, the Indiana Legislature is expected to budget the full amount—$12 million—requested in State matching funds by the State Stream Pollution Control Board for waste treatment works for each of the fiscal years 1971, 1972, and 1973.

Staffing: There are currently only twenty-six full-time State personnel working on water pollution control. The State Board of Health has requested funds for ten new positions, but is apt to receive appropriations for only six of them. This reduction of forty percent could be a critical factor in the fight against water pollution.

Quality standards: The Federal Environmental Protection Agency announced on February 25, 1971, full approval of proposed interstate water quality standards submitted by Indiana. Indiana was one of the first ten states to receive such approval. These standards serve as guidelines for industries and municipalities in their waste treatment efforts, and can be used by appropriate State agencies and the Justice Department in enforcement proceedings against polluters.

Enforcement: Since January, 1970, forty-seven water pollution control enforcement actions have been initiated by the State Stream Pollution Control Board against twenty-five municipalities and twenty-two industries. Of these sixteen cease and desist orders have been issued, or stipulations ratified, concerning eight municipalities and eight industries.

Several enforcement actions have been resolved without recourse to an order or stipulation. Failure to comply with a pollution control deadline set by the order or stipulation can result in court action by the State Attorney General. I am advised that his office is about to initiate action against a fuel company in Madison, where run-off from a salt pile is polluting the Ohio River.

Needs: Only 2.8 million of Indiana's roughly 5.2 million citizens are served by sewers and sewage treatment facilities. Thus, almost half of the population still dumps raw waste into Indiana's waterways because of inadequate or non-existent municipal treatment plants.

Total abatement of industrial water pollution is also an enormous problem. Statewide, several hundred million dollars will be required for this effort to succeed, including $75 million in Lake County alone.

INDIANA: AIR POLLUTION

Funding: Total Federal spending in Indiana for air pollution control decreased by over $100,000—from $565,000 to $458,000—from 1969 to 1970. The bulk of the reduction was in grants to support the State agencies operating in this field. Indiana spent only $206,000 in the last two years on its air pollution control program.

Staffing: The State has seven people assigned to air pollution control. Funds for eleven additional positions were requested from the 1971 Legislature, of which only six are apt to be appropriated.

Quality standards: The state-wide air quality sampling network, consisting of stations maintained by Federal, State, and local agencies, has been expanded. Data is being collected for dust, sulfur oxides, and corrosion rates. Over three dozen Hoosier cities are covered, including Lawrenceburg and New Albany.

Twelve air quality control regulations have been adopted by the State Air Pollution Control Board. They affect open burning, particulate emissions, and sulfur dioxide emissions, among other practices.

Enforcement: Since January, 1970, the air quality program has issued four cease and desist orders, or accepted stipulations instead of orders, and has four actions pending.

Needs: The State's air pollution control task is still largely unfulfilled. Some of the major obstacles are these:

Last year, Indiana spent 1.9 cents per capita on air pollution control, which is the lowest per capita expenditure of the Midwest states. The Federal government recommends that each state appropriate forty cents per capita—twenty times the expenditure of Indiana.

While all model automobiles produced after 1966 are required by Federal law to be equipped with air pollution control devices, approximately 60 percent of all autos titled in Indiana are of a pre-1967 variety, and thus have no pollution devices at all.

State motor vehicle inspection laws still do not require that pollution control devices be checked to see that they are operating efficiently.

NINTH CONGRESSIONAL DISTRICT: WATER POLLUTION

The Federal government last year spent only $680,000 on water pollution control in the Ninth Congressional District of southeastern Indiana. To give some conception of the need, contrast this amount with the recommendation of the National League of Cities and U.S. Conference of Mayors, which showed that New Albany alone needed $15 million for treatment facilities and sewer construction.

Pollution of the Ohio River has decreased in certain cases. There are less oil and solid wastes in the river, and drinking water coming from it does not have the taste and odor characteristics it previously contained.

These improvements are offset, however, by continued high levels of bacteria, residual chemicals, and detergent and fertilizer wastes. These pollutants have increased in volume without a corresponding increase in the degree of treatment provided for them.

The State's contribution to this pollution can be controlled if construction of Indiana waste treatment projects proceeds promptly.

Cities on the White River, such as Columbus, Seymour, Brownstown, and Bedford, while not polluting the river to the extent that Indianapolis and Anderson do, need improvements in their treatment facilities if the pollution is to be held even, much less decreased.

The Indiana Stream Pollution Control Board reports that Bedford, Brownstown, and Seymour will be required to provide a higher degree of waste treatment, including phosphorus removal, to reduce the effects of their pollution downstream.

Similarly, secondary treatment facilities and/or plant expansion is necessary for Columbus, Brookville, Connersville, Madison, Lawrenceburg-Greendale, New Albany, Jeffersonville, Salem, Scottsburg, Sellersburg, and Versailles.

NINTH CONGRESSIONAL DISTRICT: AIR POLLUTION

The implementation and enforcement of ambient air quality standards in the counties of southeastern Indiana await action by the Federal Environmental Protection Agency. That agency must adopt national standards, which it is now in the process of doing, before the states can apply them. The new standards should be in effect in early 1972.

The power plant at Madison, currently the source of numerous complaints, has been requested by the State Air Pollution Control Board to bring its particulate and sulfur dioxide emissions into compliance with State regulations. The Board has not yet set a deadline for compliance, but will require a reduction in pollution levels in accordance with a schedule now being worked out between the Board and the plant operators.

Air quality at Lawrenceburg is monitored bimonthly for particulate emissions from the power plant and distilleries. The companies are investigating their problems and are working with the Board to reduce them.

Complaints have also been registered because of violations of State air pollution regulations in Brookville, Columbus, Jeffersonville, and New Albany. The violations usually involve smoke, particulate, and/or hydrocarbon emissions. The violators have either brought their practices into compliance with the regulations, or are in the process of doing so.

NATIONAL VOLUNTEER PROGRAM

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. ERLENBORN. Mr. Speaker, President Nixon's timely and welcome endorsement of a national volunteer program encourages us to believe that, even in these complex and troubled times, the individual American is still considered the best vehicle for change.

The President's proposal is not to create a weighty bureaucracy which would frustrate those who wish to do something meaningful. Rather, it is a challenge to revitalize individual initiative and restore the confidence of Americans in their ability to work together on problems of mutual concern.

The new agency will channel these energies into productive projects in any number of ways—through full- and part-time service, and through bold and imaginative approaches to solving problems. It will plant seed money so good ideas do not fall on barren ground. In short, Mr. Nixon has responded creatively to an urgent need to involve Americans in reestablishing a sense of national purpose. Such a program, with all that it could mean to America today, deserves our unqualified support.

SOUTH DAKOTA LEGISLATURE EXPRESSES ITS CONCERNS

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. ABOUREZK. Mr. Speaker, the people of South Dakota are deeply concerned about the future of American agriculture, and rightly so. One manfestation of that concern is a House concurrent resolution adopted by the State legislature. This resolution protests both the changing of the agricultural conservation program—ACP—to the rural environmental assistance program—REAP—and the administration's proposal to eliminate the U.S. Department of Agriculture from its present Cabinet-level status. This is a resolution with which I strongly concur, and I would like to call it to your attention:

HOUSE CONCURRENT RESOLUTION NO. 522

A concurrent resolution, Memorializing the Secretary of Agriculture to reconsider the changes in policy placed in effect by the United States Department of Agriculture with the adoption of the 1970 Agricultural Act and protesting any possible action to eliminate the United States Department of Agriculture from its Cabinet-level status.

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas, the changing of the Agricultural Conservation Program (A.C.P.) to the Rural Environmental Assistance Program (R.E.A.P.) may cause the present program to lose its identity; and

Whereas, consideration is being given to the elimination of the Cabinet-level status of the United States Department of Agriculture and combining its functions with another department, which would be very detrimental to the interests and needs of agricultural states such as South Dakota:

Now, therefore, be it resolved, that the Legislature of South Dakota hereby vigorously protests any possible action to eliminate the United States Department of Agriculture from its present Cabinet-level status; and

Be it further resolved, that copies of this Concurrent Resolution be transmitted by the Chief Clerk of the House of Representatives of the state of South Dakota to the offices of the President and Vice President of the United States, the Secretary of Agriculture and the Congressional Delegation of the state of South Dakota.

Adopted by the House March 10, 1971.

Concurred in by the Senate March 12, 1971.

Mr. Speaker, the concerns of the South Dakota State Legislature are not limited to rural areas. The quality of urban life is of definite interest to the dedicated men and women who serve in that body. A second resolution passed by my State's legislature reflects that interest by calling for a feasibility study of waterline construction from the Missouri River Reservoirs or other sources to the municipalities and other areas which are in need of increased supplies of water that is fit for human consumption. Again, I think this idea has great merit, and I would like to call it to your attention. It follows:

HOUSE CONCURRENT RESOLUTION NO. 508

A concurrent resolution, Citing the need for and the state Legislature's interest in preparation of feasibility studies for the construction of water lines, from reservoirs on the Missouri River, or other suitable sources, to areas of South Dakota that need an increased supply of water fit for human consumption.

Be it resolved by the House of Representatives of the State of South Dakota, the Senate concurring therein:

Whereas, many towns and areas of South Dakota have an acute shortage of water fit for human consumption; and this shortage contributes to a lack of human comfort and retards economic development; and

Whereas, adequate water supplies are available in the reservoirs on the Missouri River;

Now, therefore, be it resolved, by the House of Representatives of the Forty-sixth Legislature of the state of South Dakota, the Senate concurring therein, to respectfully request the United States Congress to direct the Department of Interior, Bureau of Reclamation, or other appropriate agency to conduct feasibility studies on the construction of water lines, to transport water to muncipalities and rural areas to be used primarily for domestic, municipal and industrial purposes.

Be it further resolved, that copies of this resolution be forwarded by the Chief Clerk of the House of Representatives of South Dakota to the Secretary of Interior and to each member of the South Dakota Congressional Delegation. Adopted by the House: February 19, 1971. Concurred in by the Senate: March 15, 1971.

FUTURE HOMEMAKERS OF AMERICA SALUTED WEEK OF MARCH 28 THROUGH APRIL 3

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. POAGE. Mr. Speaker, I wish to call attention to the fact that March 28 to April 3 has been designated as National Future Homemakers of America week.

I salute this fine organization composed of some 600,000 teenagers who are looking for and learning constructive solutions to today's perplexing social problems. In my own State of Texas alone there are 76,000 members who belong to 1,600 chapters between the Red River and the Rio Grande.

The very motto of the Future Homemakers indicates the challenge it provides to those who join its ranks; it is these three meaningful words: "Toward New Horizons." FHA activities focus on individual growth, the family, education, development of occupational competencies, preparation for marriage and careers, and on youth's role in society and the world.

The future of our Nation rests in the hands of today's youth, and we indeed are fortunate that we have the Future Homemakers of America and similar organizations to train the leaders of tomorrow.

SOVIET JEWS

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. LENT. Mr. Speaker, for the past several months world attention has been focused on the plight of Soviet Jews desiring to emigrate to Israel. A Moscow-directed anti-Zionist campaign in 1970 has led an estimated half a million Jews to seek permission to leave the Soviet Union. The fierceness of their desire has given rise to unprecedented acts of desperation among their numbers. Sit-ins at government office buildings, public demonstrations in defiance of Soviet police, and confrontations with Central Commission officials mark their efforts to obtain freedom from religious persecution, harassment, and repression.

In recent weeks Soviet authorities have permitted an increasing number of Jews to emigrate to Israel. The reasons for that government's permissive action is open to speculation; however, some sources believe that it is intended to curtail demonstrations by Jews during the weeks that Western Communist Party leaders will meet in Moscow for the 24th Communist Party Congress on March 30. If that is the case, then we may be sure of two things—that the Soviet Union is sensitive to world opinion, even among its Communist allies, and that the recent civil treatment of Jews is only temporary—to last only until such time as the glare of adverse publicity is subdued.

Mr. Speaker, the American people must be made aware that in coming months many of the thousands denied passports to emigrate, and many thousands more who have been identified among the demonstrators may well find themselves victims of retaliatory acts by the KGB or government officials.

To forestall further suffering by Jews in the Soviet Union, the United States as a world leader must ensure that world attention remain focused on the plight of our religious brothers. Further, Members of Congress must encourage their constituents to express their protest of the repression and persecution of Soviet Jews, for in the words of Bishop Jonathan G. Sherman, Episcopal bishop of Long Island, speaking at a rally sponsored by the Long Island Committee for Soviet Jewry:

> Of all races and nationalities, it can be said: we are what our brothers are and we and they stand and fall together. One faith, one flesh and blood, one story, one stripe, one glory. This is the underlying secret of humanity.

Mr. Speaker, at this point I insert in my remarks the text of House Concurrent Resolution 222, of which I am a cosponsor, calling upon the President of the United States to express this Nation's commitment to the safety and freedom of Jews living in the Soviet Union:

H. CON. RES. 222

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

Whereas, persons of Jewish faith residing in the Soviet Union have long suffered persecution, oppression, and discrimination in their daily lives at the hands of the government of that country; and

Whereas, the authorities in the Soviet Union have suppressed, discouraged and prevented the free expression of Jewish education and culture, and have deprived Soviet Jews of the opportunity of worshiping freely and in accordance with the traditions of their age-old faith; and

Whereas, the Soviet Union has consistently denied the right of Jewish people freely to emigrate from that country to Israel or to any country of their choosing;

Resolved, that the Congress of the United States respectfully requests the President of the United States to manifest our country's position as the guardian of the traditions of liberty and justice for all, the dignity of all mankind, and the freedom of worship, by taking appropriate affirmative action to persuade the Soviet Union to revise its official policies in the following manner:

(a) to terminate its practice of depriving Soviet jewry of the opportunity of worshiping in a free manner and in accordance with age-old Jewish traditions; and

(b) to grant to the Jewish minority the same rights of preserving its cultural identity as the government grants to other Soviet minority groups; and

(c) to permit Jewish persons to emigrate freely from the Soviet Union to Israel or to any country of their choice without restriction or limitation.

I am writing, Mr. Speaker, to the churches and synagogues in my congressional district, asking concerned citizens to circulate petitions adopting the language of this resolution. If they send such petitions to me, I will arrange to present them to the Ambassador of the Soviet Union, the Honorable Anatoly F. Dobrynin. I would suggest to my colleagues that they, too, might adopt such a program, as it is one positive and possibly productive course of action that Americans can take to bring about a change in the Soviet Union's policy toward its Jewish citizens.

REORGANIZATION OF OUR VOLUNTEER SERVICE SYSTEM

HON. RICHARD G. SHOUP

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SHOUP. Mr. Speaker, with his message on the reorganization of our volunteer service system, the President has taken the first step—but it is a giant step—toward progress. Progress not only in the sense of promoting a more efficient and economical operation—but of better using our vast national human potential to solve human problems.

By bringing together under one roof the present proliferation of Government volunteer programs, the new volunteer agency would serve to bring us together as a people.

Communication between all kinds of volunteers should be facilitated by this closer working relationship. The experience of years and the innovation of youth, skills and energy, vision and wisdom—can each make their contribution.

With the opportunities for voluntary service immeasurably broadened, a rich, cultural cross-pollination should occur. Both the giver and the receiver of services stand to gain from this tapping of previously unused resources.

RHODE ISLAND GOVERNOR URGES FULL FUNDING OF MASS TRANSIT PROGRAM

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. KOCH. Mr. Speaker, the matter of the $200 million cutback in mass transit commitments are of great concern, not only to many of us in Congress, but also the Governors and mayors of this country who are most immediately pressed by the transportation crisis in their States and cities. Earlier this week, a group of mayors met with the President and among the topics raised was that of the Office of Management and Budget's cutback in mass transit commitments.

I have received a copy of a letter addressed to the President by Rhode Island's Governor, Frank Licht, which aptly expresses the urgency felt by the States for going forward with the full level of mass transit commitments this year. Governor Licht's letter follows:

STATE OF RHODE ISLAND &
PROVIDENCE PLANTATIONS,
Providence, R.I., March 16, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I have just learned that the Administration is cutting back by one-third the Federal commitments for mass transit capital programs in fiscal year 1971. While I understand the economic conditions that were considered in reaching this decision, I am concerned that this cutback comes at the very time we should be intensifying and not pulling back on our commitment in this area. Our nation has only recently recognized the need for a national commitment to urban mass transportation to alleviate the transportation crisis so prevalent in our major urban areas, and I would hope that we could move ahead on this commitment.

A cutback of one-third means that the $600 million authorized by Congress will be reduced to $400. The severity of this cutback, however, is all the more apparent when one realizes that now pending before the Urban Mass Transportation Administration are applications for well-over two and one-half billion dollars for urban mass transportation programs in many of our major metropolitan areas.

I would urge therefore that the Administration commit itself to utilization of the full $600 million authorized by Congress for mass transit capital programs.

Kind regards.

Sincerely,

FRANK LICHT,
Governor.

CRISIS IN INTERNATIONAL TRADE

HON. JOHN O. PASTORE

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Thursday, March 25, 1971

Mr. PASTORE. Mr. President, in this time of turmoil in international trade, when thousands of textile workers in the United States are faced with the loss of their jobs because of the gigantic influx of foreign textile products into the American marketplace, I think the historical analysis of this crisis by Howard D. Samuel, the vice president of the Amalgamated Clothing Workers of America, AFL–CIO, CLC, makes very interesting and provocative reading.

Mr. Samuel delivered these remarks last month before the Mid-America World Trade Conference. I ask unanimous consent that they be printed in the Extensions of Remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

YESTERDAY AND TODAY: THE CHANGING FACE OF INTERNATIONAL TRADE, MID-AMERICA WORLD TRADE CONFERENCE, CHICAGO, ILL., FEBRUARY 24, 1971

(By Howard D. Samuel)

Most of us grew up in a climate of free trade. The spirit of Cordell Hull reigned supreme, and the philosophy of David Riccardo, centering on the theory of comparative advantage, still held firm, 100 years after it was formulated. Riccardo and Hull both believed that each nation could identify and develop its own economic strengths, yielding its areas of weakness to imports of other nations.

In theory it was a logical and nicely balanced system, and it probably responded quite fairly to the condition of the world 150 years ago, and to a lesser extent 40 years ago. There were a number of backward nations, endowed with natural resources but without technology or a skilled labor force, which could best build their economies around agriculture or mining. And there were also a number of moderately developed nations, which could only accommodate themselves to a few rudimentary manufacturing processes, such as basic textiles or metals. And finally, there were a few advanced nations, endowed with both technology and a skilled labor force, which could handle the more complex fabricating processes. The higher wage levels of the advanced nations were protected naturally, by technological and capital strength.

For more than 100 years, this formula for free trade made considerable economic sense, and although many nations refused to accept it in practice, in theory it was hard to refute.

For the past several decades, however, the conditions which gave rise to the theory of comparative advantage have been steadily eroding—until today the world economic picture has been so drastically altered that the theory is almost meaningless.

The main factor which has changed has been the world-wide spread of technology. Although many countries still must be classified as under-developed, technological processes have been so rationalized and refined that almost any country can produce almost anything it wants to—so long as it has the necessary capital. The unschooled girls of Taiwan can do just as well assembling complex TV components as can the high school graduates of New Jersey. The untrained workers of African or Asian nations can be taught to produce complex products, ranging from tiny transistors to giant turbines, as readily as the skilled workers of Pennsylvania or the West Coast. And the depressed inhabitants of the most squalid slums of the Far East can be taught to make specialty steel products just as well as the experienced workers of Pittsburgh.

Nor is there a shortage of international capital. For the other changing factor has been the spread of multi-national corporations—giant companies, most of them based in the United States, others in Europe and Japan, which have set up subsidiaries all over the globe. As one economist has described it, "through the use of modern means of communication and transportation, through the operation of foreign, subsidiary plants and other facilities, and through license, patent and other arrangements with foreign companies, these U.S. based multi-nationals juggle production, distribution, shipping and sales of parts and components, as well as assembled finished products across national frontiers."

This is not a minor part of our trade pattern in 1971. In one way or another, more than half our total trade is the result of the operations of these multi-national companies, beyond the reach of normal competitive transactions between Americans and nationals of other countries.

These new factors have transformed the shape of international trade. Neither Riccardo nor Cordell Hull would recognize the normal pattern of trade today, which is not the regular and easy flow of raw materials and manufactured products between nations, but the convulsive moves and countermoves of corporations closing up plants in one nation to open up in another. Comparative advantages still remain, but the exercise of comparative advantage is likely to be controlled not by individual nations choosing their own future destinies, but of corporate chief executives living on another continent. And in most cases the principal comparative advantage which remains to distinguish one country from another is workers' wages.

Technology, capital, skills all can and do cross national boundaries. The only factor which is still anchored fast is the wage level. And in the competition between wage levels, the advanced nations—particularly the United States—will always come out the loser.

There are few industries in the United States which are immune to the new formulation of comparative advantage among nations. It is not just a question of high wage nations giving up the labor intensive industries, such as textiles and apparel. Complex electronic products, machinery, automobiles, chemicals, metal products—all these industries find themselves vulnerable to increased imports, from nations which we used to call undeveloped, but which now have technology and capital—as well as low wages.

Technology, capital, invention, skills—nothing can give us the natural protection which was once afforded us, in theory and in fact. If the process continues unabated, the final irony is that we could be reduced to the posture of the backward nations of the 19th Century, depending on the sales of agricultural products—we are already a major exporter of soybeans—in order to buy the manufactured products turned out by the low-wage nations of Africa and Asia. From shirt-sleeves to shirt-sleeves, in a half-dozen generations—on a global basis!

Does this mean that we should tear down the machinery of trade, close up our ports and retreat behind an impenetrable wall of tariffs and quotas to protect our industrial sector? Of course not. No sensible observer has even made the suggestion. But it does mean that we are going to have to recast the economic philosophies of the last century in 1971 terms, to develop new formulas to meet new conditions. If we continue to depend on theories which kept us afloat 150 years ago the whole economy will soon be drowned.

Peculiarly enough, the direction in which we should be heading has already been well chartered by many of the same academicians and theorists who today appear to resist any change in our trade policies. For the past 40 years, liberal economists have come to realize that laissez faire—the theory that governed all economics for much of the 19th Century—can no longer be supported in the complex world of today. For a variety of reasons, natural economic laws have lost their effectiveness as automatic regulators and controls of the economic system. Over the years, as natural economic laws have proved ineffective in assuring a stable economy and a reasonable standard of living, society has been replacing them with government regulations affecting almost every area of our life.

Finance and banking, utilities, advertising practices, the manufacture of drugs, food and many other products, safety standards, merchandising practices, and a host of other areas are regulated by government—and society generally is demanding more controls, not fewer, to assure ourselves that the fruits of our labor are shared more equitably and used more productively.

Surprisingly, international trade is one area where the economists still believe in a large measure of laissez faire. Now it's true that international trade—contrary to some claims—does not play an overwhelmingly important part in our standard of living, since it comprises only about 5 percent of our gross national product. But because its effects are confined to the industrial area, the damage caused by unregulated trade can be fairly intensive. The fact is that we can no longer afford unregulated international trade, any more than we can afford unregulated security markets or drug manufacturing or food packaging. Regulation of trade, designed to soften the impact of concentrated imports from other nations with lower wages standards (and all nations are lower than the United States to some degree), has become an absolute necessity it we are to avoid growing disruption, loss of job opportunities, and astronomical rises in our costs of job training and public assistance.

Some economists insist that some form of adjustment assistance will solve the dislocations caused by international trade. Adjustment assistance has some limited usefulness, when dislocations can be measured in terms of an isolated factory or shop, or even in terms of a small industry, employing only a few thousand workers. But today the growing tide of imports threatens whole segments of the economy. Based on the number of firms and workers in the textile-apparel industry, for example, if only 3 percent a year needed adjustment assistance, it would cost the federal budget several billion dollars a year—for only a small slice of only one industry. Obviously adjustment assistance is not the road to a secure trade policy, even though it still has its uses in certain cases.

Even in terms of the labor-intensive industries, which might be the first to feel the effects, it doesn't make sense for the nation to support wholesale disruption. In our age of technology, labor-intensive industries offer a last refuge for the low-skilled, inadequately educated worker, of whom the United States still has millions. Not all these workers can be directed into the service trades—there aren't enough jobs in restaurants and discount stores and motels to accommodate them. An industry like textile-apparel offers almost 2½ million jobs, many of them requiring minimal entry skills, and wholesale failures would have a catastrophic effect on our manpower policies.

Some commentators claim that we should

put a lid on our wage levels, presumably so we could some day compete with other nations. This suggestion is wildly unrealistic. Many of the principal exporters to the United States—in the Far East and in South America—have wage levels that are so low that it would take generations for them to catch up even if we stood still. South Korea, which is a large exporter of textiles and apparel and other products, pays its industrial workers at the level of about 10 cents an hour. In Hong Kong and Mexico, average wages are around 35 cents an hour. There is little that can be done in the near future to moderate the differential.

Furthermore, there is a real moral and social question as to why workers have to subsidize American industry to assure our competitive position in the world. This is a problem involving the entire nation, not just working people—who are the least able to afford competitive pressures—and the solution must come through national policies involving all interests.

Finally, it is questionable whether it would be useful for the nation to try to hold back our wage levels. We have built the highest living standard the world has ever seen, not by keeping wages low, but by allowing all segments of the community to share in our wealth. The process has been far from perfect, but our goal should be to improve the equity of our distribution policies, not reduce it.

The answer to our international trade problems is not adjustment assistance, or reduced wages. The answer is to apply to foreign trade the same degree of regulation and controls that we take for granted in our domestic transactions.

These controls will assure foreign nations their proper—and properly growing—share of the domestic market, at the same time affording breathing time for domestic industry to adjust to changing market conditions. We have already seen the need for such controls in a few industries, such as cotton textiles, oil, and sugar, and in general our experience has been that we were able to safeguard the ability of domestic producers to meet the challenge of imports, at the same time to provide us with whatever benefits the imports themselves afford. Today we should apply the same approach to all imports, to give us the benefit of a steadily growing level of products from abroad, but fending off the paralyzing effects of cyclonic increases. Free trade, unregulated trade, once may have made sense—a century ago. I think that even Cordell Hull would agree that today it is a blueprint for disaster.

CONFIDENCE IN PRESIDENT'S PLAN FOR FEDERAL SERVICE AGENCIES

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. DUNCAN. Mr. Speaker, when we talk about America as a rich country, we usually are referring to our wealth in natural resources. But our richest resource is the spirit of the American people.

It is this spirit which is being recognized today in the executive reorganization creating a new volunteer agency by President Nixon. Down through our history, it has been a uniquely American characteristic to help one's neighbor as well as oneself. Now it may become possible for all Americans to look upon themselves as neighbors in the broadest sense.

The President's action in forming a consolidated agency to channel the spirit of voluntarism toward the most urgent problems of our society is highly commendable.

I have every confidence that the new agency will hold a strong appeal to the millions of young peaple seeking to serve in a worthy cause as well as the millions of older people who still have so much to contribute.

AMERICA'S HEALTH CARE CRISIS

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. PATTEN. Mr. Speaker, in a newsletter being sent to some of my constituents, I am charging that a crisis exists in health care and that Congress should pass legislation in this field that is both adequate in coverage, and reasonable in cost.

Despite growing emphasis on the importance of improved health care, America ranks poorly with less resourceful countries in providing effective health care.

Although health care is not easy to measure, it is known that America ranks first among industrial nations in what is spent for health, but continues to trail in providing effective health care. This anomaly arouses deep concern.

In 1959, for example, the United States ranked 13th in male life expectancy and is now 18th. Female life expectancy is also poor, ranking 10th in 1965, and our infant mortality rating is higher than in 13 other nations. It is obvious that compared to many other countries, America is lagging behind in health care. This is not only shocking, but is, in a sense, disgraceful.

Mr. Speaker, another serious problem faced by most Americans is the skyrocketing cost of medical care. Costs are so high, it seems that only the wealthy can afford to get seriously ill in this country. The cost of a major illness is so high, 90 percent of Americans suffer financial disaster when it strikes.

In the past 10 years, the Nation's health bill increased by 170 percent, and health care is the fastest rising item in the Consumer Price Index.

The crisis in health care is so severe, former HEW Secretary Robert H. Finch warned:

> This Nation is faced with a breakdown in the delivery of health care unless immediate concerted action is taken by government and the private sector.

Personally, I am convinced that action must be taken soon by Congress and the executive branch, or the Nation will, indeed, face the breakdown predicted by Mr. Finch. The crisis is real.

I'm studying and analyzing the various bills introduced in Congress with deep interest, because a realistic and fair solution to the serious health care problem must be found without further delay. We must pass a health care program that will satisfy human needs. This is indicated by the many people who speak to me about their health care problems. They are greatly concerned about inadequate coverage and mounting costs.

Mr. Speaker, as far back as the 17th century, Izaak Walton warned:

> Look to your health . . . value it next to a good conscience.

And every President from Truman to Nixon has urged improved health care for our people. We are the wealthiest nation, but we should achieve the greatest blessing and become the healthiest as well.

MARYLAND DAY

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Thursday, March 25, 1971

Mr. BEALL. Mr. President, today marks the 337th anniversary of the arrival of Maryland's first settlers. Since its founding, Maryland has played an integral part in the growth and development of our great Nation.

Mr. President, in order to enlighten the Members of the Senate of our State's proud heritage and many contributions, I ask unanimous consent that the text of the publication "Maryland at a Glance" be printed in the RECORD.

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

MARYLAND AT A GLANCE

THE STORY OF MARYLAND

Maryland, one of the thirteen original colonies, was founded on March 25, 1634, when the first settlers arrived at St. Clement's Island in the Potomac River. An English proprietary colony, Maryland was established under a charter granted on June 20, 1632 by King Charles I to Lord Baltimore, the ranking member of the Calvert family. The colony was named by Charles I for his wife, Queen Henrietta Maria.

The first colonists sailed from the Isle of Wight in November, 1633 on the "Ark" and the "Dove," under the command of Leonard Calvert, Maryland's first colonial governor. The first settlement was established at St. Mary's City, where the colonists were blessed with a bounty of natural resources, a temperature climate, and friendly Indians. Soon prospering, the earliest Marylanders and their descendants made spectacular progress with a brisk trade in tobacco, corn, and wheat.

Maryland, known today as the "Free State," was the first civil regime in history to legislate freedom of religion. In 1649 the General Assembly passed "An Act Concerning Religion," making a founding principle a Maryland law. The original settlers, Catholic, Protestant, and Jewish, all practiced religious tolerance, reflecting the strong convictions of George Calvert, the first Lord Baltimore, who planned the Maryland colony.

St. Mary's City served as the colony's first capital, where a replica of the original Maryland State House of 1676 stands today. In 1694 the capital was transferred to Annapolis, where some of America's first public services were introduced. Annapolis was the

first colonial town to sponsor a circulating library, the first to establish a postal service, and the first to found a free school, King Williams. The State's first newspaper, *The Maryland Gazette*, was launched in 1727, and is the country's oldest newspaper in circulation. Annapolis grew and prospered as the social and cultural center of the colonies, and was known abroad as the "Athens of America."

The Revolutionary period fostered outstanding Maryland statesmen. Charles Carroll of Carrollton, Samuel Chase, William Paca, and Thomas Stone all signed the Declaration of Independence. Under the Articles of Confederation in 1781, John Hanson was the first "President of the United States in Congress assembled" to serve a full term. Thomas Johnson nominated George Washington as Commander-in-Chief of the Continental Forces, and was later elected the first governor of the new state of Maryland.

Maryland is honored as the "Old Line State" for its brave soldiers who fought in the Revolutionary War. An outstanding example of their valor occurred in the Battle of Long Island.

Surrounded by British troops, General Washington called upon the Maryland Line to cover his withdrawal. Major Mordecai Gist, with 404 soldiers, held off the British, and safeguarded Washington's retreat. Only 96 men survived, the rest buried where they fell in the hour Washington said was "more precious to American liberty than any other in its history." Today the courage of those "Old Line" soldiers is perpetuated in the 175th Infantry of the Maryland National Guard, which has fought in every major war in American history.

The "Star-Spangled Banner," our national anthem, was written by Maryland's Francis Scott Key during the Battle of Baltimore, in the War of 1812. A gigantic 42' by 30' flag, flying through the night, over the embattled Fort McHenry, had been made by Baltimore citizens to express their outrage and defiance of the British. For Francis Scott Key, the banner symbolized a profound patriotism to which he responded with the words all America now sings.

Three centuries of American history record the names of outstanding Maryland citizens: Vice President of the United States Spiro T. Agnew; the 17th century's Margaret Brent, America's first woman attorney and suffragist; the "Financier of the Revolution," Robert Morris; architects William Buckland and Benjamin Henry Latrobe; naval heroes Winfield Scott Schley and Stephen Decatur; Chief Justice of the United States Supreme Court Roger Brooke Taney; Supreme Court Justice Thurgood Marshall; national sports figure, Babe Ruth; painter Charles Wilson Peale; actor Edwin Booth; entertainer Gary Moore; philanthropist Johns Hopkins; writers Edgar Allan Poe, H. L. Mencken, Ogden Nash, Rachel Carson, and John Barth; scholar-diplomat, Frederick Douglass; co-discoverer of the North Pole, Matthew A. Henson; and the "Moses of her people," Harriet Tubman.

MARYLAND TODAY

Location: Maryland, the northernmost of the South Atlantic states, is often described as "The Gateway to the South." It is, nevertheless, also characterized as a "border state," even though it is separated from Pennsylvania and Delaware by the famous Mason-Dixon Line, below which the South traditionally lies. Additionally, it is bounded by the Atlantic Ocean to the east, West Virginia to the west, and Virginia to the south. The present District of Columbia, carved out of Maryland territory on the Potomac River, was donated by the State to the federal government in 1791.

Government: Maryland functions under the 1867 revision of its original State Constitution, adopted in 1776. The Chief Executive of the State is the Governor, who may succeed himself to only one consecutive four-year term. The legislative body is the General Assembly, divided into the House of Delegates with 142 members, and the Senate with 43 members. The judicial branch is led by the Court of Appeals.

Growth: Maryland today, outpacing most other states, is growing vigorously. Its population has increased 62% since 1950, and now stands at 3,800,900. * * * Maryland is one of the nation's major science centers, with more than 500 research-oriented firms, and with over 100,000 employees in the Maryland-Washington, D.C. science-industry complex. The State is constantly improving its highway system with new roads, beltways, and expressways, connecting Maryland with the great commerce centers of the growing East Coast megalopolis. Maryland's new "National Freeway," in Western Maryland, is a State project in the Appalachian Regional Development Program, a federally-supported, twelve-state enterprise, initiated by Maryland. The State's cultural life, centered in Baltimore and Washington, D.C., is strongly supported by community cultural activities. Vast recreational opportunities in Maryland create the appropriate balance of a "work-and-play" world. Maryland today then is a thriving area of growth, opportunity and achievement.

THE MARYLAND ECONOMY

Manufacturing: A leading manufacturing state, Maryland's major industries include primary metals, transportation equipment, chemicals and allied products, electrical equipment and supplies, fabricated metal products, processed foods, apparel, printed materials, and the production of space satellites. Maryland industries will help produce the first American-made supersonic, 300-passenger jets transports, scheduled for the 1970's. The growth of service industries in the State is also increasingly important to the Maryland economy.

Science-Oriented: Since the 1950's, science-oriented industries have burgeoned in Maryland. The Washington-Baltimore area is now rated as one of the nation's five major science centers. Maryland research and development firms are advancing the fields of data processing, medical and biological science, and space experimentation and exploration.

Agriculture and Seafood: Maryland, with its 24 major types of soil, produces a wide variety of agricultural products, including corn, tobacco, tomatoes, vegetables, soya beans, as well as dairy products, fancy broilers, and broadbreasted turkeys. Oysters, crabs, fish, and soft-shell clams are the mainstays of its extensive seafood industry.

United States Government: Many federal installations, contributing to the economy, are located in Maryland because of its proximity to Washington, D.C. Representative of the governmental institutions are: The Atomic Energy Commission; NASA, Goddard Space Flight Center; the National Institutes of Health; the U.S. Army Chemical and Development Laboratories; the National Security Administration; the U.S. Bureau of Standards; National Social Security Headquarters.

Travel and Tourism: The travel and tourist business is one of the State's largest enterprises. "The Delightsome Land," as Captain John Smith described Maryland in 1608, welcomes visitors to its many land and water recreation areas, festivals, sporting events, fishing tournaments, and nationally significant historic landmarks.

EDUCATION IN MARYLAND

Education in Maryland began officially in 1696 when King Williams, later St. John's College, was founded as the first free school. During the 1750's, St. John's and Chestertown's Washington College evolved as Maryland's first liberal arts colleges. The University of Maryland sprang from the College of Medicine, founded in 1808. The University later absorbed the first school of dental surgery, which opened in Baltimore in 1840, and the College of Agriculture, founded in 1856. Johns Hopkins University grew from its hospital and medical school origins of 1893. In 1902 Maryland became one of the first states to pass a compulsory education law. Today it has a total of 50 accredited higher educational institutions, including the United States Naval Academy. Goucher, Hood, and Notre Dame are representative of the State's seven women's colleges. The opening of thirteen community colleges, and many college and university expansions have helped Maryland meet the demands of the country's increasing college-bound populations.

LEISURE IN MARYLAND

Maryland's extensive water resources, and its beautiful forests and mountains, complemented by a temperate climate, offer its citizens and visitors every recreation. Its sports receive worldwide attention from both participants and spectators. It is home to the 1966 World Series Champions, the Baltimore Orioles, and the NFL's Baltimore Colts. It is the scene of the bi-annual sailing classic, the Annapolis-Newport Race. It presents the world's finest thoroughbred race horses at Pimlico, Laurel, and Bowie, highlighted by the Preakness and the Washington, D.C. International races. It is the site of the National Indoor Tennis Championships at Salisbury, an annual international competition. Spectators flock to annual art festivals, crab derbies, clam festivals, horse shows, hunt meets, fishing tournaments, boat and auto races, sailing regattas, lacrosse and basketball games, and to the excitement of jousting—the State's official sport.

SOUTHERN MARYLAND

Southern Maryland, composed of Anne Arundel, Prince Georges, Calvert, Charles, and St. Marys Counties, is predominantly an agricultural region. Tobacco is the chief crop, but truck gardening, dairy farming, sport fishing, seafood production, and recreation at the Chesapeake Bay beaches, contribute substantially to the economy. The increasing complement of private research and development firms, joining the federal scientific, experimental and military installations, indicate a new growth trend. Prince Georges and Anne Arundel Counties are the sites of popular, suburban Washington, D.C. residential communities. Southern Maryland is the seat of "traditional" Maryland, its three centuries of customs and mores originating with the first English settlers. A wealth of Registered National Historic Landmarks measures Southern Maryland's significance in American history.

Annapolis, in Anne Arundel County, is a unique state capital, with national and international attention centering on its one-square mile "Olde Towne" district. As a municipality, a county seat, and Maryland's capital city, it is, of course, a governmental center. But it is also the home of the United States Naval Academy, and St. John's College, with its Great Books program. One of the leading yachting centers in the East, it is also home port for a commercial fleet of fishing, oyster, and clam boats. It is one of the country's few Registered National Historic Districts, preserving some of the nation's finest examples of Colonial and Federal architecture—the Hammond-Harwood House; the Chase-Lloyd House; Ogle Hall, now the Naval Academy Alumni House; Reynolds Tavern, frequented by George Washington, and now an administrative building for the county library; and the Old Treasury Building, one of the oldest public

buildings in the thirteen original states. The Maryland Hall of Records, a repository for the State's priceless documents, included volumes from Colonial America's first circulating library, founded in Annapolis.

Dominating the city is the Maryland State House, the oldest capitol still in legislative use. Completed in 1779, it is distinguished today as a Registered National Historic Landmark. During the ten-month period Annapolis served as the capital of the United States, the State House was the scene of two historic events. In 1783 General George Washington resigned his commission as Commander-in-Chief of the Continental Army before Congress, in the Old Senate Chamber. On January 14, 1784, considered the "real" birthday of the United States, the American Revolution officially ended, as Congress ratified the Treaty of Paris, and the United States of America became a sovereign nation. More than 135,000 tourists annually visit the State House, the only state capitol in which Congress has ever convened. The sole surviving official American flag known to have been carried in the American Revolution, is on display there with other historic documents, paintings, and Maryland memorabilia.

THE EASTERN SHORE

"The Shore," as it is called, is a picturesque flatland of fine farming country, fishing, villages, lovely old towns, magnificent country estates, and a seaside summer resort. It is composed of nine counties—Cecil, Kent, Queen Anne's, Talbot, Caroline, Dorchester, Wicomico, Somerset, and Worcester, which are part of the famous Delmarva Peninsula.

For three-hundred years, "The Shore" was an insular area, almost entirely waterlocked by the Chesapeake Bay and the Atlantic Ocean. In 1952 the Chesapeake Bay Bridge, now renamed the William Preston Lane Memorial Bridge, connected Maryland's eastern and western shores in a 4.03 mile span across the Bay. The "longest all-steel bridge over salt water in the world" has opened the entire area to new residents, new industry, and many more tourists. Intensifying shore traffic has dictated planning for an additional bridge facility.

Seafood, agricultural products, and Ocean City, one of the country's most popular summer resorts, are the area's strongest economic supports, but complementary industrial growth is now underway. Fancy poultry, printed materials, canned and frozen foods, pleasure boats, pumps, pine pilings, and electronic components are produced in the Easton-Cambridge-Salisbury area. An international seaport, at Cambridge, the second largest in the State, has opened "The Shore" to world-wide commerce.

A prime tourist and recreation area, "The Shore" attracts both amateur and professional sportsmen to its rivers, marshes, and ponds, to its islands, bay, and ocean. Visitors flock to its quaint fishing villages, historic landmarks, antique shops, and quiet inns. Great crowds attend its many festivals and sailing regattas. The Chesapeake Bay Maritime Museum at St. Michael's attracts both tourists and marine historians.

Ocean City, welcoming 150,000 summer residents to its many fine restaurants and excellent accommodations, lies on a ten-mile stretch of white Atlantic seashore beach. Its three-mile boardwalk, replete with fine specialty shops and amusements, overlooks an "ocean" of water sports, including the newly popular surfing. With excellent deep sea, surf, and bay fishing, the "White Marlin Capital of the World," in 1968 registered 1,735 white marlin, boated or released.

Assateague Island lies several miles south of Ocean City. Actually a wildly beautiful barrier reef, it is being developed into the finest camping and fishing site on the East Coast by the National Park Service and the Maryland Department of Forests and Parks.

THE UPPER CHESAPEAKE BAY AREA

The upper Chesapeake Bay region includes Harford and Baltimore Counties. The area is noted for its thoroughbred horsebreeding, and as the world's largest producer of snow skis. It is also the site of the seventh largest city in the United States—Baltimore.

The State's chief commercial city, Baltimore, ranks as the fourth largest foreign trade tonnage port in the United States. It is the largest financial center in the Southeast, and is rated among the top five research and development centers in the country. Forming a metropolitan triangle with Washington, D.C. and Annapolis, Baltimore is only a 45-minute drive from the State and national capitals. The city is serviced by excellent rail, port, and highway facilities, and by Friendship International Airport twenty minutes from downtown.

The economic hub of the State, Baltimore manufactures ships, missiles, steel, electronic devices, and transportation equipment. It is noted for its textiles, clothing, spices, processed foods, and alcoholic beverages. Baltimore is the site of the worlds largest steel mill. Some of the nation's largest producers of tin cans, bottle caps, electric hand tools, high tension insulators, gas equipment, copper sulphate, straw hats, venetian blinds, paint brushes, weather instruments, long distance cables, and super phosphates are based in Baltimore. The world's most extensive processors of copper and bichromate are located there.

The "National Anthem City," as Baltimore is called, had the country's first commercial railroad, telegraph line, public bank, and umbrella factory. America's first Catholic Cathedral, began in 1806, is located in Baltimore. The city's historic landmarks include the Washington Monument, Mount Vernon Square, Fort McHenry, Old Shot Tower, Flag House, Hampton House, Mt. Clare Mansion, and the house and grave of Edgar Allan Poe. The first commissioned warship of the United States Navy, launched in Baltimore in 1797, is the U.S. Frigate Constellation, now an attraction of the port.

Baltimore enriches the State's cultural life with a wealth of nationally respected institutions such as: the Baltimore Symphony Orchestra, Peabody Conservatory of Music, Maryland Institute, Walters Art Gallery, Enoch Pratt Free Library, Maryland Historical Society, Baltimore & Ohio Railroad Transportation Museum, Peale Museum, Baltimore Streetcar Museum, Baltimore Museum of Art, and the Maryland Academy of Sciences. The Baltimore Science Center is planned to provide extensive conference and educational facilities for students, teachers, and scientists. Baltimore's newly constructed Charles Center, the Baltimore Civic Center, and the Morris Mechanic Theatre are among the first completed projects of a twenty-year $900 million dollar revitalization program now in effect on 2,400 downtown acres.

WESTWARD TO THE MOUNTAINS

The Piedmont Plateau area is the site of four central Maryland counties—Frederick, Howard, Carroll, and Montgomery. The State's three westernmost counties, Allegany, Garrett, and Washington, in the Allegheny mountain range, comprise Maryland's Appalachian region.

The seven counties of both Central and Western Maryland, as a geographic unit, compose a scene of expanding industry, and steady agricultural production. Milk, poultry, and grains, all of which are processed in the area, and vast quantities of excellent apples and peaches, are grown in the region's many orchards.

The area is especially attractive to tourists, sportsmen, and naturalists who are drawn to its forests, parks, rivers, lakes, rapids, and trout streams. Its beautiful mountain area is particularly noted for the wild bloom in early summer of exquisite rhododendron, and for a fall burst of magnificent color, celebrated as "Autumn Glory Time."

The seven-county area is the site of many of America's most significant historic landmarks. The Civil War battlefields of Antietam, South Mountain, and Monocacy are found there. The first National Road, begun in 1808, stretched from Cumberland to the Ohio Valley. It is followed today by U.S. Route 40. The National Road Toll House; the Hager House, a museum of early frontier life; and Fort Frederick, the sole surviving French and Indian Wars fort in America, are some of the area's many outstanding historic landmarks.

Montgomery County, adjoining the northwest sector of the District of Columbia, contains some of Washington's most popular suburban communities. Rockville, the county seat, particularly reflected Montgomery County's spectacular population increase of over 100% during the 1950–65 period. The County boasts an impressive concentration of resident scientists, technicians, and professional people, a fact coinciding with its growth as a major scientific research and development center. Frederick, the State's fifth largest city, and the seat of Frederick County, manufactures a variety of products. It is also the site of important science-oriented research and development firms. Francis Scott Key and United States Supreme Court Justice Roger Brooke Taney resided there. John Greenleaf Whittier created a national legend for Frederick when he wrote the poem, "Barbara Fritchie."

Westminster, in Carroll County, produces clothing and shoes, and is the major distribution center for one of the nation's leading publishing houses. The Farm Museum, near Westminster, and the historic Shriver Homestead Museum, at Union Mills, are major tourist attractions.

Hagerstown, seat of Washington County, produces aerospace and aircraft equipment, lumber, furniture, textiles, apparel, printed materials, leather goods, and the world's largest pipe organs. It was the first American city to implement bookmobiles and educational television. The Washington County Museum of Fine Arts symbolizes the area's cultural life.

Cumberland, the State's third largest city, is an important industrial community. Historically a major transportation hub, Cumberland is the seat of Alleghany County. It produces synthetic yarns, electronic components, plate glass, tires, and railroad equipment, and is expanding industrially with new research and development firms.

Garrett County, Maryland's mountain playground, is highlighted by the attractions of the Deep Creek Lake resort area, offering year-round sports and recreation. Cottages, ski lodges, camp sites, and motels provide visitor accommodations on or near the 65-mile lake shoreline. WISP, a recently developed, fully appointed ski resort, with 8½ miles of slopes and trails, is one of the most attractive ski areas in the East.

BEGIN WITH MARYLAND: SO MUCH OF AMERICA DID

Maryland is a land of delightful contradictions. It is one of the oldest parts of the country; yet it houses some of the most important developments of the space age. It still has huge areas that are wholly rural with only a few signs of human occupation; yet it is a center of great industrial development, that includes the world's largest steel mill. It's one of the smallest States; yet it has one of the largest areas of water. This means all kinds, too—salt water of the Atlantic; from salt to brackish in its inland sea, the Chesapeake Bay; rivers that are 1, 5,

to 10 miles wide; a fresh water mountain lake with 65 miles of shore line, surrounded by high peaks; a wealth of forest-bordered, fish-filled ponds.

Maryland is a Southern State—but it has fine winter sports. It offers vacation resorts by the sea, and less than two-hundred miles away, it offers vacation resorts in the mountains.

Maryland is the center of a great science-industry complex; but its landscape is a museum of past history. Historic 17th and 18th Century churches are everywhere, still in use. Covered bridges span some streams; hand-operated ferries cross others. Water-turned mills, 250 years old, are still in business. The original stones of the 200 year old Mason-Dixon Line stand along two of the Maryland boundaries . . . lichen covered but still bearing decipherable carvings. The shore line is dotted with quaint fishing villages only a short distance from Baltimore, a sophisticated metropolis of culture, industry, and commerce. Many rural areas are still provincial; yet, in Maryland are found some of the leading institutions of culture in the United States.

Marylanders cordially invite you to come and discover their delightsome land.

MARYLAND STATISTICS

Population—3,803,900.

Population Rank—20th state.

Area in Square Miles—Total, 12,303; land, 9,874; inland water, 703; Chesapeake Bay, 1,726.

Size Rank—42nd state.

Distances—Longest East-West, 198.6 miles—Fairfax Stone to Delaware Line. North-South, 125.5 miles—Pennsylvania line to Virginia line at Smith's Point on south-shore mouth of the Potomac River. Shortest North-Shore, 1.9 miles—Pennsylvania line to south bank of Potomac River, near Hancock. Farthest points northwest corner to south-east corner at Atlantic Ocean, 254.7 miles.

Geophysics—Maryland is composed of three chief regions: the Appalachian Area, the Piedmont Plateau, and the Coastal Plain. Maryland gradually rises from its ocean shoreline to 3,360 feet above sea level, the peak of Great Backbone Mountain in Western Maryland's Garrett County.

Climate—Generally moderate, the climate varies from mild to hot in summer and in winter from moderate in the east and south to very cold in the mountainous region. Average annual rainfall, 41.65''; average annual snowfall, 26.70''; temperature average, 64.4° F. maximum, 43.7° F. minimum, and 54° F. mean.

Chief Rivers—Potomac, Wye, Patuxent, Susquehanna, Choptank, Nanticoke, Elk, Magothy, Patapasco, Sassafras, South, Severn, Gunpowder, Tred Avon, Bush, Miles, Chester, Northeast, Wicomico, Pocomoke, and Great Bohemia.

State Recreation Areas—The State's eleven forests, one nursery, and forty parks cover 166,000 acres. Parks are located in forests, mountains, and on a number of ocean, bay, and river waterfronts. Cottages and camp sites are provided. State forests offer licensed hunting in season. There are 39 public hunting grounds, covering 180,000 acres. Sixty-eight ponds, lakes and reservoirs comprise the State's fresh water fishing area. Over 75 public boat launching ramps dot Maryland's tidal and inland waters.

Chesapeake Bay—This great inland sea is 195 miles long and from two to twenty-two miles wide. Navigable to ocean-going ships, the Chesapeake Bay opens to the Atlantic Ocean between the Virginia Capes and through the Chesapeake and Delaware Canal, a fifteen-mile toll-free waterway for ships bound from Baltimore to Philadelphia and the North Atlantic. There are 300 marinas on the Bay to serve boatmen. The Chesapeake Bay is the main source of the State's seafood industry. Every year over 125,000 pleasure boatowners use Bay waters for cruising, fishing, sailing, racing and other marine-oriented recreational activities.

Port of Baltimore is a 45 mile waterfront installation with the lowest tidal range of any seaport—just 13 inches. It accommodates ships to 70,000 tons in 82 covered and open piers with a normal capacity for loading or unloading 151 vessels simultaneously. Annually an estimated 4,500 ships from 47 nations call at the Port, and 108 steamship lines list 272 monthly sailings to 291 coastal, intercoastal and foreign ports.

Chief Cities—(Incorporated) Baltimore, 917,750; Rockville, 39,000; Hagerstown, 37,300; Cumberland, 33,415; Annapolis, 32,000; Frederick, 23,123; Takoma Park, 16,799; Salisbury, 16,302; Hyattsville, 15,-168; Cambridge 12,7150; Ocean City, 125-,000 (summer); (Unincorporated) Silver Spring, 66,348; Bethesda, 56,527; Wheaton, 54,635.

THE 53D ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. PATTEN. Mr. Speaker, last Saturday I met with some very wonderful people in my district office. This group of Americans of Byelorussian heritage had come to talk with me about the continuing crisis in their former homeland.

We had a ceremony presided over by Mr. Thomas Suprun, president of the Byelorussian-American Association in New Jersey, and Mrs. Tamara Janusz, chairman of the women's division of this association. I was presented with a photo album made in Byelorussia and containing mementos of our efforts to free the Byelorussian Nation from Soviet rule.

Mr. Speaker, today marks the 53d Anniversary of what should have been the independence of Byelorussia. On March 25, 1918, the Byelorussians declared their independence and attempted to establish a democratic regime. The leaders adopted a provisional constitution which was very advanced for their day. It called for: First, a direct and secret ballot open to all; second, freedom of speech, press, and assembly; third, national and cultural autonomy of all minorities; fourth, an 8-hour workday and the right to strike; fifth, all guarantees of human rights.

The history of this tiny nation goes back many centuries. Through all the centuries of tribulation the Byelorussians have remained a strong and proud people. While it is predominantly an agricultural country, Byelorussia has industrialized greatly in the last three decades. She is also rich in resources which are needed by a nation to support a stable economy, so it is no wonder that the Soviet Union has kept a strong hold over Byelorussia. But the Byelorussian people want to be free, and I know that the free world would like to see them free.

Mr. Speaker, as I sat talking with my wonderful Byelorussian friends last Saturday, I once again felt their passion to see their loved ones in Byelorussia attain the freedom and independence that they have come to know in America. I would like to take this opportunity to urge my colleagues to join in the fight for the independence of Byelorussia, and I hope that they will take every opportunity to make this plea to our officials in the administration.

In closing, I would like to place in the CONGRESSIONAL RECORD an article I recently read in a pamphlet published by the Byelorussian Publishers and Arts Club. It truly expresses the nature of the Byelorussian people and the difficulty of their struggle.

I include the article as follows:

BYELORUSSIA

The poets called her blue-eyed and innocent, ever-enduring and heroic; her people are of the purest Slavic stock, one of the most hospitable on the continent. She adopted a cornflower, found abundantly in her rye and wheat fields, as a symbol of modesty and beauty. She blossomed and prospered among her neighbors, her people's life based on the stability of Christian principles.

She was free and her star shone bright, until the "Big Brother" flexed his muscles: On her vast plains and gentle rolling hills invaders have crossed their swords. She had contributed to the defeat of the mighty Tartars and Muscovites, Teutonian Knights and Hitler. On her soil lay buried the warriors of most European and Asian nations. Her people were brought to their knees repeatedly.

Somehow they have endured and prevailed: In 1517, her famous son Francisak Skaryna from Polack printed and published the first book in Byelorussian—the Bible—almost half a century ahead of the first printed Russian book. His pioneering endeavors ushered the flow of Culture into the Eastern Europe. When Skaryna took his books to Moscow, they were labeled as heretic, seized and burned in the public square. Yet he brought the barbaric Muscovy on the threshold of printing and education.

His country was later overrun by Moscow but his people have endured and prevailed: Her fertile soil nourished the roots of the ancestors of Dostoyevsky and Mickiewicz, of Glinka and Moniuszka, of Kasciuszka and Kalinowski, of Bahushevich and Kupala, and numerous other political, cultural and economic giants. Driven away from their mother's soil by "Big Brother's" oppression, her countless sons and daughters settled around the world and contributed to the cultural, scientific, political and economic achievements of hospitable nations.

They have endured and prevailed: Overpowered and annexed by Russian colonial empire, she became the source of natural and human raw materials, the most backward province of that monstrous prison of nations. They chained her and chanted her requiem and forbade her name to be mentioned among the living. They closed her schools and national institutions, took over her churches and deported her best minds to Siberia.

Somehow her people have endured and prevailed: In 1863, her favorite son, Kastus Kalinowski raised the entire nation against Moscow colonial despots and proclaimed in his testament: "Byelorussians, my dear brothers. Facing Muscovite gallows, I proclaim: then and only then will you gain freedom and happiness, when Muscovite rules you no more".

Kalinowski perished so that his people would endure and prevail: Through the centuries, Moscow "Big Brother" endeavoured to assimilate her people, annihilate her glorious past, tarnish her traditions, discriminate against and make extinct her language, suppress her culture.

Her people and their spiritual heritage have endured and prevailed: In 1918, she proclaimed her independence, granting the most

advanced democratic rights to all peoples within her boundaries. The newly-found freedom was short-lived. "Big Brother" chained her more securely than ever. Today, she is one of the fifteen most industrialized nations in the world; but, the standard of living of her people is below that of Portuguese colony Angola. Although she is a member of the United Nations, her so-called representatives speak not for her people but for the "Big Brother" in the Soviet Union.

The name of the country? Byelorussia. No, let's get that straight: Canada is not the United States, Germany is not England and Byelorussia is not Russia. Never was and never will be, for her people will endure and prevail!

ABOUT THOSE CHANGES IN THE STATE DEPARTMENT

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. SCHMITZ. Mr. Speaker, a very interesting article appeared in the March 20, 1971, edition of Tactics magazine dealing with some of the goings on inside the Department of State. Since this article deals with the reform program being carried on within the Department of Government responsible for our foreign policy and since one of the arguments being used by the State Department to justify certain changes in its personnel policy seems to be that the Congress is aware of these changes and has not voiced any objection, I would like to insert this article into the RECORD to insure that all my colleagues are familiar with the proposed modifications in personnel policy which are under consideration.

The article follows:

TUMULT INSIDE STATE DEPARTMENT

The state of chaos and demoralization that exists among the personnel of the State Department and its associated foreign affairs agencies is unprecedented. Responsible officers are asking whether anyone in authority is able to distinguish between reality and illusion. Under the leadership of William P. Rogers and William B. Macomber, Jr., his deputy undersecretary of state for administration, the State Department is plunging headlong into a personnel administrative system designed to remove any objective control by the Congress, the White House and the American people over the foreign affairs bureaucracy.

The State Department is pushing an "action program" designed to force career, civilian, domestic employes into the foreign service category where they will be totally under the control of personnel immune from any kind of accountability. They will not have to account for their actions to Congress, the Civil Service Commission or the courts if they fire anyone for any reason whatsoever, whether for a legitimate reason or because the employe has discovered gross negligence or subversive behavior, and has refused to collaborate in it.

The so-called reorganization would preserve an Alger Hiss, or an American Kim Philby, in his post, and hush up or eliminate any Otto F. Otepkas without their having any recourse. Security, in the Orwellian manner, would consider anti-communists, not communists, as the "security risks" who would have to be kept out of State Department jobs.

What this boils down to is preparation by the State Department of a purge program of the few, remaining persons who consider loyalty to the nation more important than covering up for the failures or transgressions of the State Department.

WATERFRONT-LIKE BRAWLING

Scenes of turmoil such as one might expect on the waterfront are occurring within the offices of the department. The situation has become so tense that in spite of every effort to hush up the news, at least three reporters have given accounts of the breakdown in decorum and morale. On Feb. 11, in the tabloid Washington Daily News, the hush-hush was broken by a Scripps-Howard writer who does not cover the State Department ordinarily.

He was Dan Thomasson, who disclosed that top State Department officials, including Theodore L. Eliot, Jr., executive secretary reporting directly to Rogers, and John Ray, of the European section, "blew their diplomatic aplomb and wrestled for the microphone amid screams of 'shame,' 'fascism,' and 'is this the kind of democracy we're trying to export?'"

Reporters regularly assigned to the State Department were present, and although this unprecedented affair was indisputably news, they collaborated with State Department officials in the effort at censorship. At least, Russian reporters who cover the foreign ministry in Moscow have the excuse they are not allowed to report certain news. But what alibi have the American newsmen assigned to the State Department? This is a press scandal that editors throughout the country should look into. Why should so-called reporting in-depth, with a few, heroic exceptions, be limited in Washington to what is to be advantage of the reds? This is the double standard presently being observed.

AMERICAN SURVIVAL IS INVOLVED

The wrestling match took place over what on the surface was a minor issue, union representation of State Department employes. Actually, the passions reflected a simmering into public notice of the greatest crisis in American diplomatic organization since the formation of our republic.

The basic issue is whether the State Department and other foreign affairs agencies are subject to the control of Congress and the American people, or is the State Department to run foreign policy in secret, implementing unwritten "understandings" with the USSR and Red China, totally free of any kind of accountability within or outside the government? The State Department is asking for no less than the kind of special status possessed by the CIA, despite the disparity in their roles.

The key lies in the basic attitude toward government of William P. Rogers. History may well record his influence on President Nixon as unfortunate as that of Harry Hopkins and Col. House on other comparatively recent occupants of the White House.

Rogers has developed the doctrine of executive privilege in so extreme a manner as to make it indistinguishible from enlightened despotism. Under this doctrine, Rogers holds that Congress and the American people are not entitled to any information developed within the executive branch unless it decides to release it. The inevitable result is secret government.

Rogers, as a "pragmatist," has come up with a technique for dealing with the pesty Congress and the inquisitive public. The procedure is based on the thesis that the public has no right to this information, but insists on being told, so that it has to be satisfied in some such manner as an image is devised for a public figure that will gain approval, but not really change the man's character.

Under this technique, the executive branch has to maintain a constant flow of information to the Congress and the public, to satisfy this hunger but not to disclose the essential facts. The enemy, that has its own means of finding out what it wants to know, therefore is better informed than the American people—and the Congress—on our policies. The Kim Philbys, in such an Orwellian complex, are not our security risks; the Otepkas are! This tactic, too, by generating a news-managed flow of selected data, can inspire hearings on the Hill that have the effect of destroying the credibility of members of the Congress.

The procedures and philosophy behind this resemble, in the Anglo-Saxon world, the conflicts between the Stuart kings and the British parliament. The result was the destruction of both the executive and the legislative branches, and the creation of the heavy-handed, Cromwell dictatorship.

COULD BECOME ELECTION ISSUE

On Feb. 28, 1971, in an unusually long comment in the Washington Sunday Star, Philip Shandler, a reporter on federal employee matters, stated that the issues at the State Department already have "embroiled top administration officials in an intensive debate, the outcome of which could become an issue in next year's presidential election."

The article, that warranted news space but was limited to Shandler's "The Federal Spotlight" column, dealt only with the issue of "how much freedom should the State Department have—in contrast to other government agencies—to assign its employes? Executive Order 11491 issued by Nixon little over a year ago, provided for grievance appeals by employes to a third party, the Labor Department.

"The State Department last fall, however, requested exemption from the order for foreign service employes . . . The department sought to preserve the present system of in-house appeals to a board of high-level department officials."

What Macomber wants is to block any sort of review of personnel policies outside the department. Otepka had the right of appeal to the Civil Service Commission, and there also is the Department of Labor. By exempting the foreign service from the executive order, the labor department would be excluded. By converting Civil Service employes to foreign service status, the Civil Service would be excluded. Only Rogers and Macomber would decide who was hired, fired, transferred, promoted, downgraded or reassigned.

Not only the present foreign service, but the entire State Department would be converted into a new CIA-type organization, with no ties to Congress, other executive departments, the courts or the American people. All of this would be put across without any act of Congress!

Originally, Macomber tried to carry out this operation by direct appeal to the Federal Labor Relations Council, on Oct. 14, 1970, asking it to approve exemption of the entire foreign service from the executive order when it was next revised.

The alert intervention of the American Federation of Government Employees (AFGE), which demanded a public hearing by the council, blocked this quickie operation from succeeding. A public hearing took place on Nov. 16, when the AFGE and other groups marshalled a set of Constitutional, legal, administrative and political arguments that overwhelmed those presented by Macomber.

On Jan. 30, the Federal Labor Relations Council sent the White House its opinion on the request indicating the options available to the President, and recommending that he reject it. This would not affect other changes in the executive order that would add efficiency and precision. Nixon is said to want this done.

Macomber was informed by "an unimpeachable source" at the White House of the council's adverse action. He was told that if

he could get agreement within 48 hours from the American Foreign Service Association, which the State Department controls and uses as a front, he might salvage or even recoup his losses. On the Jan. 30–31 weekend, Macomber and members of the AFSA board worked out a paper agreement to this end.

The AFSA board had no right to make such an agreement because its rank and file members at a meeting on Nov. 4 had specifically resolved that the board hold no secret meetings with Macomber.

"DEAR BILL" LETTERS EXCHANGED

Therefore, to conceal violation of this order, Macomber on Feb. 1 wrote a "Dear Bill" letter to William C. Harrop, AFSA board chairman, proposing the agreement they already had negotiated. On the same day, Harrop called an extraordinary meeting of the entire board and informed it that Macomber needed an affirmative, written reply within 24 hours, to transmit to the White House if the Secretary of State and the State Department were not to be discredited.

The board agreed, and Macomber received it the next day, Feb. 2, which he sent at once to the White House, saying this created a new situation, showing the employes themselves were in favor of the Rogers-Macomber project, which in turn was only a rehash of the bill that Congress rejected in 1966, when it was pushed by Macomber's predecessor, William P. Crockett. (See Jan. 20 Tactics.)

Thus we are presented an example of the extent to which the State Department will go in trying to put over one of its schemes, including even the White House among the victims of its deceits. If only this skill would be exercised against our communist enemies!

Since the agreement was unauthorized by the grassroots membership, the AFSA board immediately sought to convince the board of the Junior Foreign Service Officers Club (JFSOC), a constituent subsidiary of AFSA, also to acquiesce. The club stands close to the grassroots, and its officers refused to concur, claiming the AFSA board had exceeded its powers.

Thereupon, the five-member JFSOC board drafted a letter of protest to Macomber, calling AFSA's agreement null and void, and asking that Macomber notify the White House accordingly. On Feb. 3, two members of the JFSOC board delivered the letter to Macomber's secretary, who immediately rushed it to him.

MACOMBER CALLS THEM "TRAITORS"

The two junior foreign service officers (FSO's) were walking down the corridor to take the elevator back to their offices when Macomber came running out of his office. He caught up with them, took them by the arm, and led them back to his office.

There, for 70 minutes, he swore at them, berated them, and called them "traitors" because they had drafted a letter for further communication to the White House. He said they were disloyal to the foreign service, for not solving all differences within its confines.

What transpired during these dramatic 70 minutes presented, in personal terms, the basic issue involved in "organizational loyalty" as contrasted with national loyalty. This was the crux of the Otepka case. The issue is whether the foreign service is answerable, in actual practice, to Congress and the President, or only to its senior members.

After berating the two, Macomber turned on the charm and assured them that any problem they or other officers encountered always could be resolved in a friendly fashion. His door always would be open so there never was any need to go anywhere else in Washington to make a point or present a grievance.

Then Macomber said, I just won't accept your letter. So far as I am concerned, it doesn't exist. I hope, now that you understand the situation, you will pick it up and take it away, and we will forget the whole incident.

The two bullied FSO's picked up the letter and took it away with them. Thus, a formal note to the State Department and the President became a non-event, and ceased to be part of the record.

Macomber, to avoid charges of unfair labor practices by the AFGE, that had not been consulted, sent it a letter written along the same lines as the Feb. 1 letter to Harrop. AFGE, however, received it only on Feb. 3, the day after Macomber had already delivered the AFSA reply to the White House, thus attempting to create a fait accompli.

UNFAIR LABOR PRACTICE CHARGE

On Feb. 4, AFGE replied, and distributed 3,000 copies of its letter at the State Department, Civil Service Commission, USIA and AID. The letter to Macomber declared: "We cannot in good conscience encourage Foreign Service personnel to participate in a system which calls for review of management decisions by the Board of the Foreign Service—a management appointed, management controlled body . . .

"I am sure that you can appreciate our concern over the events of the last four days and why we are therefore requesting our National Headquarters to review the facts for the possible service of a formal unfair labor practice charge against the Department of State."

The letter, on the stationery of the AFGE unit at the State Department, #1534, was signed by John G. Kenney, president of the chapter. While expressing "distress" over the State Department's conduct, it "unequivocally" rejected the proposal.

Macomber wrote JFSOC a similar letter as sent AFGE. The junior foreign service officers in reply reasserted their previous stand. When handed to Macomber, the new letter was accepted this time without any outburst.

Then, on Feb. 8, the American Foreign Service Association held a so-called "'nformational meeting" in the State Department auditorium. The AFSA board told the membership of the events of the past week, leaving out the secret meetings with Macomber on Jan. 30 and 31 and Macomber's tirade against the two FSO's on Feb. 3, when he called them "traitors."

This, of course, was a revealing as well as an upside-down use of the word, treason.

The meeting was chaired by Theodore L. Eliot, Jr., a top management, "old school tie" officer from Boston, who informed the members that no motions would be accepted from the floor and no resolutions passed. Consequently, the meeting was without power, he said, to instruct the board regarding the Feb. 1 agreement with Macomber.

This cavalier position naturally infuriated the rank and file members, as well as many others, who stamped with their feet, and cried, "Fascism . . . shame!" John Ray, of the European bureau, insisted on introducing a resolution instructing the board to withdraw its letter of agreement. Eliot ruled it out of order, whereupon Ray went to the podium to ask for a vote.

Eliot blocked his passage, pushing him away. Ray then eluded Eliot and dashed to the microphone.

The two thereupon wrestled for the microphone while the audience of more than 700 diplomats broke into pandemonium, as if at a boxing match.

Observers recalled nothing in the history of the foreign service approaching this scene in passion and violence. Yet this was an audience only of foreign service officers, all of whom had passed difficult written and oral examinations and had been appointed by the President and confirmed by the Senate, and again whenever promoted. This was of very special significance. Of equal significance was the almost complete failure of the press and the complete failure of the radio-television media to report this important news. Publishers and editors throughout the country might want to inquire of their syndicates why this was not reported.

WHERE FOREIGN POLICY IS MADE

This scene represented a protest of the deepest concern to every American worried about conditions under which foreign policy is made. The protest, by responsible and sober, highly educated experts in their fields is an index to the degree to which the State Department has deteriorated. The present control by Rogers and Macomber simply continues the maneuvers in past administrations to cover up by every possible means the insecure way in which our foreign policy is devised and manipulated. How foreign agents must love it!

The reasons for covering up are evident. Foreign policy today is being made in the State Department by a secret clique whose interests are not tied to the Congress and to the American people, but to similar elements in foundations, universities and large international interests which pursue their own goals without the knowledge and inspection by the President and the Congress.

While these bizarre events were occurring, Macomber asked Rogers to intervene directly at the White House to reverse the findings of the Federal Labor Relations Council. The proposals they now are offering are a so-called compromise that still would exempt the foreign service from the executive order.

The White House, under this Rogers-Macomber pressure, has instructed the Council to study the "compromise," but not to reveal its terms to anyone, not even in Congress. Conesquently, a veil of secrecy has again fallen over the affair.

Simultaneously, Macomber has intensified his campaign to exclude the Civil Service Commission as an appeals body. There would be no Civil Service employes in the State Department. All would be foreign service personnel, even those who never went overseas.

The State Department argues that this operation is legal, not because it was approved by the Congress, but because Congress had heard of it and had not acted adversely. This was an even greater extension of the Rogers doctrine on executive privilege, because it asserts that any department can make law simply by administrative trespass. If the busy Congress does not catch on, or not find the time to react, it would be interpreted as approval.

WHAT LINE IS BEING USED ON NIXON?

Why would a President, such as Nixon, who is concerned about reducing government power, tolerate such an unprecedented and dangerous situation? Unquestionably, he has been told that these powers would be used by Rogers and his henchmen to cleanse the State Department of the unreliables and holdovers.

Even if so, Congress still would have reason for alarm over why it is kept in the dark. But as history repeatedly shows, practically every such move is designed not to clean out the wrongdoers, but to cover over their secrets and prevent their being held to account, while additional questionable personnel are being infiltrated into the organization.

Nobody who has the best interests of the nation at heart opposes a reform of the State Department. But it is clear from the record of the present State Department management that this is not the goal of the "reorganization" and "reform." Under this, a Hiss could become undersecretary of state and in charge of national security. Indeed, this was the trend that already was underway at the time that Hiss held a topmost State Department post.

The new recommendations would accelerate the process.

The unprecedented tumult of Feb. 8 in the State Department's auditorium, therefore, had every reason for breaking out. The issues were not the comparatively minor ones of management-labor relations, but the survival of the nation.

Involved were the right of the people, maintained by Congress, and our capacity as a great power to meet the challengers of the 1970s.

Yes, this could be an election issue!

AGNEW'S SPRING OFFENSIVE

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BOGGS. Mr. Speaker, spring has arrived, and with it, the administration's spring offensive. Democrats can expect a new barrage of Republican propaganda as we move down the road.

The terrain ahead was mapped out in a column by Messrs. Rowland Evans and Robert Novak in this morning's Washington Post. I am inserting it in the RECORD and calling it to the attention of my colleagues:

[From the Washington Post, March 25, 1971]

AGNEW'S SPRING OFFENSIVE

The gripping fact of Vice President Agnew's spring offensive against the communications media in last week's Boston speech is that the shift came without direction from or even significant consultation with the White House.

The attack on CBS, a potentially fateful change in strategy, was strictly the product of the Vice President's office—written by staffers Vic Gold and Herb Thompson with finishing flourishes supplied by Agnew himself. The Vice President consulted one White House aide close to him, who suggested Agnew had nothing more to gain politically from this line. But the speech was not distributed in advance to the senior White House staff or to President Nixon.

What makes this remarkable is that the Boston speech flagrantly violated advice to Agnew from Mr. Nixon's political advisers after the 1970 election: Get your head down; be constructive; talk about Nixon progressive legislation, such as health care and revenue sharing; lay off the strong stuff. Implicit in the advice was a warning that Agnew cannot be on the 1972 ticket unless he rehabilitates himself.

Nobody is more aware of this than Ted Agnew, who has spent hours since the 1970 election brooding whether he would help or hurt Mr. Nixon in 1972. Why, then, make a speech in Boston that the President's political men privately agree only stirs up Agnew-haters in the Republican Party?

The answer stems partly from rising fear inside Agnew's office, present ever since the White House suggested he change course, that hawking progressive legislation would undercut him with his conservative constituency. Indeed, letters and telephone calls have been asking whether the Vice President has been muzzled.

Moreover, the transformation of Agnew into a blandly constructive do-gooder is not quite working. His speechmaking for revenue sharing gets little publicity and scarcely placates old enemies Private national polling by Oliver Quayle shows Agnew's 51 per cent favorable job rating, steady for months, declined to 49 per cent during February.

Those who know Agnew best, however, divine less practical factors. After Monday's congressional leadership meeting at the White House, Agnew's first appearance there since the Boston speech, one presidential aide whispered to another: "The Vice President is happy again. He's doing what he loves."

Besides making him happy, the Boston speech satisfied Agnew's need to reassert his independence. He takes orders from Richard Nixon but nobody else at the White House. Since the President has not flatly instructed Agnew to ignore the media (which would be out of character with Mr. Nixon's indirect methods), Agnew feels utterly untethered.

But the overriding point lies in the fact that Agnew has become an ideologue regarding the media. He believes deeply that television coverage distorts the war and disturbs the country and says so to top administration officials. When it comes to blasting the networks, he would rather be right than vice president.

All this emphasizes a key fact: Agnew is no conventional politician. His Boston trip was a golden opportunity to mend fences with the liberal Massachusetts Republican Party, which in its bankrupt state was drooling over the prospect of Agnew hosting a $1,000-a-head fund-raising cocktail party. Grumbling about Gov. Francis Sargent's criticism that his revenue-sharing salesmanship hurt the cause, Agnew refused. A personal appeal from Sen. Edward Brooke, who maintains more amicable White House relations than Sargent, was no help. In Boston, Sargent's efforts to be nice to Agnew were met by icy disdain.

Agnew has been able to get away with treating Republican governors so cavalierly for one reason: his big conservative constituency. But public criticism by party moderates is intensifying. Hugh Scott of Pennsylvania, Senate Republican leader, in a recent interview with the Newhouse Newspapers made clear that Agnew's place on the 1972 ticket depends on a "face lift," the Vice President sticking "to the achievements of the administration and his part in it."

Privately, key figures in this administration agree. The way the Nixon White House operates, a word of over criticism for the CBS speech is unlikely. Those who advise the President are watching intently to see whether and how often Agnew's Boston performance will be repeated.

BYELORUSSIAN INDEPENDENCE

HON. JAMES L. BUCKLEY

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Thursday, March 25, 1971

Mr. BUCKLEY. Mr. President, today, March 25, 1971, marks the 53d anniversary of the declaration of national independence by the Byelorussian people. The Byelorussian people's struggle for independence resulted in a number of difficult wars from the 13th to the 18th century. The struggle was successful for a long period until the late 1700's when the Russians conquered the Byelorussian lands. During this time of Russian occupation the people were forced to endure economic, political, and social repression.

The will toward freedom cannot be so easily suppressed. Anti-Russian uprisings occurred during the 19th century and, in December 1917, the All-Byelorussian Congress was called and proclaimed the Byelorussian Democratic Republic, March 25, 1918.

Independence was short-lived; Russia invaded the Byelorussian lands and again subjected the people to its rule. As in the past, there were uprisings but to no avail. Today the Russians attempt to present to the world an image of freedom in Byelorussia but we recognize this for what it really is—merely a facade.

TRADE POLICY

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HARRINGTON. Mr. Speaker, one of the recurring misfortunes of the Nixon years has been the on and off quality of presidential leadership.

Now the Nixon alternating current has been unhappily applied to our international trade.

And he has made a mess of it.

On the one hand, the President's refusal last year to support protective legislation killed the House approved trade bill.

On the other hand, the President's insistence this year on protective action over and beyond the recommendations of Ways and Means Chairman WILBUR MILLS suggests the very strong likelihood that no new trade bill will be passed.

As a result, the country will probably get neither 1970's protective tariffs nor the broadening trade reforms which would have been possible in 1971.

We are left with a big zero.

The shoe and textile industries, both of which need Government assistance to alleviate the pockets of great disruption caused by imports, do not have the bilateral agreements or the import quotas which could restrict imports.

Nor do they have the expanded means of obtaining prompt adjustment assistance which could have been and would have been part of any trade bill passed by Congress.

That is not all.

The President has lost his statutory authority to lower tariffs. It expired in 1967. Without that authority, the President's international trade bargaining power is severely curtailed. But without a trade bill, that authority will not be renewed.

The prospects of introducing needed measures to protect domestic manufacturers from dumping and other unfair international trade practices also must be regarded as minimal in 1971 since they too belong with a general trade bill.

It is a disappointing picture.

The country is left in the grip of a trade bill passed nearly a decade ago to meet needs of a previous time. That the Trade Act of 1962 does not fit the economic realities of today is no small wonder. That it did not foresee how adjustment assistance must be enlarged and made easier to obtain is not a fault of 1962 when the bill was passed, but a fault of 1971 when the country's trade leadership is confused and self-defeating.

Regrettably the indecisive pattern which characterizes the administration's leadership on the trade bill is repeated in the decisions made by the administration for the shoe industry, a matter of particular concern to me since my district has a concentration of shoe manufacturers.

Nearly 2 years ago on June 12, 1969, a congressional petition went to the President calling attention to the threat of shoe imports to the domestic industry. The President promised to look into the problems.

It took the President until September 1969 to order an industry investigation by a special task force representing various Federal agencies.

But even more distressing, it was not until June of 1970 that the President released the task force report and acted upon its recommendations.

At that time, the President said he would initiate an escape clause investigation of the shoe industry. That was June 24. It was almost a month later that the President's request was delivered to the Tariff Commission a few blocks away.

Within the statutory limit of 6 months, the Tariff Commission completed its investigation and issued a split decision. That was on January 15. The President has still not acted to break that deadlocked vote and it is now the middle of March. He is, I believe, hiding behind a legal technicality to avoid the 60-day statutory limit for Presidential action. This despite the fact that he has at his command the resources of a task force, his own in-house economic council, and a wealth of background information developed by the Tariff Commission.

Surely one has to conclude that the President's indecisive, alternating current attitude has to be ascribed to greater interest in political manipulation than concern for the workers and manufacturers of the shoe industry. Else he would have acted.

And my criticism does not stop there.

When the President last June 24 announced his plans for Government assistance to areas of economic distress resulting from shoe imports, he called for a variety of programs within different Federal agencies to help the shoe industry and to coordinate relief for impacted communities.

But the words, which once again were full of glitter, have not been translated into effective programs which could benefit the distressed manufacturers or the unemployed workers.

The President on June 24 called for special footwear programs within the existing manpower retraining and development legislation. Nothing has happened.

The President on June 24 asked EDA to develop programs to attract other industries to communities heavily dependent on shoe production. But EDA has not proposed any new criteria designed specifically to aid the impacted areas. The standard EDA measurement of "abrupt rise" in unemployment over a large population base is being used as a yardstick. While 150 counties across the Nation have been reviewed as being substantially dependent upon shoe employment, only 15 counties—none in Massachusetts—are being listed as areas which might qualify for special EDA attention. And none of these have yet qualified, even though unemployment is endemic in the shoe industry and more than 40 plants have closed in the last year and a half. EDA's program obviously is a paper program.

The President also said on June 24 that EDA should give special consideration to requests for financing necessary public services and to make direct loans to new businesses in impacted areas. Nothing has happened.

The President said the Department of Transportation should provide, upon request, financial assistance in helping with commuter facilities to improve transportation between areas of substantial unemployment and neighboring areas where job opportunities exist. Nothing has happened.

The President said the Secretary of Commerce would undertake consultations with the footwear industry to develop any further measures of assistance found to be necessary. Two meetings have been held, but no recommendations or action have resulted.

In general, the President suggested utilizing the enormous resources of the various agencies in a coordinated program to help affected shoe areas. And this has not happened.

And so the Nation does indeed face a discouraging picture.

The alternating current of President Nixon's leadership has started and stopped virtually every constructive effort to solve the trade problems in both the textile and the shoe industries.

I do not think the country can afford to stand by without a new trade bill and with continued reliance on expired authority and outdated statutes.

But it will take a more sustained and direct current from the White House than has yet been evident in order to deal maturely, wisely and effectively with the problems of our international trade. Let us hope Mr. Nixon turns on soon.

PRESIDENT NIXON PROPOSES AN ALLIANCE OF GENERATIONS

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. ARENDS. Mr. Speaker, when President Nixon spoke at the University of Nebraska in January, he talked of forging an "alliance of generations" which would help close the gaps in our society between rich and poor, black and white, blue collar and white, young and old by bringing them together in a common assault on our national problems.

Today, he has submitted for our consideration a plan to do just that. It is a blueprint for a national volunteer agency. But it could well be the charter for a new moral resurgence in our society.

It is time we resurrected our national purpose and redefined what it is to be an American. We are not a people to sit idly by while our collective destiny is under challenge. This is not the time to smother our natural impulse to get on with the job to be done. Mr. Nixon's proposal gives us the tools. We must see to it they are put into the hands of those who will use them.

LET AMERICANS BE HEARD IN BEHALF OF THE POW'S

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. KUYKENDALL. Mr. Speaker, the National Week of Concern for American Prisoners of War/Missing in Action is set aside as a time for all of us, all over America, to remember those hundreds of American men held prisoner in North Vietnamese prisons, and the hundreds more women and children who do not know when, or if, their husbands, fathers, and sons are coming home.

Every week is such a week of concern to me, and I know to every Member of this House. The focus of this special week is not so much a reminder to ourselves, than as it is an effort to bring world attention to the plight of these men and loved ones, in the hope that the People's Democratic Republic of Vietnam is listening and watching, and that the message will come through to them, loud and clear. Only through such efforts can we have any expectation of getting our message across, and having it heard.

Mr. Speaker, I can personally attest to the suffering that is brought about by not knowing. It was many years after the close of World War II before my mother finally accepted the fact that my brother was not coming home. I can think of no more heartless, coldblooded action on the part of our foes than the deliberate prolonging of this kind of misery. It is not enough to say that it is a violation of the terms of the Geneva Convention, to which the People's Democratic Republic of Vietnam was a signatory. It is a violation of every tenet of decency known to the human race—of which the leaders of the People's Democratic Republic of Vietnam are members.

Yes, we must continue to negotiate for the release of these men, and yes, all of us know that the Geneva Convention says nothing about them being released before the end of hostilities. But let us not lose sight of their plight as we wrangle among ourselves about the rightness or the wrongness of the Vietnam war. This is too close a parallel to the auto driver who had the right-of-way, but is just as dead as if he had run the stop sign.

CONCERN FOR POW'S AND MIA'S

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. HÉBERT. Mr. Speaker, during this week of national concern for American prisoners of war and those missing in action in Southeast Asia, I am pleased to see that Reader's Digest has published another article about the plight of these men.

It was on March 26, 1964 that the first U.S. military man was captured by the Vietcong. Seven years have passed since then, and hundreds of our men continue to languish in Communist prison cells.

Perhaps we will never know what it is really like to be a prisoner of war under the conditions imposed upon our men for long years. But the Digest article, "Inside the Prisons of Hanoi," provides chilling insight. The reader cannot escape the oppression of the barren cells, the unsavory odors, the sounds of prison life, the boredom and monotony of isolation, the taste of the unpalatable food. As he reads, he will ache with the discomfort of the concrete and wood bunks, shiver with cold under the thin blankets. The story puts each of us inside these cells. And it is not a pleasant experience.

Nevertheless, the unpleasantness is something we need to be reminded of constantly until these men are set free.

There has been a great deal of loose talk to the effect that prisoners of war have never been guaranteed their freedom until a war is over. This assertion was made again just a few days ago.

Yet, article 109 of the Geneva Convention makes it mandatory for countries engaged in a conflict—regardless of whether it is a declared war—to repatriate the sick and wounded. And the Convention also prescribes procedures for the repatriation or internment in a neutral country of those who have been confined for long periods of time.

The Digest article makes a special appeal for these two groups.

We know that many of our men who are held by the Communists are in ill health and that many have suffered serious injury. There can be no excuse for the fact that they have not been repatriated. We know that many others have been held captive for 4, 5, 6, and even 7 years. Obviously, their future health can only be jeopardized by continued confinement. They, too, should either be sent home or transferred to a neutral country where they would at least have a fighting chance for recovery.

The Digest appeals to the public to urge such action, through the American Red Cross. I hope all Louisianans and millions of other citizens throughout the land will read this article and respond to the appeal.

And, too, we must not forget that there are other provisions of the Geneva Convention that continue to be ignored by the other side. All of the POW camps maintained by North Vietnam, the Pathet Lao, the Vietcong and the Communist forces in Cambodia should be opened to neutral inspection, all of the prisoners should be properly and officially identified, and all of the men should be allowed full communication with their families.

These are not demands that have to await the resolution of a conflict. They are procedures demanded by the Geneva Convention.

Some people have a tendency to forget—or else deliberately push out of sight—the fact that only 339 of the 780 men missing in North Vietnam, and less than 100 of the 828 others missing on this side of Hanoi's borders, have been identified as prisoners. And none through channels established by the Geneva Convention.

The nations of the world who signed the Convention should insist that North Vietnam abide by these basic humanitarian rules.

We all owe a debt of thanks to Reader's Digest for constantly reminding us that much remains to be done to help these unfortunate men and their families. I believe this is at least the fourth or fifth time this great American publication has publicized the prisoner issue.

And I should note, too, that the Digest could not have picked a better writer to tell the story of life "Inside The Prisons of Hanoi" than the author of this article, Mr. Louis Stockstill.

Lou Stockstill is well known to many of the senior Members of both the House and the Senate. He spent many years here on Capitol Hill, as a newsman covering congressional activities affecting the Armed Forces. And during that period, he earned an outstanding reputation as a fair-minded, objective and thoroughly honest reporter.

A Defense Department spokesman testifying before the Armed Services Committee last year commented that Mr. Stockstill "knows more about the prisoner problem than perhaps many of us in the Government." The truth of that statement is evident in the depth of understanding that permeates his article in the April issue of Reader's Digest.

I commend the article to all of my colleagues and ask that it be printed in the RECORD at this point. The article follows:

INSIDE THE PRISONS OF HANOI

(By Louis R. Stockstill)

The truck lurches forward with thrashing gears. On the rough truck bed, an American lies on his back, blindfolded, hands and feet bound. He is jolted by each bump, jarred by thrusts of pain. Hearing clattering street noises and strident automobile horns, he knows they have entered Hanoi. Soon he will be prodded to his feet and led into one of North Vietnam's dread prisoner-of-war camps.

For almost two months, since his capture, the American has been herded from village to village. He is rarely fed. His captors double-time him, on foot, moving steadily northward. In each village, they tether or cage him like an animal so that villagers can file past to strike him or urinate on his body. He is constantly hungry; his weight drops steadily, and nausea and fever plague him.

Eventually, his captors transfer him to a small hut with 12 bamboo cages, force him onto his stomach, thrust his feet into wooden stocks and tie his arms behind his back with wet rope. For 29 days they keep him in this position, freeing him only long enough to gobble a daily bowl of rice and to relieve himself. His face is obscured by a scraggly beard, his eyes burn from sunken sockets. Then he is told that he is to be moved to Hanoi.

Now, three days later, a truck deposits him at the looming triangular mass of the "Hanoi Hilton," an old French penitentiary covering approximately a city block and surrounded by glass-studded concrete walls Within, two separate sections are reserved exclusively for U.S. prisoners-of-war. As in other POW camps in North Vietnam,[1] its tiny cells are cement-walled and heavily barred; bunks are either cement slabs or rough boards stretched across sawhorses. The only other furnishing is a toilet bucket. Terrazzo-like floors slope away from a central corridor toward open drains where rats enter and leave. Doors are thick teak, with peepholes.

NIGHT WATCH

The misery and demoralization that American POWs experience in this subhuman environment can best be understood by looking at a typical prison day. Above the prisoner's hard, narrow bunk, with its paper-thin straw mat, a bare light bulb burns day and night. On the bunk he tosses and frets, searching vainly for a comfortable position for his caloused hips and thighs, relief for his pain-ridden body. He sleeps little, thinking daylight will never come, that the hated light bulb will never fade. There is no clock; the hours drag on.

Now it is winter, bringing the cold he detests and fears most. He had wadded a mosquito net around his frigid feet, wrapped one of his two flimsy blankets around the net, and covered his legs and torso as best he can with the other. He still wears his coarse pajama-like shirt and trousers. But the cold penetrates everything, numbing and taunting him. His empty stomach rumbles, and now he is shaking convulsively, uncontrollably.

He will have to get up. He swings his stiffened legs to the floor, stands with great effort, slaps at his skinny legs, wasted backside and bony chest. The flesh feels dead. Sometimes he hears the muffled movements of another prisoner also fighting the cold. In a nearby cell a man cries out, "Oh, God. Oh, God!" He repeats the words to himself, only vaguely aware that the cry has nudged him into prayer.

How many hundreds of nights like this has he endured? He can no longer remember.

GONGS AND JUDAS HOLES

Finally daylight comes, and he watches the gray light filter slowly through the exposed portion of the small window far up the wall of his cell. He waits. He listens. He has learned to segment the days into sounds. The first one, at 5:30 a.m., is the harsh, reverberating jangle of the "gong," a metal ring periodically assaulted by a metal rod. It echoes and reechoes. And as it fades, he strains to hear the bolt being withdrawn on a distant door. He knows the guard is starting along the cells, slapping open the "Judas Hole" in each door to make certain the man inside is on his feet. Stiffly, the prisoner rises and begins to fold his "bedding." The sounds of the opening and closing of the peepholes come steadily closer until the guard peers into his own cell and passes on.

A loudspeaker over the door squawks to life. The voice of Hanoi Hannah enters his cell, seeking to "re-educate" him about the war. She tells him that the United States is suffering disastrous defeat, and that the

Footnotes at end of article.

American people couldn't care less. She frequently quotes American critics of the war. Her flow of bad "news" is salted with reports on riots and racial problems in the States. The half-hour monologue drones on like a funeral dirge. Then the loudspeaker dies. But he knows Hannah will be back in the evening with more cheerless news. She visits him twice a day, every day.

Now he hears the guard taking one of the men outside to empty his toilet bucket; the man is then returned and locked back up. He listens to a repetition of the same sounds, slowly passing from cell to cell. Soon, he too is taken out to the cesspool and then brought back to await the next event. If it is a washday, he will be allowed to wash. For him, this is the week's highlight. But he must await his turn. Precautions are always taken to prevent him from seeing or talking with other prisoners.

He is taken into one of several cubicles, each with a small tub of icy water. The guard locks the door. In the five minutes allotted him, he quickly strips, braces himself and begins sloshing the freezing water onto his body. If there is soap, he lathers and scrubs his skin. But, he must rinse thoroughly, for he knows that any trace of the abrasive, lye-like soap will produce a painful rash. He dresses rapidly and rinses his other suit of "pajamas." The guard returns and marches him back to his cell, allowing him to hang his laundry alongside the dripping clothing of other prisoners.

It is almost noon, time to be fed. He never thinks of the bread and watery soup as food. But he relishes the thought of having something—anything—in his stomach.

As the food is dispensed, each cell door is unlocked and locked in the familiar pattern. When the guard opens the door, the prisoner reaches down for the bowl and bread placed on the threshold. Anything he is given is placed on the floor so that he must always bend down in front of his captor. In appearance, if not in spirit, he must always display humility. (He wryly remembers the staggering blow from the rifle butt when he once, "disrespectfully," crossed his legs in the presence of an interrogating officer.) As he rises with the food, he must come to attention. And so he stands as the guard shuts the door.

Then he eats, forcing himself to chew the bread with great care, watchful for the small stones sometimes embedded in the dough. He has disciplined himself to eat every crumb, every drop. With the last of the bread, he mops the bowl.

He waits again. Soon another "gong" sounds, instructing him to lie down. The room is still cold, but his shrunken stomach is temporarily pacified. Now, more often than not, he is finally able to doze. But the fitful sleep ends abruptly, torn apart by another gong. It is two o'clock. For the next seven hours he can only pace or sit. He is not permitted to lie on his bunk again until 9 p.m. Periodically, unexpectedly, a guard slams open the Judas Hole to check.

BODY AND SOUL

As the prisoner paces, he gropes for something to occupy his thoughts. He has recited the names of the states forward and backward, the names of all the U.S. Presidents he can remember. He has built boats and houses in his mind, gone on imaginary walking tours, retraced most of the memorable events of his life, the plots of books and movies. But the monotony of these efforts has made it increasingly difficult to concentrate. His thoughts skitter away to questions he would prefer to avoid, to a maze of anxieties.

He thinks about the war. Can Hanoi Hannah be right? Has America given in to defeatist views? If so, what will happen to him? He worries about his health. He is half-starved, ridden with tiny things that crawl in his stomach. He has grown steadily weaker.

The question he dreads most, and that now recurs with frightening frequency, is: *Can I last?* And what about my family? Will my wife wait forever? Is she well? Will the children remember me? How do they manage without a father? Sadness overwhelms him.

Occasionally he gets a letter, but this is a recent development. And the six-line note that is permitted can never answer the hundreds of questions that roam his mind. Still, other prisoners have received nothing, so he must be considered fortunate.

At 4:30 he is fed the same food he received earlier, the same that he will also get twice tomorrow, and the next day and the next. There is no meat, nothing green, nothing sweet—always the same tasteless soup and bread. After this second feeding, he will wait 18 hours to be fed again.

It is dark now, and at 8:30 Hanoi Hannah is back. She stays until 9, and as the loudspeaker clicks off, the last "gong" rings out. He must crawl back onto his bunk to face the cold, and his lonely thoughts, until morning. He pleads with his body and soul for strength to survive yet another night under the light bulb.

SHATTERED RULES

How long this man and his fellow captives can last is anyone's guess. But their lives are more gravely threatened with each passing day. Some of the POWs have already died.[2] Others face almost certain death unless their treatment is drastically improved. One careful study of available information, compiled by Lt. Col. Joseph R. Cataldo, a doctor with the Green Berets, indicates that the POWs not only are severely malnourished, but that 80 percent have skin diseases, at least half suffer from intestinal worms, a quarter may have active tuberculosis, and many are afflicted with serious vitamin deficiencies, mental disorientation and muscular wastage.

Hanoi also has weakened men by systematic torture. Prisoners have been denied food or water for long periods, suspended from ceilings by their arms, burned with cigarettes, clubbed with rifle butts and physically beaten. In numerous cases, their captors have refused them adequate medical care, and have neglected to attend to major injuries.

Small wonder, then, that North Vietnam forbids inspection of the camps by the International Red Cross—in direct violation of the Geneva Conventions. Instead, "showcase" prisoners are paraded in propaganda films. When anti-war groups or friendly foreign journalists are selected to talk with or film small groups of prisoners, only the healthiest men, barbered and freshly clothed, are trotted into public view to parrot carefully rehearsed information. What the public never sees are the hidden cells, the men on crutches, those who can walk only with the aid of another prisoner, those with deformities, the badly emaciated, the sick in bed.

The Geneva Conventions require repatriation of the sick and wounded, as well as the release or transfer to a neutral nation of men whose long confinement jeopardizes their health. Yet Hanoi, which is a signatory to the Conventions, has ignored these rules as they apply to the 781 captured and missing in North Vietnam. And the enemy has made no effort to persuade the Vietcong and communist forces in South Vietnam and Laos even to identify the almost 800 other Americans captured or missing in these areas.

For the prisoners, meanwhile, years pile on lonely years. The first men captured are nearing their seventh year in captivity. More than 300 others soon face their fourth, fifth and sixth anniversaries in enemy hands.

Unless help is forthcoming, these men will continue to rot and die.

FOOTNOTES

[1] There are two other prisons within the city, one called the "Zoo," the other the "Country Club." If there are others—and there probably are—the U.S. government, to safeguard security, cannot talk about them.

[2] North Vietnam has told U.S. anti-war groups and Senators that 23 prisoners have died. But the lists cannot be regarded as completely accurate: all of the deaths were reported long after they supposedly occurred, and after a number of the men had been held captive up to five years.

Here at home, private citizens and concerned organizations are reacting with growing impatience to North Vietnam's inhumane treatment of our prisoners. Public denouncements, mounting press attention, resolutions in the U.S. Congress and the United Nations, letter-writing campaigns and many similar efforts are beginning to have an effect. There is evidence that Hanoi is smarting under the attack.

In the past year North Vietnam's leaders have tried to muffle criticism by easing a few of the harsh restrictions imposed on the prisoners. Hanoi has, for example, permitted an increase in mail between some of the men and their families, authorized more packages for the captives, boosted the weight-limitation on Christmas parcels and permitted families to mail previously forbidden items such as small games, medicines and vitamins.

But conditions are still deplorable. You can show your concern over Hanoi's treatment of our prisoners-of-war by signing the statement below (adding a personal message if you wish) and sending it at once to: "Help Our POWs," American Red Cross, P.O. Box 1600, Washington, D.C. 20013. The Red Cross will tabulate the responses and see that your message gets to the government of North Vietnam. Millions of protests from indignant Americans cannot fail to have impact, even in Hanoi. Don't wait. Sign and mail your letter right now, then call a friend and ask him or her to do the same. The one hope these prisoners have is that their fellow Americans will not forget them.

WE WANT PROOF, NOT PROPAGANDA

President TON DUC THANG,
Democratic Republic of Vietnam, Hanoi, c/o American Red Cross, "Help Our POWs," Box 1600, Washington, D.C. 20013.

MR. PRESIDENT: You have claimed repeatedly that American citizens held in your "detention camps" are being treated humanely. But you offer no proof of this. Except under the most restricted circumstances, you will not even allow foreign observers to enter these camps.

Proof of your sincerity would be the immediate repatriation of all sick and wounded captives and the release (or transfer to some neutral nation) of all prisoners whose health has been jeopardized by long confinement. By doing so, you could perhaps end some of the uncertainty and dismay your policies have created throughout the community of nations. I join with millions the world over in urging you to take these steps.

Name and Address

If you wish up to ten more of these coupon letters for friends and family, contact your local Red Cross chapter or write to Reprint Editor (POW), The Reader's Digest, Pleasantville, N.Y. 10570.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 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?

HEW SHOULD ASCERTAIN IF LAETRILE IS EFFECTIVE FOR TREATMENT OF CANCER

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. FOUNTAIN. Mr. Speaker, in testimony on June 9, 1970, before the Intergovernmental Relations Subcommittee, of which I am chairman, the Commissioner of Food and Drugs stated that the McNaughton Foundation of California was not given an investigational use exemption—IND—to conduct clinical tests with the drug Laetrile—amygdalin—for the treatment of cancer patients because of serious deficiencies in the sponsor's application. Although there have been numerous meetings between representatives of FDA and the McNaughton Foundation during the past 9 months, the status of this drug remains unchanged: It cannot legally be sold in the United States, and no physician is authorized to investigate in cancer patients whether or not Laetrile is of value.

Mr. Speaker, I have no basis for judging whether or not this drug is safe and effective for the treatment of cancer, nor do I know if the McNaughton Foundation has provided FDA with adequate data to warrant clinical testing with Laetrile.

I do know, however, that a great many Americans believe that they, or members of their families, have been helped by Laetrile treatments obtained in Mexico or elsewhere. I know this from letters sent me from all parts of the country and from the numerous inquiries I have received from Members of both Houses of the Congress.

For the information of my colleagues who are concerned with this matter, I am including with my remarks a letter which I have sent to Health, Education, and Welfare Secretary Elliot L. Richardson. In that letter I have urged Secretary Richardson to arrange for an impartial review and evaluation by cancer experts of the patient records for the approximately 1,000 cases in which the McNaughton Foundation claims Laetrile has already been used successfully in the treatment of cancer. I have also proposed that the National Cancer Institute perform further animal tests with Laetrile, inasmuch as this drug apparently has shown some activity in the tests sponsored by the McNaughton Foundation.

An immediate and objective evaluation of the recent clinical experience with Laetrile, particularly in Mexico and Germany, is imperative in my judgment both to give the American people the facts about this drug and to strengthen public confidence in our Government. Unfortunately, the Food and Drug Administration's handling of this matter, as my letter to Secretary Richardson indicates, has created the impression in some quarters that our Government is party to a conspiracy to suppress an effective and inexpensive anticancer drug.

Mr. Speaker, the responsibility is clearly the Department of Health, Education, and Welfare's to resolve whether or not Laetrile has any value in the treatment of cancer and to make the facts available to the American people.

The material follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 16, 1971.

Hon. ELLIOT L. RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: The President has requested 100 million in special cancer research funds for fiscal year 1972, in addition to a larger regular appropriation for the National Center Institute. A study group sponsored by a Senate Committee has proposed spending many times that amount.

Unquestionably, the America people would support expenditures of any magnitude if such expenditures offered promise of a cure or prevention for cancer. The sad truth is that over a period of years the Federal Government has spent vast sums on cancer research and the results of this effort have been rather meager.

It is with this perspective that I strongly urge your Department to make an objective evaluation of the demonstrated efficacy claimed for and the potential of the drug Laetrile (Amygdalin) as an anti-cancer agent. The use of this drug for cancer therapy has been banned in the United States for a number of years.

I and many other Members of Congress have received a large volume of mail from individuals who claim they or members of their families have benefited from Laetrile treatments, and from people who believe the Government is party to a conspiracy to suppress an inexpensive, non-toxic, and effective anti-cancer drug. Whatever the merits of these claims, public confidence in our Government has not been strengthened by the highly unusual actions of the FDA in first advising the sponsor of IND 6734 on April 20, 1970 that clinical studies with Laetrile could be initiated, and then terminating this authorization on April 28, 1970. Copies of these FDA letters are enclosed.

According to the McNaughton Foundation of California, the sponsor of IND 6734, Laetrile (Amygdalin) has already been used successfully in the treatment of cancer by 10 physicians and cancer researchers in approximately 1000 cases. The McNaughton Foundation states that the most recent clinical work with Laetrile has been done by Dr. Ernesto Contreras in Mexico, and Dr. Hans A. Nieper in Hanover, Germany.

In view of this background and the deeply held conviction of a large number of Americans that they are being forced by their Government to leave the country in order to obtain therapy with a drug that is both safe and effective for the control of cancer, I believe it imperative that HEW take immediate steps to review the clinical records of patients by Doctors Contreras and Nieper. This review should be done by cancer experts who have no conflicting interests and who are able to evaluate the evidence objectively. There is precedent for a retrospective study of patient histories in the evaluation of Krebiozen cases some years ago under the auspices of the National Institute of Health. The cost of such a study would be relatively small. Also, the Food and Drug Administration has the organization and the experience in gathering of patient case history records to assist in this undertaking.

In addition, there would appear to be merit in the National Cancer Institute's performing further animal tests with Laetrile. I note that in writing to Congressman Edwin W. Edwards on January 26, 1971, Dr. Carl G. Baker Director of the National Cancer Institute, stated that the preclinical data provided by the McNaughton Foundation does indicate some activity for Laetrile in animal tumor systems. While I understand that the Cancer Institute at one time did conduct studies with Amygdalin in a small number of tumor-bearing mice, it is alleged by Dr. Dean Burk of the Cancer Institute that these animals were tested at inadequate concentrations of a drug of questionable orgin and chemical authenticity. In the light of the tremendous sums of money that have been spent with relatively little productivity in the Cancer Chemotherapy Program, I find it very surprising that the Cancer Institute has not sought on its own initiative to do further animal testing with this drug which apparently has shown some activity in the tests sponsored by the McNaughton Foundation.

It should be clearly understood that I am not endorsing Laetrile (Amygdalin), since I have no basis for judging whether or not it is safe and effective for the treatment of cancer. However, the public has a right to know if any of the therapeutic claims made for this drug are justified. I am sure you are fully aware of the anguish and desperation experienced by those persons who are given no hope for the cure of cancer through conventional means, and the great temptation for them to try unorthodox remedies which are said to be non-toxic. In the fight against cancer we surely cannot afford to ignore any leads, whatever their source.

Your Department can render an important public service by arranging for a thorough investigation of the recent clinical experience with Laetrile. I hope you will agree with me that an appropriate study should be initiated without delay.

Sincerely,

L. H. FOUNTAIN,
Chairman, Intergovernmental Relations Subcommittee.

APRIL 20, 1970.

Attention: Andrew R. L. McNaughton.

GENTLEMEN: We acknowledge receipt of your Notice of Claimed Investigational Exemption for a New Drug submitted pursuant to section 505(1) of the Federal Food, Drug, and Cosmetic Act for the following:

Sponsor: The McNaughton Foundation of California.

Name of Drug: Amygdalin.

Date of Notice: Undated (Cover letter dated April 6, 1970).

Date of Receipt: April 7, 1970.

Please identify all future communications concerning this Notice with the IND number shown above.

All submissions should be forwarded in triplicate.

As sponsor of the clinical study proposed in this exemption, you are now free to obtain supplies of the investigational drug and to initiate clinical studies. If deficiencies are found during our review of the information you have furnished, you will be notified and invited to make corrections.

The use of the assigned IND number may assist you in obtaining shipment of the drug from your supplier or in clearing import shipments through U.S. customs.

The interstate distribution of this drug for investigational use is subject to all of the applicable provisions of the Act and regulations. This includes the immediate reporting of any alarming reaction in either animal or human studies and submission of progress reports at intervals not to exceed

one year. A copy of the Investigational Drug Regulations is enclosed for your information.

Sincerely yours,

EARL L. MEYERS, Ph.D.,
Director, Division of Oncology and Radiopharmaceuticals, Office of New Drugs, Bureau of Drugs.

APRIL 28, 1970.

Attention: Andrew R. L. McNaughton.

GENTLEMEN: Reference is made to your Notice of Claimed Investigational Exemption for a New Drug submitted pursuant to section 505(i) of the Federal Food, Drug, and Cosmetic Act of Amygdalin, IND 6734, and our telegram of April 27, 1970, requesting immediate cessation of all clinical investigations.

The Notice has been reviewed and I find that under parts 130.3(d) (1), (2), (3), (6), and (9) of the New Drug Regulations, it fails to contain sufficient data to support a conclusion that it is reasonably safe to continue the clinical investigations with the drug.

The following deficiencies in your Notice are presented for your consideration:

Your Notice fails to contain complete information on the methods, facilities, and controls used for the production of the new drug substance and for the processing of the final dosage form to establish and maintain appropriate standards of identity, strength, quality, and purity as needed for safety and to give significance to clinical investigations made with the drug.

In particular, the manufacturing controls are unsatisfactory because:

(1) The method of preparation of the new drug substance fails to describe the oil extraction process of the apricot kernels in appropriate detail.

(2) The final dosage form, in lyophilized form, does not have a melting point specification or any stability studies to indicate the stability of the lyophilized or reconstituted material.

The preclinical data are unsatisfactory because:

(1) The "Notice" fails to establish whether the same formulation to be employed clinically was also employed in the preclinical studies by Bio-Research.

(2) In order to evaluate the six month dog study we must have an indication as to what chronic human dosage is intended.

(3) We recommend that coagulation studies be performed in animals receiving amygdalin at high dosages.

(4) Documentation of the enzymatic mode of antitumor action should be submitted. Unless such documentation is received, references to this suggested mechanism of action should be removed from the informational brochure.

(5) It is recommended that valid evidence of *in vivo* antineoplastic effect be presented. Reference alluding to such an effect in the Walker 256 system should be removed from the informational brochure. All data received from Scind Laboratories concerning tumor screening must be omitted.

(6) The informational brochure should contain a standard pregnancy warning, stating that the drug not be used in women who are or may become pregnant unless possible benefits outweigh potential risks.

(7) There should be full disclosure of the reported two month toxicity studies in mice and metabolic fate of amygdalin in man said to be in reports held by Dr. Dean Burk.

Our medical review has disclosed the following deficiencies:

(1) Your clinical protocol fails to inform on the physical locations of and facilities available for the proposed clinical investigations, as well as on any institutional preclearance where applicable.

(2) You should furnish all the data on the "Metabolic Fate of Amygdalin in Man" report by Dr. Dean Burk, briefly mentioned under Section 7, page 385.

(3) Past clinical experiences with Amygdalin are presented in the form of published references. In our opinion, these references do not constitute a valid scientific basis for the Phase-III type of investigations you propose for antineoplastic "efficacy evaluation" on an unspecified number of patients and for an undetermined duration.

(4) Also, it appears that these references have reported such "pharmacological" responses as "palliative," "analgesic," "sedative" and "anti-tussive" actions. Since these actions may play a significant but confusing role in the evaluation of antitumor treatment results, we believe that these poorly characterized "symptomatic" properties should be scientifically assessed via an acceptably designed Phase-I study (Clinical pharmacology) *prior* to any antitumor efficacy investigation (Phase II–III). As you are aware, the findings of a full and comprehensive clinic pharmacological appreciation (Phase–I) of a new substance constitute, an indispensable prerequisite in determining the safety and/or relevance of further clinical investigations.

The above listed deficiencies constitute the basis for our action communicated to you in our April 27, 1970, telegram, requesting immediate cessation of clinical investigations proposed in this IND for anticancer study.

You are invited to provide the data necessary to correct the above inadequacies within 10 days of the receipt of this letter. Otherwise the exemption may be terminated.

Sincerely yours,

HENRY E. SIMMONS, M.D.,
Director, Bureau of Drugs.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

HON. WALTER E. POWELL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. POWELL. Mr. Speaker, it is my sincere wish that all Americans will continue to observe the National Week of Concern for Prisoners of War/Missing in Action. This is a way of dramatizing the plight of the American servicemen held prisoners by Hanoi. My desire is that Americans will recognize the importance of this week and voice their concern for our men in the year round. Hanoi's refusal to release information concerning POW's and failure to comply with the terms of the Geneva Convention becomes more significant with the passing of each day.

We must remember that our job in behalf of these men is not over until every door has been opened—until every effort has been made—until the nearly 1,600 American prisoners of war are released and those missing in action are accounted for.

We cannot know what actions we take affect the thinking of Hanoi. Therefore, every effort must be made with increased dedication and an even greater commitment.

Our men are paying a high price for those of us who enjoy the privileges of this great Nation. We must not forget them or our responsibilities to them. We dare not forget them.

INVOLVEMENT IN VIETNAM

HON. PARREN J. MITCHELL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. MITCHELL. Mr. Speaker, our senses are dulled. We no longer see the mangled bodies of Vietnamese citizens and American soldiers on the dinner-hour TV news. We no longer think about the human beings behind the "body count." We do not flinch when we hear of new bombing raids in North Vietnam, and when we read that "the Ho Chi Minh Trail has withstood more bombs than allies dropped on Nazi Germany in World War II"—UPI, Saigon report, Washington Daily News, February 2, 1971.

We are so used to hearing Defense "Department-ese" that we do not question the reality behind those stony faces telling us about "protective reaction," "Vietnamization," "defoliation," and "orderly retreat." What do these words mean? They are facile, obfuscating euphemisms for repression, senseless killing, destruction of precious natural resources, and human suffering beyond comprehension.

We are so conditioned by the self-serving rhetoric used by the Pentagon to cover the facts of our criminal and inhumane policy in Asia that we have lost touch with our sense of balance and our moral core.

We must shake ourselves from our stupor. The following article severed this purpose for me and I commend it to my colleagues. It is an excerpt from an article by Edmund O. Stillman of the Hudson Institute which appeared in the February 22, 1971, issue of I. F. Stone's biweekly. I found it profoundly disturbing because its cold "pragmatic" language somehow sounds not so different from that used by Pentagon officials to describe the latest operation in Laos, Cambodia, or Vietnam. Is the realization of such a scenario an outrageous impossibility? I fervently wish to believe so. And yet, until we curb the foreign policymaking role of the military we cannot be sure. As a beginning, and only a beginning, we must demand an immediate and unilateral withdrawal of all American troops from Southeast Asia. Only then can we start to deal with the fundamental issues of controlling the military and rebuilding our society on democratic principles instead of militarism.

The article follows:

A MORALLY IMBECILE "SCENARIO" FROM HERMAN KAHN'S UNTHINKABLE THINK TANK

(By Edmund O. Stillman)

Unable to solve its dilemmas in South Vietnam and Cambodia, the United States invades North Vietnam with an amphibious force of four to five divisions. The intention is to seize the Hanoi-Haiphong area, driving the North Vietnamese government from its capital and thereby destroying its prestige as a legitimate government in the North and as the sponsor of a "winning" insurrection in the South. The invasion succeeds beyond expectations and the authority of the North

Vietnamese government begins to disintegrate. The Communists Chinese, led by a militant faction, intervene. As in Korea, the Chinese score important successes in the initial phase, and U.S.-South Vietnamese forces suffer major reverses.

A ONE-MEGATON BOMB OVER PEKING

The United States considers alternative policies. Because of the prevailing political climate in the United States and the weight of man-power and material needed, the alternatives of fighting a localized conventional campaign against the Chinese in Vietnam or of a conventional invasion of China itself are rejected. United States conventional air power is judged (rightly or wrongly) insufficient wholly to interdict logistics into North Vietnam or to wipe out Chinese industry. Instead, the United States detonates a one-megaton weapon at 500,000 feet above Peking as a demonstration, together with limited nuclear attacks on selected military targets. Simultaneously the United States begins round-the-clock broadcasts and drops leaflets proclaiming that Chinese nuclear facilities and air defenses have been destroyed.

With such attacks, the United States is primarily disarming the enemy capacity to harm the United States and targeting the morale of the Chinese people, in an attempt to unhinge Chinese society. It is felt that, subjected to these attacks, the Chinese people may bring irresistible pressure against the regime to compromise with the United States; or, alternatively, acting out of fear, destroy the regime; or, finally, destroy the regime not so much through purposeful revolution as simply by withdrawing support, Chinese society dissolving into anarchy. The assertion that nothing stands between the Chinese people and annhilation but U.S. self-restraint is intended to demonstrate the helplessness of the leaders and, thus, to destroy any charismatic authority of the Communist party—which is perhaps thereby shown to have lost whatever it has left of the "Mandate of Heaven."

The United States then announces the forthcoming destruction (within, say, 48 hours) of one of ten (named) cities, simultaneously announcing sanctuary areas. The announcement of ten likely cities is intended to augment the quality of terror and to drive large segments of the population into motion, disrupting or contributing to the disruption of the governmental structure and authority. The announcement of sanctuary areas is intended both as a humanitarian measure and as an important contribution to U.S. peace of mind in the aftermath.

BYELORUSSIAN INDEPENDENCE DAY

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HOWARD. Mr. Speaker, on this day, 53 years ago, the Byelorussian people threw off the yoke of Russian domination which had encumbered them for 3½ centuries and proclaimed the Byelorussian National Republic. Our joy in observing this great event is tempered, however, by the sobering realization that the republic set up by the Byelorussians was not only tragically shortlived, but provided the only period in history when this culturally unique national group was able to enjoy the right of self-determination.

The Byelorussians, who had always been linguistically and culturally independent from the Russian people, developed a strong national identity during the latter 19th and early 20th centuries. The outbreak of the First World War provided an opportunity for national self-determination for all the non-Russian peoples residing on the borderlands between the Russian Empire and Europe proper, and the Byelorussians were one of several national groups to take advantage of this situation.

During the war, the leaders of the new Byelorussian National Republic were able to carry on politically. The country made significant advances in the fields of education, culture, and social welfare.

But after the war ended, the peaceful Byelorussian National Republic was unable to protest itself against its newly constituted Bolshevik neighbor. In 1918, the Red Army occupied Minsk, the capital. In 1921, Byelorussia was partitioned, and most of the population fell back under Soviet domination.

There are currently many captive peoples in the world who desire to become free and independent. Today, however, is a special day for those citizens of our Nation of Byelorussian origin. Today, they ponder not only the anniversary of what was 53 years ago, but the possibility of what once again may be. I think it appropriate today, that we join them, not only in sadness for what has been lost, but in hope that perhaps someday, the Byelorussian people may again attain the free and autonomous status which they so commendably seek.

BYELORUSSIAN INDEPENDENCE

HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. DELANEY. Mr. Speaker, 53 years ago on March 25, 1918, the Byelorussian people proclaimed their independence and ended three and one-half centuries of foreign domination. Unfortunately, the Byelorussian Democratic Republic was allowed only a brief period of freedom before being invaded and overrun by the Soviet Bolshevik Army.

Today Byelorussia, in the form of the Byelorussian Soviet Socialist Republic, exists as an economic and political colony of Moscow. The policy of Moscow has been to exploit the great natural resources of this country and to destroy the national identity of Byelorussia in order to promote the Soviet Russian empire.

However, as the recent events in Poland and Czechoslovakia have shown, the rule of fear and exploitation cannot be maintained forever. The Byelorussian people and their cultural identity have endured and prevailed. Their spirit is strong and they maintain their national identity and their desire for freedom.

The fight for Byelorussian independence is a fight for the emergence of all captive nations, a necessary prerequisite for a lasting world peace. We have not forgotten their plight and we remain dedicated to the principle of self-determination for all peoples. I look forward to the day when liberty will be their birthright as well as ours.

WASHINGTON MUST BE SAFE FOR VISITORS

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BAKER. Mr. Speaker, in exercising our responsibilities under the Federal Constitution to exercise exclusive legislation over the District of Columbia, Members of Congress should study Senate Report 91–564 on the last District of Columbia appropriations bill. From the report we read:

Every American should be able to look upon Washington, the Nation's Capital, with a personal sense of pride in its beauty and dignity.

Later on in the report, it is stated:

The level of crime in the Nation's Capital is a national disgrace and the recommended 1970 appropriation for the District of Columbia reflects the resolve of this committee to deal with the problem as a matter of the utmost importance.

The population of the District of Columbia in 1971 is only about 765,000 persons, which is significantly less than the population was 20 years ago in 1950, with 802,000 persons calling Washington home. But crime, instead of keeping pace with the population, has skyrocketed. This year the District of Columbia is spending nearly $85 for each person in the District as an expense of operating the Police Department. This is 2½ times the cost in Milwaukee, for example, a city with the same population. We have in the Nation's Capital almost seven policemen per 1,000 of population, whereas Milwaukee has less than three. I would hope that law enforcement and the machinery of the courts in the District is rapidly geared up to restore law and order.

I cannot disagree with the statement from the report that "The level of crime in the Nation's Capital is a national disgrace." We can do better and we must do better. If the Mayor and City Council of Washington cannot do the job, then Congress must put some other agency on the job. We owe it to ourselves and to the Nation to make Washington reasonably safe for the 20 million visitors who come here each year from across the country and around the world.

CONCURRENT RESOLUTION ON PRISONERS OF WAR

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RIEGLE. Mr. Speaker, last week the Michigan State Legislature passed a concurrent resolution which I would like to insert in the RECORD. This resolution again shows us the desperate need and desire of our country to immediately obtain the release of all our men held prisoner by the opposition forces in Southeast Asia. The Michigan Legislature is requesting Congress to take such necessary actions to obtain the identification of POW and MIA personnel and ascertain the well-being of those held prisoner. It is my privilege to share this resolution with my colleagues. A copy of the resolution follows:

A CONCURRENT RESOLUTION ON PRISONERS OF WAR

Whereas, The Unknown Soldier is not solely represented among the dead, where for generations those unknown sacrifices to their countries' service have been publicly and ceremoniously honored and great monuments are erected to their memory. During this decade and now, there has been a return to barbarism in the treatment of many hundreds of unknown soldiers among the living; and

Whereas, Known prisoners of war and many "Missing In Action" who are unknown prisoners of war are daily, hourly, suffering and dying of cruel and barbarously inhumane treatment by their North Vietnam captors in contemptuous violation of the articles of the Geneva Convention—which Hanoi signed in 1957 as solemn pledge of agreement to provide humane treatment to all captives taken in wartime; and

Whereas, Proof has been obtained of these extreme cruelties practiced daily; and for the thousands of relatives and friends of such living sacrifices, these facts bring a never-ending anguish. Not only are barbarities of extreme abuse and corrosive public ridicule inflicted, but Hanoi thus far refuses to release any listing of prisoners of war, deliberately spreading anguish among families of American service personnel and thereby compounding Communist barbarities; and

Whereas, Although the contention as to whether America should continue her presence in Southeast Asia is currently dividing this Nation, that contention should neither divert nor delay the compelling need for immediate action concerning American prisoners of war. By any civilized standard, by any claim to human decencies, this Nation, through her public, demands humane treatment and release of American prisoners of war; now therefore be it

Resolved by the Senate (the House of Representatives concurring), That hereby the Congress of the United States is memorialized, requesting that immediate and effective measures be taken to obtain identification of POW and MIA personnel; to compel treatment for such prisoners according to Hanoi's signatory with the Geneva Convention articles with humane treatment; to impose impartial inspection by authorized agencies of prison facilities; to effect immediate repatriation of the sick and wounded prisoners; and without exception, to establish and sustain the right of communication between prisoners and their families; and be it further

Resolved, That copies of this resolution be transmitted to the President of the Senate and the Speaker of the House of each of the sister State Legislatures; and to the President of the Senate, the Speaker of the House of Representatives and to each Member of the Michigan delegation to the Congress of the United States.

SELF-DETERMINATIONS OF PEOPLES?

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. KING. Mr. Speaker, the captive nations are a reminder to the entire free world of the tragic injustices to our fellow men in Eastern Europe. We cannot help but react with sadness at the deteriorating plight of so many nations who are still under the oppressive thumb of the Communists. One-third of the people of the world have seen their freedom and rights shattered and usurped and they have witnessed a grave threat to their own existence. The fear, the strangulation and the anguish would be almost impossible to bear, if these people did not know that there are those in the free world who are working for their right of self-determination.

Because I believe that we in Congress should offer, whenever possible, encouragement to the millions of freedom-loving people who endure the domination of communism, I would like to include an article by David Lawrence, the distinguished editor of the U.S. News & World Report, which appeared in the March 29 issue of his magazine. I fully agree with the sentiments expressed by Mr. Lawrence with respect to the captive nations and I firmly believe that the only basis for our commitment in Vietnam is to allow the people of this small country to select their own form of government.

Mr. Lawrence's article follows:

SELF-DETERMINATION OF PEOPLES?

(By David Lawrence)

The basic principle behind our participation in the Vietnam war is that peoples should have the right to determine their own form of government and to be free from intervention in their affairs.

The whole world, including the United States, has applauded the formation of independent republics in Africa. European powers have relinquished their control of that continent, and the United States respects the sovereignty of nations in North and South America.

In Europe and Asia, however, the freedom of small countries is insecure. The Southeast Asia Treaty was designed as a means of protection through collective action. The North Atlantic Treaty was signed by the principal governments of Western Europe in the hope that all allied force could be brought into instant operation against an aggressor.

But the simple fact which stands out today is that, while Western Europe is free, most of Eastern Europe is ruled by a single dictatorship in Moscow.

Nearly 30 years have gone by since the small nations of Eastern Europe lost their independence, but, strangely enough, the world powers have not made any moves to restores freedom to them. The drive by the dictatorship of Hitler against those same nations initiated World War II. When that conflict was over, the dictatorship of the Kremlin took its place.

Today countries that should have long ago been given their freedom are held in bondage. Take, for example, the Baltic States of Lithuania, Latvia and Estonia. Many of their former citizens and descendants live in the United States and have been pleading for help for the people of these three countries. They had been independent since 1918, but, after the second world war, the situation changed. The Kremlin incorporated them in the Soviet Union, while taking a tight hold on Polland, Czechoslovakia, East Germany, Hungary and Bulgaria.

The principle of self-determination of peoples was no longer honored. The rest of the world, while occasionally voicing protests, made no positive effort to interfere with the virtual seizure of the countries in Eastern Europe by the Soviet Union.

Thus, the people of Eastern Europe have been deprived of their right of self-determination. The Kremlin dominates the governments, and Russian troops are at hand to squelch any resistance.

But what about world opinion? If a long and expensive war like that which has been fought ine Vietnam could be waged in order to protect the right of self-determination for the South Vietnamese people, why should the same right for the peoples of Eastern Europe be disregarded?

More than four years ago, both houses of Congress, by a unanimous vote, adopted a resolution urging the President "to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples." The resolution says in part:

"The subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation. . . .

"All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development."

The answer to the problem is not another war. The peoples of the Soviet Union can be made aware of the significance of the right of self-determinataion. Although they aren't permitted to exercise it themselves, widespread publicity on the whole subject would be bound to have an effect. This is not something that is going to be accomplished overnight, but the end result is likely to be the recognition by the rulers in the Kremlin that the time has come to give up the authority they hold over Eastern Europe.

It will be recalled that Russia was an ally of Hitler at the outbreak of World War II, but later was saved from invading Nazi armies when the United States entered the conflict and fought in alliance with the Russians. After the war no other country grabbed control of territory outside its borders. The purpose of the peace agreement was to prevent any totalitarian government from repeating the kind of aggression that started the war. Unfortunately, the Soviets not only built up their own military power but also, in effect, took possession of Eastern Europe.

The time has come for the whole world to demand that the principle of self-determination be respected and that the nations of Eastern Europe, too, shall be free from domination and be permitted to choose their own form of government. For that is what self-determination really means.

A LOW, SLOW ALTERNATIVE TO THE SST

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BOB WILSON. Mr. Speaker, now that the fight over the SST has subsided, I hope we can turn our attention to another problem in air transportation. I am speaking about the need for networks of commuter airlines to connect our growing suburbs with each other and provide fast efficient transportation to downtown areas or to major airports.

DOT and particularly FAA are studying the problems involved, and I believe a breakthrough is near.

The military is now paying more attention to short takeoff and landing aircraft—STOL. The new Defense budget calls for an Air Force R. & D. program for a light transport. It seems to me this type of development could provide dual answers for military and civilian needs.

I include a timely article on STOL as a part of my remarks. This is an article from the March 10 issue of the Wall Street Journal, written by Harvey E. Foster, a well-known management consultant specializing in the aviation industry:

A LOW, SLOW ALTERNATIVE TO THE SST

(By Harvey E. Foster)

The year 1970 was not a good one for airline profits. New equipment increased seat-miles and labor settlements increased costs, while a slowed economy reduced growth. The results were heavy losses for most of the nation's carriers, in spite of an actual growth in both passengers and freight last year. As Secor Browne, chairman of the CAB, so aptly put it, "The airlines had more seats than bottoms to cover them."

Many people are gravely concerned. The industry itself, the stockholders and responsible citizens who know the need for economic health in our prime people-transportation system. But what kind of rhetoric fills our news? Do we see solutions offered to the airline dilemma?

No, it's the SST that seems to have captured all our attention.

Not that the SST shouldn't be discussed. It should, and a decision must be made. But the more pressing problem is to get more people to travel by air, not to move a few of them twice as fast.

Less than 1% of the freight moved in this country goes by air. The automobile still far exceeds the airplane as both the long- and short-haul passenger choice.

Early railroad history gives a clue to where we should look for a solution—improve the short-haul transportation system. Early railroads encouraged the building of roads as a means of bolstering the short-haul system, which routed payload to the railroads for the more profitable long-haul.

Short-haul travel today is by rails and highways. Each system unfortunately is expensive to build and difficult to relocate and consumes huge quantities of expensive real estate. An uncrowded expressway connecting centers of commerce would perform the short-haul task well if it remained uncrowded. The truth is, however, that if the road is located where it can serve a short-haul need, it is invariably so crowded as to restrict traffic to a crawl. The railroads have practically lost their short-haul ability. Connecting city center to city center, they offer little more than slum to slum connections.

THE STOL

The airplane, on the other hand, is not encumbered by such impediments. It is the most flexible vehicle existing today; it uses a small amount of real estate, and this only at the terminals. With short take off and landing, or STOL, it becomes still more flexible and needs even less land. STOL planes make possible a new transportation system, a third-level airline network connecting new sources of airline payload with existing terminals.

Where are these new sources of payload? They won't be found in the city center, where with few exceptions, the decay continues its irreversible pattern. The greatest potential for new airline payload is in the suburbs.

Most major cities today are bypassed by a beltway, a natural consequence of the interstate highway system. Along these prime transportation arteries, centers of industry and commerce are springing up. Shopping centers and industrial parks, including much new office space, are taking over the functions formerly performed by the city center. Thus they represent the source and destination of most of the future airline payload. Stolports close to or in these centers would link them to existing air routes.

This is by no means the first recognition of the need for STOL to complete the transportation complex, but is a plea that we consider carefully where these stolports are located. Much press has been given to recent attempts to locate stolports near the city center. Even better coverage has been given to the vigorous and emotional protests of citizens living near these proposed new facilities. Attempts to extoll the virtues of STOL to these citizens are severely hampered by the fact that these protestors are not likely customers for STOL service, nor is there presently an operating system that can exemplify its advantages. It therefore follows that if a downtown stolport is ever to exist, (and it could be a valuable factor in reversing city decay), it must first be proved in some other location.

The suburbs, adjacent to the beltways, or at intersections of interstate highways, are the ideal place to start STOL. Not only is it the source of much potential airline payload, it is also a place not likely to arouse the citizen objection. This latter point is particularly true if the stolport is in a new shopping center built over an abandoned general aviation airport. This would not only avoid citizen protest, but would salvage the facility for continued aviation use.

Stolports could be added to most shopping centers with little difficulty. For example, locating the STOL strip on the roof of the shopping mall would make it handy to the traveler, and would also elevate the approach and departure paths, thus reducing the neighborhood noise problem. The parking lot surrounding the shopping mall would serve as an additional buffer. Noise could be further reduced by routing the flight over the highways. People don't mind working near an airport, but object vigorously to sleeping in the landing pattern.

What about the other end of this new airline system, the airport terminal? With many airports already at or near saturation, won't STOL traffic just add to the problem? Not if we utilize the unique capability of the STOL plane. Steep angles of climb and descent, combined with a short runway—1,500 to 2,000 feet—would permit separation of STOL and conventional flight patterns at most terminals, allowing completely independent operations.

What does this do for the average traveler? Improved load factors mean improved airline profits, which might reduce fares, or at least delay rises. But more important, the service offered the public would be greatly improved. The missing link in our transportation system would be finally fitted into place, offering fast, efficient public transportation to the 50-300 mile traveler.

Unfortunately this missing link in transportation will not just happen. The equation is far too complicated; too many different and only slightly related factors are involved for the system to develop naturally in time to address the need. The federal government, with help from state and local authorities, must act to bring the system into being. To succeed, the federal government must accept the lead. Fortunately, both the FAA and the CAB have written into their charters a requirement for stimulating growth in civil aviation. Never before was that stimulation more sorely needed.

History shows that the federal government did not shrink from shaping the future of railroads. By huge federal land grants, the roadbeds were sent across unprofitable routes and supported the railroads until the routes profited.

SOME SUGGESTIONS

This does not mean that subsidies in any form are proposed for building the STOL system. Instead, the federal assist would include:

Define and publicize the advantages of STOL and the consequences of no STOL.

Halt, or at least slow, destruction of general aviation airports; many have already been turned into shopping centers without provision for STOL.

Bring airframe manufacturers and airlines together to develop the new equipment required.

Stimulate architects and city planners to develop ways to include STOL in their plans.

Develop the economics of the short-haul STOL operation for the potential operators.

Inform land developers of the urban dispersion possible with the aid of a STOL network.

Last year vividly illustrated what a slight economic recession does to airline profits: a loss currently estimated at $123 million. Growth that heretofore was considered normal by the airline industry has created an environment responsive to innovative ideas and courage to make huge investments. Setbacks as were felt by the industry last year, and as are forecast for 1971, could destroy this spirit of optimism and seriously stifle the industry's future growth. We would all suffer if this spirit of confidence were destroyed.

A STOL airline network performing the short-haul task could do much to restore economic health to the airline industry, and complete the public transportation complex.

Just possibly, if we lowered our SST voices, we could hear a small STOL voice saying, 'The way to solvency is low and slow, not high and fast."

SEVENTH ANNIVERSARY OF THE FIRST AMERICAN CAPTURED BY THE NORTH VIETNAMESE

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. ZION. Mr. Speaker, tomorrow marks an unusual anniversary. It is the seventh anniversary for an American being held captive by the North Vietnamese. This man is beginning his eighth year as a prisoner of war. He and some 1,600 other Americans are sharing the horrors of the physical and mental limbo their captors have chosen for them.

The families of these men also share a limbo. It is that of not knowing if the one they love is alive, dead, or in some kind of agony. It is only fitting that we,

the governing body of the United States, use this means to remind the world of the obligation one nation has seen fit to forget.

DEFENSE DEPARTMENT RETIRES GENERAL POLK—A RACIST IN HIGH COMMAND

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. CLAY. Mr. Speaker, I noticed in a recent news release that the Defense Department has announced the early retirement of Gen. James Polk, commander in chief, U.S. Army, Europe.

The armed services have been plagued for years by the same problems that we find in our civilian society. Not the least of these problems is racism promoted and preserved by racists in high positions. In Europe, charges of rampant racism have been leveled by black GI's for years and until recently, they obviously had fallen on unsympathetic ears. Ever since I took office in Congress 2 years ago, I have been getting letters and petitions and complaints from black soldiers alleging unfair arrests, transfers in the middle of the night, unequal punishments issued to blacks and whites for the same alleged crimes, unequal opportunity for decent housing, and discriminatory practices by biased German landlords, often with the encouragement and approval of high military officials. At no place were these reports more numerous than in General Polk's area of command. It is common knowledge among black GI's that General Polk is a bigot as exemplified by his actions and off-the-record statements on many occasions. Had General Polk used the powers he had, he could have eliminated many of the problems that existed thus lessening the animosities and hostilities between black and white troops and between black soldiers and biased German businessmen.

Secretary Laird, at a year-end press briefing, stated that the Defense Department was going to lead the way in providing equal opportunity for all of its personnel. I would like to commend Secretary Laird on his obvious intent to make good on his promise to cure an illness that has been reflected in our armed services too long without relief for minorities.

It was obvious to all of us that the racial situation would never improve in Germany as long as General Polk was in command. While I commend the Secretary's actions in this case, I feel that part of the deterrent value has been lost because the Army permitted General Polk to retire instead of filing formal charges. The Defense Department should have the courage to point out that General Polk is resigning under pressure because he adamantly refused to carry out the established regulations and policies of the military. The Defense Department sent a fact-finding commission to General Polk's area to investigate racial unrest and they found General Polk's failure to implement existing directives was the crux of the problem.

Tough new implementing directives went out requiring among other things placing establishments, including public housing facilities, off limits that refused to rent to black servicemen.

General Polk reacted with typical temporary, token compliance by placing several housing units off limits for a few weeks. This was discovered by a special NAACP legal team which went over later to see how the command was dealing with the directives from the Department of Defense.

In an obvious attempt to deceive, an Army official briefed this team to the effect that a certain German housing complex—that had been one of the major offenders—was off limits. Subsequent investigation showed that this complex had already been placed back on limits prior to the briefing with no adequate corrective action on the part of the biased landlord. A Stars & Stripes reporter had the courage to write a factual account of this exercise in futility.

General Polk obviously was not interested in correcting the situation. He only paid the usual lipservice and used token screening actions in lieu of positive corrective action. Insuring equal opportunity for all U.S. personnel is the responsibility of every commander. Those in charge of major commands outside the United States of America should be especially responsive to this requirement.

The army should have publicized the real reason behind the retirement of General Polk, making it loud and clear to all other bigots within the armed services that such practices will not be tolerated. Secretary Laird, who is attempting to set new standards in equality, is to be commended. I say, it's a good start, Mr. Secretary, but there are still more practicing bigots of the Polk mold, and until you make it plain as you remove them that they cannot expect to go out with a clean record the problem will not be totally solved. Lower ranking GI's are punished and jailed when they violate military laws. The perpetrators of crimes against the guaranteed rights of their troops should be dealt with accordingly, regardless of rank. This is the only way to make sure that equal opportunity becomes a fact of life.

There is absolutely no justifiable excuse for not continuing an effort to insure basic rights and justice for all of our servicemen who must live with the requirement to give their lives for their country at any time.

Some have suggested a Medal of Honor for General Polk. I strongly recommend a general court martial.

I commend the following article that appeared in the Stars & Stripes to my colleagues:

BLACK SERVICEMEN PROTEST: BAN LIFTED ON HOUSING AGENT

(By Mary Neth)

When a black U.S. soldier tries to rent an apartment on the German economy and runs into discrimination, what happens?

Is it futile, being in a foreign country, for him to protest?

Is his only recourse to continue house hunting and keep quiet?

That's pretty much the case, say a number of black servicemen.

Absolutely not, states the military.

POLK'S ACTIONS

Early in December of last year, Gen. James H. Polk, USAREUR commander-in-chief, took action.

He ordered the Army to place off-limits to all U.S. servicemen apartments and other economy accommodations where landlords practice racial discrimination. The idea was that the military should promote racial equality and make it clear to German real estate agents and landlords that white and black Americans stand together.

The first move against a German realtor accused of discrimination took place almost immediately.

On Dec. 30, Mrs. Edith Wetzmuller, an agent in Frankfurt, was informed by USAREUR headquarters that her rentals no longer would be carried on the local American housing referral lists.

The action came following a complaint submitted in November by Maj. Washington C. Hill, a doctor at 97th General Hospital, who claimed that Mrs. Wetzmuller refused to rent to him because he is black.

RESTRICTION LIFTED

One month later, however, the restriction imposed on Mrs. Wetzmuller was lifted—the banning reversed.

Maj. Hill is strongly protesting this overruling of the off-limits sanction.

He and Capt. Curtis R. Smothers, an Army lawyer in Frankfurt, have filed a complaint against the European Command with the Secretary of the Army. They had already petitioned Stanley R. Resor, the Army Secretary, for a court of inquiry into "the failure of the European command to guarantee their rights under existing Army regulations."

They see the decision to put the agent's rental listings back on the American housing referral list as further proof of their contention that "off-limit sanctions against landlords practising racial discrimination are not being enacted."

They believe such action is urgently needed.

Says Smothers, "I have learned from an unimpeachable source that 90 per cent of the landlords now listed with Hessen Support District's Family Housing Office indulge in discrimination. I'm sure this situation isn't limited to just this area of Germany either."

TASCOM REPLIES

An official of the chief of public affairs office, TASCOM headquarters, denies this stand.

"A review of the case revealed there was not sufficient positive proof that the agent was discriminatory," he states, when asked why the Wetzmuller apartments were placed back on limits.

"How can this be?" Hill asked in anger. "There was a month-long investigation before the off-limit sanction was imposed.

"Maj. Frank Dillard of the Equal Opportunity Office in Frankfurt checked the statement made by me from beginning to end.

"As I see it, they are taking the German women's word over mine—that's all."

TASCOM notes that the German real estate woman did have a few words to say. She protested strongly when informed of the discrimination charge, and removal of her name from the housing lists.

She countered with her own charge of prejudice saying the letter imposing sanctions discriminated against her and her business.

"In connection with her protest action," says the TASCOM representative, "she volunteered to put her position in writing."

She was offered a family housing informa-

tion form—statement of non-discrimination—to sign, and she did so.

By signing the form, according to TASCOM, she agrees that her rentals will be open to all military personnel without regard to race, sex, creed, or national origin.

The TASCOM spokesman further notes that the "case received considerable publicity," and that because of the publicity "the investigation of it was understandably, conducted as swiftly as possible." In other words, it is seemingly felt that the decision against the woman was arrived at too hastily.

"Following conclusion of the investigation, additional information modified some of the conclusions presented," he continues.

"For example, there was evidence that the agent concerned had a record of having done business in the past with black U.S. personnel.

"Further, the investigation had been conducted through an interpreter, with the result that there was doubt, due to the language barrier, as to the true nature of the agent's position."

Maj. Hill is in no way appeased.

"There was no re-investigation, as, according to military regulation, there is supposed to be.

"As I take it this means any German landlord who says he'll be a good boy—never, never discriminate—is in free."

TASCOM openly admits "a second formal investigation was not conducted," but adds "the agent was consulted by competent military authority and additional statements were obtained."

"I've seen those additional statements," notes a seething Hill, "They add up to calling me a liar."

When asked if in the future any agent or landlord can reverse an off-limits sanction by merely signing a statement of intent not to discriminate, TASCOM replied:

"It's unlikely that restrictive sanctions will be imposed in the future unless there is positive evidence that a landlord or agent is discriminatory."

It also notes that "failure to sign a form will not be accepted as conclusive evidence that an agent or landlord is discriminatory.

"It may be that the agent or landlord does not understand what the ramifications of discrimination are and what his refusal to sign may mean.

"Our personnel will use tact and diplomacy in explaining our program and will use persuasion as a means to obtain signatures.

"If this fails, then more senior military personnel will intervene, if necessary, with the agent or municipal authorities," continues the TASCOM official.

"The objective is to increase the number of housing units available to all U.S. personnel, not to construct an impressively long list of sanctioned units."

"This seems in direct contradiction with what TASCOM said in December," notes Smothers. "Now it appears that a German landlord doesn't even have to sign a non-discrimination form in order to be listed with the housing referral offices."

Smothers and Hill also feel that the investigation of racial discrimination complaints is not being handled as it should be.

BETTER METHOD

"Certainly, it could be done in a better fashion," says Hill. Black and white Americans should be sent to the agent's office—or the landlord's apartment. Then you'd get a true idea if the landlord only has apartments for rent, for example, when a white person appears.

"I'll agree, the first investigation of Mrs. Wetzmuller was not conducted as it should have been, a more thorough investigation would have left absolutely no chance for her to deny the accusations," he adds.

Here the TASCOM official notes that "formal investigation proceedings have not yet been prescribed," but that "headquarters TASCOM is currently staffing a detailed procedure for conduction of investigations which will provide all the pertinent guidance necessary to ensure a full and impartial investigation."

The procedure is to be published within the next 30 days.

COURT CASE NEEDED, SAYS REALTOR

"There is no doubt that there is discrimination when it comes to renting in Germany," says Wilfried P. Vollmerhaus, a Frankfurt realtor, who notes that many landlords now refuse to deal with him because he has black clients.

"The discriminatory practices are felt most by black people, but they also extend to foreign workers here," he continues. "Ads in newspapers which state 'Germans only' are common and there are even a few restaurants that post 'No Foreigner' signs."

Vollmerhaus believes that there should be a "test case" to set precedents and do away with such practices.

He says that some Frankfurt lawyers have expressed interest in representing such a case.

"Under the German constitution (Article 3) all people are guaranteed equal rights," notes Vollmerhaus. "It's stated that there cannot be discrimination or preference for reason of race, religion, gender, political or religious beliefs.

"In the past year, German newspapers and TV have aired the problem of prejudice here. There is concern. However, unless someone really takes a case of discrimination to court, the constitutional statement of rights means little—not much more than the paper they are written on."

A BILL TO AMEND THE FAIR PACKAGING AND LABELING ACT

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mrs. GRASSO. Mr. Speaker, I am today introducing a bill to amend the Fair Packaging and Labeling Act. This amendment will require the retailer to advise the customer of the unit price of a commodity as well as the price of the particular package.

This bill is designed to aid the household shopper in the supermarket who has been victimized for many years by the proliferation of sizes of commodities, sizes which do not indicate on their face the true price of the commodity by weight.

For example, I have often entered a supermarket and found laundry soap in containers marked "regular size", "economy size", "giant size", and "family size". In each instance I have been led to assume that the price per ounce of the product was less if purchased in a larger package. This is not always the case, and unless the shopper carries her own computer, it is difficult to determine the true cost of the product.

This legislation is very simple. It merely requires the retailer to prominently display on the shelf, not only the cost of the product as packaged, but also the cost per weight measure of the particular commodity. In most cases the weight measure would be listed in terms of ounces. This, of course, is an administrative detail best left to the Department of Agriculture which would administer the law.

In any case, Mr. Speaker, it is time that the consumer not only knew what he was purchasing, but also the true cost of these products.

The free market economy can only exist so long as the buyer can make an intelligent choice among the myriad of products offered by the seller.

I call on all my colleagues to support this legislation and urge its early consideration.

VICTORY WILL STILL CRITICS

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. SCHMITZ. Mr. Speaker, the following column by renowned columnist Holmes Alexander appeared in the Manchester Union Leader of March 8, 1971. Mr. Alexander advances the interesting thesis that the best method of silencing the critics of allied efforts to stem the North Vietnamese Communist conquest of Indochina is to win the war.

Mr. Alexander points out that:

There is precedent for believing that it (victory) would provide the one unanswerable rebuttal to the Senate peacemongers. The War of 1812 had its peacemongers, even its New England secessionists, until Andrew Jackson won the big battle at New Orleans and shut them up.

The term "victory" in this case means that the enemy's ability to carry on his war effort is denied to him by serious use of our fighting forces. The incursion into Cambodia and the South Vietnamese advance into enemy-controlled areas of Laos are good examples of operations designed to do just that. However, it is the belief of many, including Mr. Alexander and myself, that it will be necessary to eliminate the basic sinews of war which are now operating under sanctuary privilege in the enemy rear.

The Soviets, supposedly because they are caught in an embarrassing position, but actually because they have the United States caught in a vise, continue to pump war materials into North Vietnam through Haiphong Harbor so that their allies can continue fighting. Why not close Haiphong Harbor? The stock comeback to this course of action seems to be that we might sink a Soviet ship and then the Soviets might retaliate by initiating a nuclear strike on the United States. This line of reasoning is so farfetched that it is not really worthy of discussion, but since it seems to have caught the public fancy let us analyze it.

Say the United States sinks a Soviet ship because it runs into one of our mines or attempts to force its way through our Naval blockade. Is this an automatic trigger for a nuclear war? Do the Soviets have a contingency plan which reads "if

ship is sunk initiate nuclear war which we will probably not survive?" Does anyone really think that the Soviets are thin-skinned enough to bring their empire crashing down for the sake of one ship or even several ships? All those familiar with Leninist thought understand perfectly well that avoidance of provocation, that is being drawn into a battle one does not have a good chance of winning, is a cardinal tenet. The other half of this approach to battle enjoins armed struggle when victory seems probable and whether or not we sink a ship is beside the point.

The Soviet war doctrine does not demand provocation as a reason for beginning a war that has already been declared by mysterious historical forces. The doctrine does however demand that no war be initiated if there is not a very good chance of success. No action on the United States outside of a direct attack on the Soviet heartland would be considered the signal to begin a central nuclear war, which the Soviets do not feel they can win. When they feel that they can win a central nuclear war, they will initiate one no matter what the United States may be doing at the time.

Dr. Henry Kissinger seems to recognize the fact that the Soviets will not start a general war with the United States over anything we might do in Southeast Asia. In a background briefing last June, Dr. Kissinger plainly stated that:

I would have to say that if there is the danger of a general war in this Administration, I do not believe, and we do not believe, that it will come from Southeast Asia. It is very hard to see what we could do in Southeast Asia that would produce a direct confrontation with the Soviet Union.

I highly recommend to all my colleagues the following article by Holmes Alexander:

U.S. SHOULD USE WAR PLANE ADVANTAGE—AIR STRIKES IN NORTH VIETNAM KEY TO VICTORY

(By Holmes Alexander)

WASHINGTON.—President Nixon has got an air war going on two fronts now—in Southeast Asia and the U.S. Senate. That's good.

It never made any sense to fight a disadvantageous ground war against Asian hordes, whether in Korea or Vietnam. The air weapon, land-launched or ship-launched, is what makes us superior, and we have never since World War II drawn maximum use from the warplane. Had we done so, we would have come home in triumph from Korea and long ago from Vietnam.

To do justice to those in combat and those at home, President Nixon will have to give orders that Truman did not give to McArthur and Johnson did not give to Westmoreland. The President must steel his mind to send the planes where the targets are. The targets are at the industrial area of Hanoi, at the port of Haiphong, at the Red River dikes in North Vietnam. Unless he lays waste these targets, he is wasting American lives.

As to the air war of verbosity in the Senate, the President can win that one too, if he acts with audacity. Nothing is going to succeed better than a smashing series of victories with the ground troops of South Vietnam and Cambodia, spearheaded by U.S. airpower. From all reports of any credence, such a victory seems to be a glowing probability.

There is precedent for believing that it would provide the one unanswerable rebuttal to the Senate peacemongers. The War of 1812 had its peacemongers, even in New England secessionists, until Andrew Jackson won the big battle at New Orleans and shut them up. Mr. Nixon is now on the track to throttle his war critics, and to scuttle the lingering no-win policy that has dominated our strategies for too long. All the President has to do on Indochina is give orders to keep 'em flying.

VICTORY BONUS

Another bonus awaits Mr. Nixon's joint victory over the Asian Communists and Senate defeatists. His plans for Family Assistance, national health insurance, and for carrying on most of the discredited Great Society schemes have separated him from the Silent Majority of conservatives who claim to have put him in office.

There is hardly a publication or writer or commentator of the political right that has not quarreled with Mr. Nixon in the past three months. His revelation that he is planning huge welfare spending on a deficit budget has driven former Nixon Persons from him in droves.

But nothing would bring them back faster, or would so swell their ranks with new recruits, than the firm and simple proof that the President intends to lead America to a victorious conclusion of the Indochina war. It may not be that conservatives are any more patriotic than liberals, but it is beyond all doubt that they are most anti-Communist.

The common characteristics of all liberal front-liners is that they were—and are—quite willing to do terrible things to emperor-worshippers, South African race-supremacists and Spanish monarchists, but are unwilling to harm socialists and Communists. It just happens that the facts of international life make this liberal attitude downright absurd if not insane. The only present threat to our country is leftist radicalism at home and abroad, and the stronger Mr. Nixon gives battle to it the more he's attracting the Silent Majority to his support on all matters.

I take it that the Former Nixon Persons would forgive him all his red-ink programs in return for one red-blooded victory over the Reds.

NATIONAL POISON PREVENTION WEEK

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. CARNEY. Mr. Speaker, the week of March 21 through 27 has been set aside, by Presidential proclamation, as the 10th annual National Poison Prevention Week, to aid in encouraging the American people to learn the dangers of accidental poisoning and to take preventive measures.

Every year a million people accidentally swallow and are poisoned by medications, cleaning fluids, polishes, household detergents, turpentine, and pesticides. Because these products are generally found in every home, people tend to ignore, or at least to be unaware of, their potential hazards. Even with rather extensive educational campaigns, warnings on labels, and unpleasant experiences with the misuse of these products, reports continue to come into poison control centers throughout the country. Most often, the victims are preschool children, unable to read the labels of the poisons they ingest.

It therefore is incumbent upon us, as a people concerned for the fate of humankind in general, and children in particular, to call to the attention of the country the growing danger of poisons available in everyday life.

The only way to crush the growing poison epidemic is to keep all poisons out of the reach of children and to inform and supervise our children sufficiently to guarantee their freedom from the dangers of the poisons that afflict our way of life.

CHALLENGE AWAITS ACTION

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HARRINGTON. Mr. Speaker, the death of a great man inspires a rash of eulogies by those whose commitment to his principles are not necessarily reflected in their words. Only time and events can adequately test the sincerity of his mourners.

The death of Whitney Young provided such an occasion. America, particularly black America, will watch to see if those sentiments so eloquently expressed at his grave site will be transformed into deed or will remain hollow phrases, left to mock the memory of his commitment.

Carl Rowan, having demonstrated through his own life the commitment to racial justice which Whitney Young exemplified, writes of our debt to such individuals and of the magnitude of our loss. I recommend his column to my colleagues:

WHITNEY YOUNG'S CHALLENGE AWAITS ACTION

(By Carl T. Rowan)

This is a society that devours its leaders.

"If you want something done, ask a busy man to do it" is a rule of life that throws man-killing burdens on those who illustrate by deed that they care about this nation and their fellowman.

The burdens and responsibilities are piled on mercilessly when it is a black man who cares, who is selfless, articulate, intelligent.

It is a speech here tonight, a breakfast meeting there tomorrow; it is a seminar here in the forenoon, a presidential commission meeting on some burning issue in the afternoon, assistace for some charity drive or attendance at some benefit in the evening.

With tragic frequency, the big-hearted men who take on these burdens find their hearts giving out too soon.

And that is how this troubled nation has drained life away from Whitney Young at the untimely age of 49.

Young drove himself beyond the point of survival because he had commitment; he felt a compulsion to do those things that, left undone, would leave both the nation and mankind poorer.

It is so typical that the Urban League leader's heart gave out while he was on a mission to improve relations between Africans and Americans. He sensed, as many Americans do, that in American governmental and private circles, Africa is backburner, whether it comes to aid or attention.

Whitney Young was one of my oldest friends. I often saw him bone-weary, but I never heard him complain about how

much he had to go and go, give and give. I only heard him express fear that, even after so much sacrificing and struggling by himself and others, the nation still would not rise up to its great social challenges.

He watched his old friend, Roy Wilkins, executive director of the NAACP, sacrifice days on the Kerner Commission, trying to show the nation the path away from civil strife. Then Americans turned in petulance and ignored the commission's recommendations.

Young himself devoted much of his time and energy to helping the Pentagon wipe out racial discrimination in the armed forces.

Young pointed the way and he got promises, but the bold steps were never taken, and racial antagonisms are today a festering cancer inside the armed forces.

There were many reasons why Young might have given up the faith and turned to the rhetoric of anger and despair that would have caused newspapers to cease referring to him as a "moderate" and left him with a bigger hero's mantle among alienated blacks.

But Young clung to the belief that there had to be a major ingredient of intellect, of articulation, of persuasion if the black man ever was to achieve first-class citizenship in America.

Some months ago, when Young was honored by the Four Freedoms Foundation, I said: "What caught my attention even 22 years ago was Young's ability to tell the American power structure the unpalatable truth and make that power structure listen. For two decades now Whitney Young has said this to those white Americans who have the capacity to change things:

All right, sit on your derrieres and ignore the black man's grievances and frustrations; count on the police force, the National Guard, to put down the black revolution; on a white backlash to suppress and oppress black people when the chips are down. Do you know who will wind up losing in the long run? You of the white power structure! You, who have the most to lose because you possess the most of all that is deemed good in this affluent society!

Obviously, not enough Americans listened to Young. If they had, we would not face the mess that our urban areas are in today.

But Young's warning is a legacy, a lasting challenge to "the establishment."

And this wise and perceptive leader has also left a vital legacy to young blacks. He exemplified a new measure of manhood. He helped them to understand that it may not take nearly as big a man to stand in the street and curse whitey as it does to walk into the White House or the board rooms of great corporations and speak eloquently those truths that the leaders of government and industry would rather not hear.

Yes, we weep at this loss of a good friend and great leader. And we weep for a nation that needed him so desperately—but still seems unable to comprehend the wisdom of his counsel.

U.S. PRISONERS OF WAR

HON. ELIGIO de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DE LA GARZA. Mr. Speaker, this Congress, representing all the people of the United States, must make it clear to the world that the members of the U.S. Armed Forces held captive in North Vietnam are not forgotten.

With other Members, I sponsored a resolution strongly protesting the failure of the Government of North Vietnam to abide by the provisions of the Geneva Convention concerning treatment of prisoners of war.

North Vietnam and the National Liberation Front of South Vietnam have refused to identify the prisoners they hold. They have not allowed impartial inspection of prison camps. They will not permit free exchange of mail between prisoners and their families. They have refused to release seriously ill or injured prisoners. And they will not enter into negotiations for the release of all prisoners.

I urge favorable consideration of the resolution calling upon North Vietnam to comply with the requirements of the Geneva Convention. We must lose no opportunity to direct worldwide attention to that country's unconscionable failure to do so.

MAYORS IN THE ROUGH

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BOGGS. Mr. Speaker, on the editorial page of this morning's Washington Post, there appears an exceptionally thoughtful and perceptive column by Mr. Joseph Kraft.

Mr. Kraft's topic is the urban crisis—a subject of no little controversy these days—and he makes some telling points about the erosion of strength in government on the municipal level.

I am inserting it in the RECORD and commending it to the attention of my colleagues:

MAYORS IN THE ROUGH

(By Joseph Kraft)

The fickle finger of fate seemed to be overdoing it when a Federal grand jury indicted Mayor Joseph Alioto of San Francisco for illicit fee-splitting only a couple of hours after Mr. Alioto and a group of other big city mayors emerged from a White House meeting with President Nixon. But there was a logic in the coincidence.

For the visit of the mayors here showed once more that the urban base of political power in the country is crumbling. And Mr. Alioto was only the most dramatic case of a visiting mayor in the political rough back home.

Consider for example, Carl Stokes, the articulate black leader now serving his second term as Democratic mayor of Cleveland. Mr. Stokes has alienated the white ethnic majority in his town to the point where they have twice voted down referenda that would have increased the city income tax.

He has fallen out with the big newspapers that originally backed him. He is at odds with the progressive new Democratic governor of Ohio, John Gilligan. Benjamin Davis, the black former Air Force general brought in to head the police force, quit in a huff. So it is not easy to see how Mr. Stokes can be nominated again—at least as a Democrat.

Then there is James Tate, the mayor of Philadelphia. Mayor Tate is stepping down this year with his party almost total disarray. Police Chief Frank Rizzo, whom the mayor is backing as his successor, is vastly unloved by the large black population. He is opposed by one of the brightest young men in the Congress, William Green. And though two reformers in the race are likely to draw from Mr. Green's vote, it is still not clear that the mayor can carry his own man through a primary in the Democratic Party he is supposed to boss.

Finally there is John Lindsay of New York. Mr. Lindsay would plainly like to be President. But he can't leave his own town for political purposes without something catastrophic happening in the way of a strike or a power blackout that makes him look very bad.

Neither can he figure out what party to join. Democratic leaders are not begging him to run for the White House on their ticket. President Nixon stands in the way on the Republican side. For the time being, the mayor is reduced to urging Congressman Pete McCloskey of California to have a go at the President in the Republican primaries—a gesture which Mr. Lindsay himself acknowledges is futile.

No doubt other mayors are in better shape politically, and most of those with wounds won them in honorable combat. But the fact is that the mayors are losing political clout. And that fact was reflected everywhere the mayors showed up in Washington during their recent visit.

The White House used to be a major ally for City Hall, and this time the mayors came to town determined to support President Nixon's version of revenue sharing. But they only got in to see Mr. Nixon after giving assurances Mayor Lindsay would not make any nasty sounds. And the White House still felt no compuction about blackballing Wes Uhlman, the mayor of Seattle, apparently because he was persona non grata to one of the President's aides, John Ehrlichman.

Mayors also used to stand tall in the House of Representatives, with its large big city delegations. But the Democratic leadership of the House stood against the mayors on the President's revenue sharing proposals. And it wasn't only the leadership. Democrats in the Pennsylvania delegation, despite intense pressure from Mayor Tate and Peter Flaherty of Pittsburgh, refused to bind themselves in favor of revenue sharing.

The unkindest cut of all came from one of the mayor's best friends. In a thoughtful speech, Sen. Edmund Muskie expressed some doubts about both the merits and political viability of the President's version of revenue sharing. The mayors were so up-tight on the issue that they lashed out furiously at the front-runner for the Democratic presidential nomination.

Perhaps the mayors visit was not altogether in vain. They may be able to get the President to speed up disbursal of moneys voted for urban renewal, mass transit, and public housing. They may be able to get some special consideration in revenue-sharing legislation.

But the basic fact is that the cities are a force on the wane in national life. The answer to urban problems does not lie mainly in funding existing urgan governments. It lies in moving outside these structures—in getting money directly to individuals so they can disperse from the central cities; in expanding municipal authority to include over-all metropolitan districts; in regional approaches. In one way or another, in other words, the way out of the urban crisis lies in putting the cities and the suburbs in the same bag.

CONFERENCE ON GI CIVIL RIGHTS

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RIEGLE. Mr. Speaker, I rise today to draw my colleagues' attention to a

little known event that has the potential of becoming a significant new dimension in the civil rights movement.

Under the sponsorship of the Student Bar Association of the Georgetown University Law School, a national conference will be held on April 17 and 18 at Georgetown Law School to focus attention on the legal problems faced by enlisted men in the military service.

The goal of the conference will be to establish several legal aid offices manned by civilian attorneys and law students near military bases which will begin to operate this summer and later evolve into a nationwide organization. Preliminary plans include a 4 to 6 week course in military law to be taught by qualified attorneys followed by the formation of a network of GI legal services groups to be set up near large military installations. These groups will provide free legal service to any serviceman who requests it.

This initiative is consistent with insuring the constitutional rights of all our citizens, and I commend the Student Bar Association of Georgetown University Law Center for its efforts to secure equal justice within our system of Constitutional Law.

CAUGHT IN AMBUSH—ARMY SERGEANT KILLED IN VIETNAM

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. DUNCAN. Mr. Speaker, today I would like to pay tribute to the memory of an outstanding soldier from my district who was killed in Vietnam. Sgt. 1/C Thomas M. Kennedy of Knox County was caught in an ambush just a month after his return to Vietnam for a second tour of duty.

Sergeant Kennedy was a handsome young man who had served in the Navy before joining the Army in 1960. He served his country faithfully and with honor and, in fact, had received many awards and citations for outstanding contributions.

To his parents, Mr. and Mrs. Enoch B. Kennedy, his wife, his sons and daughter, and to all of his family and friends I express deepest sympathy on this great loss.

The following news story from the Knoxville, Tenn., News-Sentinel reviews the highlights of his career and life:

CAUGHT IN AMBUSH—KNOX ARMY SERGEANT KILLED IN VIETNAM

(NOTE.—Today's report of the death of a Knox County serviceman brings to 86 the number of Knox Countians killed in the war in Indo-China since Nov. 17, 1965.)

Sgt. 1/C Thomas M. Kennedy, a 30-year-old regular Army man from Knox County, was killed in an ambush in Vietnam, his family has been informed.

Sgt. Kennedy, Woodby Rd., had returned to Vietnam only a little more than a month ago for a second tour of duty. He was killed Friday, the Defense Department informed his wife, Mrs. Emma Faye Hurst Kennedy. He was wounded during his first tour of duty in Vietnam, in 1968–69.

He received the Army Commendation Medal and a later Oak Leaf Cluster for it, the Purple Heart, a Bronze Star and other medals.

Sgt. Kennedy attended Carter High School before he entered the Navy in 1957. He later received his high school diploma while in the service. He joined the Army in 1960 and had remained in ever since. In addition to his duty in Vietnam, he served in Korea and at several bases in this country.

Besides his wife, he leaves his parents, Mr. and Mrs. Enoch B. Kennedy, Woodby Rd., two sons, Dwayne and Allen; a daughter, Lisa Ann Kennedy; two sisters, Mrs. Charles Poore and Miss Wilma Kennedy, and two brothers, Enoch, Jr., and Riley, all of Knoxville.

The body is expected to arrive in a few days. Roberts will be in charge of services.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

HON. ROGER H. ZION

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. ZION. Mr. Speaker, Donald E. Johnson, Administrator of the Veterans' Administration, recently issued a statement to the 175,000 employees of the Veterans' Administration, throughout the United States regarding "National Week of Concern for Prisoners of War/Missing in Action." It is particularly significant that the agency responsible for the administration of the benefits for our returning servicemen would recognize this "week of concern" and call for the participation of its many employees. I commend Mr. Johnson for his thoughtful statement and hereby present his comments for inclusion in the RECORD:

The President and Congress have designated this week as a "National Week of Concern for Prisoners of War or Missing in Action."

I urge all of our Veterans' Administration installations and our more than 170,000 employees across the land to give full and active support to the President's call "upon all the people of the United States to observe this week in heartfelt prayer, and in ceremonies and activities appropriate to voice deep concern for the prisoners and missing men. To inspire their loved ones with new courage and hope, and to hasten the day when their ordeal may end."

I know that the President in his proclamation speaks for all his countrymen when he says of the 1,600 Americans missing in action or known to be captured, "Even in captivity, they continue to serve our nation in the highest sense of honor and duty to country. We owe them in turn, no less than our strongest support and our firmest pledge that we will neither forget them nor abandom them."

The Veterans' Administration has a special interest in these men. When they return they will need specialized health care and rehabilitative services. It will be our privileged responsibility, undertaken with thanks for their return, to aid them in their transition back to full participation in the mainstream of American life.

And, not only this week, but every week, the Veterans' Administration has a signal opportunity to translate the compassion of all America into benefits action on behalf of the families of these brave men.

Under recent law, the Veterans' Administration has been able thus far to provide educational training for more than 90 wives. Some 60 college age children have been assisted in continuing their schooling, and over 30 families are being assisted in securing Veterans' Administration home loan guarantees.

I call on all Veterans' Administration Field Stations to continue giving prompt and dedicated attention to the needs of the families of these men we honor, and to accelerate these programs where possible. I urge you to seek out each of those families residing in your area to apprise them of the rights they now have under law, and to provide all possible assistance.

Although Veterans' Administration financial aid cannot begin to compensate for the pain of separation from their loved ones, we can and we must try to ease the burden these families must bear by providing all possible Veterans' Administration assistance.

HANOI'S PAWNS—U.S. POW'S/MIA'S

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. HICKS of Washington. Mr. Speaker, time after time at the Paris talks North Vietnam has doggedly claimed that it treats our captured men humanely. The record, unfortunately, indicates otherwise.

Is it humane to keep hundreds of families in agonizing doubt by refusing to identify prisoners or release information regarding their condition?

Is it humane to refuse impartial organizations, such as the International Committee of the Red Cross, to inspect prisoner of war facilities?

Is it humane to refuse to release sick and wounded prisoners, many of whom we know have died in prison cells?

The truth is, Hanoi has failed in virtually every respect to treat prisoners of war decently. It has flouted its legal obligations as a party to the Geneva Convention Relative to the Treatment of Prisoners of War, and has flouted our Nation's grave concern for its men.

As you know, Mr. Speaker, this past October our Government offered to release 36,000 prisoners, including over 8,000 North Vietnamese soldiers, in return for probably less than 5,000 Americans and South Vietnamese held captive. To date, their response to this offer has been totally negative, indicating to me that they have very little concern for their prisoners of war.

In December, the United Nations General Assembly by an overwhelming majority adopted a resolution on prisoners of war calling upon "all parties to any armed conflict to comply with the terms of the 1949 Geneva Convention." To this, Hanoi has answered cynically that American servicemen captured in North Vietnam are "war criminals" not entitled to protection under the Convention's rules.

Mr. Speaker, as you are aware, during the 91st Congress 404 Members of the

House signed a letter to the President of North Vietnam urging him to abide by the guidelines established at Geneva; many of us in Congress have sponsored resolutions urging North Vietnam to treat our captured men in accordance with internationally recognized codes; we have enacted legislation calling for the humane treatment of all prisoners in Vietnam; and, of course, many of us have spoken out individually against Hanoi's treatment of our men.

But, thus far, any gestures of humanity toward our prisoners by North Vietnam seem to have been motivated more by the desire for bargaining advantages at Paris than by humanitarianism. Hanoi has clearly chosen to use these men as pawns to help them achieve their political objectives.

And if the record regarding our men captured or missing in North Vietnam is bad, it is even worse with regard to those captured or missing in South Vietnam. Except for a few propaganda broadcasts from the Vietcong, we have received no information whatsoever on the fate of these men. The State Department advises me that during the past 10 years exactly one letter has been received from a member of our Armed Forces captured in South Vietnam. We know that many have been brutally murdered, and we can only fear the fate on many more.

Mr. Speaker, it is my sincere hope that the observation of National Prisoners of War/Missing in Action Week throughout our country will convince Hanoi and the Vietcong in unmistakable terms that we in Congress and in this Nation are solidly unified in our resolve to secure humane treatment and the early release for our captured men. These men and their families deserve nothing less.

MSGR. ANTHONY DI LUCA

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RODINO. Mr. Speaker, too often those individuals who have contributed so selflessly in making the lives of so many of us more meaningful go unsung. And, for this reason I wish to note the 89th birthday of an exceptional individual and dear friend, Rt. Rev. Msgr. Anthony Di Luca of the Holy Family Church in Nutley, N.J.

He is a gentleman who has enriched the church community, educational institutions and orphans programs to which he has given his unstinting devotion. Our community is the richer for his service. And, on the occasion of this milestone I congratulate and applaud Monsignor Di Luca. His example will always live in the hearts and minds of all those who have had the privilege, as I have had, to know him. And, I wish for him in the years ahead, the continued enjoyment of life's blessings.

LET US KEEP IT ROLLING

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. FINDLEY. Mr. Speaker, again in April the Farm Journal magazine has published what I consider an excellent analysis of the stake the American farmer has in foreign trade.

This leading farm publication in its monthly editorial expresses well why a growing number of farmers is convinced serious problems could befall them if we should approve a program to establish artificial trade barriers to protect domestic industry.

The editorial is included as part of these remarks:

LET US KEEP IT ROLLING

We are enjoying a boom in our sales of farm products overseas. It is putting real money in farmers' pockets, and the future can be even brighter. But we'll have to step lively to keep it that way. *First, the good news:*

At the USDA's Farm Outlook Conference, Ray Ioanes, head of the Foreign Agricultural Service, announced that farm exports in the current fiscal year ending June 30 will set a new record of about $7.4 billion. And $6.4 billion will be for hard dollars of commercial sales—a new high for "cash on the barrelhead."

What that means back on the farm is clearer when we look at it this way:

1. The value of farm exports from the state of Texas averaged $2279 per farm last year. Exports from North Carolina averaged $2605 per farm; for Iowa, $3632; for Illinois $5242; and for California, $9921.

That can be an eye-opener when you stop to think what it might mean on your own place.

2. This year, we will export the production from about 70 million farm acres. We will export the output from 24 million acres of wheat; 23 million acres of soybeans; 7 million acres of corn; 4 million acres of cotton; 3 million acres of sorghum, and over a million acres of rice.

The dairy products that we export will account for the crop output from 2 million acres; pork shipments will equal the crop output from more than 1 million acres.

Combined, this is the production of nearly one harvested acre out of four. *The significance of that sinks in if you visualize that every fourth or fifth farm you pass is in business to sell overseas—and if it weren't, its output would be competing on markets here at home.*

3. Still another measure of what exports mean to farmers is the size of the export market for some of our crops. For instance, we are exporting the following amounts of our production of these commodities:

	Percent
Rice	58
Soybeans	50
Cattle hides	45
Wheat	41
Tobacco	36
Tallow	36
Cotton	29
Nonfat dry milk	24
Sorghum grain	16
Corn grain	13

Just imagine what shape we'd be in if we didn't have an export market for that portion of each of these items.

That picture ought to lay to rest the idle talk of those who suggest that we should close our borders to imports and live within our own rich market. That sounds enticing if we could just shut out competing food imports and keep shipping our exports. But the people who raise food abroad just don't seem to like the idea of closing off their shipments to us while we continue shipping to them. Any wonder? Besides, both sides gain when they trade.

Still, there are enough people who don't see the whole picture so that the idea of trade protectionism and "self-sufficiency" is running rampant here and abroad.

That is the bad news, because no one stands to lose as much as American farmers if the tide of increased protectionism wins the battle. We're No. 1 in farm exports.

If our export farm markets were cut off, we'd have to idle another 20% of our cropland to hold farm prices fairly even. That would be on top of the 19% "diverted" by farm programs last year at a cost of $3.8 billion. Does anyone think that Congress would put up another $4 billion or so for farm programs?

Any part of our exports lost because of protectionist trade restrictions hurts us. And it hurts worst of all in future sales. Nobody can produce as many quality farm products as efficiently as we can, and therefore has as much natural advantage to "cash in" on future sales from growing world populations and rising levels of diet.

A "liberal" attitude toward trade doesn't mean that we have to open our borders to every "Hans, Igor or Philippe" who wants to send us cut-rate, subsidized food imports. Nor do we have to acquiesce to any country which wants free access to our markets without opening its own gates. And it doesn't mean that when another country imposes trade restrictions on us we have to stand back passively for fear that too loud a protest will upset our foreign policies. We've done too much of that already.

We can still be "liberal" by taking firm action to protect our markets against imports that make inroads by unfair, non-competitive means—rather than with quality farm products produced efficiently and priced fairly.

Liberalism does call for a willingness to negotiate lower trade barriers when we can get equal concessions for what we give up. It also demands the highest kind of responsibility, understanding and world statesmanship on our part as American farmers. What else can we do if we accept the fact that our market is a world market?

MSGR. JOSEPH C. FEGHALI CELEBRATES SILVER JUBILEE

HON. JAMES V. STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. JAMES V. STANTON. Mr. Speaker, this Sunday Msgr. Joseph C. Feghali, pastor of St. Maron's Catholic Church in Cleveland, will be honored at a banquet marking his silver jubilee in the ministry.

At Sunday morning mass the monsignor will be elevated to chor bishop by Bishop Francis M. Zayek of the Maronite Church of the United States. Monsignor Feghali will serve as auxiliary vicar to to the bishop of the Maronite Diocese of the Lebanon Syrian Church.

For 25 years Monsignor Feghali has given of himself with unreserved generosity to his parishioners and the people of Cleveland. He is a true son of Leb-

anon. His concern for the well-being of Cleveland is as great as his love for his homeland.

I have known him as a friend for many years. He is a rare man, a devoted pastor, and a fine human being. I congratulate him on the occasion of his 25 years in the ministry and his elevation to chor bishop. May he have many more years to serve the people of Cleveland with all the dedication of a true man of God.

TRANSPORTATION AND THE ICC

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. WYATT. Mr. Speaker, several bills have been introduced in the Congress aimed at either modifying or completely abolishing the Interstate Commerce Commission.

At a meeting March 11 of the Portland, Oreg., Freight Traffic Association Board of Directors, A. R. Allen, association general manager, outlined briefly the history of transportation regulation and presented a very thoughtful and cogent analysis of the various bills. At Mr. Allen's recommendation the directors unanimously adopted a recommendation to "vigorously oppose" any attempts to modify or do away with the ICC.

Mr. Allen in a subsequent letter stated that while truckers and other long-distance haulers have not always agreed with the decisions of the Commission, at least we feel we have had our day in court. He added that we as a group would be dead if the ICC were abolished with an ultimate deregulation of all modes of transportation.

I found Mr. Allen's remarks most thoughtful and commend them to my colleagues:

PORTLAND FREIGHT TRAFFIC ASSOCIATION

WHITHER TRANSPORTATION REGULATION?

The continual battle over whether transportation should be more stringently regulated or deregulated appears to be building to the point where a major decisions affecting regulation may be made this year. In February, Senator Mike Mansfield (D.-Mont.) introduced a bill (S. 649) to abolish the Interstate Commerce Commission; the President's Advisory Council on Executive Reorganization recommended that the Interstate Commerce Commission, the Federal Commission and the Civil Aeronautics Board be abolished and their regulatory responsibilities combined in a new Transportation Regulatory Agency; and Senator Howard Baker (R.-Tenn.) introduced a bill (S. 784) that would establish a commission on transportation regulatory agencies to make a three-year study of those bodies. Introduction of similar additional bills can be expected.

For a long time, the railroads have strongly advocated deregulation including the right of one company to own all modes of transportation. For just as long, the motor carriers have favored regulation as necessary for their survival, because of the greater financial strength of the railroads.

WHY REGULATION?

Whoever controls transportation controls each person's livelihood as well as the necessities of life. Biafra proved that the control of transportation is the control of life itself.

The unequivocal standards of non-discriminatory treatment in the provision of transportation services were defined in NYNH &H v. I.C.C., 200 U.S. 361, by the Supreme Court as:

"The great purpose of the Act to Regulate Commerce, whilst seeking to prevent unjust and unreasonable rates, was to secure equality of rates as to all and to destroy favoritism, those last being accomplished by requiring the publication of tariffs, and by prohibiting secret departures from such tariffs, and forbidding rebates, preferences, and all other forms of undue discrimination."

Thus, the basic purpose is to make the transportation system, as a whole, function as an impartial service agency for the national economy. Neither rates nor standards of service are to be used by government or by private enterprise as a means of advancing the interests of one region or sector of the economy to the prejudice or disadvantage of any other.[1]

Congress has determined that it is unsound to depend upon unrestricted price competition as the arbiter of economic survival of transport agencies, and that it is equally unsound to determine the adequacy of transportation supply by unrestrained competition.[2] Therefore, from the point of view of public policy and public interest, it is important not only that the administrator of regulation should not improperly encroach on private right, but also that he should effectively discharge his statutory obligations. Excessive favor of private interest may be as prejudicial as excessive encroachment.[3]

It is difficult to understand why so many want to leave "men" out of transportation and then condemn regulation on pure economic theory. Congress was given the power to regulate transportation in 1787 with the adoption of the Constitution, 100 years before the Interstate Commerce Act.

The Supreme Court stated in *Gloucester Ferry Co. v. Pennsylvania*, 114 U.S. 196, 203, that regulation of interstate commerce is ". . . the power to prescribe the rules by which it shall be governed, that is, the conditions upon which it shall be conducted; to determine when it shall be free and when subject to duties and other exactions."

Just as the Constitution broadly pertains to the conduct of men in the governing of the nation, the Commerce Clause thereof, and more specifically, the Interstate Commerce Act, pertains to the conduct of men engaged in interstate commerce. Of course, if there were only angels in the business, there would be no need for any rules of conduct.

Whether transportation is regulated or not, rates and standards of service may become a means of advancing the interests of one region or sector of the economy to the prejudice or disadvantage of another. Who then is to decide when a rate or practice is unreasonable, or preference and prejudice undue? Who is to decide when additional service is required by the public convenience and necessity and if the potential supplier is fit, willing and able to provide the service?

Such questions need to be answered before the fact, not afterward. This is why reliance on the Sherman Antitrust Act for the regulation of transportation would be the same as "locking the barn after the horse is stolen."

A primary strength of the Interstate Commerce Act is Section 15(7), whereby anyone may seek relief before rather than after an injurious rate becomes effective. Rate suspension is an important part of rate investigation. Both must be preserved.

No economy, such as that of the United States, that is based fundamentally on mass production and distribution of products throughout a continental market can continue to prosper without a transportation system that is dynamic, efficient, and capable of delivering goods and people with safety, expedition, with a high degree of dependability, and at the lowest cost in the expenditure of manpower and other scarce resources.

Historically, these requirements have been met most satisfactorily by common carriers, who by statute are charged with the heavy obligation to serve all individuals and shippers alike to the extent of their physical capacities, on known schedules at published rates, and without discriminations.

The availability of this type of stable and dependable service is of equal importance in the day-to-day business operations, production and market planning of large and small business alike. Moreover, in a broader sense, the availability of this type of transportation system is essential to the orderly and healthful operation of a peace time economy and is indispensable to the national security in time of war.[4]

Thus, it is seen that transportation is the arteries through which the materials for mass production are assembled and its products distributed. The value of common carriage for-hire as a supplier of the service is that anyone having a commodity to ship from any part of the United States to another, can do so without having to go into the transportation business himself in order to obtain the service.

If anyone doubts the value of such service to his particular business and to himself and his family, let him be without common carriage for-hire for only 48 hours. Not only would his business be affected, but also he and his family would be seriously wondering from where the food for their next meal would be coming. Whoever controls transportation controls the necessities of life, as well as each one's livelihood.

THE MONOPOLISTIC MYTH

Having seen that the control of transportation carries with it the control of the civilized world, and that federal regulation has as its basic purpose to make the transportation system, as a whole, function as an impartial service agency for the national economy, it is somewhat disconcerting to read such statements as:

"Paradoxically, the underlying concept of this [intensified] regulation has continued to be based on the historic assumption that transportation is monopolistic, despite the fact that the power of individual transportation enterprise to exercise monopoly control has been rapidly eliminated by the growth of pervasive competition."[5]

True, Congress first moved against monopoly in transportation, but only because it interfered with the free flow of interstate commerce. When shippers gained too great a control over transportation because their volume of traffic allowed them to dictate rates at very low and even non-compensatory levels, which also impeded the free flow of commerce, Congress again acted.

Thus, the first step taken to strengthen regulation was carrier sponsored and resulted in the Elkins Act of 1903. It provided that tariffs must be observed, strengthened the law against rebating, made shippers liable for receiving rebates, and gave the courts power to enjoin such violations of the law.[6]

The demand for federal regulation of motor vehicle transportation for-hire came from several sources. It arose in states whose authorities had felt the urgency of some control over the use of their highways and the inadequacy of state measures. It developed strongly in the course of time in the minds of railroad officials who sought to sub-

Footnotes at end of article.

ject their motor vehicle competitors to regulation similar to that under which they functioned.

It found advocates in the motor vehicle industry itself on the part of operators dissatisfied with the chaotic condition resulting from uncontrolled competition. It was voiced by some shippers, who preferred an ordered transportation system to the unstable and uncertain conditions which had developed in motor carrier transportation. Also, it was advocated by the Interstate Commerce Commission and by the Federal Coordinator of Transportation after exhaustive studies.[7] Again, Congress acted to preserve the free flow of interstate commerce.

TECHNOLOGY AND REGULATION

The 1955 Presidential Advisory Committee On Transport Policy and Organization concluded that the public interest requires the maintenance of a sound and vigorous common carrier transportation service by all of the available means of transport, each operating within its respective capabilities and developing in accordance with the indicated demand for its services. It also concluded that such common carrier service is indispensable, yet the financial position of some of the major common carriers is precarious and they lack the means to offer superior service and to apply technological advances with desirable rapidity.[8]

Despite such pessimism, in a little more than 10 years, transportation has experienced a technological revolution within all modes. A partial listing of the changes, by modes, includes:

Air; development of the jet engine, which made possible the building of giant subsonic transports and extensive experimentation with supersonic airplanes; vertical lift aircraft manufacture including helicopters, short-takeoff-and-landing aircraft and convertiplanes.

Highway; development of the diesel engine and extensive testing of turbine engines; multiple-trailer operations; building of specialized trailers including cryogenic tankers and pneumatic-pressure trailers.

Pipeline; petroleum pipelines have been replaced with larger diameter pipe and automated; slurry lines developed for moving gilsonite, limestone, sulphur and coal; experimentation is being done on woodchip, urban waste and container pipelines.

Rail; development of the diesel engine, ribbon rail and automatic train control has led to the building of more special purpose cars such as jumbo freight cars, auto-racks, trailer and container cars; unit trains for the movement of coal, chemicals, grain, flowable bulk commodities as well as other products; experimentation with integral and land bridge trains; high-speed turbine and electric intercity passenger trains.

Water; more powerful towboats resulting in larger integrated tows on inland waterways; better communication and navigation aids; container-ships, roll-on, roll-off ships and barge-carrying ships for ocean transport.[9]

With little or no relaxation of government regulation of transportation, all of the aforementioned technological improvements have taken place since 1955. Whenever regulation is alleged to hinder technological progress, it is usually being used as a rationale for deregulation.

MODAL MONOPOLIES

Experts forecast that the gross national product will double within 15 years.[10] This means that passenger and freight transportation capacity will have to expand at least as fast in order for the supply to equal or exceed demand and thereby allow the buyer of the service to continue to control the market. This expansion, however, is already being accomplished by fewer carrier companies that are rapidly becoming specialized haulers.

In 1968 the airlines provided 70 percent of all the intercity commercial passenger transportation in the United States.[11] While there were no major airline mergers at that time comparable to rail and motor carrier unifications, since then some local air carriers have found it advantageous to unite with others or a major trunk line.

Motor carriers predominate in the handling of regulated small shipments traffic. Although there are exceptions, nevertheless from the standpoint of known tonnage, it is obvious that truckers carry many more small shipments than the railroads, the forwarders, the airlines, REA express and all other carrier groups combined. The sole exception to this complete domination in the handling of shipments under 10,000 pounds is in the small parcel weight category of 50 pounds and under.[12]

In 1957, there were 6,449 general commodity carriers in the under $5,000,000 groups, accounting for $1,835.9 million in revenues, compared to 5,547 such carriers in 1964 with $1,884.3 million in revenues. This amounts to a reduction of some 900 carriers.[13]

Additional end-to-end mergers have added to the number of long-line motor carriers.

It has already been noted that railroads have not only developed special purpose cars but also special purpose trains to become the leader in the movement of bulk commodities. Car shortages, however, can make railroads appear "monopolistic" to the shipper in need of equipment to move his products, regardless of the commodity to be shipped.

The U.S. Department of Transportation has stated that over the twelve year course of the current railroad merger wave, about thirty mergers of all kinds have been approved by the Interstate Commerce Commission. Nearly every great road has been involved. Even if no more mergers were to be proposed or approved, the Department adds, the effect of the railroad merger wave on the nation's transportation net work would be profound.[14]

What effect will the development of such modal monopolies have on the stability of rates, and service? Will intramodal competition be enough to sustain the stability, even under regulation? What will be the effect of this trend if there is more deregulation? Who controls such situations is all the more important as long as the carriers consider general rate increases as the only answer to rising labor costs and inflation. There is also the question as to the basic reason for the existence of common carriers—to provide service or to make a profit?

Hopefully, some of the most critical weaknesses in the transportation system attributable to defects in the policy and administrative organization of the national government of which Dearing and Owen complained in 1949 have or are in the process of being strengthened. Ostensibly, the Department of Transportation was organized to coordinate both transportation promotion and planning.

Fault is also to be found with carriers and shippers as well as the public. Private carrier management has been guilty of ill advised expansion, failure to achieve maximum economy, and lack of alertness to the possibilities of the newer forms of transportation. Communities and other interested groups have multiplied these problems in numerous ways; for example, by tenaciously resisting the abandonment of obsolete plant and service. Removal of these and other drags on progress will of course, be necessary if the desirable volume and quality of transport service at the lowest possible cost are to be achieved.[15]

THE CURRENT PROPOSALS

Senate bill 649 would abolish the Interstate Commerce Commission 18 months after the date of its enactment. Until such time as the ICC is abolished, a special committee would be given the opportunity to consider phasing out the Commission and the appropriate transfer of its duties to one or more existing authorities.

Key recommendation in the 125-page report of the President's Advisory Council On Executive Reorganization is a plan to abolish most of the multi-member commissions in favor of one-man administrators to head a proposed Transportation Regulatory Agency, a Federal Power Agency, a Securities and Exchange Agency, and a Federal Trade Practices Agency. The administrators, appointed by the President, without fixed terms, would be subject to Senate confirmation.

Senate bill 784 would establish "The Commission on Transportation Regulatory Agencies" and would mandate such commission to undertake a three-year study of the Interstate Commerce Commission, Civil Aeronautics Board and Federal Maritime Commission. The proposed study could result in a recommendation for merger of the three agencies or, alternatively, in sweeping revisions of the regulatory laws administered by those agencies.

Senator Mansfield's bill, S. 649, must be opposed because he has offered no satisfactory alernative. Merger of the ICC, FMC, and CAB into a single new regulatory agency may have merit, but there is certainly no pressing need for such consolidation. Senator Baker has expressed sound reasons for a study of the transportation regulatory agencies, and set definite time limits for the completion of that study.

Because there are always too many "cooks" in transportation, there is always much "chaff" to be winnowed from the "wheat". This must be done to avoid having someone inadvertently throw out the baby with the bathwater.

CONCLUSION

After stating that, "If it be true that law draws its juices from life and is not a system of stagnation, we must not expect consistency in detail or the unfolding of sterile logic in its development; . . ."[16], Mr. Justice Frankfurter says of Mr. Chief Justice Waite:

"He knew that legislation derives from fact, and that in ascertaining the existence of doubt regarding the validity of legislation, the basis of judgment is not some abstract presupposition of rights, but an awareness of the situation which confronted the legislature. Waite insisted that it was the duty of the Court to indulge every assumption that there were facts justifying the legislation; . . ."[17]

Who controls transportation will depend upon how well shippers and carriers as well as government regulatory agencies inform Congress of the facts of the situation.

FOOTNOTES

[1] Charles L. Dearing and Wilfred Owen, "National Transportation Policy," (Washington, D.C., The Brookings Institution, 1949), p. 2.

[2] Charles L. Dearing and Wilfred Owen, op. cit. p. 246.

[3] S. Doc. 8, 77th Cong., 1st sess., 1941, p. 76.

[4] "Revision Of Federal Transportation Policy", report proposed by the U.S. Presidential Advisory Committee on Transport Policy and Organization. Released April 15, 1955, pp. 1–2.

[5] "Revision Of Federal Transportation Policy," op. cit., Introduction, p. 1.

[6] Marvin L. Fair, John Guandolo, "Tedrow's Regulation of Transportation," (Dubuque, Iowa; Wm. C. Brown Co., Inc., 1954) p. 37.

[7] Parker McCollester and Frank J. Clark, "Federal Motor Carrier Regulation," (New York, The Traffic Publishing Co., 1935), p. 81.

[8] "Revision Of Federal Transportation Policy," op. cit., p. 3.

[9] See "Trends In Transportation Technology, A State-of-the-act Report From TAA", Handling & Shipping, Vol. 10, No. 1, Jan. 1969, pp. 49–86.

[10] J. W. Hershey, "Competing for Capital", Pacific Air and Truck Traffic, Feb., 1969, p. 16.
[11] "Trends In Transpotration Technology", op. cit., p. 52.
[12] I.C.C. Bureau of Economics Statement No. 67-2, Washington, U.S. Government Printing Office, 1967, p. 31.
[13] Alexander Volotta, "The Impact of Federal Entry Controls on Motor Carrier Operations," (The Pennsylvania State University, Center for Research of the College Business Administration, 1967), p. 122.
[14] "Western Railroad Mergers", Washington, U.S. Department of Transportation, Jan. 1969, p. 2.
[15] Charles L. Dearing and Wilfred Owen, op. cit. p. 351.
[16] Report from the Secretary of the Treasury on "The Removal of the Public Deposites from the Bank of the United States," Sen. Doc. 2, 23rd Cong., 1st Sess. (1833), Vol. 1, p. 20 as quoted by Felix Frankfurter, "The Commerce Clause Under Marshall, Taney and Waite," (Chapel Hill, The University of North Carolina Press, 1937), p. 66.
[17] Ibid, pp. 84–85.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION

HON. ROBERT T. STAFFORD

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. STAFFORD. Mr. Speaker, I cannot but believe that all Americans, regardless of other divergent views, have compassion in their hearts for our prisoners of war and missing in action.

The treatment being afforded prisoners of war by North Vietnam, the uncertainties surrounding even the most fundamental question of whether a soldier is being held prisoner or not, the impasse in trying to negotiate an exchange of prisoners, the utter inhumaneness with which the North Vietnam Government has treated the prisoner of war question and those most directly affected—all of these matters are incredulous even to those of us who have unfortunately experienced four wars in our relatively short lifetime.

The plight of American prisoners of war and of their families will not be forgotten, nor will this Nation's concern be confined to a single week. It is indeed proper, however, that this National Week of Concern for Prisoners of War/Missing in Action be observed so that the attention of the world, the Communist-governed portion included, can be focused on this problem.

World opinion is a powerful weapon, and one which can be properly used to see that right prevails. It is a weapon which should be used in this case so that North Vietnam will realize that it must move toward the repatriation of all prisoners.

Each of us should do everything possible to assist in mobilizing world opinion on this prisoner-of-war issue. We cannot sit by and allow the wives and families of our prisoners of war/missing in action to carry on this burden alone. The burdens they carry are already too great.

"THE OLD AMERICANS" STILL FIGHT THE SEAS—AND WIN

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. KEITH. Mr. Speaker, just 3 short weeks ago this very night, a nearly unbelievable story of drama, daring, unsung heroism, and selfless dedication unfolded on the bleak, wind-whipped waters off Martha's Vineyard Island, Mass. About 125 miles from land, the fishing vessel *Gannet* out of New Bedford, tossing on 20-foot seas and buffeted by hurricane-force winds, lost power to run her pumps, gradually began taking water and started to sink.

The men of the *Gannet*, really young "bold Americans," Capt. Ronald Johnson, and crewmen Ernest Benevide, Richard Menard, Kevin Allen, Ted Wirczwski, and Norman Viera, may be the heroes of the dramatic episode. Forty hours without sleep, they bailed, not as if, but because their lives depended on it.

Or perhaps the heroes are Coast Guard Lt. Comdr. Hugh Huleatt and the four men who volunteered to fly with him in the *Sikorsky Pelican*, into the black hurricane of Thursday night: Lt. Marvin Grier, and crewmen John Petersen, Walter Winship, Rex Barton. Barton was not even a member of the crew; he went along because he thought he could help.

But you will not find any heroes if you talk to these men. To Captain Johnson and his crew it is the job that has to be done, their way of life. To chopper pilot Huleatt is was a sense of responsibility, of dedication to helping the other guy. As he said:

I'd like to think that, if I was out there, somebody was coming after me.

Mr. Speaker, we need heroes today that are not necessarily out on a real battlefield. And we have those heroes. In an industry that is sad, and sick, and beleaguered at home and abroad—our fishing industry—we have the brave men of the *Gannet*. In our Coast Guard, continually criticized and occasionally condemned, we have the brave men of the search-and-rescue chopper. And so, Mr. Speaker, in order that more men may know of their gallant deeds, I would now like to add to the RECORD the fine account by David B. Wilson, who wrote the story of the rescue of the *Gannet*. It appeared in the Boston Sunday Globe on March 14, 1971, as follows:

LAST OF "OLD AMERICANS" STILL BATTLE SEAS—AND WIN

(By David B. Wilson)

(NOTE.—The writer lived six days aboard the Fairhaven lobster dragger *Gannet* through a hurricane-force January storm off Nantucket Shoals in 1966, and almost didn't get back. A week ago this morning, the *Gannet*, under tow from the U.S. Coast Guard *Hornbeam*, returned to port after surviving a similar storm in the same waters.)

FAIRHAVEN.—They may be the last of the old Americans—the hell-for-leather, buffalo-hunting, take-a-chance free men who seized a continent and made it pay—these casually brave New Bedford fishermen who invade the winter ocean to wrest wealth from its depths.

The new Americans are soft-handed, neurotic, dyspeptic, short-winded, systematized, epicene. They worry about whether their machines will work or their wives won't, cholesterol and sharp corners on children's toys. They worry about their children smoking marijuana in dormitories, the television glaze in the children's faces and their daughters running off to New York to get rid of the unwanted baby.

If New Bedford fishermen worried about anything, which they don't much, they would worry about dying. But that would spoil it.

There are few sexual identity crises on draggers. If you are not a man, you don't go.

Some 50 miles south of Nantucket lightship is the 100-fathom line, the true beginning of the great ocean, the edge of the continent. Beyond it, the towering seas rush in all directions, like crazed horses, and the storm wind groans with a menacing resonance.

At this invisible boundary between the sweetness and predictability of land and the stark, dark chaos beyond, the *Gannet*, 86 feet of Gammage-built oak, launched a quarter-century ago at South Bristol, Maine, was sinking with six men on board in the pre-dawn darkness of Friday, March 5.

In the wheelhouse, Capt. Ronald J. Johnson, 32, lowered the snow-blinded window on the lee side to scan the blackness for the helicopter from Otis Air Force Base. He figures the wind to have been 90–100 miles an hour, with the seas house-high above the masts, pumps dead, engine out, generator dead, batteries dying.

Below, in the engine room, the water had risen from the bilges to knee-deep above the deck plates. Electricity crackled and smoked, threatening shock and fire, and five men bailed for their lives with five-gallon oil cans.

A dragger goes down by turning turtle. As the hull fills, the ship rolls more slowly and rights herself more slowly. When she fills to a certain point, she lies on her side or, God forbid, goes all the way, keel up, and then down, a half-mile down to the sea-canyon bottom.

The men in the engine room knew this, but had no time to ponder it, with the deadly bilge climbing the bulkheads and washing down over their oilskinned bodies. Forty hours without sleep, they bailed, not as if, but because, their lives depended on it.

For the record, here are their names: Ernest S. Benevide, 57, engineer; Richard D. Menard, 25, mate; Ted Wirczwski, 47, cook; and Kevin P. Allen, 24, and Norman Viera, 30, fishermen. All live in New Bedford save the cook, whose home is in North Dartmouth. All will go to sea again, all but two in the Gannet.

Maybe it was Ron Johnson, young for a captain, bearded and cool, who held it together when things looked hopeless.

Did he ever think they wouldn't get back?

"It passed my mind," he says. "But we were too busy bailing to worry much, and, besides, there wasn't really very much we could do."

Very possibly it was Coast Guard Lt. Cmdr. Hugh Huleatt, 37, of Braintree, who flew his Sikorsky HH3F Pelican into the black hurricane of Thursday night when he didn't really have to and perhaps it was the four men who volunteered to fly with him.

They are Lt. Marvin L. Grier, the co-pilot, who clocked winds of 72 knots as the 'copter dipped to 20 feet over Gannet's orange masts, and crewmen John S. Petersen, Walter A. Winship and Rex E. Barton. As the skipper tells it, Barton isn't even a member of the crew; he went along because he thought he could help.

According to Lt. Cmdr. Huleatt, Search and Rescue headquarters at the John F. Kennedy Building in Boston called Otis earlier Thursday night to brief flight personnel. A Greek tanker was aground at Newport and Rhode Island State Police had closed the Mt. Hope Bridge because of the wind. Big chunks of tarpaper roofing were blowing off the helicopter hangar at Otis, and the coffeepot was on in the snug Ready Room.

"The RCC (Boston) coordinator asked my orinion, 'Will you launch?' and I said, 'It depends on what for. We'll have to take each case on its individual merits'," Huleatt says.

"They called back around 11 o'clock and gave us the information that there were six men out there on a sinking boat, and I took one heckuva big gulp and said, 'We'll go'."

Why did he do it, what with the wind gauge flirting with 100 miles an hour in gusts, with the darkness full of blinding snow squalls and the sea so cold a man cannot live in it five minutes?

"I'd like to think that, if I was out there, somebody was coming after me," he said.

To decide against going, to refuse to risk the aircraft and lives of five men, under the circumstances, would have been justifiable and even regarded as prudent. And there would be six new widows in New Bedford this morning.

Johnson, the dragger captain, remembers how the white chopper came over the wavetops like an angel of deliverance.

"I seen that little red light on his bottom, and it looked pretty good," he said. "We were at our lowest point, and it looked like morning wasn't ever going to come.

"I yelled down to the mate, 'The helicopter will be here in a few minutes. Tell the guys they can take it easy'."

But it wasn't easy. Nine times, Huleatt made passes over Gannet's deck, and nine times the cruel, mischievous wind whipped a weighted, 1500-pound-test drop line away from the straining hands of the Gannet crew and murderously close to the helicopter's tail rotor.

Ship and aircraft were in radio contact, but Gannet's signal was fading as the batteries died.

"Our fuel was running low," the Coast Guard pilot recalls. "I told him (Johnson) if we don't start heading home pretty quick, we're going to be down there with you."

The portable pumps the Coast Guard drops to sinking vessels are enclosed in watertight cans. They weigh 94 pounds, but they float. As the needle on the 'copter fuel gauge dropped sickeningly, Petersen and Winship rigged a nylon line 200 feet long between two of the pumps and then heaved them, one by one, through the roaring wind into the sea in the dragger's lee. At the same time Barton, who had gone along for the ride and was not a regular member of the crew, dropped a phosphorous flare as marker.

The pilot believes that if Barton had not come along, it might not have been possible properly to mark the floating pumps and line, what with the heavy pump drums bucking around the helicopter floor and the other two crew members, harnessed in gunners' lines, wrestling to get them out the door at precisely the right moment.

Without the flare, Gannet would never have seen the pumps in the water.

Kevin Allen snaked the pump line out of the sea with a grappling hook after a number of unsuccessful tries. One of the pumps didn't work, damaged in the drop. The other did. It was that close.

Gannet did not get a line aboard her for hours after. Huleatt's helicopter had to run for land, the wind at its back this time. Another 'copter arrived at first light and snapped a winch line in Gannet's superstructure. It eventually got two more pumps aboard.

The cutter Hornbeam steamed 125 miles into the teeth of the wind and sea to rendezvous with Gannet Friday around noon, as Johnson remembers it. But it was not until Saturday morning that a hawser tow line could be gotten aboard the dragger.

Repeatedly, Hornbeam fired light lines by rifle to the wallowing Gannet. And repeatedly, the sea snapped them. All night long Friday, Hornbeam stood by, keeping the now-darkened dragger in sight with searchlights. The cutter had lost its radar.

The tow was secured Saturday morning. The Hornbeam, by then joined by the cutters Active and Chase, pulled the dragger home, around Cuttyhunk and Buzzards Tower and across the bay to the New Bedford hurricane dike and MacLean's Wharf.

Gannet had been at sea a week. There was $400 worth of lobster in her tanks, fruit of some Tuesday-Wednesday dragging, before the wind rose. For crew and boat, the latter owned by Rep. William Q. MacLean Jr., (D-Fairhaven), the trip was a dead loss.

The fishery may be dying, this last or nearly last of the last frontiers. It is one of the few places left on earth where a man with a limited education can earn $15,000 a year on courage, strength and will. Machines are ruining the fishing, some say. Russian, Japanese and Scandinavian factory ships scour the ocean bottom for their lion's share. Gannet cannot compete in this kind of fish killing. The haddock, cod and groundfish generally, are getting scarce and the yellowtail flounder, they say, are fewer.

Last week, workmen were rewiring and replacing Gannet's switchboard, repairing rigging and gear and overhauling the pumps whose failure put her in such deep trouble two weeks ago.

Johnson is looking for a good sea cook, somebody like Bernie Dompierre, who made deep-fried doughnuts in a January hurricane on Gannet when she was storm-tossed south of the Ship five years ago.

He thinks she ought to be ready to steam through Quick's Hole, under Gay Head and beyond Noman's by Monday or Tuesday. All the crew but Viera and Wirczwski will be on board.

"Hell," he says, "we wanted to go Saturday, but we couldn't get her ready in time."

What sends, drives, lures them back. It is not the money, although the money is good. It is no Masefield mystique about the sea; poetry is rare on draggers. It is not because they have to do it; there is other work.

What draws them back is freedom, the thirst and need for it. Johnson put it this way:

"Nobody can tell me what to do. I'm my own man. I can go or stay as I please. There's plenty of work for a man who wants it."

For the new Americans, that is not quite so important any more as they shuffle their papers in their glass boxes.

Did you wake in the night that Friday morning and hear the wind, tearing at the cornices and thrashing among the trees? Next time it happens, remember Gannet and the Coast Guard before you snuggle down again into warm sleep.

BYELORUSSIAN INDEPENDENCE DAY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. GALLAGHER. Mr. Speaker, on March 25, we commemorate a brief moment in 1918 when the Byelorussian National Council declared independence. That flame of freedom flickered out quickly in the homeland of Byelorussia, extinguished by the naked power of the Red Army. Rebellions have demonstrated that the people of that proud land still cherish self-determination, but it is an unfortunate fact that today we cannot look to an independent Government in Byelorussia. The torch bearers are the many natives which continue to cherish that instant of freedom while not having the privilege of returning to a free homeland.

We may take justifiable pride in the fact that many American Presidents have vigorously advocated the cause of self-determination. I think particularly of that son of New Jersey, President Wilson, who is remembered as a leading advocate of free government. And so it is very fitting that today we recall the bravery of the Byelorussian people in 1918 and we commend those who keep their spirit of freedom alive in our country by reminding us that Soviet aggression has a long and dismal history.

Mr. Speaker, the plight of the peoples whose territories have been annexed by the Russian Communist State should not be forgotten by those of us who enjoy the blessing of democracy. They stand as an everlasting warning to us; I hope and pray that we may be an inspiration to them in their struggle to revive self-determination.

TEXAS DOES NOT NEED SENATOR BIRCH BAYH

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include an editorial which appeared in the Dallas Times Herald for Sunday, March 21, 1971, which echoes my sentiments completely. I believe the Senator from Indiana has sufficient problems at home to take his time and he should keep his presence out of problems over which he knows nothing about nor can do anything to help. If he feels he has won any support or friends within my State in his quest for a position of leadership within the party or the country, he is sadly mistaken. It would behoove the Senator to take the necessary steps to both issue an apology to the city of Dallas and to retract his letter to the Attorney General.

The editorial follows:

SENATOR BAYH'S CHARGES BRUTALLY ILL-ADVISED

(By Felix R. McKnight)

Sen. Birch Bayh's incredibly irresponsible indictment of Dallas law enforcement officers, issued from his Senate sanctuary 1,500 miles away, must give concern to other communities.

His coldly shallow charge of "wanton shootings by police" and "terrorizing" of a minority community, tossed off in a letter to Atty. Gen. John N. Mitchell, hits a city where it hurts.

It stirs emotions and polarizes a commu-

nity. It is incendiary—and a dangerous game to play with the life of someone else's city. It weakens and retards meticulously planned programs to promote better understanding between all peoples of a city.

It is something to ponder when an Indiana Senator, far removed from the sensitive happenings Dallas has undergone—the mass murders of three police officers and a tense manhunt in a shocked community—acts on outside information without contact with enforcement authorities.

Such ill-advised, ill-informed action by a politician—prominently mentioned as a possibility for the 1972 Democratic ticket—is destructive. It compounds the undocumented, stereotyped charges of police brutality that have become a must item in a protester's propaganda kit.

If there be police brutality in Dallas, and there could be questionable instances, it should be responsibly hunted down, eradicated and proper punishment given to the offenders.

But to play, via long distance, with law enforcement in Dallas on the urgings of Ed Polk, controversial and recently resigned head of the Dallas Legal Services Project, and others, is inexcusable.

Sen. Bayh, in urging Atty. Gen. Mitchell to open an investigation that had already been under way in the Justice Department for some time, used correspondence and telephone calls to insinuate that "police officers of Dallas County have 'terrorized' large segments of the Mexican-American population."

That is unadulterated irresponsibility. It simply is not true.

Police officers of Dallas County do not go out looking for package lots of Mexican-Americans, whites or blacks to "terrorize." If they did the community would throw them out of office—and this newspaper would lead the way.

Sen. Bayh, and his informants, must follow facts in this case.

Two Mexican-Americans were identifiable suspects in the execution slaughter of three sheriff's deputies—three officers tied with ropes and never given the chance to resist. In cold blood—murdered. A horrible end for the three officers, including one Mexican-American, from the gun barrel of suspects who acted in the depravity of heroin addicts.

Normal police procedures dictate that, in search for suspects not yet apprehended, minute descriptions are given in the all-points bulletin to law enforcement agencies. It could just as well have been, as it has in hundreds of other cases: "Wanted: Two white males, five feet, 10 inches; 170 pounds, one wearing blue cap, red shirt and dark pants, etc."

Patrolling officers would stop, and question, all white males wearing a blue cap, red shirt, dark pants and with comparable physical measurements. Some Mexican-Americans undoubtedly were stopped for questioning because two of their people were being sought as suspected sadistic killers.

It is to be hoped that no citizen would be mistreated under such conditions. This newspaper, this community would not condone such violation of citizen rights. But it is difficult to accept, as Bayh charges, that "large segments of the Mexican-American community" were terrorized.

The FBI, the civil rights division of the Justice Dept. and others are conducting an investigation, including the shooting of Mr. and Mrs. Thomas Rodriguez, wounded when officers entered their apartment while searching for the suspects in the same building area. Officers contend they identified themselves and that Rodriguez shot at them when they forced entry. He has been charged with assault with intent to murder.

Bayh's letter to Atty. Gen. Mitchell also said he had received complaints "alleging wanton shootings by police in Brownsville, Pharr, San Antonio and now Dallas, in which Mexican-Americans have been innocent victims."

If "wanton shootings" have occurred in Dallas, the orderly processes of investigations now underway will reveal it. Sen. Bayh could have followed the much sounder line of Gus Calderon, president of the Latin American Action Group, who has handed the FBI and local police complaints on four specific cases. None, however, involve "wanton shootings."

The Mexican-American community in Dallas is a good one that contributes much to the life of the city. It is our objective for all colors to live and work together—not to be punched apart by a politician's ill-advised shaft.

RARICK ON POW'S

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RARICK. Mr. Speaker, today I testified on the crucial plight of our POW's.

I include my statement in the RECORD:

STATEMENT BY JOHN R. RARICK

Mr. Chairman, members of Committee, as author of H. Con. Res. 66 and co-author of H. Con. Res. 116, I urge their early and unanimous adoption—not that they will relieve the situation nor free any of our captive men, but as a public gesture of our determination to see that they are not forgotten Americans.

We hear much these days of priorities—pollution, cities, and poverty, but I am convinced that along with national defense the number one priority must be our POW's and whatever efforts are necessary to regain their freedom.

The American people can do anything they want to if they have leaders who will lead. Men who have repeatedly gone to the moon can most certainly get our men out of Communist POW camps in North Vietnam or wherever they are held—that is if they want to and if they are convinced the people understand this. How any American can sleep with an untroubled conscience or enjoy his freedom and affluence so long as there is one American POW mistreated and held prisoner is inconceivable.

Our past POW release activities have accomplished nothing. We need to change our tactics.

In the history of our country, American men have fought many wars and, as a consequence of battle, many fighting men have been captured and held prisoners of war. But in every past war that was fought for freedom and not for peace, these captured fighting men were freed or released on orders of the Commander in Chief because the war was either won or the men were rescued by military force. The exceptions to this rule started with the United Nations peacekeeping mission in Korea which, because it was not ended, continues to this day.

The war in Vietnam has been accompanied by another first in the history of our Nation. Never before have we Americans had to sit back and watch in disgust and utter disbelief as the wives, children, mothers, sweethearts, and loved ones are urged, if not forced, to enter into international negotiations on behalf of their sons, fathers, brothers, and sweethearts who are held prisoners of war in Vietnam.

Never before in the history of our country have so much public opinion and interest been unleashed upon such a disgrace and travesty against the American people when they have paid for and still enjoy the prestige of being the world's strongest and most powerful people.

The President of the United States as Commander in Chief, has made numerous overtures of conciliation to pacify the affected Americans, but otherwise has done little or nothing to end the war in such a manner as to assure the release and recovery of our captured fighting men.

Many well-meaning people seeking worthwhile causes have accepted the prisoner-of-war relief leadership because of the vacuum existing due to inaction by our own elected leader. In fact, the present resident of the White House seems most satisfied to have someone else carrying the ball, thus taking the pressure off his inactive leadership and unproductive policy.

Foremost in such people-mobilization projects is the program to encourage American citizens to write to Communist dictators in Russia, North Vietnam, and even the Secretary of the United Nations, appealing in a courteous, nonpolitical manner for humane treatment of our captured fighting men in Vietnam. Frequently, from the American friends of Hanoi, as reported in the media, these activists even take strength in the thought that the Communist prison-keepers might be making some slight concession as a result of the outpouring of deep sympathy and compassion by Americans over their fellow countrymen who suffer in stinking Red prisons.

But the great weight of the evidence is that the tons of letters and tremendous activity by concerned Americans can never accomplish anything because Americans do not understand the thinking of Communists and they refuse to understand Communist goals.

Any understanding of the Oriental personality should convince our fellow countrymen that to the Oriental, weakness is to be treated only with contempt and scorn. Therefore, at most, the Communist dictators who have already been assured that our military does not seek an end to the war in conventional methods can but consider the millions of letters and direct appeals from our well-meaning citizens as a sign of national weakness—a loss of control by those in positions of authority in our country. As such, contrary to accounts in the news media, we but encourage the government of North Vietnam to forever delay any formal peace talks. We but reassure Hanoi that our Nation is now weak, divided, and leaderless. All that remains is to wait for the masses to demand that the weak leaders remove all U.S. troops and support. Then the Communist goals are satisfied.

In World War II, who would ever have thought of writing or petitioning Adolf Hitler or Emperor Hirohito for the humane treatment or release of American POW's?

History is replete that a nation which does not win its wars loses its captured fighting men—all the proposed peace talks, well-intentioned correspondence and POW publicity programs notwithstanding. We are reaching our people but not the enemy.

The men held prisoners in North Vietnam, estimated as high as 1,600, are Americans who have risked their lives while we have enjoyed peace and prospered. These are men who were willing to sacrifice for a progressive nation that now appears to be unwilling to risk anything in order to regain for them their freedom. If we as a people will not fight for them and make the POW issue one of the top priorities in our national goals we are undeserving of the freedom we so take for granted. If we ever do regain our POW's, it will only be after they have suffered the deadly rot of mind, body, and soul—that indescribable diseased condition of a living death known only by saddened and broken men who have experienced being abandoned by their country.

As a former prisoner of war in Europe, I know all too well the desolate feeling of loneliness in imprisonment. However, those

of us held prisoner in Europe never experienced total despair. We were confident that our countrymen at home supported us 100 percent; that we were not forgotten and that the leaders of our Government would never rest until we were freed and restored to our homeland. We knew that never in the history of the United States had Americans ever been deserted by their country.

We could hear the sounds of military action from our troops, the distant rumblings of artillery, the frequent bombing of the enemy in his base of operations, and we knew America had the will and the positive leadership to win. But most of all our morale was bolstered with the confidence that we would never be abandoned or deserted by our country. As prisoners of war in Europe, we were always heartened and reassured by the knowledge that freedom was only a matter of time.

Life in a prison camp in Germany was not pleasant—no man takes pleasure at the loss of his freedom—but as prisoners we were at least treated within the minimum standards—with isolated exceptions—prescribed by the Geneva Convention. Further, we were captives of a nation which had not made it their national policy to mistreat prisoners of war.

How much more dismal and grim the condition of our men held captive in North Vietnam, Korea, and China. They can detect no evidence of impending rescue. Their only contact with the outside world is through enemy propaganda. And in that propaganda they hear and see films of leaders of their own country, supporting the position of the enemy and referring to their activities as war crimes.

Some of our well-meaning citizens feel that we must mobilize world public opinion in support of our captured men. I am not concerned about influencing world public opinion. I'm concerned about what we Americans think of each other—especially what our POW's think of us.

Well-meaning words, phrases, and platitudes just won't get it. If they would, the peace talks and negotiations would have already accomplished some relief or freedom for our POW's.

There is but one person in our entire government who holds the authority as well as the responsibility for regaining the freedom of our captured prisoners of war. He is the President of the United States, the Commander in Chief, under whose orders these military men went into battle, were engaged when captured, and under whose orders they remain as prisoners.

It is the President of these United States and not the head of North Vietnam who should be receiving the petitions, wires, and letters. Even if he did not see them, the aides would know the volume of the public outpouring—which is more than can be said of the Red dictators.

If the American people want to regain our prisoners of war, they would have far greater effect and success if they would direct their appeals not to the unresponsive Communist dictators, but to Honorable Richard M. Nixon, President of the United States and Commander in Chief of all U.S. military forces.

WHAT TO DO WITH THE DRAFT

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BINGHAM. Mr. Speaker, I would like to include in the RECORD at this point two recent editorials broadcast here in Washington by WRC–TV, channel 4, concerning the draft. The first was broadcast on March 16 and 17 and the second was broadcast on March 17 and 18. The editorials follow:

CONCERNING THE DRAFT

No one loves the draft. Too often it is unjust, inequitable and places too great a burden on the poor and the uneducated.

There are proposals to change all that. Many lawmakers on Capitol Hill want to abolish the draft entirely not only because of the inequities but as a means to end a President's ability to involve the United States in dangerous and costly foreign entanglements.

WRC–TV opposes abolishing the draft, not because we believe the President should have a free hand, but because it would leave the nation without the machinery and hence the ability to defend itself in the event of a real and present danger to its security.

The administration has asked for the establishment of an all volunteer military force with draft calls at zero level.

WRC–TV is opposed to an all volunteer military force. The cost would be enormous, but more important such a force would be made up of underqualified candidates without the necessary leavening of men from civilian life who are brought into the service temporarily via the draft.

A large highly paid, all volunteer force bordering on the mercenary and led by an officer caste could be a menace to the general welfare. This nation has never had that type of military establishment and never should have. The best reason we can think of is the military dictatorships that abound in the world today.

There is a viable alternative to the present draft system.

We will discuss it tomorrow.

CONCERNING THE DRAFT

In an editorial yesterday WRC–TV opposed an end to the draft and the concept of an all volunteer military force. There is an alternative which WRC–TV supports in even stronger form than its sponsors have proposed.

Congressman Jonathan Bingham of New York and others have offered legislation to set up a limited National Service system to replace the present draft law. It would offer young men a choice of going into the military, or selecting a program such as the Peace Corps, Vista or a special civilian service focusing on inner city problems or conservation.

If he did not choose one of those he could take his chance with the present draft lottery. Under the Bingham proposal the conscientious objector status would be abolished thus ending one of the thorniest problems faced by the government.

WRC–TV suggests that the National Service Act be extended to cover women as well as men. In addition, everyone who wants to serve his country either in a military or civilian capacity be given that opportunity. There is plenty of work to be done to upgrade the level of life in this nation.

We urge the Congress to approve and extend the Bingham proposal quickly. Some way must be found to change the attitude of—how can you escape your duty to how can you best serve your country.

SAN JUAN'S 450TH ANNIVERSARY

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BADILLO. Mr. Speaker, I am very pleased to introduce today a resolution commemorating the 450th anniversary of San Juan, P.R. This is a very significant event as the capital of Puerto Rico, founded in 1521, is the oldest city of the United States.

Long the vacation mecca of millions of American tourists from the mainland, San Juan has a rich historical and cultural heritage. This lovely city also plays an important and unique role in Inter-American affairs and has been instrumental in bringing the peoples of the Western Hemisphere together.

Gateway to "La Isla Verde," San Juan maintains a very special relationship with the American republics. The San Juan metropolitan area reflects to a great extent and is symbolic of the whole range of social and economic problems of Puerto Rico and Latin America. While it is confronted with many of the pressing problems of our urban areas—housing, education, employment, community development, and health—great progress has already been made and the officials of San Juan and Puerto Rico are on the road to taking meaningful and effective action to cope with these urban difficulties.

The resting place of the great Spanish conquistador and discoverer of Puerto Rico—Ponce de Leon—and the site of the world-renown Casals Festival, San Juan can take justifiable pride in its four and a half centuries of existence. I am pleased to honor the capital of my homeland and to join in saluting this great city on its anniversary.

I insert herewith, for inclusion in the RECORD, the text of my resolution and urge our colleagues to join in paying tribute to San Juan:

H. CON. RES. —

Whereas the city of San Juan, capital of the Commonwealth of Puerto Rico, commemorates this year the 450th anniversary of its founding on the same site where it is presently located;

Whereas its founding in the year 1521 makes it the oldest city in the United States;

Whereas our fellow citizens in Puerto Rico, and the citizens of the United States generally, feel justly proud of the rich historical and cultural heritage contributed by the city of San Juan to the gigantic melting pot of different races, peoples and customs that comprise our great American nations; and

Whereas the citizens of San Juan, headed by the Governor of Puerto Rico, Hon. Luis A. Ferre, and the city mayor, Hon. Carlos Romero Barcelo, jubilantly celebrate the historical date: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States congratulates the citizens of the municipality of San Juan, and joins them in the joyful celebration of their 450th anniversary.

IN COMMEMORATION OF THE PROCLAMATION OF INDEPENDENCE OF THE BYELORUSSIAN DEMOCRATIC REPUBLIC

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. ROE. Mr. Speaker, I join with you and our colleagues in the Congress today

in observance of Byelorussian Independence Day and in tribute to the courage, fidelity, and dedication to the principles of representative democracy manifested by the long struggle and pioneering efforts of the Byelorussian people.

The Byelorussians' interest in their national culture and their historic manifestation and action in seeking release from political servitude during the 19th and early 20th centuries evolved into the proclamation of independence of the Byelorussian Democratic Republic on March 25, 1918. It is the 53d anniversary of this historic event that is being commemorated today.

As a nation comprised of people of all nations, many of whom are descendants of, or have personally experienced oppression and tyranny in foreign lands, our United States of America is deeply sympathetic to the plight of the Byelorussians. At the very threshold of our shores stands a great lady known to all as the Statue of Liberty or the "Mother of Exiles" whose torch of imprisoned lightning flames in silent testimony to the principles upon which our Nation was founded—for life, liberty, and the pursuit of happiness. Our Constitution is the cornerstone and "Rock of Gibraltar" upon which our Government and our individual freedoms and liberties are predicated and preserved.

These two historic national treasurers are tangible evidence of the culmination of the peoples of many nations' long and bitter hardships and struggles for freedom and independence. May they continue to serve to encourage and provide renewed hope to the Byelorussians and all peoples of oppressed and captive nations in their pursuit of freedom and happiness.

We applaud the Byelorussians' sincerity of purpose in continuing to seek educational and cultural enrichment, maintain the dignity of man, restore their individual national recognition among all countries and achieve their independence.

As we all know, the independence of the Byelorussian Democratic Republic and their approximately 8 million people, was shortlived. History reveals that Byelorussia was divided in 1921 when the Treaty of Riga ended the war between Poland and Bolshevik Russia. At that time two-thirds of Byelorussia with a population of approximately 5 million was placed under Soviet control.

The Byelorussian people have been strongly supported and their cause for equality and justice kept alive and vibrant by many Americans. I take this opportunity to particularly commend on the pages of this congressional journal of history the great contribution that the Byelorussian-American Association has made to this noble effort over these many years. In today's anniversary observance of the Independence Day of Byelorussia, I am indeed proud and honored to join with President Walter Stankievich of the National Chapter of the Byelorussian-American Association, who is a distinguished resident of my Eighth Congressional District, and all of the members of the association in renewing our devotion to the heritage of our national resolve and deep desire that the courageous people of Byelorussia may soon achieve their national goal and share the just and rightful endowment of our free world which they so richly deserve.

WE ARE STILL SCARED

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. GRIFFIN. Mr. Speaker, most Americans are concerned people when it comes to their Government. Mississippians share this concern and cherish it as one of the prime duties of their citizenship.

I recently saw one of the most cogent and illuminating expressions of this concern in an editorial by Mr. Sam W. Warren in the Northside Sun, March 18, 1971, published in Jackson, Miss.

I commend it to the attention of all Members of the House:

WE ARE STILL SCARED

We're still scared.

Several years ago we summed up our views on the condition of this country in an editorial entitled "We're Scared." And we're still scared.

Nixon now has joined his predecessors in taking the easy way out: deficit spending. With a nation of spoiled people, where everyone must live on a scale that only a small per centage earn, it is hard to get reelected by sticking to good economics. Nixon made strides in this direction before copping out in the interest of keeping the people happy with financial policies this country can ill afford.

If the federal government still has to puzzle over the inflation spiral they're bigger idiots even than they seem.

Base an upward spiral on a programmed increase in minimum wage (which a grade school economist can see will increase all wages above it and the price of all products involved.) Add to this a Social Security Deduction (matched by employees) which now represents 5.8% of the income of a man making $7,800 per year.

(The true way to figure this is that he is making $8,250 and that the per centage for Social Security is 10.9 of the $8,250 as his employer must match—in his name—all that is deducted.)

None of these above drains produce a product.

Then throw a budget deficit into the picture. Any time an economy spends more than it is producing, it will bring about a scarcity and therefore higher prices.

Put this all together. Add a postage increase; 33⅓% on first class; a doubling of Second Class (newspapers and magazines), spread over five years; and approximately 30% on Third Class (also spread over five years).

Private enterprise couldn't make it in Railroads. (Partially due to the generous federal subsidizing of its competitors.) So a government agency is set up to operate those railroads in trouble.

A government agency. Great!

The government agency Post Office couldn't make it thanks to being operated as are most government agencies, so a non-government type postal corporation is set up to get it on its feet.

Its first move? Just like the federal boys operate. They can't make it on the present income, so raise prices. More efficiency? Competition for jobs? Nope. Just raise prices and continue to drag along on the present inefficient system.

Welfare folks in a New England state have sued the 'system' for the right to get divorces without paying the usual costs. Say they can't afford it. In the old days, welfare folks were said to be on "relief" which had a temporary ring. They would have borrowed the money or gotten divorced on credit, expecting some day to be in better shape. Today, they figure welfare as a way of life, forever and forever.

If welfare payments do not meet the standard of living they desire, they protest and demonstrate.

The only economically sound reason for wages to increase is that of scarcity of labor. Artificial increases simply bring a wave of higher prices which offset the worker's increase. When minimum wages were applied to a wider scope of businesses a few years ago, businessmen pointed out that it would make many marginal workers lose their jobs. These are some of the ones today drawing welfare to the point of putting some states on the verge of bankruptcy.

The harried pace of these pressures to make ends meet, produce more working wives, more time spent in business pursuits and less time to communicate with children. This is meeting head on with a greater need for such communication.

The younger generation—many of its members at least—already has adopted new life styles. Their elders have more problems of communication than previously, and less time to devote to it.

Militants speak of a revolution. Conservatives have stopped saying they prefer the status quo. Some liberals are beginning to realize that they have brought about the changes they sought to the limit of possibilities (we hope.)

The direction in which we are headed are not likely to succeed.

TRANSPORTATION: A FAILURE OF MIND

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. PICKLE. Mr. Speaker, on occasions which are becoming more and more frequent, I sometimes view this Government's approach to a balanced, integrated national transportation system as being very much like a balloon filled with hot air and let loose to travel wildly and dramatically and finally land spent—never having gone anywhere at all.

We are at the edge of technological sophistication with exotic devices called tracked air cushions, linear induction, monorails, STOL, VTOL, et cetera, et cetera.

Yet, the truth is—very little evidence is available which indicates these various modes of transportation are being looked at on a national basis with the same pair of governmental eyes.

We are rushing ahead pellmell with technology.

But without a plan.

A modern-day philosopher has put thoughts along these lines together in an article in the New York Times. Although I cannot totally agree with Lewis Mumford, I do think he nails the problem: we need to consider the machines a servant of man—an admitted

reversal of present status—and look toward transportation systems which will comfort mankind as well as move him across space. I, therefore, ask you to read the following article:

[From the New York Times, Mar. 15, 1971]

TRANSPORTATION: "A FAILURE OF MIND"

(By Lewis Mumford)

CAMBRIDGE, MASS.—Many people who are willing to concede that the railroad must be brought back to life are chiefly thinking of bringing this about on the very terms that have robbed us of a balanced transportation network—that is, by treating speed as the only important factor, forgetting reliability, comfort and safety, and seeking some mechanical dodge for increasing the speed and automation of surface vehicles.

My desk is littered with such technocratic fantasies, hopefully offered as "solutions." They range from old-fashioned monorails and jet-propelled hovercraft (now extinct) to a more scientific mode of propulsion at 2,000 miles an hour, from completely automated highway travel in private cars to automated vehicles a Government department is now toying with for "facilitating" urban traffic.

What is the function of transportation? What place does locomotion occupy in the whole spectrum of human needs? Perhaps the first step in developing an adequate transportation policy would be to clear our minds of technocratic cant. Those who believe that transportation is the chief end of life should be put in orbit at a safe lunar distance from the earth.

The prime purpose of passenger transportation is not to increase the amount of physical movement but to increase the possibilities for human association, cooperation, personal intercourse, and choice.

A balanced transportation system, accordingly, calls for a balance of resources and facilities and opportunities in every other part of the economy. Neither speed nor mass demand offers a criterion of social efficiency. Hence such limited technocratic proposals as that for high-speed trains between already overcrowded and overextended urban centers would only add to the present lack of functional balance and purposeful organization viewed in terms of human need. Variety of choices, facilities and destinations, not speed alone, is the mark of an organic transportation system. And, incidentally, this is an important factor of safety when any part of the system breaks down. Even confirmed air travelers appreciate the railroad in foul weather.

If we took human needs seriously in recasting the whole transportation system, we should begin with the human body and make the fullest use of pedestrian movement, not only for health but for efficiency in moving large crowds over short distances. The current introduction of shopping malls, free from wheeled traffic, is both a far simpler and far better *technical* solution than the many costly proposals for introducing moving sidewalks or other rigidly automated modes of locomotion. At every stage we should provide for the right type of locomotion, at the right speed, within the right radius, to meet human needs. Neither maximum speed nor maximum traffic nor maximum distance has by itself any human significance.

With the over-exploitation of the motor car comes an increased demand for engineering equipment, to roll ever wider carpets of concrete over the bulldozed landscape and to endow the petroleum magnates of Texas, Venezuela and Arabia with fabulous capacities for personal luxury and political corruption. Finally, the purpose of this system, abetted by similar concentration on planes and rockets, is to keep an increasing volume of motorists and tourists in motion, at the highest possible speed, in a sufficiently comatose state not to mind the fact that their distant destination has become the exact counterpart of the very place they have left. The end product everywhere is environmental desolation.

If this is the best our technological civilization can do to satisfy genuine human needs and nurture man's further development, it's plainly time to close up shop. If indeed we go farther and faster along this route, there is plenty of evidence to show that the shop will close up without our help. Behind our power blackouts, our polluted environments, our transportation breakdowns, our nuclear threats, is a failure of mind. Technocratic anesthesia has put us to sleep. Results that were predictable—and predicted!—half a century ago without awakening any response still find us unready to cope with them—or even to admit their existence.

THE 100TH ANNIVERSARY OF THE BIRTH OF PRINCE JONAH KUHIO KALANIANAOLE

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mrs. MINK. Mr. Speaker, I rise today to pay tribute to a great American who worked in this very Chamber as a nonvoting delegate from Hawaii from 1902 until his death in 1922. Few here today will remember him, but all Hawaii tomorrow celebrates the 100th anniversary of his birth. Prince Jonah Kuhio Kalanianaole, born on March 26, 1871, was a true prince and hero for Hawaii and her native people. Each year on March 26 Hawaii celebrates his birth with a State holiday, but this year's observance will be the most historic of all.

There is no doubt that had the monarchy in Hawaii prevailed, Prince Kuhio would have become king one day. He was the only prince of royal blood who ever served in the Congress of the United States.

Prince Kuhio was born on the Island of Kauai as the second son of the High Chief, Kahalepouli Piikoi, and Princess Kinoiki Kekaulike. He became "hanai" or an adopted son of his aunt, Queen Kapiolani and King Kalakaua. Later, Princess Liliuokalani, King Kalakaua's sister, named him heir to the throne.

In the early days following the annexation of Hawaii there was much bitterness among the native Hawaiian people. Two years after the overthrow of the monarchy Prince Kuhio participated in an uprising to reinstate the Queen. For his part in this revolution he was sent to prison for 1 year.

Prince Kuhio was reluctant to become a delegate to Congress for he did not want to be so far removed from his people. But he became convinced that this was the way that he could do the most to protect his people, their way of life, their land, and their heritage. And so he served with dedication and deep commitment for nearly 20 years. He was a great orator, beloved and respected by his people and became the architect of laws which have contributed to Hawaii's growth and development into statehood.

The most remarkable achievement which was Prince Kuhio's was his conversion of the people of Hawaii to embrace the concepts and ideals of America despite their personal pride and devotion to their queen whose reign had been ended by outside intervention.

Prince Kuhio knew deeply the grave injustice suffered by his people and he worked long and effectively to help restore and rehabilitate them. He was a man with a dual mission, both of which he saw accomplished before his death. One, the greater Americanization of Hawaii and, two, the greater protection of the land and rights of his people.

When Hawaii was annexed the Crown lands became a part of the lands of the United States. Much of the best lands had been turned over to the sugar and pineapple companies. Little was left to the native Hawaiian. Prince Kuhio knew that the very survival of his race depended on what he could do to provide necessary lands for homesites and for cultivation. He originated the Hawaiian Homes Commission Act which became law in 1921 and which is still regarded by all native Hawaiians today as their congressional bill of rights.

We, of Hawaii, are proud of Prince Kuhio, of his many accomplishments, and of his life which he gave so unselfishly for the benefit of his people. In this spirit we all celebrate his 100th birthday anniversary.

JOHN C. SEVERINO

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. ROSTENKOWSKI. Mr. Speaker, Clarence Petersen, television editor of the Chicago Tribune, recently profiled ABC vice president and general manager of Chicago's WLS–TV, John C. Severino.

I thought that my colleagues might be interested in what a member of the working press has to say about the goals, ambitions, and frustrations of a modern television station executive.

The profile follows:

JOHN C. SEVERINO

At the age of 34, John C. Severino, vice president and general manager of WLS–TV, is the youngest TV station manager in Chicago and one of the youngest in any major city. But far from being intimidated by the responsibility, he calls it a "super job."

Severino became manager of the ABC-owned station a year ago, taking his seat behind the big semi-circular desk that dominates his 10th floor corner office in the State-Lake building, and it was a fairly super job even then.

The network, once known for its interminable copies of 77 Sunset Strip, each with an interchangeable cast of bland-faced beachboys, and for its breathtaking shuffles of executive personnel, had begun some healthy experimentation with new programming ideas that were proving successful, often as not, in the important 70 markets where most of the nation's population and money are concentrated.

WLS–TV, once termed by Variety as "Chicago's back of the yards television station," no longer protested the characterization, preferring instead to rejoice in the contrast with the station's new image.

Richard A. O'Leary was the general manager who turned WLS–TV around, making

it the talk of the town largely thru his success in assembling and promoting the station's Eyewitness News team of Fahey Flynn, Joel Daly, Bill Frink and John Coleman. Not only did Eyewitness News confront NBC's Floyd Kalber with his first serious challenge in 10 years, but it was the first channel 7 newscast in a decade to have any success at all.

Having thus put WLS–TV on a sound footing, O'Leary last March went on to his just reward, the presidency of ABC's owned stations division, and Severino was brought in from Detroit to succeed him.

It was Severino's fourth promotion in four years and his third job with ABC in Chicago. He started here as an account executive in March, 1966, moved to New York 15 months later as an account executive for the network there, returned to Chicago seven months later as sales manager for WLS–TV, and 18 months after that became general sales manager of WXYZ, the ABC-owned station in Detroit. He was there just eight months before he was sent back to Chicago to take over WLS–TV.

Now that his elder son, Mark, who will be 7 next month, is in school and his younger son, David, nearly 5, will soon begin, Severino hopes to stay in Chicago a bit longer than has been his habit. His wife, Sally, whom he married when both were graduate students at the University of Connecticut 10 years ago, wouldn't mind staying awhile either. Settled in Deerfield now, they sold their last house in Detroit only two weeks ago.

And besides, Severino has that "super job."

It starts at 7 a.m. in the bathroom at home, where Severino watches himself shave with one eye and watches Kennedy & Co. on a small TV set with the other. It continues at breakfast, where another of the family's seven sets is aglow, and it continues in his car as he drives into the Loop, with an audio receiver bringing in Channel 7 as if it were radio.

He arrives in his office, where four TV sets monitor channels 2, 5 and 9 (in black and white) and channel 7 (in color). For the rest of the day he is either on the phone or at a meeting. He takes about 75 calls a day, he says. There are not quite so many meetings: usually three major meetings with heads of the programming, news, sales, business, legal and advertising and promotion departments, and perhaps 50 of what he calls "mini-meetings," which may last only a few minutes and consist of nothing more than someone sticking his head in the door to ask, "Hey, Sev, what about this?"

On the desk are pertinent clippings from newspapers and trade journals and a sampling of the mail, including complaints. He does not see all the complaints, but he likes to know what viewers are angry about. His most memorable letter contained two small strips of metal and plastic. The viewer said they were the components necessary to tune in channel 7 on his television set and he wouldn't be needing them any more.

"I took them down to engineering," recalls Severino, "and, by God, that's exactly what they were!"

He rarely leaves his desk until 6:30, at the close of the 6 o'clock edition of Eyewitness News. "Usually there are a bunch of us in here watching it," he says, "and criticizing everything from the color of the blazers to the operation of the weather map."

Severino's bunch does not, he says, mess with the content of the news. But the Eyewitness Newscasts at 5, 6 and 10 p. m. are channel 7's hottest property and the best thing that ever happened to the ABC-owned stations in New York, Detroit, San Francisco and Los Angeles too. Best, that is, depending on your point of view.

The informality of the newscasts has been widely and seriously criticized as a plot to beguile the viewers with fun at the expense of keeping them informed of the gravity of events in the news.

The Alfred I. du Pont-Columbia University Survey of Broadcast Journalism for 1969–70 found it "chilling to reflect [on] a trend toward yuk-it-up happy-talk news [in which] sometimes important stories are glossed over to get a laugh."

Severino flatly denies the implications of the report, which led to similar appraisals in several national magazines. And he can argue persuasively that WLS–TV is no more superficial in its news coverage than any of its rivals.

In fact, WLS–TV has expanded its early evening local news coverage from 30 minutes to an hour, separated at midpoint by the network's 30-minute Howard K. Smith-Harry Reasoner newscast. Some, but not all, of the stories reported by John Drury at 5 are repeated by Flynn-Daly at 6.

In any event, Severino says, Flynn, Daly, Coleman and Frink—"guys who like their jobs are guys you like to watch"—liked their jobs and each other before Chris Duffy, the station's advertising and promotion manager, discovered it and turned it into a slogan.

Where the style has spread [even beyond the ABC-owned station complex], the claim to spontaneity rings false—except in the sense that off-camera horseplay is nothing new in the broadcast newsroom; letting the viewer see a bit of it is.

Broadcast newsmen, ruefully aware that their personalities are as important to their success as their competence, are reluctant to applaud any enhancement of that unhappy fact, but as television news has become saleable it has won them more time. The principal enemy of broadcast news has always been the clock.

Establishing the WLS–TV newscasters as strong personalities established the station itself as a living, breathing and identifiable entity where it had little or no personality before. Severino sees his mission as continuing the development of that personality.

When Howard Miller substituted as host of the midnight Chicago show and the telephone and mail response "told us that there was actually someone out there." Severino lost no time in hiring Miller as permanent host. In the morning, Kennedy & Co., a youthful and energetic version of Today with first-string guests and with the telephone lines open to audience participation, recently succeeded in catching NBC's Today in an ARB telephone coincidental survey.

Such surveys, based on a small sample, are not worth much, Severino admits, but he was pleased with the implications of that one.

To attract younger viewers, Kennedy & Co. is experimenting with kiddie calls. Week day children's programming is otherwise nonexistent on WLS-TV, one of the objections of the trio of broadcast watchdog groups, which has thus far succeeded in delaying FCC approval of WLS-TV's license renewal application.

Severino is impatient with the watchdogs. Of their complaint that the station has not hired minorities in proportion to their representation in the Chicago area, he agrees that the station operates in compliance with the civil rights acts. "We have always been an equal opportunity employer," he says, "and as for serving the community, we do more local live broadcasting than channel 2 and 5 combined."

More to the point, it is probably a myth that minorities are not served by many of the same programs that the majority prefers to watch, including news and sports as well as entertainment programs.

Black on Black with Daddy-O Daylie may not by itself fulfill channel 7's obligation to focus on the special concerns of Chicago's black population, but good as it is, it by no means attracts black viewers the way Marcus Welby does. Nor could it expect to do so were it seen in prime time, a possibility when the three-hour rule takes full effect next fall.

"It is time," says Severino, "for a new definition of 'the public interest.' It ought to mean, 'what the public is interested in.'"

By that standard WLS-TV might seem to have it made, having learned a great lot in the last two years about what interests the public. But Severino is realistic enough to know how quickly things can change.

"Chicago is the most competitive market in the United States," he says. "Here we have three strong network stations [WBBM-TV is a sleeping giant, soon to awaken] and probably the strongest independent station, WGN-TV, in the country. Nobody rests easily here."

IKE'S ROLE IN OPERATION KEELHAUL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RARICK. Mr. Speaker, the "Operation Keelhaul" atrocity was "a coldbloodily planned and executed British-American operation, carried out under the aegis of General, later President, Dwight (Ike) Eisenhower." So charges Columnist John B. Gardiner in his recent Far Eastern Corner.

Such serious charges expressly naming former President Eisenhower with the gun point repatriation of thousands of liberated Communists back behind the Iron Curtain following World War II may supply the answer why President Nixon refuses to make public the Operation Keelhaul files.

It may also explain why the British are conveniently being used as the scapegoat for keeping the files top secret at the Pentagon.

Is the top secret the involvement of Ike?

Now that the story is out, it would seem that if untrue, President Nixon would want to release the Keelhaul files to clear Ike's name and reputation—if innocent. And if the administration continues its secrecy and buck passing to the British, the effect may well be considered as proving Mr. Gardiner's charges—and the files may even reveal deeper implications.

I insert Mr. Gardiner's article at this point:

[From the Manchester Union Leader
Mar. 10, 1971]

JOKERS IN IKE'S PACK

(By John P. Gardiner)

When Professor Julius Epstein of the highly-respected Hoover Institute for Peace and War, around a year ago, sought to have the Top Secret documents relating to "Operation Keelhaul" declassified, the liberal Establishment's Washington component told him that his request for information on this 25-year-old mystery could not be granted without the approval of the British government.

In our column, a couple of weeks ago, captioned "Establishment Triple-Locked Closets," our readers may remember that we identified the three as Republican, Democrat and bureaucrat. Professor Epstein's exemplary persistence obviously had the liberal Establishment backed into the tightest of tight corners. The normal bureaucratic Washington old run-around, "It ain't us, it's the other guy" didn't go with him. In apparent desperation, the liberal Establishment attempted to slip out of its boxed position by placing responsibility for continued secrecy on a foreign government. This slippery

ploy, brought to light what is, in effect, a fourth lock which would obviously be more difficult for Professor Epstein to crack than those of the domestic variety. As of this writing Professor Epstein and the millions of American citizens who share his interest in this shocking liberal Establishment atrocity perpetrated in their name, must admit themselves temporarily stymied.

"Operation Keelhaul" was the operational name for a series of classified documents captioned, "The Repatriation of Displaced Soviet Citizens." "Operation Keelhaul" in today's parlance could quite properly be termed "Operation Super Kudirka" because the same basic policy was multiplied by the thousands of equally helpless freedom-seeking men, women and children. It differs only in that the bumbling by various segments of our government, apparent in the shocking episode which took place on the Coast Guard cutter "Vigilant" last November, was not present in "Operation Keelhaul." This was a cold-bloodily planned and executed British-American operation, carried out under the aegis of General, later President Dwight David ("Ike") Eisenhower.

Since "Operation Keelhaul" was a combined American-British operation, the logical place to look for its genesis and for directives relating to its implementation would be among the papers of the Combined Chiefs of Staff, which during World War II, was located in Washington. But when, according to the reliable "U.S. News & World Report" "thousands of its papers" were declassified a few weeks ago by Washington and London, no trace of "Operation Keelhaul" was uncovered. Note that the U.S. News story did not, repeat not, say "all of its papers" but "thousands" of them. This Washington-London wild card offers two important possibilities. Either the liberal Establishment intends to more firmly secure its lock on "Operation Keelhaul," assuming that the Combined Chiefs had anything to do with it or (and this is of the greatest importance) it may have been planned somewhere else. Where?

Among the recently-declassified papers of the Combined Chiefs of Staff were some in which, according to the U.S. News and World Report issue of Jan. 25, 1971 were some indicating that "General Dwight D. Eisenhower, Supreme Allied Commander in Europe, is shown to have sometimes acted on his own in communications with Soviet Premier Joseph Stalin, for example, when he gave Russia a green light for the capture of Berlin while the Western Allies halted at the Elbe River." U.S. News goes on to state that "Ike" took this action contrary to the wishes of the Combined Chiefs in Washington on which his boss, General of the Armies George Catlett Marshall was represented. So, let's shift our focus to London where "Ike" was located at the time, to see what clues to his action can be located there.

It was very fashionable in wartime Washington to wear two or more "hats." We were no exception to this rule in the course of our service in the Department of State. We at the same time were a member of the secretariat of the forerunner of the present National Security Council, the then-prestigious State-War-Navy Coordinating Committee, in which the Japanese surrender terms were formulated, and Assistant Secretary General of the Far Eastern Commission, a multinational organization established to issue policy directives to the Supreme Commander for the Allied Powers (SCAP) General of the Armies Douglas MacArthur in his occupation of a defeated Japan. In addition to those powers such as Britain, the Netherlands and France which had been at war with Japan since 1941, the ominous Johnny-come-lately Soviet Union, was also represented by her then-Ambassador to Washington. Because of our two "hats," referred to above, especially as the policy positions taken by General McCoy, the U.S. representative of the Commission were formulated by the State-War-Navy Coordinating Committee in intimate collaboration with the American Joint Chiefs of Staff, we knew our way around pretty well in what for most Americans, even today, still constitutes an inexplicable labyrinth.

The Far Eastern Commission obviously had nothing to do with "Operation Keelhaul" which was strictly European operation, and to the best of our recollection after the elapse of some 25 years, we don't think that the State-War-Navy Coordinating Committee (SWINK) or its immediate successor on whose secretariat we also served, the State-Army-Navy Airforce Coordinating Committee (SANAC) had anything to do with it either. So with this caveat, let's move over to London where "this" politico-military throne was located.

Among the plethora of international committees spawned in the course of World War II was one in London, The European Advisory Commission. This body on which all nations at war with Hitler's Germany were represented, was established for the purpose of providing political guidance—to whom? Why, to none other than General Dwight David Eisenhower. In structure and in operational techniques, the European Advisory Commission closely resembled the Far Eastern Commission to which we have referred above. On the European Advisory Commission, the Soviet Union was, of course, represented. Thereby hang some intriguing possibilities, not only as they may relate to "Operation Keelhaul", "Ike's" seemingly independent "green light" to Stalin on Berlin, but also why no formal Soviet agreement was sought on any number of important issues such as ingress and egress to four-power controlled Berlin from the German zones occupied by France, Britain and the United States.

During the life of the Commission, it is now a matter of record that since the German invasion of June 22, 1941 Stalin had been bending every effort at all levels of the British and American governments to force a cross-Channel invasion of German-occupied France in order to relieve German pressure on his own armies on the Eastern Front. There is no reason to believe that our then-Ambassador to the Court of St. James did not constitute a highly-important "point d'appui" of Stalin's comprehensive politico-military offensive. The American Ambassador, ex-Governor of New Hampshire, John G. Winant, had as his opposite Soviet number on the European Advisory Commission, the astute, wiley Soviet Ambassador, Ivan Maisky with whom the former was on most friendly personal and even political terms, generally espousing the Soviet point of view. By this observation we are not, repeat not, suggesting that Ambassador Winant, a near total illiterate in the field of international intrigue, knew that he was acting contrary to the best interests of his own country but rather that he was but so much putty in the hands of a subtle, highly-trained Communist operative.

In conclusion, we are inclined to feel that the answers to many still unanswered questions concerning Ike's "independent" actions, including "Operation Keelhaul" may be located in London rather than in Washington. For this reason we feel that Professor Epstein might well hit pay dirt, were he to extend his "digging" in that direction.

PRESIDENT URGED TO RESTORE MASS TRANSIT FUNDS

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. KOCH. Mr. Speaker, today 64 Members of this House are writing to the President urging that he restore the $200 million cut from the urban mass transportation program's budget for this fiscal year. Our letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 25, 1971.

RICHARD NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We are writing to urge that you restore the $200 million cut from the Urban Mass Transportation program's budget for this fiscal year.

The cutback in mass transit funds comes at a most critical time when we should be intensifying our efforts to revitalize mass transit systems, not reducing them. Last year the Congress, with your support, passed the Urban Mass Transportation Assistance Act which, as you stated last week in your Transportation message, "helped to create a significant momentum for the rejuvenation of public transit systems." The most important aspect of this Act is the new authority it gives the Department of Transportation to enter into long term obligations that will be met with cash in later years. It is this level of commitment (not the cash flow from the Treasury this year) that is at stake in the cutback. Our cities are in critical need of these commitments so they can get underway with necessary transit development. Many localities already have secured the local commitment necessary to begin, but have been unable to move forward because of the lack of federal funds.

Now, in the program's very first year when we should be expending every effort to get these projects started, we find federal commitments being cut back by one-third. What your cutback means is that $200 million worth of projects will once again be delayed in the face of construction costs mounting at a rate of 10% a year. It means the "momentum" catalyzed by the passage of the Urban Mass Transportation Act will be stalled.

Presently, the Urban Mass Transportation Administration has $2.7 billion worth of applications pending. Last year, UMTA Administrator Carlos Villarreal came before the Appropriations Committees and stated that as of April, 1970 he had $1 billion worth of applications pending and that in FY 1971 he would be in a position to commit $850 million. Applications have increased almost three-fold in the past year making it even more essential that $600 million in commitments be made so we don't get any further behind in meeting our transit needs.

One final thought, and this centers on the concern we all share for the high unemployment and under-utilization of capital investment in the aerospace industry. We would suggest that the mass transit industry is closely related to the aviation industry—and that it is a field into which some of the aviation industry's unused resources can be directed. Furthermore, the Urban Mass Transportation Act of 1970 instructed the Secretary of Transporation to encourage industries adversely affected by reductions in federal government spending on space, military, and other federal projects to compete for mass transit contracts. But of course, the federal commitments first have to be made to expand mass transit development.

Sincerely,

Edward I. Koch, Leonor K. Sullivan, Henry S. Reuss, Thomas L. Ashley, William S. Moorhead, Fernand St Germain, Henry B. Gonzalez, Richard T. Hanna, Frank Annunzio, Thomas M. Rees, Frank Brasco, Parren J. Mitchell, Dan Rostenkowski, Thomas O'Neill, James A. Burke, Charles Vanik, Donald Fraser, Bradford Morse, Seymour Halpern, and Don Edwards.

Lionel Van Deerlin, Hugh Carey, John

Moss, Peter Rodino, James Fulton, Frank Thompson, John Brademas, Alphonso Bell, Charles Wilson, Benjamin S. Rosenthal, Joseph Addabbo, James Howard, James Scheuer, Robert Tiernan, Phillip Burton, Claude Pepper, William J. Green, Ralph H. Metcalfe, Joshua Eilberg, and John Dingell.

Robert Nix, Bertram Podell, Patsy Mink, Jonathan Bingham, Lester Wolff, William Hathaway, William F. Ryan, Louis Stokes, James Symington, Abner Mikva, Mario Biaggi, William Clay, Shirley Chisholm, Michael Harrington, John Dow, Bella Abzug, Louise Day Hicks, Herman Badillo, Ella Grasso, Charles Rangel, Ronald V. Dellums, Nick Begich, Stewart McKinney, and Robert Drinan.

DESPERATE SEARCH

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. SYMINGTON. Mr. Speaker, I would like to call the attention of my colleagues to an outstanding article, "Desperate Search," which was written by Sue Ann Wood and appeared in the St. Louis Globe-Democrat on Wednesday, March 17, 1971.

The article concerns the agonizing efforts of the Karl Rundberg family to secure medical treatment when Mrs. Rundberg suffered a cerebral hemorrhage. The plight of this woman and her family graphically illustrates the chaotic state of health care delivery in the United States. It may serve to alert the Members of the Congress to the fact that health care delivery and manpower distribution are matters deserving our immediate attention. The Subcommittee on Public Health and Welfare of the Interstate and Foreign Commerce Committee, on which I serve, will give prompt and effective consideration to legislation dealing with the health care crisis.

Mr. Speaker, I insert in the RECORD at this point the article entitled "Desperate Search":

DESPERATE SEARCH: FAMILY RECALLS NIGHTMARE OF SEEKING MEDICAL AID FOR CRITICALLY ILL WOMAN

(By Sue Ann Wood)

The problem of "delivery of medical care"—that is, getting medical care to the people who need it—is one that bothers many physicians and others in the medical profession these days.

However, it usually is considered a problem mainly in the ghetto or rural areas where physicians are few and far between.

Few realize that it also can be a problem in the so-called affluent suburbs, in a metropolitan area noted for the excellence of its medical care facilities and personnel.

But this true story shows that getting proper care for a critically ill St. Louis suburban resident can be a nightmarish problem in circumstances that conceivably, could happen to anyone.

The acrid odor of burning electrical wires marked the start of a crisis that was to grip the family of Karl and Lynette Rundberg, of Maryland Heights, for the next two months.

It was on a Saturday afternoon, last Nov. 28, when the burning odor drifted upstairs from the basement and Mrs. Rundberg, 30, the mother of two small children, hurried down to investigate. She screamed for her husband when she found the electrical fuse box spewing out smoke.

While her husband poked into the smoking fuse box, she ran upstairs to telephone a friend who is an electrician. Suddenly she stopped and gave a cry of pain.

As she described it when her husband came to see what had happened, she felt as if "all the fluid in my spine ran up and exploded inside my head."

Physicians later were to marvel that Mrs. Rundberg didn't lose consciousness, or even die, because what had happened to her was so serious that many never survive it. She had suffered a brain hemorrhage.

However, that diagnosis was not to come for some time. Mrs. Rundberg remained conscious, suffering from nausea and an excruciating headache. She lay down with a damp washcloth on her forehead, assuring her worried husband that she probably would feel better soon.

"She thought maybe she had twisted her neck sharply and had hurt her spine," Rundberg said, as he talked about the ordeal in a recent interview.

Like many American families, the Rundbergs no longer have a "family doctor" and rarely think of the need for a physician until illness strikes.

Although Rundberg grew up in the St. Louis area, he had lived in California in recent years, returning here in 1966 with his wife and small son. He is a public relations consultant with the Drake Partnership, an architectural firm that specializes in hospital planning.

Not realizing his wife was ill enough to need immediate hospitalization, Rundberg decided to get in touch with a doctor who might be able to help her. The only one Mrs. Rundberg had seen in St. Louis was the obstetrician who delivered their daughter in 1968. That kind of physician hardly seemed the one to call now, Rundberg thought.

With his wife's theory about a twisted neck in mind, he looked up names of doctors he believed specialize in muscular problems. He telephoned one with an office fairly near their home. The doctor was out of town, he was told, and all calls were being referred to an associate.

When he called the associate, he was told the doctor was not in but to leave a number for him to return the call. Rundberg did. The call came several hours later. Meanwhile, Mrs. Rundberg's headache had gotten worse and the nausea was causing wracking spells of sickness.

When the doctor heard this description of her symptoms, he suggested that Rundberg take her to a private hospital in St. Louis County suburb where he would meet them. It was a 15-mile trip by car to the hospital.

Leaving the two children, age 5 and 2, in the care of a helpful neighbor, Rundberg drove his sick wife to the hospital's emergency room but the doctor failed to show up. Without a doctor to authorize hospital admission, the staff in the emergency room gave Mrs. Rundberg a prescription for pain-relief medication and sent her back home.

The pills, Rundberg said, seemed to do her no good at all. She spent a wretched night. The next day he noticed a definite worsening of her condition.

"She was less lucid," he said, "and retching constantly, complaining of terrible pain."

He decided to call the only physician familiar with his wife's medical history, the obstetrician. Since it was Sunday, he reached the physician at home and was told to bring his wife to the doctor's office at 10 a.m. the next day.

Another agonizing day and night passed. At 9:30 a.m. Monday, Rundberg bundled his wife into the car and, lacking a babysitter, took the children along to the obstetrician's office.

When they arrived, the doctor was rushing out to deliver a baby at a suburban hospital. He stopped long enough to ask Mrs. Rundberg a few questions and suggested, since the "twisted neck" was mentioned, they should see an orthopedic surgeon.

The surgeon's office was 10 miles away from the obstetrician's, Rundberg said, and they arrived at the second office about 11 a.m. His wife was so ill the office nurse hustled her immediately into an examining room to lie down.

For the first time since she was stricken, Mrs. Rundberg finally was examined by a physician. He then called in Rundberg and said he could find nothing wrong with her neck.

"He said in his opinion," Rundberg said, "she had suffered a cerebral hemorrhage and suggested she see a doctor specializing in internal medicine."

Not aware of the seriousness of this tentative diagnosis, Rundberg took wife and children home and began trying to locate an internist, preferably one on the staff of a hospital near their home.

He called the Medical Exchange, a service that provides names of physicians to St. Louis area residents, and was given a list of names and telephone numbers. One doctor suggested Rundberg bring his wife to his office the following afternoon.

"That wasn't soon enough," Rundberg said. "I was feeling desperate now, so I finally gave up trying to call a doctor and took my wife to the emergency room of a nearby hospital."

It was then 3:30 p.m. Monday, more than 48 hours since Mrs. Rundberg had been stricken. At the hospital, Rundberg asked if the obstetrician familiar with his wife's case was present. He was and the specialist was called to the emergency room.

Although the obstetrician had talked with the orthopedic surgeon who suggested a brain hemorrhage, he still favored the twisted-neck theory, Rundberg said, so Mrs. Rundberg again was sent home with a pain-pill prescription and advice to put a heating pad on her neck.

There had been a brief discussion about admitting her to the hospital, Rundberg said, but no rooms were available at that time.

He remembers the next two days as "a nightmare." With friends and relatives volunteering for nursing and babysitting duty, he went to work on Tuesday and Wednesday, returning to find his wife in worse condition each day.

"By Wednesday evening, she was having hallucinations, talking wildly, her eyes glassy," Rundberg said. "I called the OB at his home and begged him to help me get in touch with an internist."

The obstetrician agreed to contact one and told Rundberg to take his wife back to the hospital. She arrived at 7 p.m. and, at last, an internist was there to examine her. She was admitted to the hospital, although it still was so crowded the only available bed was in a unit devoted to care of burn patients.

Told that tests were to be made, Rundberg went home to await a call from the internist with a report on results of the various examinations.

"He called at 11:30 that night," Rundberg said, "and told me a spinal tap indicated Lynette had suffered a cerebral hemorrhage."

Then he used words that staggered Rundberg: "I'm sure she'll live through the night."

Did he mean she might not live longer than that, Rundberg managed to ask. Well, he was told, a neurosurgeon was being called in immediately for consultation.

A long series of examinations began the next day, including the taking of bilateral carotid arteriograms to pinpoint the location of the hemorrhage in the brain. These tests also indicated a blood clot was present.

Armed at last with a full and accurate diagnosis of her condition, all the resources of modern medicine went to work to save Lynette Rundberg.

On Monday, Dec. 7, she went through five hours of brain surgery in which two aneurysms were found and repaired and a massive blood clot was removed. Doctors cautiously advised Rundberg she had a 50-50 chance of survival after the operation.

For the next 10 days, she was alive but partially paralyzed and physicians refused to make any predictions about her recovery. Six more weeks in the hospital were to come, including a period of deep post-operative depression requiring additional specialized treatment. Therapy gradually diminished the effects of the post-operative paralysis.

The medical bills, still coming in two months later, so far have totaled about $7,000, partially covered by insurance, Rundberg reported.

But all the pain, anxiety and expense were forgotten on the day, several weeks ago, when Lynette Rundberg walked out of the hospital door, a bit weak and wobbly but with a wide smile on her face.

Oh yes—that burning fuse box was repaired, too, by an electrician who told Rundberg he was lucky the house hadn't burned down. That, Rundberg assured him, would have been a minor disaster compared with what did happen that fateful day.

WELCOME TO NATION'S CAPITOL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. BIAGGI. Mr. Speaker, Northern Ireland continues to be a source of many problems for international peace. Recent activities there have led to a further deterioration of an already very serious situation. Although many believe the problems are strictly religious in nature, the truth is they are much more than that.

The Political Action Committee of the Irish American Club of Washington, D.C., recently placed a welcome notice in the Washington Post to Hon. John Lynch, Prime Minister of Ireland. The points raised in this notice I feel will be of special interest to my colleagues in the House who would like to see an end to the conflict in those embattled six Irish counties. The notice is as follows:

A WELCOME TO THE NATION'S CAPITAL TO HON. JOHN LYNCH—PRIME MINISTER OF IRELAND

The members of the Irish American Club of Washington, D.C. wish you a most enjoyable visit and pray that your discussions with President Nixon prove fruitful. We hope that you will call to the President's attention the following injustices being perpetrated on your fellow countrymen by the British subsidized puppet "government" of "Northern Ireland."

(a) The rampant discrimination practiced by that "government," which systematically denies housing and employment to the Catholic population and thereby forces an extremely high percentage of its youth to emigrate. For example, the current unemployment rate in the ghetto of Ballymurphy, Belfast has now reached the staggering rate of 44 percent among the male population while the emigration rate among the Catholic male population of Dungannon, County Tyrone is 47 percent in the 18-28-year age bracket.

(b) The total denial of equal justice under law to minority citizens. Under the "Special Powers Act," innocent people are subject to arrest and imprisonment for up to 10 years without the benefit of a trial or, for that matter, without any formal charges being made against them.

(c) The blatant use of gerrymandering tactics to contemptuously manipulate constituency boundaries in a manner which will assure a Unionist majority. The most glaring example of these methods is the city of Derry where a Unionist minority of 32 percent elects 12 Members of the City Council while the Catholic majority of 68 percent can only elect 8 Members to that body. Historically, the Province of Ulster consists of nine counties. Of these nine, five and a half are predominantly Catholic and three and a half Protestant. If all five and a half Catholic counties had been detached from Ulster, what remains would not have justified the existence of a separate government in Belfast. So the border was devised assigning the Counties of Donegal, Monaghan, and Cavan to the Republic of Ireland while retaining Fermanagh, Tyrone and South Down for rule by the government of "Northern Ireland," which, under these circumstances, would always have an artificial Protestant majority. If there was ever a case of gerrymandering, surely this is it.

It is sad that Britain has not learned from her experience in Cyprus, India, Nigeria, and every other Colony which ever flew the Union Jack. It is tragic that she should insist on maintaining a "paper" government in Ulster which in the long run has not got a snowball's chance in Hell.

It is imperative that you, Mr. Prime Minister, seek the full support of President Nixon and the enormous influence of his Office to help achieve the following objectives:

(1) The immediate withdrawal from the six counties of all British troops, whose very presence there only serves to increase tensions with the resultant senseless loss of lives on all sides;

(2) The establishment of a neutral United Nations peace keeping force which your Government has already endorsed;

(3) The holding of a free and open plebiscite in a true democratic fashion by the people of all Ireland, under United Nations supervision, to exercise their right of National Self-Determination.

We believe that the above proposals are a basic pre-requisite to the creation of a just and lasting peace among all the people of Ireland, North and South, Catholic & Protestant.

Respectfully,

JAMES D. HAGAN,
Chairman, Political Action Committee, Irish American Club of Washington, D.C.

NATIONAL WEEK OF CONCERN FOR POW/MIA

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. DORN. Mr. Speaker, this week has been declared by the Congress to be a special week of national concern over the plight of our men who are prisoners of war or missing in action in Indochina.

The American people and the Congress are concerned over this latest example of cruel barbarism by the Communists. We all feel a compassion for those in captivity and for their brave loved ones at home who sometimes do not know the fate of a husband, a father, or a son. The American people are united in a demand that the Communists at least release a list of captives' names, and grant early release to the sick and wounded.

Mr. Speaker, we do not know what, if any, effect the appeal of the civilized world will have on the Communists in Indochina. They have so far flaunted every standard of decency, every principle of international law, including of course the Geneva Convention. But we do have an obligation to speak out against this tragic example of inhumanity; and where possible, we have the obligation to act. We must act militarily where feasible to effect the release of these men, and we must act at home to provide a measure of relief to those who wait. Our Committee on Veterans' Affairs acted in the last Congress to pass legislation which will provide GI Bill benefits for families of servicemen missing, captured, or interned. This is of small comfort to those whose loved ones are missing, but it does give a measure of relief.

Mr. Speaker, I have also sponsored legislation that would express the outrage the American people and the Congress feel over this issue, and am today proud to state my complete agreement with the aims of the National Week of Concern. We must maintain our efforts to win the release of our men through the influence of world opinion. But from the cruel and illegal treatment of captured Americans we must also draw the proper conclusions about the nature of the enemy and about how best to deal with them.

HORTON SALUTES BYELORUSSIAN INDEPENDENCE DAY

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HORTON. Mr. Speaker, 53 years ago today on March 25, 1918, the Byelorussian pepole proclaimed their national independence from the Russian czars.

The great Byelorussian Rada, the self-declared national representative of the Byelorussian people, decreed:

Today, we the Rada of the Byelorussian National Republic, cast off from our country the last chains of the political servitude that had been imposed by Russian tsarism upon our free and independent land. From now on, the Byelorussian National Republic is to be a free and independent power.

Despite the determination of the Byelorussian people to govern themselves in a democratic way, that dream, 53 years later, still has not been realized. With the Treaty of Riga in 1921, ending the war between Poland and Bolshevik Russia, Byelorussia was divided: Poland received one-third of the country, while the remainder, with the exception of the part falling to independent Latvia, came under Soviet control.

Today, the country, in the form of the Byelorussian Soviet Socialist Republic, remains an economic and political colony of Moscow. Despite the country's

abundant natural resources and rapid industrialization within the last three decades, Moscow's centralized government and colonial administration in Minsk keeps the Byelorussian people in economic and cultural poverty.

But the Byelorussian people continue to struggle for their freedom. On this day, commemorating the short-lived Byelorussian independence 53 years ago, I join with my colleagues in the House and the thousands of Americans of Byelorussian descent to recognize the resistance of the Byelorussian people to Soviet oppression and their decades-long struggle for independence. We look forward to the day when the hopes of the Byelorussians are realized.

THE CENSUS BUREAU SENDS A LETTER—AND A PATRIOT DRAWS THE LINE

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. GREEN of Pennsylvania. Mr. Speaker, I wish to draw the attention of my colleagues to an excellent article which appeared in the Philadelphia Inquirer of March 24, 1971. It is entitled, "The Census Bureau Sends a Letter—And a Patriot Draws the Line," and its author is Mr. Michael Pakenham, assistant managing editor of that distinguished journal.

I hope that the readers of this article will not be misled by its whimsical tone. It is in dead earnest. As a former chairman of the Subcommittee on the Census of the Committee on Post Office and Civil Service of this body, I am well aware of the conflict between the individual's interest in privacy and the Government's interest in collecting data. The question is one of priorities. My concern is that we are moving in the direction of favoring prying over privacy. That trend is wrong, and the sooner we reverse it, the better.

I insert the text of Mr. Pakenham's article:

THE CENSUS BUREAU SENDS A LETTER—AND A PATRIOT DRAWS THE LINE

(By Michael Pakenham)

Last night I opened a letter from my government. It caused me, for the first time in my life, to decide that I must conscientiously break the law. To my recall I have never before said that this is the law of the United States and I am not going to obey it, and in that full knowledge, acted on the decision. Today, I must do that. It angers me.

By present standards, I am rather conservative. I can and at the slimmest encouragement, do—talk by the hour about due process and Constitutional guarantees and about the great American political and legislative traditions of middle-ground adaptation. Radicals, I've felt, like firecrackers on the Fourth of July, are amusing and usually harmless in their time and place. But I don't sleep easily with them under my bed. The inconveniences of obeying the law are minor irritants, small prices, I have argued, for the dividends of stability which they regularly return.

But last night I read this letter and its inclosure. And I am profoundly depressed because I find I am morally unable to do what my government legally demands of me. A charm has been broken; an enchantment, a conviction, has been destroyed. In a few minutes of reading a government form, I am an outlaw.

The letter, first:

"U.S. Department of Commerce Bureau of the Census, Washington, D.C. 20233. Office of the Director," the letterhead says. (From 70H–18 5–70).

It begins: "Dear Sir: As a part of the 1970 Census of Housing, the Census Bureau is collecting information about the financing of homeowner properties in the United States. The data compiled in this survey are needed by your government and private industry to make policy decisions on residential financing . . ."

The letter ends: "Response to this survey is required by law, Title 13, United States Code . . . Please complete and return this questionaire within five days. Thank you for your cooperation. Sincerely, George H. Brown, Director, Bureau of the Census 2 Enclosures."

One inclosure is an envelope. Not addressed to Mr. Brown, but to "Director, Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana, 47130."

The other inclosure is "Form 70–H (1–5–70), O. M. B. No. 41–S69099; Approval Expires September 1971."

It's got 29 numbered question elements. There are 149 boxes or spaces demanding specific numbers, names or Xs—plus some 20 square inches for "Remarks."

Mr. George H. Brown, you won't get a completed form from me, in Washington or in your country retreat in Jeffersonville, Indiana. You won't get a letter of protest, beyond what I am writing here. You may come to me—you know my address—girded with Title 13, United States Code, with a subpoena duces tecum in your mighty right hand and a flaming writ of mandamus in your left, and, perhaps, you may, with phalanx of FBI agents, carry me off to prison.

Nor shall you determine from me—under any duress—the date, amount, financer, rate of payment of "principal, interest, real estate taxes, property insurance, and other (specify)" of the first, second and third mortgages (Items 11 a, b and c), which may becloud the threshold of my house. Nor, as you demand in full force of the law, shall you ever find out the "name, address (number and street), city, state, ZIP code and mortgage account number" of the holders of those three or more mortgages—if they exist (Item 11).

Throughout time, you shall live in ignorance of the expenses, in my house, "during the past year for—a. Real estate taxes . . . Special assessments . . . property insurance . . . electricity . . . gas . . . oil, coal, wood, kerosene, or other fuel. . . . water sewer, trash removal . . . ground rent." (Item 24).

You may bring against me the power and the might and the glory of the Federal government and its 3 million employees, but never shall you discover if "the principal owner of this property" is "A. 1. White? 2. Negro or Black? 3. Other? b. 1. Male 2. Female? 3. Husband and wife?" (Item 25).

Oh, yes, I read the comforting "your individual report can be used only for statistical purposes."

But I also read, some two weeks before, the testimony of Assistant Secretary of Defense Robert R. Froehlke to a Senate subcommittee, Mr. Froehlke conceded, under oath, that the United States military establishment maintains files of personal data on 25 million Americans. Nearly one out of every eight men, women and infants drawing breath in the United States today.

I've been a newsman too long to cherish illusions about the universal saintliness of government employees. On the whole, probably, men in government act on more decent motives than do those in business. But men they still are and susceptible to greed and vindictiveness and power lusts.

For a time I was a reporter in Washington. Directly, I knew that many in the Senate and the House were fools or knaves, or both. But I could never once walk the corridors of the Capitol of the United States without feeling an almost ecstatic awe for the form and beauty of the government they enduringly contained.

I love America. More, I suppose, than I love my mother—if there were any meaning in such a superficially sentimental comparison. But I wouldn't give my mother the answers to the questions in Form 70H–10 1–5–70, O. M. B. No. 41–S69099. Nor, to my certain knowledge, would she give them to me.

I have few secrets. It is not the keeping of them, but the confidence that I do not have to, that makes life bearable.

Privacy, like dignity and trust, is a mysterious, fragile thing. And so—I discovered last night—is lawfulness. Intuitively, I had lived 38 years in the confidence that, for all the bungling, the law of the United States of America was on my side.

A preemptory letter from my government shattered, last night, that confidence, that intuition. It makes me very angry. Worse, it makes me very much afraid.

CONCERN FOR PRISONERS OF WAR

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. KEITH. Mr. Speaker, I am happy to join my colleagues during this National Week of Concern for Prisoners of War and Missing in Action. I share our Nation's sympathy for the unfortunate men now imprisoned in Southeast Asia.

Since the first man was captured in 1964, over 1,600 other men have been lost. About 450 of them are believed to be prisoners of war, and by now many of those captured have been held longer than any other POW's in American history. We know too little about the conditions under which these men are imprisoned, but the information that we do have indicates that they are not even treated according to elementary standards of human decency.

Allowed to receive only an infrequent letter from home, at best, the men are reportedly even denied the consolation of association with their fellow prisoners. Suffering as they do from malnutrition, poor medical care, isolation, and boredom, how can these men bear up under the strain? Yet they have the courage to continue to pray for their future and to write messages of hope to their families.

The families themselves are innocent victims of Hanoi's inhumanity. Two-thirds of the families know only that their husband, son, or father is listed as "missing," and have received little further information from the other side about his fate. Even the families of men believed captured seldom know if their letters and parcels get through. They never know if each letter will be a prisoner's last, or under what conditions he is forced to live. They are unable to make long-term plans for their own futures because North Vietnam refuses

to recognize that this is a humanitarian issue that should be immediately negotiated, and persists in cruelly exploiting the prisoners for political benefit.

I add my voice to those who demand that North Vietnam adhere to the Geneva Convention on prisoners of war and allow adequate food and medical care and free flow of mail for the prisoners, as well as inspection of the camps. I call on Hanoi to release the sick and wounded prisoners, in accordance with the Geneva Convention, and to immediately negotiate the release of the remainder. I support our Government in its efforts to secure the release of the prisoners, and urge the President to continue to take all necessary steps to remedy this tragic waste of American men.

DISCOVER AMERICA—START WITH MARYLAND

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. HOGAN. Mr. Speaker, I would like to ask my colleagues to join today with the Marylanders in this body in celebrating Maryland Day. We Marylanders are today celebrating the 337th anniversary of the founding of our State and we hope our neighbors throughout the country will join in our celebration.

Within the next few months many Americans will come to visit their Nation's Capital. I would like to extend an invitation that they come to Maryland—a State which is rich in historical traditions and landmarks. Marylanders are proud to claim for their home a State which was one of the Original Thirteen Colonies and we have worked hard to maintain our historical sites and interests.

Mr. Speaker, the Maryland Department of Economic Development has prepared a short summary of some of Maryland's attractions which should be of interest to any of our constituents who may be visiting the Washington area during the Cherry Blossom Festival or later in the spring. I am inserting the short preview in the RECORD at this point:

WASHINGTON'S CHERRY BLOSSOM FESTIVAL OFFERS CHANCE TO DISCOVER MARYLAND

Visitors to the Washington, D.C. area for all the festivities that have become part of the annual blossoming of the Japanese Cherry trees have come to discover many unexpected bonuses in Maryland, which is never more than a short drive away.

For instance, the first peacetime capital of the United States, Annapolis, sits in all its original colonial charm beside the Chesapeake Bay only a little more than a half hour's drive away via dualized U.S. Route 50. As a matter of fact, some of the same beautifully pink Japanese cherry blossoms that will be decorating the Tidal Basin in Washington March 30-April 4 (these are the official dates of the Cherry Blossom Festival, but the trees usually retain their blossoms for several days following the conclusion of the Festival) may be seen in the garden of the Georgian-style mansion of Maryland's Governor in Annapolis.

The historic Maryland State House in Annapolis is open and hostesses are on hand to conduct tours seven days a week. The old Senate Chamber, where George Washington resigned his commission as commander of the Continental Army and where the Congress of the United States ratified the treaty which formally ended the American Revolution, has been restored to precisely its appearance during that historic Congressional session of 1783–84.

There are unusual restaurants and shops, a historic brick Inn and a new waterfront hotel beside the Annapolis harbor, which is still a forest of spars. Annapolis has never ceased being one of the great sailing ports of the world. And, there are numerous examples of 18th and early 19th century architecture still in use, as in the State House, along Annapolis' brick-walk, tree-lined streets that radiate from State and Church circles. Of course, more than a million visitors every year come to Annapolis to see the United States Naval Academy at the mouth of the Severn River.

But the easily accessible surprises of Maryland are more than Annapolis or even the Chesapeake Bay, with her sailing oystermen, her quaint little fishing villages, her legends, and her fascinating folkways.

Extending north and west right from the heart of Washington is the nation's newest and perhaps most unique national park—the Chesapeake and Ohio Canal National Park. This canal and its bikeable, hikeable towpath extends for more than 180 miles along the Potomac River to Cumberland, Maryland, linking the Allegheny Mountains, the rolling Piedmont Plateau region, suburbia, and inner city. Just ten miles from the District of Columbia limits via MacArthur Boulevard is one of the more spectacular panoramas along the Canal, the Great Falls of the Potomac.

Eight miles northeast of the Great Falls is Rockville, Maryland, where early arrivals for the Cherry Blossom Festival might want to visit an unusual junior art show (works of artists from 4 years old to college age will be exhibited) Sunday, March 28, in the city's beautiful old Civic Mansion.

Just fifteen miles north and west of Rockville at Boyds, Maryland, is Al Marah, the largest Arabian horse breeding farm in the world. This is always a great time to visit a horse farm, when the Spring foals are being dropped. But Al Marah is interesting at any time of year. The farm always welcomes visitors and even offers an Arabian horse museum.

Less than five miles north of the District line at Wheaton, Maryland, is Wheaton Regional Park, with tennis courts, an unusual variety of swings and things for the kids, and plenty of room for a Spring picnic. Right nearby is the National Capital Trolley Museum, with vintage street cars from all over the world which may be ridden along more than a mile of track on Saturdays and Sundays in Spring from noon until 5 p.m.

Just west of Indian Head Highway seven miles south of the District of Columbia, visitors may want to climb over the ramparts of Forth Washington as it perches at the juncture of the Potomac River and Piscataway Creek where is was built in 1815 to protect the Capital. Nearby is the National Colonial Farm at Accokeek, which employs traditional farming methods to preserve the various agricultural strains that fed our Colonial forebears.

Antique buffs may want to time their cherry blossom visit to Washington so that they can attend the 17th annual antique show in LaPlata, Maryland, 18 miles southeast of the Capital via Branch Avenue, Maryland Route 5, and U.S. Route 301. Dealers from all over the country will participate in this show, which opens Friday, March 26, at noon and runs through Sunday, March 28, at 6 P.M. Of course, there are many interesting antique shops scattered over the Maryland countryside and a cluster of 21 shops at New Market, on Interstate 70n, just east of Frederick, Maryland, less than an hour's drive from Washington.

Families visiting the Cherry Blossom Festival as campers, might be interested to know that Greenbelt National Park, just off the Baltimore-Washington Expressway six miles north of the District, offers 178 Class A campsites.

LETTERS TO POSTMASTERS

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 24, 1971

Mr. SCHERLE. Mr. Speaker, the right of citizens to petition Congress is one of the most precious rights guaranteed by the Constitution. That is why Postmaster General—or whatever he calls himself under the new regulation—Winton Blount's recent edict forbidding postal employees to contact Congressmen on matters involving the Postal Service is so repugnant. This gag rule on postal employees is to be mandatory.

The latest decree by the new postal czar, who is no longer answerable to Congress, but instead need only please a small clique called the Postal Corporation, directly contradicts his sworn testimony last year before the House Post Office and Civil Service Committee. On at least four different occasions, Blount reaffirmed the postal employees' right to contact Congress as they always had.

I will personally continue to welcome comments from any citizen—and that most assuredly includes postal workers—on any subject, including the Postal Corporation. No American loses his citizenship by going to work for the Government. Even "Red" Blount cannot muzzle democracy.

Enclosed is a copy of a letter which I have sent to all the Postmasters in my district.

DEAR POSTMASTER: Please post this letter on your bulletin board in order that all employees of your post office can be made fully aware of their constitutional right to petition Congress for any grievance that they may have.

Despite any rumors, postal employees are still allowed the same rights as any American citizen to contact Members of Congress. Additional protection is granted these employees by the enactment in 1912 of the Lloyd-LaFollette Act which assures that they may continue to have their full Constitutional rights to communicate with Congressmen. Postmaster General Winton Blount has reaffirmed, under oath, to a Congressional Committee that there is nothing in the new Postal legislation which repeals the Lloyd-LaFollette Act or the Constitution.

Therefore, my office in Washington, D.C., or in Council Bluffs, Iowa, stands ready to assist any postal employees about any matter including the Post Office.

Sincerely,

WILLIAM J. SCHERLE,
Member of Congress.

CRIME—PUNISHMENT—PROBATION?

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. PICKLE. Mr. Speaker, all too often too many people are guilty of considering crime as a two-dimensional problem: punishment fits crime like bacon goes with eggs.

I agree to a point.

But I think we must go two steps in different directions when we consider crime and punishment. First, we must take a step backward, before the crime, and see what steered the individual in that terrible direction. Then, we must take a giant step forward, beyond punishment, and see how we might rehabilitate that individual who has committed the crime.

Prison is not an end in itself. Rehabilitation back into society is more—it is a beginning.

Mr. Speaker, in my district, we have one of the more progressive probation programs in the Nation. I was proud to read that this program, which operates in Travis, Hays, Caldwell, and Comal Counties have been cited for their excellence.

Our Adult Probation Office program in those counties was designated and funded as a pilot project by the U.S. Department of Justice and thereafter received further funding from the Moody and Hogg Foundations of Texas.

A compelling argument in favor of taking a close look at wider application of this program is that these counties have found the cost of probation to be much less than jailing—60 cents a day as opposed to $2.60, and that, conversely the rehabilitation record achieved is much, much better. It would be noted that probations are not granted across the board to all, but applied on a case-by-case basis to those showing strong potential for community living. These, chiefly, are first offenders.

Therefore, Mr. Speaker, in the hopes that others might profit by the example of the adult probation program centered in Travis County, I commend for reprinting in the RECORD the initial results as reported by Candy Lowry in the March 7 edition of the Austin American.

CRIME: PUNISHMENT OR PROBATION?

(By Candy Lowry)

Crime requires punishment, but recent exposés of prison life have shown there's often little or no profit in imprisonment.

What has proven more effective is probation, a sentence which permits offenders usually first-time ones, to remain in the community under the supervision and guidance of a probation office.

It is a legal status creation by the court of criminal jurisdiction and, according to the definition provided by the probation office, "it usually involves a judicial finding of guilt, the imposition of conditions upon his continued freedom, and the provision of means for helping the offender meet these conditions." Probation thus implies much more than indiscriminately giving the offender another chance.

The conditions of probation are demanding and the status is temporary—it can be revoked without proving "guilt beyond a shadow of a doubt."

District Judge Mace Thurman believes that granting probation in certain cases is a cruelty. "There are simply some people to whom such status would prove more severe punishment than a term in the penitentiary. There are also people who just need custodial care, who simply are not deserving of a second chance."

But in many cases, especially those involving first offenders, probation is strongly recommended if the guilty party shows strong potential for community living and rehabilitation.

Figures show that his chances for rehabilitation are much greater if he's permitted to remain in the community. Also, it is much sounder economically. (The cost of supporting a probationer is 60 cents a day in contrast to the $2.60 if he is sent to jail or to the penitentiary).

And who can judge the difference that it must make to the offender's self-esteem?

But how is a judge or a jury to know if the guilty party is worthy of the risk? The jury, which can judge only in the case of first offenders, is hampered because it must rely on the arguments presented by the lawyers on either side.

But in counties where there is an established probation office, the judge, whose instinct is often sounder and more consistent than a jury's, can base his decision on the pre-sentence report which is compiled for him by the probation office.

"This information is of inestimable assistance in determining a verdict," said Judge Thurman who believes that if such services were rendered in more counties that more offenders would be given a chance to rehabilitate themselves in the community instead of in jail.

Some counties in Texas have recognized the need for such a system. It has been provided for successfully in Travis, Hayes, Caldwell and Comal counties by an Audit Probation Office whose services have been consistently so exemplary that it was designated and funded as a pilot project, initially by the U.S. Justice Department and later by the Moody and Hogg Foundations.

But in counties which haven't the funds or foresight to establish such an office, the probationer has slim hope for any kind of community rehabilitation.

He has, in fact, little hope of anything but a trip to jail, or for the still more unfortunate, a term in the penitentiary.

BYELORUSSIAN INDEPENDENCE

HON. PETER A. PEYSER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. PEYSER. Mr. Speaker, today, commemorates the 53d anniversary of the Declaration of Independence of the Byelorussian people. On this date, 53 years ago, we remember the courageous but short-lived efforts of a freedom-loving people to establish the prerogative to choose and to guide their own destinies.

In commemorating this day, we wish to exalt the right of self-determination and the hopes of freedom-loving people everywhere who are still held subject to oppression and ruthless domination. The 1918 constitution of the Byelorussian Democratic Republic embodied rights which men all over the free world hold most dear—freedom of individual conscience, freedom of nations, freedom of religion. In these beliefs the citizens of the United States are one with the Byelorussian people, and today we offer a heartfelt salute to these courageous people, that the force of liberty for all mankind shall stand.

WHOSE FAULT?

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. ROSENTHAL. Mr. Speaker, auto insurance has become a major problem and a national scandal. It is nobody's fault that automobile use rapidly became virtually universal in America, that nobody anticipated that accident litigation would now occupy 11.4 percent of judge time in Federal district courts, and 17 percent in State courts, that Americans will pay $1.1 billion in legal fees for litigation arising from 1969 accident claims—one-fourth of the legal profession's total income for that accident year—that despite this disproportionate cost to us as taxpayers and citizens, rising premiums do not pay off in proportionate compensation for serious injury—but it is time for Congress to do something about it.

While auto insurance is traditionally a problem for State legislation, it has clearly become Congress concern. Its urgency and complexity are such that the Federal Government, willy-nilly, is concerned.

Consumers Union, in its publication Consumer Reports, has performed a public service in a recent article which defines the major problem areas and identifies the reform plans currently under consideration which deal with them. The article follows:

INSURANCE: THE ROAD TO REFORM

Automobile insurance is by now probably the most thoroughly studied of all consumer problems. The verdict of investigators from the insurance industry, government, the legal profession and consumer groups is unanimous. Something must be done to make insurance do a better job of paying the cost of highway injuries. Something must be done to stop the runaway price of insurance. Something must be done to make sure the right kind of insurance is available to every car owner, and at a fair price.

The time has come for consumers to unite in a crusade for auto-insurance reform. Everyone else is getting into the act. The three major auto-insurance industry trade groups are sponsoring plans. Even the American Trial Lawyers Association, traditional foe of any change that might detract from the fees its members earn by representing accident victims, has drafted legislation in the name of reform. Actually, it's a last-ditch effort to patch up the present liability-insurance system.

Reform is already under way in Puerto Rico, where a government-run plan insures every accident victim for his full medical expenses and a modest amount of wages while he's disabled. Massachusetts inau-

gurated this year a compulsory medical and wage-loss policy and eliminated most liability claims for less than $2000 of injury expenses.

Many states are now debating reforms based on three pioneering plans: The Keeton-O'Connell Plan, the American Insurance Association Plan (developed by one group of insurance companies), and the New York State Plan. All three would de-emphasize the role played by liability insurance, and the AIA Plan would do away with it entirely. Legislation patterned on the AIA Plan has a good chance of adoption this year in Minnesota.

Meanwhile, Senator Philip A. Hart has introduced in Congress a bill that would require every state to adopt a uniform kind of automobile insurance embodying principal features of the three preceding plans and some additional features contributed by the Senator himself. The Hart Plan contains much that consumers can support, although some important details remain to be worked out. Still awaited (as this issue goes to press) is the recommendation for insurance reform being developed by the Secretary of Transportation as the product of a study ordered by Congress.

There is no single, perfect plan. Some students of the problem even doubt that the system of privately sold insurance can be salvaged. They look toward government insurance. Certainly, the problem is made less critical by state-administered health-insurance and medical-care plans in those countries that have them. Then, at least, there is never a question of availability of medical care for all victims regardless of ability to pay and regardless of whether they are victims of automobile accidents, other accidents or illness.

CU believes that this country's automobile insurance should be revamped with a view to the universal health insurance that appears to be somewhere on the horizon. With that in mind, we present on page 225 a 14-point set of objectives that we think are required in a reform designed in the best interests of consumers as policeholders and as claimants.

To place those objectives in an understandable framework, let's first take a look at what's gone wrong with the present system.

At issue is liability insurance and the legal doctrine that makes it necessary. The law says a motorist whose bad driving kills or injures someone or damages his property must pay for the damage. Bad driving, the law says, includes not only recklessness but also carelessness. Almost everybody makes mistakes behind the wheel, and sometimes mistakes cause accidents costing many thousands of dollars in medical bills and lost wages. Liability insurance is designed to protect the financial assets of car owners from those possibly overwhelming obligations to people they may injure. The insurance company pays what its policyholder would otherwise have to pay his victims.

Society invents laws for a purpose. One idea behind liability law is to deter people from carelessly hurting other people. Automobile insurance, though, relieves individual motorists of heavy financial penalty by spreading the risk among all insured motorists. Little or no financial risk means little or no deterrent to carelessness. But the liability doctrine of deterrence wasn't very sound anyway. The instinct for survival is doubtless a far stronger incentive to safe driving.

The main social purpose of liability law is to see that innocent victims are paid their losses. Hence, every state either compels or puts heavy pressure on car owners to buy automobile insurance. One of the intolerable things about it is that the system works out unfairly. People with minor losses tend to be overpaid, while people with severe losses are likely to be underpaid. Here are some things a Department of Transportation study found out about seriously injured traffic victims who collected on liability-insurance claims:

People who suffered less than $500 injury costs collected an average of four times their losses.

People who suffered from $10,000 to $25,000 injury costs collected an average of half their losses.

People who suffered more than $25,000 injury costs collected an average of only about 15 per cent of their losses.

The study counted only the kinds of costs that took money from the victims' pockets; it made no estimate of the costs of pain and suffering. Insurance payments were measured after subtracting lawyers' fees, which cost victims an average of 25 per cent of their benefits.

Only about 45 per cent of seriously injured people in auto accidents collect any money from liability insurance. There is obviously no such right of payment for victims of one-car accidents or for those whose careless driving led to their own injury. Most state laws call for no liability payment if both drivers made mistakes. There is no auto-insurance liability payment, either, where no one is to blame for the accident or where a defective car or a defective highway is to blame. There is many a crash that embroils its victims in deadlocked argument over who was to blame.

Other kinds of insurance help to fill the gap in accident expenses left when there is no liability claim or when liability insurance underpays. But the Department of Transportation study found again that those most severely hurt are often left in financial straits. When a highway accident takes more than $10,000 from the victim's pocket, only three victims in 10 recover more than half their losses—and that's counting payments from sick-leave plans, social security, collision coverage and so forth.

RISING PREMIUMS

The steeply rising cost of automobile insurance makes the poor delivery of its benefits all the more deplorable. In the 10 years to 1970, Senator Hart has noted, premiums went up faster than even the soaring cost of car repairs and medical care.

Automobile liability insurance fails to put the money where it's most needed. About 56 cents of every dollar spent on liability insurance pays for insurance-company expenses and lawyers' fees. Half the remaining 44 cents pays claims for pain and suffering, as opposed to actual out-of-pocket expenses. An additional 8 cents pays for expenses already covered by other kinds of insurance. That leaves about 14 cents to pay for medical costs and lost wages that otherwise would not be recovered by the victim.

In short, what has come to be called the fault system of auto insurance has broken down; yet law and public policy force almost all car owners to buy fault insurance from private companies. Besides misdirecting consumer expenditures, the fault system puts a heavy and costly burden on the time and facilities of the civil courts. Those who must pursue their claims in court sometimes wait as long as five years for a verdict, and the average claim takes 16 months to settle. The delay and uncertainty of liability-insurance benefits throws part of the medical cost of auto accidents on the shoulders of the general public through higher taxes and higher hospital bills.

Worst off are the victims. The Department of Transportation study translated hardships into numbers. When serious injury occurs on the highway, 5 per cent of the stricken households have to send other members of the family out to work; 3 per cent have to move to cheaper housing; 20 per cent have to take money from savings or the sale of property; 12 per cent miss debt payments.

THE GOALS OF AUTO-INSURANCE REFORM

In CU's view, the following 14 objectives should be met by any reform plan:

1. Medical care. All people injured in car accidents should receive, at first mainly from private insurance but soon, we hope, from a Federal health plan, the expenses of complete medical care, including rehabilitation. Automobile medical-insurance benefits, like other medical insurance, should be paid to all who are hurt, regardless of who caused the accident, including drunk drivers and drugged drivers. Such people must be kept from driving. But depriving them of medical care won't keep them off the road; it will only visit hardships upon their families.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No, it limits no-fault benefits to $10,000 per person.

American Insurance Association Plan—Yes.

New York State Plan—Yes.

Hart Plan—Yes.

2. Wage replacement. All disabled victims who cannot work should receive the equivalent of their take-home pay, their earning capacity if they are students or unemployed, or their services to their families—all such payments to be limited to an amount adequate to sustain a decent standard of living in their community. No one should receive more money than he was taking home before being injured, however. Social security pays some wage loss already to disabled persons. It should be expanded to do the full job.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No, it limits wage replacement to $750 per month and counts that as part of the $10,000 maximum no-fault benefits.

American Insurance Association Plan—No, it limits wage replacement to $750 per month but does pay it indefinitely.

New York State Plan—Yes, it goes beyond the objective by paying unlimited wage losses.

Hart Plan—No, it limits wage replacement to a total of $30,000 but does provide up to $1000 per month, enough for an adequate living standard at present price levels.

3. Periodic payment. Auto-accident-insurance benefits should be paid to victims month by month as expenses and wage losses occur.

Do the major reform plans meet this objective? Yes.

4. Other insurance. Auto insurance should take care of paying only what less-costly insurance plans do not cover. Most plans, including social security, group hospital and medical policies, Blue Cross, and individual health policies now return a far larger percentage of the premium to the policyholders than auto insurance does.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—Partly. Though it does away with duplicate payments for the same loss, it might leave automobile insurance as the primary source of benefits, at least until there is a government health-insurance system.

American Insurance Association Plan—No. Same as Keeton-O'Connell.

New York State Plan—Yes.

Hart Plan—Yes.

5. Group auto policies. State laws and administrative rules obstructing the sale of group automobile insurance should be overruled by Federal law. Many states have been persuaded by auto-insurance agents to hamper group sales and such mass-marketing devices as insuarnce for a company's employees on the payroll-deduction plan.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No. But the plan itself would encourage group selling.

American Insurance Association Plan—No. Same as Keeton-O'Connell.

New York State Plan—Yes, in that New York has no law against group insurance.

Hart Plan—Yes.

6. Cancellation. Auto-insurance policies must be non-cancelable, guaranteed renewable, and available in the open market to all eligible consumers. Everyone licensed to drive or able to register a car should be eligible as long as he pays the premiums. The situation now is that 14 per cent of motorists have had their insurance canceled, and when one company cancels, others tend not to accept you. From 8 to 10 per cent of car owners must now buy through assigned-risk plans because no company will deal with them voluntarily; yet an eight-state analysis of assigned-risk policyholders found that 53 per cent of them had had no accidents or convictions for traffic violations. The price of being an assigned risk is very high—sometimes double the standard rate. In most states the most insurance you can buy as an assigned risk is the minimum liability coverage required by the state.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No.

American Insurance Association Plan—No.

New York State Plan—No.

Hart Plan—Yes.

7. Pain and suffering. The number of claims for pain and suffering should be greatly curtailed, leaving only the most serious ones. Most such claims today are paid to victims of minor injuries rather than to the seriously hurt. The average person with medical expenses of less than $100 and with a lawyer to press his claim receives six times his loss. With the elimination of petty claims for pain and suffering, the insurance system might be able to pay, in addition to out-of-pocket losses, at least some compensation to seriously disfigured and permanently disabled victims. Preferably, every such victim should be paid. If that makes insurance too costly, it may be necessary to preserve his right to sue a negligent driver.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—Yes, by means of a $5000-deductible liability claim against a faulty driver.

American Insurance Association Plan—No.

New York State Plan—No.

Hart Plan—Yes, by means of a liability claim against a faulty driver for permanent disability and disfigurement.

8. Property damage. Damage done by automobiles to property other than automobiles should be repaired with money from the car-owner's automobile insurance even if the accident was not his fault.

Do the major reform plans meet this objective?

Yes, except that the Hart Plan makes such coverage optional.

9. Compulsory coverage. Every car owner should have to carry the basic no-fault automobile insurance. Companies could offer all kinds of optional extra coverages: higher benefits for pain and suffering, higher wage benefits, etc.

Do the major reform plans meet this objective? Yes.

10. Automobile damage. The consumer should have three choices of automobile damage insurance: 1) no collision insurance, 2) today's type of collision insurance, which pays for damage regardless of fault, 3) insurance that pays damage done to his car if the driver of another car caused the accident. The third choice should be offered in fairness to owners of cars with too little value to merit full collision insurance. Collision premium rates should be scaled, as some companies scale them now, to encourage construction of damage-resistant cars. Fire, theft and comprehensive insurance should be optional, as now.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—Yes, it originated the three-choice idea.

American Insurance Association Plan—No. It offers full collision insurance or nothing.

New York State Plan—Same as AIA.

Hart Plan—No. Same as AIA. But this is the only plan that would require premiums based on damageability of the car.

11. Premium rates. They must be held down and, if possible, reduced. A system that pays benefits without attempting to establish blame can redirect to premium savings or improved benefits at least 25 percent of the cost of today's liability insurance. Elimination of automobile-insurance payments for losses already covered by cheaper insurance will cut the premium further. Elimination of pain-and-suffering claims for minor injuries will cut costs even more.

Do the major reform plans meet this objective? Yes, all claim to. But there is disagreement on the savings. The Keeton-O'Connell Plan puts a $10,000 limit on no-fault medical and wage benefits because its actuary could not otherwise foresee reduced premiums.

12. Price comparisons. The driver-rating system should be standardized. A person's age, sex, where he lives, the car he drives, and how much he uses his car do appear to have a real bearing on his chances of having an accident. With no-fault insurance, companies should also design their rates around the size of the family, its other insurance and its income—in other words, those factors that would determine compensation in the event of an injury-causing accident. The important thing is for each company to use the same rating standards, including identical geographic rate zones. Companies should compete on the basic price from which all rates would be figured by percentage increases or decreases. Shoppers would then find it relatively easy to compare prices.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No.

American Insurance Association Plan—No.

New York State Plan—No.

Hart Plan—Yes, it originated the idea.

13. Claims service. Insurance companies should report regularly to a Government agency their claims-paying practices, and the agency should publish data indicating how well each company satisfies its claims. CU's recent survey of claims experiences showed significant differences in the way companies handled their claims (CONSUMER REPORTS, June 1970). Full knowledge of the quality of a company's service is essential to the consumer's rational choice of a company.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No.

American Insurance Association Plan—No.

New York State Plan—No.

Hart Plan—Yes, it originated the idea.

14. Industry regulation. Automobile insurance should be regulated by a Federal agency instead of by each individual state. It would be appropriate for the motoring public to finance the agency with a tax on insurance policies. Present law exempting insurance companies from the antitrust laws should be repealed. Prices should be regulated by the market under surveillance of the new Federal agency. Few states can hire the professional staffs needed to cope with their regulatory obligations. A single Federal agency could afford highly competent attorneys, accountants and actuaries and could use their services efficiently in the public interest. The American population is mobile. It travels on interstate highways, and it changes residence frequently from state to state. Americans need uniform motor-vehicle laws and uniform automobile insurance.

Do the major reform plans meet this objective?

Keeton-O'Connell Plan—No.

American Insurance Association Plan—Does not specify.

New York State Plan—No.

Hart Plan—No. Insurance regulation would remain with the states in consultation with a Federal administrator.

"THE CONDITION OF OUR CONDITION"; NIXON'S GAME PLAN

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. MURPHY of New York. Mr. Speaker, there is an old chestnut that goes "figures don't lie, but liars figure." This can apply to those statisticians in the Nixon administration who have for months tried to explain to a disbelieving American public that the administration's economic policies were a "roaring success."

Speaker of the House McCormack was right when he said a year ago that the only way President Nixon could hide our economic debacle from the American people was to not make the figures available at all.

Apparently, the White House has seen fit to defer to the wisdom of the former Democratic Speaker. If there is no news at all, then there cannot be any bad news, the reasoning seems to go.

However, this is certainly no comfort to the millions of Americans who have irretrievably lost their life savings, their homes, their children's futures, and any hope of recouping their financial losses in a lifetime. The fiscal policies of the Nixon administration have done irreparable damage to America and the silencing of the Bureau of Labor experts who had the responsibility of giving us the bad news every month will do nothing to restore confidence in our Government and its fiscal failures.

The change in Mr. Nixon's "game plan" to spoon feed the American people its own partisan version of how well off we all are and the possible self-defeating results of all of this were brilliantly interpreted by Eileen Shanahan in the New York Times of March 22, 1971.

I include Miss Shanahan's column in the RECORD and ask that Members of both aisles read it because if history repeats itself, which I am convinced it will, the Congress will have to ultimately take up the task of restoring the confidence of the American people in this country as it was forced to do under the Hoover and Eisenhower administrations.

[From the New York Times, Mar. 22, 1971]

REPORTING ON ECONOMY—END OF BRIEFINGS ON JOB FIGURES AND PRICE INDEX MAY BRING NEW PROBLEMS

(By Eileen Shanahan)

WASHINGTON, March 22.—The Nixon Administration's decision to make fundamental changes in the time-tested system for informing the public of major developments in the economy appears likely to bring on some serious new problems without necessarily solving what are alleged to be the old ones. The decision, announced and put into effect last week, was simply to cancel, permanently,

the briefings for the press that were formerly given each month on the two most widely watched of all the basic economic indicators—the unemployment figures and the Consumer Price Index. The briefings have been held regularly for two decades by the career technicians in the Labor Department's Bureau of Labor Statistics, which puts out the unemployment and price figures.

The career civil servants who conducted the news conferences were there to guide reporters through the ever-more-complex refinements of the figures, made possible by modern computer technology; to help with analyses of which month-to-month changes were purely seasonal and which were fundamental, and why; to point out fluke developments that had nothing to do with basic trends that might be at work on a given month's figures, and so on.

INTEGRITY UNQUESTIONED

That these Government career men never served any master but the truth has never been questioned by anyone who dealt with them or their product, and it is not being questioned now.

In fact, it was in the name of protecting the integrity of these career technicians that Secretary of Labor James D. Hodgson announced on Friday that their press briefings were to be terminated.

The new procedure for the release of these figures will be limited to written news releases plus comments by officials, such as Mr. Hodgson himself, who are clearly identified partisans of the Administration.

This, according to the Labor Department's announcement, will "avoid the awkwardness of subjecting the professional staff of the Bureau of Labor Statistics to questions with policy implications."

The technicians will still be available to reporters, on an individual basis, "to help with technical questions," the announcement continued.

A DIFFICULT DISTINCTION

But who is going to determine which is a "policy" question that is out-of-bounds for the career experts and which a "technical" question that they have permission to answer?

The recent conflicts of interpretation between the technicians and the political appointees illustrate the difficulty of drawing the distinction.

In November, the dispute centered on just what portion of the increased unemployment in that month was attributable to layoffs in other industries that were caused by the General Motors strike. The career experts said that it was something less than the entire rise; the White House press secretary, Ronald L. Ziegler, implied that the President's Council of Economic Advisers had discovered that it was all G.M.-related.

In January, when the unemployment rate dropped a bit, the chief career expert on the unemployment figures, Harold Goldstein, described the change as "marginally significant," whereas Mr. Hodgson said it had "great significance." The point to bear in mind here is that the word "significant" in statistics is not a matter of the-feel-on-the-back-of-your-neck but, rather has a precise mathematical definition.

In February, another decline in the unemployment rate, produced not by an increase in the number of jobs so much as by an unusually large decline in the number of persons who said they were looking for work, drew similarly mixed interpretations from Mr. Goldstein and Mr. Hodgson. Interestingly enough, a comment by Secretary of the Treasury John B. Connally Jr. seemed closer to Mr. Goldstein's view.

It seems clear enough that whether a change is statistically significant, whether another is related to a strike and whether still another is related to the mystery of why unemployed people decide to start or to stop actively looking for jobs are all "technical" questions. Equally clearly, they are all questions the answers to which raise "policy implications."

A decade ago, a group of distinguished economists of all political persuasions, drawn from the universities, from business and from organized labor, made a detailed study of the employment and unemployment statistics and come forth with a unanimous report proposing improvements. Most of their recommendations dealt with the substance of the statistics themselves, but a special section was devoted to the method of announcing the figures.

NONPOLITICAL CONTEXT

The group, known as the Gordon Committee from its chairman, Prof. R. A. Gordon of the University of California (Berkeley), concluded that "the need to publish (the unemployment statistics) in nonpolitical context cannot be overemphasized."

While proposing that a "sharp line" be drawn between the actual release of the figures and their analysis, on the one hand, and "comments on the policy implications," the committee also spoke of the "obligation" of the experts to "offer analytical, interpretive comments that will assist the users of the data to assess the significance of the changes."

Secretary Hodgson invoked the name and conclusions of the Gordon committee in making his announcement of the change, but Professor Gordon disagrees.

He said, in a telephne interview, that the new policy was "not in the spirit of what we recommended, and I regret it."

COMMITTEE'S ORIGIN

One of the reasons behind the creation of the Gordon Committee, which was named by President Kennedy, was the political uses that were made of the unemployment figures in the final years of the Eisenhower Administration.

General Eisenhower's Secretary of Labor, James P. Mitchell, would sometimes announce the figures before the Bureau of Labor Statistics could. And he—and President Eisenhower himself—were strikingly inconsistent about their use of seasonally adjusted or not seasonally adjusted figures (usually emphasizing those that looked most favorable).

Some similar things are occurring now as policymaking officials increasingly comment on the various economic statistics.

It seems possible that few members of the current Administration recall the ultimate consequences of the public relations policy of the Eisenhower Administration toward economic statistics.

The consequences were that many informed individuals across the nation began to doubt the accuracy and integrity of the statistics themselves—to such a point that both the Gordon Committee and the Joint Economic Committee of Congress felt it necessary to issue public statements affirming their belief that the figures were honest.

BYELORUSSIAN INDEPENDENCE DAY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. DINGELL. Mr. Speaker, the Byelorussians are one of the lesser known Slavic peoples. This is partly because they have been intermingled with more numerous other Slavic peoples, and partly because they have been subjected to the oppressive rule of foreign regimes. For centuries Russians have done all in their power to assimilate them, and have tried to represent them to the world as Russians. But history shows that the Byelorussians—the White Russians, or Ruthenians, as they are sometimes called—formed a distinct national group in their homeland, east of Poland and west of Moscow, long before the formation of the modern Russian state. However, early in modern times it was brought forcibly under the Russians and became part of the Russian empire.

Czarist Russian rule could not wipe out the Byelorussians as an ethnic group. The more they were oppressed by their Russian masters, the more Byelorussians clung to their ethnic and national ideals, and longed for the day of their freedom. This came about early in 1918, after the overthrow of the czarist regime in Russia. On March 25 of that year the Byelorussian National Republic was proclaimed, with its capital in the historic city Minsk. Soon it was recognized by the governments of several countries, and it looked as if the new state was to maintain its sovereignty in historic Byelorussia. Unfortunately the independence thus proclaimed did not last long. Russian Communists attacked and overran the country, and in March of 1921, Byelorussian independence vanished.

Since then, for 50 years, some 10 million Byelorussians have been living under the oppressive Soviet regime. But they have not abandoned their ultimate goal for national political independence. There in their historic homeland they work hard under all sorts of hardships and they ardently look to the day of their liberation. On the observance of their Independence Day let us all hope that they will soon attain their goal in their homeland.

PRISONERS OF WAR

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 23, 1971

Mr. KOCH. Mr. Speaker, I am honored to join with my colleagues in support of a resolution setting aside the period of March 21 to March 27 as the National Week of Concern for Prisoners of War/Missing in Action. It was on March 26, 7 years ago, that the first American was taken prisoner in Vietnam. War, we must all agree, too often involves shameful acts. But governments have an even greater responsibility for their actions, and are required under international law to respect the rights of prisoners of war. There can be no excuse for a government to engage in violations of the Geneva Convention which protects prisoners of war. The North Vietnamese Government has violated that Convention. Whatever one's position is with respect to the military involvement of our country in Southeast Asia, and I am one of those who opposes that involvement, surely we must all agree that the physical comfort and very lives of prisoners of war ought not be

used by the country holding them to gain political and military concessions. The North Vietnamese by engaging in acts violating the Geneva Convention have not helped their cause by embittering Americans of all political persuasions as a result of their treatment of the young men of our country held captive by them. It is my understanding and I hope it to be true that the cries of outrage by the citizens of this country as well as the voices raised in other countries throughout the world have caused a perceptible change in the manner and method of treatment of these prisoners of war, but we cannot cease our protests until all of the protections of the Geneva Convention are accorded our young men, and we cannot rest until they are returned to their wives, mothers, and children.

SESAME STREET—EXPERIMENT IN MISEDUCATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RARICK. Mr. Speaker, while acclaimed by some educators, the controversial children's TV program, "Sesame Street," has come under severe criticism by other persons.

Miss Helen L. Beck, a preschool specialist, author, and social worker in an address to the American Orthopsychiatric Association claimed:

Aldous Huxley's "Brave New World" seems indeed to have obtained reality in our living rooms as the young are being drugged into a semi-waking stage by the onslaught of visual and audio stimuli which appeal to the more primitive aspects of the child's personality.

Miss Beck presented the following objections to "Sesame Street":

It prevents development of creative activities by children from low-income families.

It discourages development of attention span in young children.

It commits "oral aggression" upon young viewers.

It stresses rote learning.

Adults and children in programs are emotionally and psychologically deficient.

Other criticism comes from a concerned parent, Mrs. Babs Minhinnette, of Baton Rouge, La., who after doing much research on the program has submitted the following derogatory evaluation of Sesame Street:

Sesame Street was banned from the Mississippi public educational television system because of its "highly integrated" cast, according to an article that appeared in the New Orleans Times Picayune.

The program may not be interrupted for commercial advertisement, because its sponsors do not want to interrupt the train of thought (hypnotic trance) of the youngsters.

Sesame Street is funded by the Office of Education, Carnegie, and Ford. Some of the other subversive and revolutionary groups that Ford funds are Bryn Mawr College which employs the Communist Party's chief theoretician, Herbert Aptheker, as head of its Black Studies program—Angela Davis was one of his students—Siecus; Pacifica Foundation which operates four far-out-left radio stations and has many communists and revolutionaries as regular guests; the National Students Association which is a militant group of left-wing students who are causing much disruption in our colleges and universities; the American Friends Service Committee which has openly worked with the communists and Viet Cong—they have sent blood and medical supplies to the Viet Cong—Le Roi Jones who is the author of the "Toilet"—a filthy, anti-American and anti-white play; the National Council of Churches and many others. The name of the yacht belonging to Henry Ford II is the Black Panther.

Sesame Street is harmful to the minds of children. It can cause mental confusion and brain washing as it makes extensive use of psychedelic colors and rapidly flashed pictures. According to a study made by the Subliminal Projection Company of New York City, conditioning of the minds of viewers was obtained by showing "unseen" advertising messages lasting only 1/3000th of a second, interspersed with the regular film program. The study proved, beyond doubt, the dangerous potentials of this new weapon against the mind.

The teachers on Sesame Street, as well as the children, use many slang expressions and make repeated grammatical errors. One does not learn to speak correctly by being instructed by those who speak incorrectly. Examples of grammatical errors on this week's programs are "these here rocks", "Mama going to town—maybe she buy me something", dis (this), dat (that), dem (them), and dos (those).

The program does not portray the history and traditions of our nation truthfully. An educated person is one who has been taught truth, not lies. The program animalizes humans and humanizes animals.

The communist revolutionary expression "right on" is frequently chanted on this program by both students and teachers. Sexually suggestive and primitive dances are frequently performed by the actors.

Sesame Street is dangerous to the physical well being of children. On a recent program it was stated that people on Mars stuff cookies in their ears. Parents are irate over this dangerous idea being implanted into the minds of their children. On this same program, all of the parts of the body were incorrectly labeled.

The program, rather than being educational, is actually subversive and contrary to our Christian heritage and traditions.

The program promotes race mixing: race mixing is genocide to the white race.

I insert two news clippings to follow my remarks:

[From the Washington Evening Star, Mar. 24, 1971]

"SESAME STREET" RAPPED BY PRESCHOOL SPECIALIST

(By John Mathews)

"Sesame Street," the popular children's television program, has brought into American living rooms the atmosphere of Aldous Huxley's futuristic novel "Brave New World" with its programmed people responding to electronic controls.

So contends Helen L. Beck, a preschool specialist, author and social worker in a paper presented today at a session of the annual conference of the American Orthopsychiatric Association.

Her paper represents perhaps the most critical view to date of the program which has generally been praised by educators since its debut on educational TV stations a year and a half ago.

Miss Beck, who was associated in Europe with child psychiatrist Anna Freud, indicts the program as being both educationally and psychologically harmful to young children.

FEARS DAY-CARE USE

She also expressed fears that wide use of "Sesame Street" in day-care centers will prevent the development of creative activities in the rapidly expanding facilities, especially in those used by children from low-income families.

Educationally, Miss Beck says, "Sesame Street" does not encourage the development of attention span in young children—a constant concern of teachers in the early grades—because of its "choppy, fragmented presentation of material, its jumpiness of segments."

Letters and numbers constantly "jumping out" of the television screen amount to "oral aggression" committed upon the young viewer. The "pleasure-fear reactions" created by noisy, fast-paced film techniques are just as objectionable, she continued, as the commercials and cartoons from which the techniques have been adapted.

The learning approach on the program stresses "mechanical memory training" and rote learning which are generally a "dead end" as far as educational and social development are concerned, Miss Beck said.

Miss Beck summed up her view of the programs approach by saying: "Aldous Huxley's 'Brave New World' seems indeed to have obtained reality in our living rooms as the young are being drugged into a semi-waking stage by the onslaught of visual and audio stimuli which appeal to the more primitive aspects of the child's personality."

The critic currently is employed as a social worker in Westport, Conn., public schools. She finds "Sesame Street," in addition, emotionally and psychologically deficit, particularly in the models of adults and children it presents.

"MORE LIKE PROPS"

The children on the program, she said, "seem more like props than live children who have their own fascinating ideas and logic." And the adults "do not seem to respond to children's remarks if these do not follow the prepared lesson."

Miss Beck said that other television programs such as "Misterogers Neighborhood" are more appropriate for the social and educational development of preschoolers. Fred Rogers, the program's originator and main performer, deals with information keyed to the child's age level, discusses feelings such as shyness and works at a leisurely pace with which the young can identify.

Generally, Miss Beck aligns herself with the theory that preschoolers should not be pressured into the early learning of reading, arithmetic and other skills.

Funds to develop children's programs stressing early reading instruction would be better spent, she said, on teaching parents how to more deeply involve themselves with the emotional and intellectual growth of their children.

[From the New Orleans Times Picayune]

SESAME STREET SAID BANNED BY BOARD IN MISSISSIPPI

NEW ORLEANS.—"Sesame Street," a nationally syndicated program for preschool children, has been banned on Mississippi's public educational television system because of its "highly integrated" cast, The Times-Picayune said today.

In a dispatch from its Jackson, Miss., bureau, the newspaper said the Mississippi Commission for Educational Television reportedly voted 3 to 2 against the program.

The story quoted a commission member, who asked to remain unidentified, as saying, "Some of the members of the commission were very much opposed to showing the series because it uses a highly integrated cast of children."

The same source, the newspaper reported, said the objections were "mainly that we are not ready for it."

HOW NOT TO CURE POVERTY

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. SCHMITZ. Mr. Speaker, the following very interesting article by Mr. Henry Hazlitt which appeared in the February 1971 edition of Freeman magazine makes some very good points about how not to cure poverty.

Mr. Hazlitt reminds us that—

All schemes for redistributing or equalizing incomes or wealth must undermine or destroy incentives at *both* (emp. added) ends of the economic scale.

He also points out that—

Competition always tends to bring about the least-cost method of production—in other words, the most economical and efficient method of production.

These concepts are rather basic to understanding the free market economy and why it has produced the highest standard of living in the world which we today enjoy in the United States. I highly recommend it as food for thought to all my colleagues.

The article follows:

FALSE REMEDIES FOR POVERTY

(By Henry Hazlitt)

From the beginning of history sincere reformers as well as demagogues have sought to abolish or at least to alleviate poverty through state action. In most cases their proposed remedies have only served to make the problem worse.

The most frequent and popular of these proposed remedies has been the simple one of seizing from the rich to give to the poor. This remedy has taken a thousand different forms, but they all come down to this. The wealth is to be "shared," to be "redistributed," to be "equalized." In fact, in the minds of many reformers it is not poverty that is the chief evil but inequality.

These direct redistribution schemes (including "land reform" and "the guaranteed income") are so immediately relevant to the problem of poverty that they warrant separate treatment. Here I must content myself with reminding the reader that all schemes for redistributing or equalizing incomes or wealth must undermine or destroy incentives at both ends of the economic scale. They must reduce or abolish the incentives of the unskilled and shiftless to improve their condition by their own efforts, and even the able and industrious will see little point in earning anything beyond what they are allowed to keep. These redistribution schemes must inevitably reduce the size of the pie to be redistributed. They can only level down. Their long-run effect must be to reduce production and lead toward national impoverishment.

The problem we face here is that the false remedies for poverty are almost infinite in number. An attempt at a thorough refutation of any single one of them would run to disproportionate length. But some of these false remedies are so widely regarded as real cures or mitigations of poverty that if I do not refer to them, I may be accused of having undertaken a comprehensive analysis of the remedies for poverty while ignoring some of the most obvious.

What I shall do, as a compromise, is to take up some of the more popular of the alleged remedies for poverty and indicate briefly in each case the nature of their shortcomings or the chief fallacies involved in them.[1]

Footnotes at end of article.

UNIONS AND STRIKES

The most widely practiced "remedy" for low incomes in the last two centuries has been the formation of monopolistic labor unions and the use of the strike threat. In nearly every country today this has been made possible to its present extent by government policies that permit and encourage coercive union tactics and inhibit or restrict counteractions by employers. As a result of union exclusiveness, of deliberate inefficiency, of featherbedding, of disruptive strikes and strike-threats, the long-run effect of customary union policies has been to discourage capital investment and to make the average real wage of the whole body of workers lower, and not higher, than it would otherwise have been.

Nearly all of these customary union policies have been dishearteningly shortsighted. When unions insist on the employment of men that are not necessary to do a job (requiring unneeded firemen on Diesel locomotives; forbidding the gang size of dock workers to be reduced below, say, 20 men no matter what the size of the task; demanding that a newspaper's own printers must duplicate advertising copy that comes in already set in type, etc.) the result may be to preserve or create a few more jobs for specific men in the short run, but only at the cost of making impossible the creation of an equivalent or greater number of more productive jobs for others.

The same criticism applies to the age-old union policy of opposing the use of labor-saving machinery. Labor-saving machinery is only installed when it promises to reduce production costs. When it does that, it either reduces prices and leads to increased production and sales of the commodity being produced, or it makes more profits available for increased reinvestment in other production. In either case its long-run effect is to substitute more productive jobs for the less productive jobs it eliminates. Yet as late as 1970, a book appeared by a writer who enjoys an exalted reputation as an economist in some quarters, opposing the introduction of labor-saving machines in the underdeveloped countries on the ground that they "decrease the demand for labor"![2] The natural conclusion from this would be that the way to maximize jobs is to make all labor as inefficient and unproductive as possible.

OVERTIME RATES

A similar judgment must be passed on all "spread-the-work" schemes. The existing Federal Wage-Hour Law has been on the books for many years. It provides that the employer must pay a 50 per cent penalty overtime rate for all hours that an employee works in excess of 40 hours a week, no matter how high the employee's regular hourly rate of pay.

This provision was inserted at the insistence of the unions. Its purpose was to make it so costly for the employer to work men overtime that he would be obliged to take on additional workers.

Experience shows that the provision has in fact had the effect of narrowly restricting the length of the working week. In the ten-year period, 1960 to 1969 inclusive, the average annual work-week in manufacturing varied only between a low of 39.7 hours in 1960 and a high of 41.3 hours in 1966. Even monthly changes do not show much variation. The lowest average working week in manufacturing in the fourteen months from June, 1969 to July, 1970 was 39.7 hours and the highest was 41 hours.

But it does not follow that the hour-restriction either created more long-term jobs or yielded higher total payrolls than would have existed without the compulsory 50 per cent overtime rate. No doubt in isolated cases more men have been employed than would otherwise have been. But the chief effect of the overtime law has been to raise production costs. Firms already working full standard time often have to refuse new orders because they cannot afford to pay the penalty overtime necessary to fill those orders. They cannot afford to take on new employees to meet what may be only a temporarily higher demand because they also have to install an equivalent number of additional machines.

Higher production costs mean higher prices. They must therefore mean narrowed markets and smaller sales. They mean that fewer goods and services are produced. In the long run the interests of the whole body of workers must be adversely affected by compulsory overtime penalties.

All this is not to argue that there ought to be a longer work week, but rather that the length of the work week, and the scale of overtime rates, ought to be left to voluntary agreement between individual workers or unions and their employers. In any case, legal restrictions on the length of the working week cannot in the long run increase the number of jobs. To the extent that they can do that in the short run, it must necessarily be at the expense of production and of the real income of the whole body of workers.

MINIMUM WAGE LAWS

This brings us to the subject of minimum-wage laws. It is profoundly discouraging that in the second half of the twentieth century, in what is supposed to be an age of great economic sophistication, the United States should have such laws on its books, and that it should still be necessary to protest against a nostrum so futile and mischievous. It hurts most the very marginal workers it is designed to help.

I can only repeat what I have written in another place.[3] When a law exists that no one is to be paid less than $64 for a 40-hour week, then no one whose services are not worth $64 a week to an employer will be employed at all. We cannot make a man worth a given amount by making it illegal for anyone to offer him less. We merely deprive him of the right to earn the amount that his abilities and opportunities would permit him to earn, while we deprive the community of the moderate services he is capable of rendering. In brief, for a low wage we substitute unemployment.

But I cannot devote more space to this subject here. I refer the reader to the careful reasoning and statistical studies of such eminent economists as Professors Yale Brozen, Arthur Burns, Milton Friedman, Gottfried Haberler, and James Tobin, who have emphasized, for example how much our continually rising legal minimum wage requirements have increased unemployment in recent years, especially among teen-aged Negroes.

THE MOUNTING BURDEN OF WELFARE PLANS AND TAXES

In the last generation there has been enacted in almost every major country of the world a whole sackful of "social" measures, most of them having the ostensible purposes of "helping the poor" in one respect or another. These include not only direct relief, but unemployment benefits, old-age benefits, sickness benefits, food subsidies, rent subsidies, farm subsidies, veterans' subsidies—in seemingly endless profusion. Many people receive not only one but many of these subsidies. The programs often overlap and duplicate each other.

What is their net effect? All of them must be paid for by that chronically forgotten man, the taxpayer. In perhaps half the cases, Paul is in effect taxed to pay for his own benefits, and gains nothing on net balance (except that he is forced to spend his earned money in other directions than he himself would have chosen). In the remaining cases, Peter is forced to pay for Paul's benefits. When any one of these schemes, or a further expansion of it, is being proposed, its political sponsors always dwell on what a generous and compassionate government should pay to Paul; they neglect to mention that this

additional money must be seized from Peter. In order that Paul may receive the equivalent of more than he earns, Peter must be allowed to keep less than he earns.

The mounting burden of taxation not only undermines individual incentives to increased work and earnings, but in a score of ways discourages capital accumulation and distorts, unbalances, and shrinks production. Total real wealth and income is made smaller than it would otherwise be. On net balance there is more poverty rather than less.

But increased taxation is so unpopular that most of these "social" handout schemes are originally enacted without enough increased taxation to pay for them. The result is chronic government deficits, paid for by the issuance of additional paper money. And this has led in the last quarter-century to the constant depreciation of the purchasing power of practically every currency in the world. All creditors, including the buyers of government bonds, insurance policy holders, and the depositors in savings banks, are systematically cheated. Once more the chief victims are the working and saving families with moderate incomes.

Yet everywhere this monetary inflation, eventually so disruptive and ruinous to orderly balanced production, is rationalized by politicians and even by putative economists as necessary for "full employment" and "economic growth." The truth is that if this monetary inflation is persisted in, it can only lead to economic disaster.

PRICE AND WAGE CONTROLS

Many of the very people who originally advocate inflation (or the policies which inevitably lead to it), when they see its consequences of raising prices and money wages, propose to cure the situation, not by halting the inflation, but by having the government impose price and wage controls. But all such attempts to suppress the symptoms enormously increase the harm done. Price and wage controls, to precisely the extent that they can be made temporarily effective, only distort, disrupt, and reduce production—again leading toward impoverishment.

Yet here again, as with the other false remedies for poverty, it would be an unjustifiable digression to spell out in detail all the fallacies and evil consequences of special subsidies, improvident government spending, deficit financing, monetary inflation, and price-and-wage controls. I have myself dealt with these subjects in two previous books: *The Failure of the New Economics*[4] and *What You Should Know About Inflation;*[5] and there is, of course, an extensive literature on the subject. The chief point to be reiterated here is that these policies do not help to cure poverty.

Another false remedy for poverty is the progressive income tax, as well as a very heavy burden of capital-gains taxes, inheritance taxes, and corporate income taxes. All of these have the effect of discouraging production, investment, and capital accumulation. To that extent they must prolong rather than cure poverty.

OUTRIGHT SOCIALISM

We come now to the final false remedy for poverty to be considered in this article—outright socialism.

Now the word "socialism" is loosely used to refer to at least two distinct proposals, usually but not necessarily tied together in the minds of the proposers. One of these is the redistribution of wealth or income—if not to make incomes equal, at least to make them much more nearly equal than they are in a market economy. But the majority of those who propose this objective today think that it can be achieved by retaining the mechanisms of private enterprise and then taxing the bigger incomes to subsidize the smaller incomes.

Footnotes at end of article.

By "outright socialism" I refer to the Marxist proposal for "the public ownership and control of the means of production."

Now one of the most striking differences between the 1970's and the 1950's, or even the 1920's, is the rise in the political popularity of Socialism Two—the redistribution of income—and the decline in the political popularity of Socialism One—government ownership and management. The reason is that the latter, in the last half-century, has been so widely tried. Particularly in Europe there is now a long history of government ownership and management of such "public utilities" as the railroads, the electric light and power industries, the telegraph and telephone. And everywhere the history has been much the same—deficits practically always, and in the main poor service compared with what private enterprise supplied. The mail service, a government monopoly nearly everywhere, is also nearly everywhere notorious for its deficits, inefficiency, and inertia. (The contrast with the performance of "private" industry is often blurred, however, in the United States, for example, by the slow strangulation of the railroads, telephone, and power companies by government regulation and harassment.)

As a result of this history, most of the socialist parties in Europe find that they can no longer attract votes by promising to nationalize even more industries. But what is still not recognized by the socialists, by the public, or even by more than a small minority of economists, is that present government ownership and management of industries, not only in "capitalist" Europe but even in Soviet Russia, works only as well as it does because it is parasitic for accounting on the world market prices established by private enterprise.

TOO MUCH TAKEN FOR GRANTED

We are so accustomed to the miracle of private enterprise that we habitually take it for granted. But how does private industry solve the incredibly complex problem of turning out tens of thousands of different goods and services in the proportions in which they are wanted by the public? How does it decide how many loaves of bread to produce and how many overcoats, how many hammers and how many houses, how many pins and how many Pontiacs, how many teaspoons and how many telephones? And how does it decide the no less difficult economical and efficient methods of producing these goods?

It solves these problems through the institutions of private property, the free market, and the existence of money—through the interrelations of supply and demand, costs and prices, profits and losses.

When shoes are in deficient supply compared with the marginal cost of producing them, their price, and therefore the margin of profit in producing them, will increase in relation to the price and margin of profit in producing other things. Therefore, the existing producers will turn out more shoes, and perhaps new producers will order machinery to make them. When the new supply catches up with existing demand, the price of shoes, and the profit of making them, will fall; the supply will no longer be increased. When hats go out of fashion and fewer are worn, the price will decline, and some may remain unsalable. Fewer hats will be made. Some producers will go out of business, and the previous labor and salvageable capital devoted to producing hats will be forced into other lines. Thus, there will be a constant tendency toward equalization of profit margins (comparative risks considered) in all lines. These yearly, seasonal, or daily changes in supply and demand, cost and price, and comparative profit margins, will tend to maintain a delicate but constantly changing balance in the production of the tens of thousands of different services and commodities in the proportions in which consumers demand them.

THE COMPETITIVE ROLE

The same guide of comparative money prices and profits will also decide the kinds and proportions of capital goods that are turned out, as well as which one of hundreds of different possible methods of production is adopted in each case.

In addition, within each industry as well as between industries, competition will be taking place. Each producer will not only be trying to turn out a better product than his competitors, a product more likely to appeal to buyers, but he will also be trying to reduce his cost of production as low as he possibly can in order to increase his margin of profit—or perhaps even, if his costs are already higher than average, to meet his competition and stay in business. This means that competition always tends to bring about the least-cost method of production—in other words, the most economical and efficient method of production.

Those who are most successful in this competition will acquire more capital to increase their production still further; those who are least successful will be forced out of the field. So capitalist production tends constantly to be drawn into the hands of the most efficient.

But how can this appallingly complex problem of supplying goods in the proportions in which consumers want them, and with the most economical production methods, be solved if the institutions of capitalism—private ownership, competition, free markets, money, prices, profits and losses—do not exist?

THE BAFFLING PROBLEM OF ECONOMIC CALCULATION

Suppose that all property—at least in the means of production—is taken over by the state, and that banks and money and credit are abolished as vicious capitalist institutions; how is the government to solve the problem of what goods and services to produce, of what qualities, in what proportions, in what localities, and by what technological methods?

There cannot, let us keep in mind, be a hundred or a thousand different decisions by as many different bureaucrats, with each allowed to decide independently how much of one given product must be made. The available amount of land, capital, and labor is always limited. The factors of production needed to make A are therefore not available for B or C; and so on. So there must be a single unified over-all decision, with the relative amounts and proportions to be made of each commodity all planned in advance in relation to all the others, and with the factors of production all allocated in the corresponding proportions.

So there must be only one Master Production Plan. This could conceivably be adopted by a series of majority votes in a parliament, but in practice, to stop interminable debate and to get anything done, the broad decisions would be made by a small handful of men, and the detailed execution would probably be turned over to one Master Director who had the final word.

How would he go about solving his problem?

We must keep in mind that without free competitive markets, money, and money-prices, he would he helpless. He would know, of course (if the seizure of the means of production has only recently occurred), that people under a capitalist system lived in a certain number of houses of various qualities, wore a certain amount of clothing consisting of such and such items and qualities, ate a certain amount of food consisting of such and such meats, dairy products, grains, vegetables, nuts, fruits, and beverages. The director could simply try to continue this pre-existing mix indefinitely. But then his

decisions would be completely parasitic on the previous capitalism, and he would produce and perpetuate a completely stationary or stagnant economy. If such an imitative socialism had been put into effect in, say, the France of 1870, or even of 1770, or 1670, and France had been cut off from foreign contacts, the economy of France would still be producing the same type and per capita quantity of goods and services, and by the same antiquated methods, as those that had existed in 1870, or even in 1770, or 1670, or whatever the initial year of socialization.

It is altogether probable that even if such a slavishly imitative production schedule were deliberately adopted it would overlook thousands of miscellaneous small items, many of them essential, because some bureaucrat had neglected to put them into the schedule. This has happened time and again in Soviet Russia.

WHAT SHALL BE PRODUCED?

But let us assume that all these problems are somehow solved. How would the socialist Planners go about trying to improve on capitalist production? Suppose they decided to increase the quantity and quality of family housing. As total production is necessarily limited by existing technological knowledge and capital equipment, they could transfer land, capital, and labor to the production of more such housing only at the cost of producing less food, or less clothing, or fewer hospitals, or schools, or cars, or roads, or less of something else. How could they decide what was to be sacrificed? How would they fix the new commodity proportions?

But putting aside even this formidable problem, how would the Planners decide what machines to design, what capital goods to make, what technological methods to use, and at what localities, to produce the consumers' goods they wanted and in the proportions they wanted them?

This is not primarily a technological question, but an economic one. The purpose of economic life, the purpose of producing anything, is to increase human satisfactions, to increase human well-being. In a capitalist system, if people are not willing to pay at least as much for the consumer goods that have been produced as was paid for the labor, land, capital equipment, and raw materials that were used to produce them, it is a sign that production has been misdirected and that some of these productive factors have been wasted. There has been a net decrease in economic well-being instead of an increase.

There are many feasible methods—crucible, Bessemer, open hearth, electric furnace, basic oxygen process—of making steel from iron. In fact, there are today a thousand technically feasible ways of making almost anything out of almost anything. In a private enterprise system, what decides which method will be used at a given place and time is a comparison of prospective costs.

And this necessarily means costs in terms of money. In order to compare the economic efficiency of one productive method with another the methods must be reduced to some common denominator. Otherwise numerical comparison and calculation are impossible. In a market system this common denominator is achieved by comparisons in terms of money and of prices stated in money. It is only by this means that society can determine whether a given commodity is being produced at a profit or a loss, or at what comparative profits or losses any number of different commodities are being produced.

"PLAYING" CAPITALISM

In recent years even the most doctrinaire communist countries have become aware of this. They are going to be guided hereafter, they say, by profit and loss. An industry must be profitable to justify itself. So they fix money prices for everything and measure profit and loss in monetary terms.

But this is merely "playing" free markets. This is "playing" capitalism. This imitation is the unintended flattery that the communists now pay to the system they will ostensibly reject and denounce.

But the reason why this mock-market system has so far proved so disappointing is that the communist governments do not know how to fix prices. They have achieved whatever success they have had when they have simply used the quotations they found already existing for international commodities in the speculative markets—i.e., in the capitalist markets—in the Western world. But there are a limited number of such grains and raw materials with international markets. In any case, their prices change daily, and are always for specific grades at specific locations.

In trying to fix prices for commodities and the multitudinous objects not quoted on these international markets the communist countries are at sea. The Marxist labor theory of value is false and therefore useless to them. We cannot measure the value of anything by the number of hours of "labortime" put into it. There are enormous differences in the skill, quality, and productivity of different people's labor. Nor can we, as suggested by some Soviet economists, base prices on "actual costs of production." Costs of production are themselves prices—the prices of raw materials, of factories and machinery, rent, interest, the wages of labor, and so on.

OUR DIFFERENCES GUIDE US

And nowhere, in a free market, are prices for long exactly equal to costs of production. It is precisely the *differences* between prices and costs of production that are constantly, in a free market economy, redirecting and changing the balance of production as among thousands of different commodities and services. In industries where prices are well above marginal costs of production, there will be a great incentive to increase output, as well as increased means to do it. In industries where prices fall below marginal costs of production, output must shrink. Everywhere supply will keep adjusting itself to demand.

Where prices have been set arbitrarily, real profits and losses cannot be determined. If I am a commissar in charge of an automobile factory, and do not own the money I pay out, and you are a commissar in charge of a steel plant, and do not own the steel you sell or retain the money you sell it for, and we are each ordered to show a profit, the first thing each of us will do is to appeal to the Central Planning Board to set an advantageous price (to him) for steel and for automobiles. As an automobile commissar, I will want the price of the cars I sell to be set as high as possible, and the price of the steel I buy to be set as low as possible, so that my own "profit" record will look good or my bonus will be fixed high. But as a steel commissar, you will want the selling price of your steel to be fixed as high as possible, and your own cost prices to be fixed low, for the same reason. But when prices are thus fixed blindly, politically, and arbitrarily, who will know what any industry's real profits or losses (as distinguished from its nominal bookkeeping profits or losses) have been?

DECENTRALIZED CHAOS

The problems of centralized direction of an economy are so insuperable that in socialist countries there are periodically experiments in decentralization. But in an economy only half free—that is, in an economy in which every factory is free to decide how much to produce of what, but in which the basic prices, wages, rents, and interest rates are blindly fixed or guessed at by the sole ultimate owner of the means of production, the state—a decentralized system could quickly become even more chaotic than a centralized one. If finished products *m, n, o, p,* and so on are made from raw materials *a, b, c, d,* and so on in various combinations and proportions, how can the individual producers of the raw materials know how much of each to produce, and at what rate, unless they know how much the producers of the finished products plan to produce of the latter, how much raw materials they are going to need, and just *when* they are going to need them? And how can the individual producer of raw material *a* or of finished product *m* know how much of it to produce unless he knows how much of that raw material or finished product others in his line are planning to produce, as well as relatively how much ultimate consumers are going to want or demand?

An economic system without private property and free-market price guides must be chaotic. In a communistic system, centralized or decentralized, there will always be unbalanced and unmatched production, shortages of this and unusable surpluses of that, duplications, bottlenecks, time lags, inefficiency, and appalling waste.

In brief, socialism is incapable of solving the incredibly complicated problem of economic calculation. That problem can be solved only by capitalism.[6]

FOOTNOTES

[1] I have examined most of these schemes in more detail elsewhere (chiefly in my *Economics in One Lesson* and in *Man vs. the Welfare State*) and must refer the interested reader to these and other sources for more extended discussion.

[2] Gunnar Myrdal, *The Challenge of World Poverty* (Pantheon Books, 1970), pp. 400–401 and *passim*.

[3] *Man vs. the Welfare State* (Arlington House, 1969), pp. 23–25.

[4] (Princeton: D. Van Nostrand, 1959.)

[5] (Princeton: D. Van Nostrand, 1960, 1965.)

[6] For the fuller discussion of the problem of economic calculation, see my novel, *Time Will Run Back* (originally published by Appleton-Century-Crofts in 1951 as *The Great Idea*, and republished under the new title by Arlington House in 1966). And see especially the discussion by the great seminal thinker who has done more than any other to make other economists aware of the existence, nature, and extent of the problem, Ludwig von Mises, in his *Socialism: An Analysis* (London: Jonathan Cape, 1936, 1951, 1953, 1969), and in his *Human Action* (Chicago: Henry Regnery, third revised edition, 1963), pp. 200–231 and 698–715. See also *Collectivist Economic Planning*, edited by F. A. Hayek (London: George Routledge, 1935), and *Economic Calculation in the Socialist Society*, by T. J. B. Hoff (London: William Hodge, 1949).

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 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?

OPEN INVITATION TO ALL DEMOCRATIC PRESIDENTIAL CANDIDATES

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. MURPHY of New York. Mr. Speaker, all Democratic presidential candidates are invited to appear as guest speakers at the National Democratic Club of New York City.

An engraved invitation to appear is not necessary. As chairman of the lecture and forum committee, I invite interested parties to contact me.

Every President since Andrew Jackson has been a guest speaker before our organization—which should serve as an inducement to anyone who wants to be President of the United States.

The luncheon forum meeting is held every Monday at noon.

Former Attorney General Ramsey Clark has already spoken and his appearance was SRO. Senator GEORGE MCGOVERN will speak on March 29, 1971, and I am sure this appearance will also bring in a full audience.

On behalf of William H. Prendergast, president of the National Demorcatic Club of New York City, its secretary, Jim Driscoll, and myself, I urge Democratic aspirants to the Presidency to accept this open invitation to present their views to hundreds of fellow Democrats.

A LETTER TO THE PRESIDENT—RE: OUR POW'S

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 25, 1971

Mr. RARICK. Mr. Speaker, I have just received a copy of a letter written by one of my constituents, Mr. Chris Dumestre III, to the President of the United States concerning POW's.

Chris is an 11-year-old fifth grader from Baton Rouge, La. If his understanding of politics and world issues is exemplary of his generation, we should lower the voting age to 11.

I insert Chris' letter following my remarks:

MARCH 1, 1971.

DEAR MR. PRESIDENT: My name is Chris Dumestre, III. I am eleven years old. I share my birthday with George Washington on the twenty-second of February, and I am in the fifth grade at Episcopal High School. My teacher suggested that we write to the President of North Vietnam, to beg him to treat our prisoners properly. Mr. Nixon, I decided to write to you instead. I think the war and the prisoners are now your responsibility. It seems to me, as strong as our country is, you could end the war quickly. Give them a warning to stop the fighting and return our men in one week. If they don't, hit them with everything we have.

Respectfully yours,

CHRIS DUMESTRE III.

P.S.—If you can't do it, we'll get someone who can.